

**ROCKPORT SELECT BOARD
MEETING MINUTES
TUESDAY, APRIL 19, 2011
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair, William (Bill) Chapman, Alexandra (Sani) Fogel, and Tracy Murphy.
Absent: Dale Landrith, Jr. and Thomas Farley. Also present: Robert Peabody, Jr. (Town Manager), Tom Ford, (Director of Planning and Community Development), Kerry Leichtman (Assessor), Molly Larson (Library Director) and Stephen Beveridge (Public Works Director), the press and several members of the public.

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

II. UNFINISHED BUSINESS

a. Vote on Article 22 as revised by the Town Attorney – also Articles 25 & 26

Tracy Murphy moved to approve Article 22 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Sani Fogel moved to approve Article 25 as read (October 17, 2011 and April 17, 2012). Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Tracy Murphy moved to approve Article 26 as read (October 18, 2011 and April 18, 2012). Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

III. PUBLIC HEARING

a. Public Hearing on the proposed Articles Three through Eleven of the June 2011 Annual Town Meeting Warrant

IV. NEW BUSINESS

a. Vote by the Select Board on Articles Three through Eleven of the June 2011 Annual Town Meeting Warrant

Article 3. Shall an Ordinance entitled, “Ordinance amending the Rockport Land Use Ordinance Section 300 – Definitions” be enacted?

Tracy Murphy moved to approve Article 3 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

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Article 4. Shall an Ordinance entitled, “Ordinance amending the Rockport Land Use Ordinance Section 600 - Administration” be enacted?

Tracy Murphy moved to approve Article 4 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 5. Shall an Ordinance entitled, “Ordinance amending the Rockport Land Use Ordinance Section 812 – Wind Energy Systems” be enacted?

Tracy Murphy moved to approve Article 5 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 6. Shall an Ordinance entitled, “Ordinance amending the Rockport Land Use Ordinance District 907 – Mixed Business and Residential, District 907 Modified – Mixed Business and Residential, District 908 Rural and District 913 – Rockport Downtown” be enacted?

Tracy Murphy moved to approve Article 6 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 7. Shall an Ordinance entitled, “Ordinance amending the Rockport Land Use Ordinance Section 1100-Signs” be enacted?

Sani Fogel moved to approve Article 7 as read. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 8. Shall the Town of Rockport Zoning Map be amended by revising that portion of Tax Map 20, Lots 139 and 141 that are currently in District 903 to District 907 Modified?

Tracy Murphy moved to approve Article 8 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 9. Shall the Town of Rockport Zoning Map be amended by revising that portion of Tax Map 20, Lot 133 that is currently in District 904 to District 907?

Tracy Murphy moved to approve Article 9 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 10. With respect to the “Rockport Downtown Municipal Development and Tax Increment Financing District” designated by the Town on November 3, 2009 and approved by the Maine Department of

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Economic and Community Development on March 29, 2010, shall the Town (i) adopt the Development Program for the District with the terms and provisions contained in the "Rockport Downtown Municipal Development and Tax Increment Financing District Development District" on file in the Town Clerk's Office; (ii) make the findings set forth in the Development Program; (iii) adopt the financial plan including the percentage of increased assessed value in accordance with the Development Program; and (iv) submit to the State of Maine Commissioner of Economic and Community Development for approval such applications and further documentation as may be necessary or appropriate for final approval of the Development Program and financial plan pursuant to 30-A M.R.S.A. Chapter 206, Sub-Chapter 1?

Tracy Murphy moved to approve Article 10 as read. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 11. Proposed RES East Warrant Articles:

Option 1:

Shall the Select Board be authorized [directed] to sell the Rockport Elementary School property (Tax Map 27, Lot 157) subject to the following conditions:

- a) The selling price shall be not less than fair market value, as determined by a qualified appraiser;
- b) The buyer shall be a person or entity who is not eligible for a property tax exemption; and
- c) The deed of sale shall contain a covenant that the property may not be converted to a use that qualifies it for a property tax exemption without the prior approval of the Rockport Town Meeting [Select Board]?

Option 2:

Shall the Select Board be authorized [directed] to sell the Rockport Elementary School property (Tax Map 27, Lot 157), excepting that portion of the property containing the ball field and located westerly of the driveway alongside the school building, subject to the following conditions:

[Insert Conditions]

Option 3:

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Shall the Select Board be authorized [directed] to sell the Rockport Elementary School property, as shown on a plan on file at the Town Clerk's Office and entitled " _____ ", subject to the following conditions:

[Insert Conditions]

Tracy Murphy moved to approve the following wording for Article 11. "Shall the Town of Rockport enter into negotiations with Maine Media Workshops for the Redevelopment of the RES East Property?" Sani Fogel seconded the motion.

Tracy Murphy moved to withdraw her motion. Sani Fogel moved to withdraw her second.

No action was taken on Article 11.

- b. Vote to set the town meeting times as stated in the first paragraph of the June 2011 Annual Town Meeting Warrant:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 14th day of June, 2011 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 10 at which time the meeting will adjourn. The adjourned meeting will be reopened on Wednesday, the 15th day of June, 2011 at the Rockport Opera House, at 7:00 o'clock in the evening, then and there to act on the remaining articles in the warrant.

Tracy Murphy moved to set the Town Meeting date as Tuesday, June 14th at 8:00 AM through 8:00 PM at the Rockport Town Office to vote on Articles 1 through 10 at which time the meeting will adjourn. The adjourned meeting will be reopened Wednesday June 15th at 7:00 pm at the Rockport Opera House to act on the remaining article in the warrant. Sani Fogel seconded the motion. **VOTE: 3 FOR – 0 OPPOSED**

- c. Vote to sign School Budget Meeting – MSAD #28 & Five Town CSD for Tuesday, May 31, 2011

Tracy Murphy moved to sign the Warrant to call MSAD #28 and Five Town CSD Budget Meeting. Sani Fogel seconded the motion. **VOTE: 3 FOR – 0 OPPOSED**

d. Vote to sign School Referendum – MSAD #28 & Five Town CSD Warrant and Notice of Election for Tuesday June 14, 2011.

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Tracy Murphy moved to sign the MSAD #28 and Five Town CSD Warrant and Notice of Election for Tuesday, June 14th. Sani Fogel seconded the motion. VOTE: 3 FOR – 0 OPPOSED

e. Other New Business – None

V ADJOURNMENT

Sani Fogel moved to adjourn the meeting at 8:37 p.m. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY