

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, APRIL 9, 2012
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair, William (Bill) Chapman, Vice-Chair, Tracy Lee Murphy, Alexandra (Sani) Fogel, and Charlton Ames. Absent: Geoffrey Parker. Also present: Robert Peabody, Jr. (Town Manager), Tom Ford, (Director of Planning and Community Development), Stephen Beveridge (Public Works Director), Susan Dates and Michael Young, Public Works Department, the press and members of the public.

- I. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 7:02 P.M.
 - a. Approval of the minutes of the Monday, March 19, 2012 meeting of the Select Board – Minutes are not ready and will be on the agenda for next month
 - b. Select Board Meeting and Public Hearing, Monday April 23, 2012 including June Ballot Articles
 - c. Next Regular Select Board Meeting on Monday, May 14, 2012 at 7:00 PM, Rockport Opera House, TV
 - d. Announcements
 - e. Committee Openings
 - f. Agenda Changes – None
 - g. Public Comment - None
- II. TOWN MANAGER’S REPORT
- III. LIAISON’S REPORT
- IV. WASTEWATER COMMISSIONERS

Sani Fogel moved to exit as Select Board and enter as Wastewater Commissioners. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

- a. Commitment of Commercial Sewer User Rates for the period of February 2012

Sani Fogel moved to commit the February 2012 Sewer User Rates totaling \$27,828.65 to the Treasurer for collection. Tracy Murphy seconded the motion. VOTE: 4 FOR –0 OPPOSED

b. Review of Sewer Ordinance by the Ordinance Review Committee

To be reviewed by Tom Ford, Scott Bickford, ORC Committee and then the engineers

c. Discussion of a future “visioning meeting - Workshop on September 24th

Tracy Murphy moved to exit as Wastewater Commissioners and reenter as the Select Board. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED

V. UNFINISHED BUSINESS

a. Discussion regarding Opera House Rental Fees and Policy under which they can be waived – Penobscot Bay Chamber and Value in Education Requests

Sani Fogel moved to approve Rockport House Contract as revised. Charlton Ames seconded the motion. Charlton Ames moved to have a resident defined as a Rockport Voter. Sani Fogel seconded the amendment. VOTE ON THE AMENDMENT: 4 FOR – 0 OPPOSED - VOTE ON THE MOTION: 4 FOR – 0 OPPOSED

Sani Fogel moved to approve a fee waiver for the Penobscot Bay Chamber of Commerce effective immediately and terminating July 1, 2013. Charlton Ames seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Sani Fogel moved to approve a fee waiver for the Value in Education group effective immediately and terminating July 1, 2013. Charlton Ames seconded the motion. VOTE: 3 FOR – 1 OPPOSED (Tracy Murphy)

VI. PUBLIC HEARING - None

VII. NEW BUSINESS

a. Discussion on Certified Friendly Business Community -Tom Ford

b. Request by the Public Works Department to purchase a snowplow for the Oshkosh out of their Equipment Reserve Line

Sani Fogel moved to approve releasing \$8,000 from the Public Works Equipment Reserve for the purchase of a snowplow with a provision that we

put more money in the Reserve Fund for next year (2013-14). Charlton Ames seconded the motion. VOTE: 4 FOR – 0 OPPOSED

c. Final Discussion and Vote by the board on Articles ~~Twelve-Nine~~ through ~~Twenty~~ Nineteen of the June 2012 Annual Town Meeting Warrant

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 2012/2013 fiscal year:

A.	General Government.....	\$879,667
B.	Public Assistance	\$4,930
C.	Public Safety	\$125,739
D.	Public Works.....	\$83,776
E.	Culture and Recreation	\$102,098
F.	All Other – Cemeteries	\$4,000
G.	All Other – RES East	\$221,660
H.	Undesignated Fund Balance	\$110,000
I.	Special Assessments	\$198,939
	Total	\$1,730,809

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 9 as read. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 10. To see if the Town will vote to raise and appropriate the following for General Government for the 2012/2013 fiscal year:

A.	Administration	\$27,270
B.	Town Manager	\$219,103
C.	Town Clerk	\$187,226
D.	Planning & Community Development.....	\$183,894
E.	Finance	\$84,564
F.	Assessing.....	\$111,830
G.	Town Office Building.....	\$110,228
H.	Insurance	\$43,500
	Total	\$967,615

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 10 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 11. To see if the Town will vote to raise and appropriate the following for Public Assistance for the 2012/2013 fiscal year:

A.	General Assistance.....	\$18,528
	Total	\$18,528

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 11 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 12. To see if the Town will vote to raise and appropriate the following for Public Safety for the 2012/2013 fiscal year:

A. Police Department.....	\$480,240
B. Fire Department	\$335,697
C. Streetlights	\$58,710
D. Animal Control	\$10,649
E. Harbor Master	\$123,154
F. Public Safety Building	\$21,817
G. Emergency Management Agency	\$1,849
Total	\$1,032,116

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 12 as read. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 13. To see if the Town will vote to raise and appropriate the following for Public Works for the 2012/2013 fiscal year:

A. Public Works.....	\$1,288,379
B. Sanitation	\$155,928
Total	\$1,444,307

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 13 as read. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 14. To see if the Town will vote to raise and appropriate the following Culture and Recreation for the 2012/2013 fiscal year:

A. Library.....	\$325,664
B. Conservation Commission	\$5,665
C. Parks and Recreation.....	\$69,531
D. Opera House.....	\$105,344
Total	\$506,204

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 14 as read. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 15. To see if the Town will vote to raise and appropriate the following for Long Term Debt (Debt Payments) for the 2012/2013 fiscal year:

A. Sand & Salt Shed	\$44,306
Total	\$44,306

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 15 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 16. To see if the Town will vote to raise and appropriate the following for County Fees for the 2012/2013 fiscal year:

A.	County Service E-911	\$55,040 (subject to change)
B.	County Service Dispatch.....	\$27,120 (subject to change)
	Total	\$82,160 (subject to change)

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 16 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 17. To see if the Town will vote to raise and appropriate the following for Cemeteries and RES East for the 2012/2013 fiscal year:

A.	Cemeteries.....	\$51,809
B.	RES East	\$221,090
C.	Special Assessments	\$5,500
	Total	\$278,399

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 17 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 18. 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 2012/2013 budget to be taken from fund balance?

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 18 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 19. To see if the Town will vote to authorize the payment of tax abatements and applicable interest from the property tax overlay account?

Budget Committee Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Bill Chapman moved to approve Article 19 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

d. Vote by the Select Board on Articles ~~Twenty-One~~ Twenty through ~~Thirty-Two~~ Twenty-nine of the June 2012 Annual Town Meeting Warrant

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 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.

Bill Chapman moved to approve Article 20 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 21. 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.

Bill Chapman moved to approve Article 21 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 22. To see if the Town will vote to set October 15, 2012 and April 16, 2013 as the tax installment due dates?

Bill Chapman moved to approve Article 22 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 23. To see if the Town will vote to set October 16, 2012 and April 17, 2013 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 7.00% interest per year?

Bill Chapman moved to approve Article 23 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 24. To see if the Town will vote to fix the rate of interest on delinquent wastewater charges at 7.00% interest per year?

Bill Chapman moved to approve Article 24 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

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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?

Bill Chapman moved to approve Article 25 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

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?

Bill Chapman moved to approve Article 26 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 27. 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?

Bill Chapman moved to approve Article 27 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 28. 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?

Bill Chapman moved to approve Article 28 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 29. To see if the town will vote to authorize the tax collector to enter into a standard agreement with taxpayers establishing a "tax club" payment plan for commercial and/or residential real estate property taxes, whereby:

(1) The taxpayer agrees to pay specified monthly payments to the town based on his/her estimated and actual tax obligation for current year real estate property taxes;

(2) The town agrees not to charge interest on timely payments made pursuant to the tax club agreement;

(3) The town authorizes the collector to accept tax club payments for current year taxes which may be due prior to the commitment of those taxes;

(4) The agreement is automatically terminated if a scheduled payment is late, and the taxpayer then becomes subject to the same due date(s) and

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interest date(s) and rate as other taxpayers who are not participating in the tax club;

(5) Only taxpayers who do not have outstanding tax obligations for prior tax years are eligible to participate in the tax club program; and

6) Taxpayers wishing to participate in the tax club for a particular property tax year shall enter an agreement with the town by a publicly-advertised deadline determined by the tax collector.

Bill Chapman moved to approve Article 29 as read. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

e. Appointment of 2012 Election Clerks

Sani Fogel moved to appoint as 2012 Election Clerks the list of individuals brought forth by the Town Clerk. Tracy Murphy seconded the motion.

VOTE: 4 FOR – 0 OPPOSED

f. Quitclaim Deeds for Signature:

Tracy Murphy moved to convey by Quit Claim Deed the premises described as Map 26 Lot 76 to Stephanie Dunning. Sani Fogel seconded the motion.

VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to convey by Quit Claim Deed the premises described as Map 19 Lot 153 to Denise S. Jones. Sani Fogel seconded the motion.

VOTE 4 FOR – 0 OPPOSED

Tracy Murphy moved to convey by Quit Claim Deed the premises described as Map 5 Lot 130 to Dale L. Maxcy. Sani Fogel seconded the motion.

VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to convey by Quit Claim Deed the premises described as Map 26 Lot 7-1 to Rockville Property Management LLC. Sani Fogel seconded the motion.

VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to convey by Quit Claim Deed the premises described as MapT03 Lot A01-28 to Nathan and Krista Boudreau. Sani Fogel seconded the motion.

VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to convey by Quit Claim Deed the premises described as Map T01 Lot B01-046 to Nancy J. and Phillip W. Hatch. Sani Fogel seconded the motion.

VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to convey by Quit Claim Deed the premises described as Map T03 Lot A12-042 to Peter K. and Loretta S. Haugen. Sani Fogel seconded the motion.

VOTE: 4 FOR – 0 OPPOSED

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Tracy Murphy moved to convey by Quit Claim Deed the premises described as Map T02 Lot A06-046 to David P. Hennessey. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED

V ADJOURNMENT

Tracy Murphy moved to adjourn the meeting at 9:20 p.m. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY