

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, MAY 11, 2009
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair, Robert Duke, Vice-Chair Thomas Murphy, Alexandra (Sani) Fogel, William (Bill) Chapman and Thomas Farley. Also present: Robert Peabody, Jr., Town Manager, Departments Head (Tom Ford, Director of Planning & Community Development), press and members of the public

I. CALL MEETING TO ORDER – Robert Duke, Chair called the meeting to order at 7: 02 P.M.

a. Approval of the minutes of the Monday, April 13, 2009 meeting of the Select Board

Bill Chapman moved to accept the minutes of the April 13th, 2009 meeting with a correction to page 9, section VII, h. Vote should be 4 for and 1 opposed, Tom Murphy. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED

b. Approval of the minutes of the Tuesday, April 21, 2009, meeting of the Select Board

Bill Chapman moved to accept the minutes of the April 21st, 2009 meeting with a correction to page 2, Article 7 should state Motion Failed. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (THOMAS FARLEY, ABSENT AT THAT MEETING)

II. TOWN MANAGER’S REPORT

III. LIAISONS’ REPORTS

IV. WASTEWATER COMMISSIONERS

Thomas Murphy moved to exit as Select Board and enter as Wastewater Commissioners. Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

a. Commitment of Commercial Sewer User Rates for the period of March 2009

Thomas Murphy moved to commit the March 2009 Sewer User Rates, pages 1 through 10, totaling \$104,534.68 to the Treasurer for collection. Bill Chapman seconded the motion. VOTE: 5 FOR –0 OPPOSED

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Thomas Murphy moved to exit as Wastewater Commissioners and reenter as the Select Board. Thomas Farley seconded the motion. VOTE: 5 FOR –0 OPPOSED

V. UNFINISHED BUSINESS

- a. Streetlight Request at the corner of Bonny Street and Route 90

Thomas Farley moved to install a streetlight at the intersection of Bonny Street and Route 90. Thomas Murphy seconded the motion. VOTE: 0 FOR –5 OPPOSED

- b. Opera House Ad Hoc Committee request to be a standing committee

**Thomas Murphy moved to approve the Opera House Committee Establishment Ordinance. Bill Chapman seconded the motion. Bill Chapman moved to amend section 4.4 to be 5:30 p.m. Thomas Murphy seconded the motion. VOTE: 5 FOR –0 OPPOSED (AMENDMENT)
VOTE: 5 FOR – 0 OPPOSED**

- c. No Other Unfinished Business

VI. NEW BUSINESS

- a. Request from the Camden Rockport Little League to add a sign to the existing Rockport Recreation field sign

Thomas Murphy moved to allow the Camden Rockport Little League to attach a sign to the existing Rockport Recreation Field sign with all costs and maintenance to be borne by the Camden Rockport Little League with the installation of the sign to be overseen by the Public Works Director and Tom Ford, pending approval according to the town codes. Bill Chapman seconded the motion. VOTE: 5 - FOR – 0 OPPOSED

- b. Marine Park Lease, Robert Tassi, Timberwind

Thomas Murphy moved to approve a three year lease between Schooner Timberwind Cruises and the Town of Rockport. Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- c. Presentation of the 2009-2010 proposed CSD

- d. Rockport Pathways Master Plan – C-R Pathways Committee

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Sani Fogel moved to accept the document of the Committee knowing how much good work went into it, approving the work ethics and down the road look at the priorities for the plan. Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

e. Conditional approval for a peddler's license at the Harbor – Doreen Duke

Robert Duke, the Chair removed himself as he has a personal interest in this item.

Thomas Murphy, Vice- chair took over the meeting

Sani Fogel moved to conditionally approve the issuance of a Peddler's License to Doreen Duke doing business as Queenies Weenies to operate a lunch wagon on the east side of Marine Park near the footbridge at a spot designated by the Harbor Master subject to an affirmative vote for the Peddler's Ordinance on June 9, 2009. Bill Chapman seconded the motion. VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (ROBERT DUKE)

Robert Duke resumed his authority as chair.

f. Parking Review Ordinance Analysis and Discussion – Tom Ford

Bill Chapman moved to direct Town Manager with the assistance of Mark Kelley, Police Chief and Tom Ford, Director of Planning & Community Development to rewrite the Rockport Traffic and Parking Ordinance. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

g. Marine Hoist User Policy and Release Form

Bill Chapman moved to approve the Marine Hoist User Policy and Release Form and to update the Town's codes accordingly. Thomas Farley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

h. Approval of the Sewer Fees Acquired Property Policy

Thomas Murphy moved to adopt the Sewer Fees Acquired Property Policy. Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

i. Approval of the Tax Acquired Property Policy (revised)

Thomas Murphy moved to adopt the Tax Acquired Property Policy.

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Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

j. Clarification vote on the increase of fees at Mid-Coast Solid Waste Corporation

Sani Fogel moved to reconsider the Select Board vote of March 31 approving a per bag fee of \$1.50 and a per ton fee of \$120 for municipal solid waste effective March 31, 2009. Thomas Farley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Sani Fogel moved to approve a per bag fee of \$1.50 and a per ton fee of \$120.00 for Municipal Solid Waste effective March 31, 2009. Thomas Farley seconded the motion. VOTE: 0 FOR – 5 OPPOSED

Sani Fogel moved to approve a motion to increase by 50% the user fees for trash disposal, as recommended by the MCSWC Board of Directors, effective on or before April 1, 2009. This affects the price of both yellow bags and the per ton "loose" fee. Bill Chapman seconded the motion. VOTE: 0 FOR – 5 OPPOSED

k. Other New Business

VII ADJOURNMENT

Thomas Murphy moved to adjourn the meeting at 9:41 p.m. Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY