

TOWN OF ROCKPORT

ANNUAL TOWN MEETING WARRANT

Tuesday, June 9, 2009 and
Wednesday, June 10, 2009

To: Mark Kelley, Constable of the Town of Rockport,
in the County of Knox, State of Maine

Greetings:

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 9th day of June, 2009 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 9 at which time the meeting will adjourn. The adjourned meeting will be reopened on Wednesday, the 10th day of June, 2009 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.

Article 1. To elect a moderator to preside at said meeting.

Article 2. To elect:

- a. Two Selectmen and Overseers of the Poor for a term of three years.
- b. One Director of Maine School Administrative District #28 for a three-year term and to also serve concurrently on the Five Town CSD School Board.
- c. Two Members of the Library Committee for a term of three years.
- d. Three members of the Budget Committee for a term of three years.

Article 3. Shall an Ordinance entitled "Ordinance amending the Rockport Land Use Ordinance Section 300 – Definitions, Section 700 – Board of Appeals, Section 808 – Access Management, Section 1000 – Landscaping – Performance Standards, and Section 1100 – Signs" be enacted?

Planning Board Votes: 5 For, 0 Against, 1 Abstain

RECOMMEND

Select Board Votes: 4 For, 0 Against, 0 Abstain

RECOMMEND

Article 4. Shall an Ordinance entitled "Ordinance amending the Rockport Land Use Ordinance Section 812 - Small Wind Energy Systems, Section 901.5 Harbor Village - Side Yard Setbacks in Clustered Residential Subdivisions and Section 913.4 - Rockport Downtown – Dimensional Standards" be enacted?

Planning Board Votes: 5 For, 0 Against, 1 Abstain

RECOMMEND

Select Board Votes: 4 For, 0 Against, 0 Abstain

RECOMMEND

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Article 5. Shall an Ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 914- Chickawaukie Lake Watershed Overlay District - Best Management Practices, Section 915- Grassy Pond and Mirror Lake Watershed Overlay District - Best Management Practices, and Section 1415.16 Shoreland Zoning -Clearing of Vegetation” be enacted?

Planning Board Votes: 5 For, 0 Against, 1 Abstain	RECOMMEND
Select Board Votes: 4 For, 0 Against, 0 Abstain	RECOMMEND

Article 6. Shall an Ordinance entitled “Ordinance adding Section 814 – Peddlers, to the Rockport Land Use Ordinance” be enacted?

Planning Board Votes: 5 For, 0 Against, 1 Abstain	RECOMMEND
Select Board Votes: 4 For, 0 Against, 0 Abstain	RECOMMEND

Article 7. Shall an Ordinance entitled “Ordinance amending the Rockport Zoning Map to revise District 907 Modified” be enacted?

Planning Board Votes: 5 For, 0 Against, 1 Abstain	RECOMMEND
Select Board Votes: 4 For, 0 Against, 0 Abstain	RECOMMEND

Article 8. Shall an Ordinance entitled “Ordinance amending the Rockport Zoning Map to revise the Shoreland Overlay District” be enacted?

Planning Board Votes: 5 For, 0 Against, 1 Abstain	RECOMMEND
Select Board Votes: 4 For, 0 Against, 0 Abstain	RECOMMEND

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 2009/2010 fiscal year:

- A. General Government\$1,092,514
- B. Public Assistance.....\$6,550
- C. Public Safety.....\$106,328
- D. Public Works.....\$78,099
- E. From Undesignated Fund Balance to help offset
Public Works Capital Expenses.....\$70,000
- F. TIF Retained Earnings for Commercial Street\$10,500
- G. Culture and Recreation.....\$157,206
- H. All Other - Cemeteries\$20,800

- Total.....\$1,541,997

Budget Committee Votes: 8 For, 0 Against, 0 Abstain	RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 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 2009/2010 fiscal year:

A.	Administration	\$42,681
B.	Town Manager	\$229,547
C.	Town Clerk	\$162,766
D.	Planning & Community Development	\$205,968
E.	Finance	\$84,625
F.	Assessing	\$111,001
G.	Town Office Building	\$68,446
H.	Insurance	\$43,197
	Total	\$948,231

Budget Committee Votes: 4 For, 4 Against, 0 Abstain TIE VOTE
Select Board Votes: 4 For, 1 Against, 0 Abstain RECOMMEND

Article 11. To see if the Town will vote to raise and appropriate the following for Public Assistance for the 2009/2010 fiscal year:

A.	General Assistance	\$20,625
	Total	\$20,625

Budget Committee Votes: 8 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 12. To see if the Town will vote to raise and appropriate the following for Public Safety for the 2009/2010 fiscal year:

A.	Police Department	\$434,660
B.	Fire Department	\$314,185
C.	Streetlights	\$59,975
D.	Animal Control	\$8,823
E.	Harbor Master	\$101,917
F.	Public Safety Building	\$18,049
G.	Emergency Management Agency	\$1,951
	Total	\$939,560

Budget Committee Votes: 8 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 13. To see if the Town will vote to raise and appropriate the following for Public Works for the 2009/2010 fiscal year:

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A.	Public Works.....	\$1,122,151
B.	Sanitation.....	\$182,051
	Total.....	\$1,304,202

Budget Committee Votes: 8 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 4 For, 1 Against, 0 Abstain RECOMMEND

Article 14. To see if the Town will vote to raise and appropriate the following Culture and Recreation for the 2009/2010 fiscal year:

A.	Library	\$312,806
B.	Parks and Recreation	\$67,146
C.	Opera House	\$94,535
	Total.....	\$474,487

Budget Committee Votes: 5 For, 3 Against, 0 Abstain RECOMMEND
Select Board Votes: 4 For, 0 Against, 1 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 2009/2010 fiscal year:

A.	Cemetery	\$31,269
B.	Harbor Building.....	\$40,418
C.	Sand & Salt Shed.....	\$49,698
	Total.....	\$121,385

Budget Committee Votes: 8 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 16. To see if the Town will vote to raise and appropriate the following for County Fees for the 2009/2010 fiscal year:

A.	County Service E-911	\$42,489
B.	County Service Dispatch	\$20,934
	Total.....	\$63,423

Budget Committee Votes: 8 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 17. To see if the Town will vote to raise and appropriate the following for Cemeteries for the 2009/2010 fiscal year:

A.	Cemeteries.....	\$62,156
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Total.....\$62,156

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

Select Board Votes: 4 For, 0 Against, 1 Abstain RECOMMEND

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 2009/2010 budget to be taken from fund balance?

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

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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

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

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 22. To see if the Town will vote to set October 15, 2009 and April 15, 2010 as the tax installment due dates?

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Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 23. To see if the Town will vote to set October 16, 2009 and April 16, 2010 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 9.00% interest per year?

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 24. To see if the Town will vote to fix the rate of interest on delinquent wastewater charges at 9.00% interest per year?

Select Board Votes: 5 For, 0 Against, 0 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, 0 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: 5 For, 0 Against, 0 Abstain RECOMMEND

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?

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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?

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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

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- 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 interest date(s) and rate as other taxpayers who are not participating in a 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 a 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.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 30. Shall the Town of Rockport vote to approve Community Development Block Grant application(s) for the following program(s) and dollar amounts:

Program:	Economic Development:	Yachting Solutions	Amount \$100,000
Program:	Community Planning:	Legacy Rockport Fund	Amount: \$10,000;

and to submit same to the Department of Economic and Community Development and if said program is approved, to authorize the municipal officers to accept said grant funds, to make such assurances, assume such responsibilities, and exercise such authority as are necessary and reasonable to implement such programs. Furthermore, the Town of Rockport is cognizant of the requirement that should the intended National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program.

Select Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

Date: April 21, 2009

Robert Duke, Chair

Thomas Murphy, Vice-Chair

William Chapman

Thomas Farley

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Alexandra Wolf Fogel

ROCKPORT SELECT BOARD

Attest:

Linda Greenlaw, Town Clerk