

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, APRIL 14, 2008, 7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair, Robert Nichols, Vice-Chair, Robert Duke, Alexandra (Sani) Fogel, Alex Arau and Thomas Murphy. Also present: Robert Peabody, Jr., Town Manager, Department Head, Mark Kelley, Chief of Police and members of the public

I. CALL MEETING TO ORDER – Robert Nichols, Chair called the meeting to order at 7:01 p.m.

a. Approval of the minutes of the Monday, March 10, 2008 meeting of the Select Board

Robert Duke moved to accept, as presented, the minutes of the March 10th, 2008 meeting. Thomas Murphy seconded the motion. VOTE: 5 FOR - 0 OPPOSED

II. TOWN MANAGER'S REPORT

III. LIAISONS' REPORTS

IV. WASTEWATER COMMISSIONERS

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

a. Commitment of Commercial Sewer User Rates for the period of February 2008

Thomas Murphy moved to commit the February 2008 Sewer User Rates totaling \$25,800.46 to the Treasurer for collection. Robert Duke seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Robert Duke moved in recognition that Route 90 residents are not paying debt service, they will begin paying debt service on July 1, the start of our new fiscal year. Sani Fogel 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. Town Manager's Employment Agreement

Robert Duke moved to have the Chair sign the Employment Agreement with the Town Manager for the upcoming year. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VI. NEW BUSINESS

- a. Applicants for one opening on the Harbor Committee

Austin Matheson
Kenneth Castner
R.J. Masiello
Steven Watts

Thomas Murphy moved to table this item to the May 12th meeting. Robert Duke seconded the motion. VOTE: 5 FOR - 0 OPPOSED

- b. Approval of Channel 7 server connection

Robert Duke moved to grant permission for Channel 7, Maine Coast Community Television, to locate their hardware in the Time Warner cable rack in the basement of the Rockport Town Office for an indefinite time. Thomas Murphy seconded the motion. VOTE: 5 FOR - 0 OPPOSED

- c. Approval of the Reserve Accounts Policy

No motion was made.

- d. Approval of the Job Description of the Harbor Master

Alex Arau moved to instruct the Town Manager to hire a Harbor Master for a nine month position. Robert Duke seconded the motion. VOTE: 3 FOR – 2 OPPOSED (Thomas & Nichols)

Robert Duke moved to approve the job description for Rockport Harbor Master presented by the Town Manager with the change to full-time, seasonal and hourly. Alex Arau seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- e. Final Vote on FY 08/09 Budget

Alex Arau moved to approve the FY 08/09 Select Board Budget. Sani Fogel seconded the motion.

Thomas Murphy moved to make an amendment to add \$5.00 to Select Board pay. Alex Arau seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Robert Duke moved to amend Mr. Arau’s motion to deduct \$750.00 from the Police Budget reflecting canine cost. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VOTE: 5 FOR – 0 OPPOSED

f. Vote by the Board on Articles Nine through Twenty-nine of the June 2008 Annual Town Meeting Warrant

Thomas Murphy moved to place articles 9 through 29 on the Annual Town Meeting Warrant. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Thomas Murphy moved to add a line item in the budget to pay the Select Board \$1.00 each. Alex Arau seconded the motion. VOTE: 3 FOR – 2 (Duke & Fogel) Against

Thomas Murphy moved to take Article 22 separately. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Alex Arau moved to take Article 23 off the warrant and vote on it separately. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Article 9. To see if the Town will vote to raise and appropriate the following as Revenue from the following sources to be used in reducing the property tax assessment for the 2008/2009 fiscal year:

| | | |
|----|-----------------------------|-------------|
| A. | General Government | \$966,042 |
| B. | Public Assistance..... | \$3,000 |
| C. | Public Safety..... | \$110,650 |
| D. | Public Works..... | \$184,288 |
| E. | Culture and Recreation..... | \$124,495 |
| F. | All Other Revenue..... | \$234,273 |
| | Total..... | \$1,622,748 |

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

Select Board Votes: 4 For, 1(Nichols) Against, Abstain

RECOMMEND

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Article 10. To see if the Town will vote to raise and appropriate the following for General Government for the 2008/2009 fiscal year:

| | | |
|----|--|------------|
| A. | Administration | \$28,04550 |
| B. | Town Manager | \$248,507 |
| C. | Town Clerk | \$172,553 |
| D. | Planning & Community Development | \$191,041 |
| E. | Finance..... | \$102,750 |
| F. | Assessing | \$127,987 |
| G. | Town Office Building..... | \$71,733 |
| H. | Insurance..... | \$57,034 |
| | Total..... | \$999,6505 |

Budget Committee Votes: 6 For, 2 Against, 0 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 11. To see if the Town will vote to raise and appropriate the following for Public Assistance for the 2008/2009 fiscal year:

| | | |
|----|-------------------------|----------|
| A. | General Assistance..... | \$15,546 |
| | Total..... | \$15,546 |

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 12. To see if the Town will vote to raise and appropriate the following for Public Safety for the 2008/2009 fiscal year:

| | | |
|----|----------------------------------|---------------|
| A. | Police Department | \$467,768018 |
| B. | Fire Department..... | \$324,436 |
| C. | Streetlights | \$59,950 |
| D. | Animal Control..... | \$10,071 |
| E. | Harbor Master | \$111,834 |
| F. | Public Safety Building | \$21,149 |
| G. | Emergency Management Agency..... | \$1,920 |
| | Total..... | \$997,1286378 |

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

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Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

- Article 13.** To see if the Town will vote to raise and appropriate the following for Public Works for the 2008/2009 fiscal year:
- A. Public Works.....\$1,139,976
 - B. Sanitation.....\$195,912
- Total.....\$1,335,888

Budget Committee Votes: 6 For, 2 Against, 0 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

- Article 14.** To see if the Town will vote to raise and appropriate the following Culture and Recreation for the 2008/2009 fiscal year:
- A. Library.....\$288,232
 - B. Parks and Recreation.....\$63,311
 - C. Opera House.....\$69,793
- Total.....\$421,336

Budget Committee Votes: 7 For, 1 Against, 0 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

- Article 15.** To see if the Town will vote to raise and appropriate the following for Long Term Debt (Debt Payments) for the 2008/2009 fiscal year:
- A. Cemetery.....\$32,735
 - B. Harbor Building.....\$41,872
 - C. Sand & Salt Shed.....\$51,188
 - D. Revaluation.....\$56,041
- Total.....\$181,836

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

- Article 16.** To see if the Town will vote to raise and appropriate the following for County Fees for the 2008/2009 fiscal year:
- A. County Service E-911.....\$43,920

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B. County Service Dispatch\$20,777
Total.....\$64,697

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 17. To see if the Town will vote to raise and appropriate the following for Cemeteries for the 2008/2009 fiscal year:

A. Cemeteries.....\$45,599
Total.....\$45,599

Budget Committee Votes: 7 For, 0 Against, 1 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 18. To see if the Town will vote to raise and appropriate the following for Special Assessments for the 2008/2009 fiscal year:

A. Special Assessments\$4,600
Total.....\$4,600

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 19. To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner or in the case of time-share units, reconveyance back to the original owner or the time-share estates association of unit owners; property to be disposed of by written policy and on terms the Select Board deem advisable.

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

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Article 20. To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of wastewater thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner. Property to be disposed of by written policy and on terms the Select Board deem advisable.

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 21. To see if the Town will vote to authorize the transfer of all unexpended balances to fund balance and to authorize the overdrafts that may occur in the Town operations in the 2008/2009 budget to be taken from fund balance?

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 22. To see if the Town will vote to set November 3, 2008 and May 1, 2009 as the tax installment due dates?

Robert Duke moved to set November 10, 2008 and May 1, 2009 as the tax installment due dates. Alex Arau seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 23. To see if the Town will vote to set November 4, 2008 and May 2, 2009 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 11.00% interest per year?

Robert Duke moved to set November 11, 2008 and May 2, 2009 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 11.00% interest per year. Thomas Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Select Board Votes: 3 For, 2(Arau & Murphy) Against, Abstain

RECOMMEND

Article 24. To see if the Town will vote to fix the rate of interest on delinquent wastewater charges at 11.00% interest per year?

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Select Board Votes: 2 For, 3 (Arau, Duke & Murphy) Against,
Abstain

RECOMMEND

Article 25. To see if the Town will authorize the Select Board and Treasurer, on behalf of the Town, to accept gifts, real estate, and certain funds, including trust funds, that may be given or left to the Town?

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 26. To see if the Town will vote to authorize the Select Board to accept those conservation easements which the Select Board deem appropriate in the name of the Town of Rockport, provided however, said conservation easements are first considered by the Rockport Conservation Commission and Planning Board?

Select Board Votes: 4 For, 1 (Arau) Against, Abstain

RECOMMEND

Article 27. To see if the Town will vote to authorize the payment of tax abatements and applicable interest approved by the Select Board from the property tax overlay account?

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 28. To see if the Town will authorize the Treasurer to waive the foreclosure of tax lien mortgages pursuant to 36 M.R.S.A. sec. 944 upon a finding by the Select Board that ownership of the property subject to the lien would be contrary to the Town's best interest?

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

Article 29. To see if the Town will authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads?

Select Board Votes: 5 For, 0 Against, Abstain

RECOMMEND

g. Other New Business

VIII ADJOURNMENT

Thomas Murphy moved to adjourn the meeting at 11:45 p.m. Sani Fogel seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY