

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
MONDAY, MARCH 9, 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 Heads (Stephen Beveridge, Public Works Director, Virginia Lindsey, Finance Director, Mark G. Kelley, Chief of Police, and Molly Larson, Library Director), Scott Bickford, CEO, Kerry Leichtman, Assessing Assistant, James Guerra, Director of Mid-Coast Solid Waste and members of the public

I. CALL MEETING TO ORDER – Robert Duke, Chair called the meeting to order at 7: 08 P.M.

a. Approval of the minutes of the Monday, February 23, 2009 meeting of the Select Board

**Bill Chapman moved to accept the minutes of the February 23rd, 2009 meeting as presented. Thomas Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED – 2 ABSTAINED (SANI FOGEL & THOMAS FARLEY)**

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 January 2009

**Thomas Murphy moved to commit the January 2009 Sewer User Rates totaling \$24,380.59 to the Treasurer for collection. William Chapman seconded the motion. VOTE: 5 FOR –0 OPPOSED**

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

V. UNFINISHED BUSINESS

a. Camden-Rockport Bicycle and Pedestrian Reserve Fund

**Bill Chapman moved to establish the Bicycle and Pedestrian Infrastructure Reserve in accordance with the request presented by the Camden/Rockport Pedestrian and Bicycle Pathways Committee in their memo of February 26, 2009. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

b. Discussion and possible implementation of the Municipal Performance Measurement Program

**Bill Chapman moved to direct the Town Manager and Finance Director to develop a Municipal Performance Measurement Program for the Town of Rockport. Sani Fogel seconded the motion. VOTE: 4 FOR – 1 OPPOSED (THOMAS MURPHY)**

VI. NEW BUSINESS

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

**Thomas Murphy moved to direct the Town Manager to draft an ordinance establishing an Opera House Committee. The Committee shall comprise 5 members appointed by the Select Board, with staggered terms. Sani Fogel seconded the motion. VOTE: 5 - FOR – 0 OPPOSED**

b. Streetlight Request at the corner of Bonny Street and Route One

**Bill Chapman moved to table the request of adding a street light at the corner of Bonny Street and Route 90 to the May Meeting of the Select Board. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

c. Request of Mid-Coast Solid Waste Corporation for Increases in Fees

**Thomas Murphy 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. William Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

d. Annual Municipal Warrant for Prosecuting Unlicensed Dog Owners-Keepers

**William Chapman moved to sign the 2009 Municipal Warrant for Prosecuting Unlicensed Dog Owners-Keepers pursuant to 7 MRSA § 3943. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

e. Annual Reappointment of Election/Ballot Clerks and Counters

**Sani Fogel moved to appoint the Election/Ballot Clerks and Counters recommended by the Town Clerk pursuant to 21-A MRSA § 503 and Article VII § 7 of the Rockport Charter with thanks from the Board. Thomas Farley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

f. Approval for Signature – Route 1 Traffic Calming Agreement between DOT and the Town

**William Chapman moved to approve the Local Project Agreement between the Town of Rockport and the State of Maine, Department of Transportation and direct the Town Manager to sign on behalf of the Town. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

g. Discussion of the School Budget

h. Draft land use warrant articles for 2009 Annual Town Meeting

i. Request for an additional task to be added to the ORC task list – a minor change to Section 901 is supported by the ORC, Planning Office, and Select Board Liaison Bill Chapman

**William Chapman moved to amend the Ordinance Review Committee task list to include the side and rear setback in the 901 Harbor Village Clustered Residential Subdivisions District, sewer lots only. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

j. Approval to place proposed Land Use revisions on the Tuesday, April 21, 2009 public hearing notice for the June Town Meeting Warrant

**William Chapman moved to set a Public Hearing on the draft Warrant Articles submitted by the Ordinance Review Committee, incorporated in this motion by way of the list provided in your meeting materials, for April 21, 2009, 7:00 PM, Rockport Opera House. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

k. Donation from Woodard & Curran of \$550 for picnic tables for the parks

**Thomas Murphy moved to accept a \$550 donation from Woodard & Curran for the construction of picnic tables and to send them a letter of thanks that is suitable for framing. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

l. Other New Business

Thomas Farley discussion that he does not feel that enough information is furnished to the Board regarding the awarding of the Mowing Bids. Need transparency.

Knox County Budget Member – Robert Duke will renew as member.

**Thomas Murphy moved to recommend Robert Duke to represent District 5 for Rockport and part of Camden as the Knox County Representative to the Knox**

**County Budget Committee. William Chapman seconded the motion. VOTE: 4 – FOR -0 OPPOSED – 1 ABSTAINED (ROBERT DUKE)**

VII EXECUTIVE SESSION

a. Evaluation of the Town Manager pursuant to 1 MRSA Section 405(6) (A)

**Sani Fogel moved to go into executive session at 9:33, pursuant to 1 MRSA Section 405(6) (A). William Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Thomas Murphy moved to come out of executive session. William Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

VIII ADJOURNMENT

**William Chapman moved to adjourn the meeting at 11:15 p.m. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY