

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
MONDAY, AUGUST 9, 2010  
7:00 P.M.  
ROCKPORT OPERA HOUSE**

Present: Chair William (Bill) Chapman, Vice-Chair Tracy Lee Murphy, Dale Landrith, Jr., Thomas Farley and Alexandra (Sani) Fogel. Also present: Robert Peabody, Jr., Town Manager, Department Heads: Tom Ford, Director of Community Development & Planning, Mark Kelley, Chief of Police, and Molly Larson, Library Director and members of the public

I. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 7: 00 P.M.

a. Approval of the minutes of the Monday, April 12, 2010 meeting of the Select Board

**Dale Landrith moved to table the minutes of the April 12<sup>th</sup> meeting to the September 13<sup>th</sup> meeting. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

b. Approval of the minutes of the Monday, July 19, 2010 meeting of the Select Board

**Dale Landrith, Jr. moved to accept the minutes of the July 19, 2010 meeting as written. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (SANI FOGEL (ABSENT))**

c. Next Regular Select Board Meeting on September 13, 2010

d. Upcoming Select Board Workshops:

e. Announcements

f. Public Comment

**Sani Fogel moved to add to the agenda item i., discussion regarding the Resolution of the International Paper Trade Case. Thomas Farley seconded the motion. VOTE: 3 FOR – 2 OPPOSED (MURPHY & CHAPMAN)**

II. AGENDA CHANGES

III. TOWN MANAGER'S REPORT

IV. LIAISONS' REPORTS

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### V. UNFINISHED BUSINESS

- a. No Unfinished Business

### VI. WASTEWATER COMMISSIONERS

- a. No Wastewater Business

### VII. Public Hearing

- a. New Malt and Vinous Liquor License for Megunticook RV Resort LLC, d/b/a Nascar RV Resorts at Megunticook, Brian Kuhenbecker, Manager and Jennifer Horrigan, Corporate Officer, located at 620 Commercial Street, Rockport, Maine.

### VIII. NEW BUSINESS

- a. Approval of a New Malt and Vinous Liquor License for Megunticook RV Resort LLC, d/b/a Nascar RV Resorts at Megunticook, Brian Kuhenbecker, Manager and Jennifer Horrigan, Corporate Officer, located at 620 Commercial Street, Rockport, Maine.

No action was taken as this application was withdrawn.

- b. To appoint additional members to the RES East Ad Hoc Committee

**Dale Landrith moved to accept with regret the resignation of Steve Corson from the Committee and to urge him to reconsider. Tracy Murphy seconded the motion. VOTE: 3 - FOR – 2 OPPOSED (FOGEL & FARLEY)**

**Sani Fogel moved to reappoint Robert Duke to the Res East Ad Hoc Committee. Thomas Farley seconded the motion. VOTE: 4 FOR – 1 OPPOSED (MURPHY)**

**Thomas Farley moved to expand the committee to eleven members. Dale Landrith seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Thomas Farley moved to appoint Roger Jones, Larry Lehman, Janet Hall, Betsy Elwin, and Rob Iserbyt as members of the RES East Ad Hoc Committee. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

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The Committee will meet Wednesday, August 11<sup>th</sup> at 5:15 p.m. at the Rockport Town Office for their organizational meeting.

c. To appoint additional members to the Parks and Recreation Committee.

**Dale Landrith moved to appoint Steve Alex and Alex Arau to the Parks and Recreation Committee to terms expiring June 30, 2013. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

d. Approval of Quitclaim Deeds from the Municipality of Rockport to Samoset Resort Timeshare Estate Association

**Tracy Murphy moved to convey by Municipal Quit Claim Deed the premises described as Map T02 Lot A06-002, T03 Lot A02-42, Map T02 Lot A03-049, Map T03 Lot A12-15, Map T01 Lot B1-002 and Map T01 Lot A10-11 to Samoset Resort Timeshare Estates Association. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Tracy Murphy moved to convey by Municipal Quit Claim Deed the premises described as Map T03 Lot D3-009, Map T02 Lot A15-045, Map T01 Lot C2-044, Map T01 Lot A08-002, Map T03 Lot A09-018, Map T01 Lot A10-50, Map T01 Lot A16-049 and Map T02 Lot A11-046 to Samoset Resort Timeshare Estates Association. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

e. Approval of the Encumbrance of Funds

**Tracy Murphy moved to encumber the funds listed on the June 30, 2010 Encumbered Funds document. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Dale Landrith moved to amend the motion to separate the question. Thomas Farley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Dale Landrith moved to encumber Legal Fees in the amount of \$7,095.44. Thomas Farley seconded the motion. VOTE: 4 FOR – 1 OPPOSED (FARLEY)**

**Dale Landrith moved to encumber Election Machine Rental Fees in the amount of \$1,400.00. Thomas Farley seconded the motion. VOTE: 4 FOR – 1 OPPOSED (FARLEY)**

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**Dale Landrith moved to encumber Election Machine Fee in the amount of \$13,000.00. Thomas Farley seconded the motion. VOTE: 4 FOR – 1 OPPOSED (FARLEY)**

**Dale Landrith moved to encumber Legacy Rockport Fee in the amount of \$14,131.07. Thomas Farley seconded the motion. VOTE: 3 FOR – 2 OPPOSED (FARLEY & LANDRITH)**

f. Approval of the Energy Efficiency Community Block Grant

**Tracy Murphy moved to approve the Agreement to Purchase Services between the Town and Efficiency Maine Trust and to authorize the Town Manager to sign said agreement. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

g. Approval of the Small Harbor Improvement Program Grant

**Thomas Farley moved to approve the Small Harbor Improvement Program Project Agreement between the Town and State of Maine Department of Transportation and to authorize the Town Manager to sign said Agreement. Dale Landrith seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

h. Discussion of possible municipal policy issues to MMA for possible Legislature consideration.

i. Other New Business -

Discussion of the Resolution of the International Paper Trade Case

**Thomas Farley moved to support the Resolution of the International Paper Trade Case. Dale Landrith seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

IX. Executive Session

a. Discussion with the Town Manager regarding Goals for FY 10-11 pursuant to 1 M.R.S.A. SECTION 405(6) (A)

**At 8:52 p.m., Sani Fogel moved to go into executive session with the Town Manager regarding Goals for FY 10-11 pursuant to 1 M.R.S.A. SECTION 405(6)(A). Dale Landrith seconded the motion. VOTE: 5 FOR – 0**

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**OPPOSED**

**Tracy Murphy moved to come out of Executive Session at 9:45 p.m. Dale Landrith seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**X ADJOURNMENT**

**Tracy Murphy moved to adjourn the meeting at 9:46 p.m. Dale Landrith seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY