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2017

## Town of Tremont Maine Annual Town Meeting Minutes 2017

Tremont, Me

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**Minutes  
Annual Town Meeting  
May 8 & 9, 2017  
Town of Tremont, Maine**

Town Clerk Katie Dandurand called the meeting to order at 1:00 p.m., Monday, May 8, 2017. Copies of the Warrant, Town Report and the three ordinances under consideration were made available.

**Article A**     **Moderator:** To elect by written Secret Ballot a Moderator to preside at said meeting. (NOTE: The Moderator is nominated from the floor. At least three (3) registered voters must cast a written Secret Ballot to elect a Moderator.)

Town Clerk Dandurand called for nominations of Moderator. Janet Patton moved, seconded by Wayne Patton, to nominate Frank Gray as Moderator. No other nominations were made. A written vote was conducted, three votes were cast for Frank Gray and he was duly declared Moderator. Town Clerk Dandurand swore in Mr. Gray and he assumed the Moderator Chair.

Moderator Gray declared the polls open at 1:07 p.m.

Voting on articles B and C took place until 8:00 p.m., at which time Moderator Gray declared the polls closed. Votes cast were counted, and Moderator Gray announced the results at 11:03 p.m.

At 11:07 p.m. Moderator Gray called for a recess and to reconvene the meeting until 6:30 p.m., Tuesday, May 9, 2017.

Moderator Gray reconvened the meeting at 6:30 p.m., Tuesday, May 9, 2017. He announced the meeting rules would be those in the *Maine Moderators Manual*, and stated that, unless there were objections, he would allow the Town Manager, Town Clerk, Town Attorney and Superintendent of Schools to speak, even though they were non-residents. No objections were raised. Results of the election on Articles B and C were announced:

**Article B**     **Town Officers and Officials:** To elect the following Town Officers and Officials by written Secret Ballot in accordance with the provisions of Title 30-A, M.R.S.A. Section 2528:

- Two (2) Selectman-Overseer of the Poor for a three (3) year term.
- Two (2) School Board Member for a three (3) year term.
- One (1) School Board Member for a one (1) year term.
- One (1) MDI School Board Trustee for a one (1) year term.
- One (1) MDI School Board Trustee for a two (2) year term.
- One (1) MDI School Board Trustee for a three (3) year term.

For **Selectmen**, two members for a term of three years:

Howard Goodwin	# votes: 153	ELECTED
Scott Grierson	# votes: 123	
McKenzie Jewett	# votes: 199	ELECTED

For **School Committee**, two members for a term of three years:

Amy Rich # votes: 241 ELECTED

Scott Grierson (by write-in) # votes: 6 ELECTED

For **School Committee**, one member for a term of one year:

Jennifer Horner # votes: 245 ELECTED

For **School District Trustee**, one member for a term of three years:

David Campbell # votes: 228 ELECTED

For **School District Trustee**, one member for a term of two years:

Amy Harper # votes: 234 ELECTED

For **School District Trustee**, one member for a term of one year:

Keri Hayes # votes: 240 ELECTED

**Article C**

**Law Enforcement Contract:** To vote by Secret Ballot the following:

- *Shall the Town of Tremont authorize the Selectmen to negotiate and enter into, on behalf of the Town of Tremont, a three year contract with the Town of Southwest Harbor for law enforcement services including criminal law, civil infractions, town ordinances and animal control services, for the period commencing January 1, 2018, with the total for services not to exceed one hundred and five thousand dollars the first year, one hundred and eight thousand dollars the second year and one hundred and eleven thousand dollars the third year?*

*Recommendation: Selectmen make no recommendation*

YES: 181 NO: 89

Article C passed as proposed.

Moderator Gray then proceeded to address the remainder of the Warrant Articles:

**Note: Articles 1 through 11 authorize expenditures in cost center categories**

**School Budget**

**Article 1**

To see what sum the School Committee is authorized to expend for **Regular Instruction** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

*Recommendation: School Committee and Selectboard recommend **\$1,142,615***

*Note: 2016-17 Amount was **\$1,137,257***

A motion was made by Heidi Lawson, seconded by Nancy Thurlow, that the School Committee be authorized to expend \$ 1,142,615 for Regular Instruction for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

A voice vote was called, and the motion was adopted.

**Article 2**

To see what sum the School Committee is authorized to expend for **Special Education** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

*Recommendation: School Committee and Selectboard recommend **\$516,628***

Note: 2016-17 Amount was \$ 426,715

A motion was made by Heidi Lawson, seconded by Nancy Thurlow, that the School Committee be authorized to expend \$516,628 for Special Education for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 3** To see what sum the School Committee is authorized to expend for **Career and Technical Education** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

Recommendation: School Committee and Selectboard recommend \$ -0-

Note: 2016-17 Amount was \$ -0-

A motion was made by Heidi Lawson, seconded by Nancy Thurlow, that the School Committee be authorized to expend \$ -0- for Career and Technical Education for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 4** To see what sum the School Committee is authorized to expend for **Other Instruction** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

Recommendation: School Committee and Selectboard recommend \$ 64,210

Note: 2016-17 Amount was \$ 55,145

A motion was made by Nancy Thurlow, seconded by Heidi Lawson, that the School Committee be authorized to expend \$ 64,210 for Other Instruction for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 5** To see what sum the School Committee is authorized to expend for **Student & Staff Support** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

Recommendation: School Committee and Selectboard recommend \$267,682

Note: 2016-17 Amount was \$ 267,873

A motion was made by Nancy Thurlow, seconded by Heidi Lawson, that the School Committee be authorized to expend \$267,682 for Student & Staff Support for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 6** To see what sum the School Committee is authorized to expend for **System Administration** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

Recommendation: School Committee and Selectboard recommend \$ 59,488

Note: 2016-17 Amount was \$ 54,276

A motion was made by Jandrea True, seconded by Heidi Lawson, that the School Committee be authorized to expend \$ 59,488 for System Administration for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 7** To see what sum the School Committee is authorized to expend for **School Administration** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

*Recommendation: School Committee and Selectboard recommend \$ 176,770*

*Note: 2016-17 Amount was \$ 175,700*

A motion was made by Nancy Thurlow, seconded by Jandrea True, that the School Committee be authorized to expend \$176,770 for School Administration for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 8** To see what sum the School Committee is authorized to expend for **Transportation & Buses** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

*Recommendation: School Committee and Selectboard recommend \$217,689*

*Note: 2016-17 Amount was \$145,130*

A motion was made by Jandrea True, seconded by Nancy Thurlow, that the School Committee be authorized to expend \$217,689 for Transportation & Buses for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 9** To see what sum the School Committee is authorized to expend for **Facilities Maintenance** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

*Recommendation: School Committee and Selectboard recommend \$ 326,227*

*Note: 2016-17 Amount was \$ 293,029*

A motion was made by Jandrea True, seconded by Heidi Lawson, that the School Committee be authorized to expend \$326,227 for Facilities Maintenance for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 10** To see what sum the School Committee is authorized to expend for **Debt Service and Other Commitments** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

*Recommendation: School Committee and Selectboard recommend \$ -0-*

*Note: 2016-17 Amount was \$ -0-*

A motion was made by Heidi Lawson, seconded by Nancy Thurlow, that the School Committee be authorized to expend \$ -0- for Debt Service and Other Commitments for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Article 11** To see what sum the School Committee is authorized to expend for **All Other Expenditures** for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

*Recommendation: School Committee and Selectboard recommend **\$ 42,000***

*Note: 2016-17 Amount was **\$ 39,000***

A motion was made by Jandrea True, seconded by Heidi Lawson, that the School Committee be authorized to expend \$ 42,000 for All Other Expenditures for the fiscal year beginning July 1, 2017 and ending June 30, 2018. A voice vote was called, and the motion was adopted.

**Note: Articles 1 – 11 authorize a total budget of \$2,813,309**

*Note: 2016-17 Amount was **\$2,594,125***

**Note: Articles 12 – 14 raise funds for the Proposed School Budget**

***Hand Count Required on the following article***

**Article 12**

To see what sum the voters of the Town of Tremont will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (**Recommend \$1,260,289**) and to see what sum the voters of the Town of Tremont will raise as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688 for the period July 1, 2017 to June 30, 2018.

*Recommendation: School Committee and Selectboard recommend **\$1,161,024***

*Explanation: The Town of Tremont's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

A motion was made by Nancy Thurlow, seconded by Heidi Lawson, that the voters of the Town of Tremont appropriate a total of \$1,260,289 for the cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and raise \$1,161,024 as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688 for the period July 1, 2017 to June 30, 2018. A hand vote was conducted and the motion passed with 60 YES and 0 NO votes recorded.

***Hand Count Required on the following article***

**Article 13**

To see what sum the voters of the Town of Tremont will raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Town of Tremont's contribution to the total cost of funding public education from kindergarten to grade 12 for the period July 1, 2017 to June 30, 2018.

*Recommendation:* School Committee and Selectboard recommend **\$ -0-**

*Explanation:* Non-state-funded debt service is the amount of money needed for the annual payments on the Town of Tremont's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy.

A motion was made by Julie Meltzer, seconded by Jandrea True, that the voters of the Town of Tremont raise \$ -0- for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Town of Tremont's contribution to the total cost of funding public education from kindergarten to grade 12 for the period July 1, 2017 to June 30, 2018. A hand vote was conducted and the motion was passed with 65 YES and 0 NO votes recorded.

**Written Ballot Vote Required on the following article**

**Article 14**

To see what sum the voters of the Town of Tremont will raise and appropriate in additional local funds for school purposes (**Recommend: \$1,335,172**) for the period July 1, 2017 to June 30, 2018, which exceeds the State's Essential Programs and Services allocation model by (**Recommend: \$1,310,822**) as required to fund the budget recommended by the school committee.

*Recommendation:* School Committee and Selectboard recommend **\$1,335,172** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$1,310,822:** The State funding model underestimates the actual costs to fully fund the 2017-2018 budget.

*Explanation:* The additional local funds are those locally raised funds over and above the Town of Tremont's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Town of Tremont's budget for educational programs.

A motion was made by Heidi Lawson, seconded by Nancy Thurlow, that the voters of the Town of Tremont raise \$1,335,172 in additional local funds for school purposes for the period July 1, 2017 to June 30 2018, which exceeds the State's Essential Programs and Services allocation model by \$1,310,822 as required to fund the budget recommended by the School Committee. A written ballot was conducted and the motion passed with 65 YES and 4 NO votes recorded.

*Note:* Articles 12, 13, & 14 raise a total town appropriation of **\$2,496,196**

*Note:* 2016-17 Total Town Appropriation was **\$2,371,098**

**Hand Count Required on the following article**

**Article 15**

To see what sum the voters of the Town of Tremont will authorize the School Committee to expend for the fiscal year beginning July 1, 2017 and ending June 30, 2018 from the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

*Recommendation: School Committee and Selectboard recommend **\$ 2,813,309***  
*Note: 2016-17 Total Budget was **\$2,594,125***

A motion was made by Mary Goodwin, seconded by Jandrea True, that the voters of the Town of Tremont authorize the School Committee to expend \$2,813,309 for the fiscal year beginning July 1, 2017 and ending June 30, 2018 from the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools. A hand vote was conducted and the motion passed with 67 YES and 0 NO votes recorded.

**Note: This article summarizes the proposed school budget and does not authorize any additional expenditures**

**Article 16**

In addition to the amount in Articles 1 – 15, shall the Town appropriate and authorize the School Committee to expend additional state, federal and other funds received during the fiscal year 2017-2018 for school purposes.

*Recommendation: School Committee and Selectboard recommend passage.*

*Current Year Totals: \$ 102,321*

A motion was made by Mary Goodwin, seconded by multiple voters, that In addition to the amount in Articles 1 – 15, the Town appropriate and authorize the School Committee to expend additional state, federal and other funds received during the fiscal year 2017-2018 for school purposes. A voice vote was called, and the motion was adopted.

## Municipal Budget

**Article 17**

**Administration:** To see what sum of money, not to exceed \$606,089, the Town will vote to raise and appropriate for Administration purposes.

*Recommendation: Selectboard recommends \$606,089*

A motion was made by Amy Murphy, seconded by Heidi Lawson, to raise and appropriate \$606,089 for Administration. A voice vote was called, and the motion was adopted.

**Article 18**

**Protections:** To see what sum of money, not to exceed \$239,241, the Town will



vote to raise and appropriate for Protections purposes.

*Recommendation: Selectboard recommends \$239,241*

A motion was made by Amy Murphy, seconded by Heidi Lawson, to raise and appropriate \$239,241 for Protections. A voice vote was called, and the motion was adopted.

**Article 19**     **Debt Service:** To see what sum of money, not to exceed \$153,969, the Town will vote to raise and appropriate for Debt Service purposes.

*Recommendation: Selectboard recommends \$153,969*

A motion was made by Amy Murphy, seconded by Heidi Lawson, to raise and appropriate \$153,969 for Debt Service. A voice vote was called, and the motion was adopted.

**Article 20**     **Recreation:** To see what sum of money, not to exceed \$27,105, the Town will vote to raise and appropriate for Recreation purposes.

*Recommendation: Selectboard recommends \$27,105*

A motion was made by Amy Murphy, seconded by Patti Tierney, to raise and appropriate \$27,105 for Recreation purposes. A voice vote was called, and the motion was adopted.

**Article 21**     **Public Works:** To see what sum of money, not to exceed \$525,825, the Town will vote to raise and appropriate for Public Works purposes.

*Recommendation: Selectboard recommends \$525,825*

A motion was made by Amy Murphy, seconded by Heidi Lawson, to raise and appropriate \$525,825 for Public Works. A voice vote was called, and the motion was adopted.

**Article 22**     **General Assistance:** To see what sum of money, not to exceed \$2,369, the Town will vote to raise and appropriate for General Assistance purposes.

*Recommendation: Selectboard recommends \$2,369*

A motion was made by Amy Murphy, seconded by Jacob Wartell, to raise and appropriate \$2,369 for General Assistance. A voice vote was called, and the motion was adopted.

**Article 23**     **Committees:** To see what sum of money, not to exceed \$8,501, the Town will vote to raise and appropriate for Committee purposes.

*Recommendation: Selectboard recommends \$8,501*

A motion was made by Amy Murphy, seconded by Jacob Wartell, to raise and appropriate \$8,501 for Committees. A voice vote was called, and the motion was

adopted.

**Article 24**     **Donations To Third Parties:** To see what sum of money, not to exceed \$15,231, the Town will vote to raise and appropriate for Donations to Third Parties.

*Recommendation: Selectboard recommends \$15,231*

A motion was made by Amy Murphy, seconded by Heidi Lawson, to raise and appropriate \$15,231 for Donations to Third Parties. A voice vote was called, and the motion was adopted.

**Article 25**     **Solid Waste:** To see what sum of money, not to exceed \$190,693, the Town will vote to raise and appropriate for Solid Waste purposes.

*Recommendation: Selectboard recommends \$190,693*

A motion was made by Amy Murphy, seconded by Jacob Wartell, to raise and appropriate \$190,693 for Solid Waste. A voice vote was called, and the motion was adopted.

**Article 26**     **Contingency:** To see what sum of money, not to exceed \$12,751, the Town will vote to raise and appropriate for Contingency purposes.

*Recommendation: Selectboard recommends \$12,751*

A motion was made by Amy Murphy, seconded by Jacob Wartell to raise and appropriate \$12,751 for Contingency. A voice vote was called, and the motion was adopted.

**Article 27**     **Transfers To Reserves:** To see what sum of money, not to exceed \$47,583, the Town will vote to raise and appropriate for Transfers to Reserves.

*Recommendation: Selectboard recommends \$47,583*

A motion was made by Amy Murphy, seconded by Jacob Wartell, to raise and appropriate \$47,583 for Transfers to Reserves. A voice vote was called, and the motion was adopted.

**Article 28**     **Transfer To Library Fund:** To see what sum of money, not to exceed \$54,199, the Town will vote to raise and appropriate to be transferred to the Library Operating Fund.

*Recommendation: Selectboard recommends \$54,199*

A motion was made by Peter Maderia, seconded by Jacob Wartell, to raise and appropriate \$54,199 to be transferred to the Library Operating Fund. A voice vote was called, and the motion was adopted.

**Article 29**     **Other Revenues:** To see what sum the Town will vote to reduce the amount to be raised by property taxation for the Municipal Budget by using reserves, fund balance and estimated revenues.

*Recommendation: Selectboard recommends \$706,673*

A motion was made by Michael Hayes, seconded by Jacob Wartell to adopt Article 29 as recommended. A voice vote was called, and the motion was adopted.

**Written Ballot Vote Required on the following article**

**Article 30**    **Tax Cap Override:** To see if the Town will vote to increase the property tax levy limit established for Tremont by State Law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Nancy Thurlow, seconded by Kate Pickup-McMullin to pass Article 30 as recommended. A written ballot was conducted with 50 YES and 5 NO votes recorded; and the motion was adopted.

**Other Municipal Articles**

**Article 31**    **Tax Due Date and Interest Rate:** To see if the Town will vote to set the date of commitment as the date when all personal property and real estate taxes for the municipal year 2018 shall become due and payable, and that the maximum rate of interest (7.0%) that can be charged per Title 36, M.R.S.A. Section 505.4 shall be charged on all real estate and personal property taxes remaining unpaid after sixty (60) days from that date.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Michael Hayes, seconded by Heidi Lawson to pass Article 31 as recommended. A voice vote was called, and the motion was adopted.

**Article 32**    **Tax Acquired Property:** To see if the Town will vote to authorize the Selectmen on behalf of the Town to sell or convey any real estate acquired by the Town under expired tax lien mortgages on such terms as they may deem proper and to execute release deeds on behalf of the Town to the purchasers of such property. If the property is to be sold, notice of such sale shall be in a local newspaper at least two (2) weeks prior to such sale and the time and place of sale shall be designated. Such sale shall be to the highest bidder except that the prior owner may purchase the property for all taxes, interest penalties and costs then due, plus all costs of the sale to be paid to the Tax Collector in full prior to such sale.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Heidi Lawson, seconded by David Edson to pass Article 32 as recommended. A voice vote was called, and the motion was adopted.

**Article 33**    **Grants and Donations:** To see if the Town will vote to authorize the Selectmen or the Town Manager, acting in concurrence with said Selectmen, to apply for and/or accept and expend, on behalf of the Town, money from Federal, State, other governmental units or private sources which may be received, from time to time, in the form of grants or for any other purpose, during the period July 1, 2017 through June 30, 2018.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Mary Goodwin, seconded by Heidi Lawson to pass Article 33 as recommended. A voice vote was called, and the motion was adopted.

**Article 34** **Year End Balances:** To see if the Town will vote to have unexpended balances and overdrafts in the Town accounts at the end of the fiscal year, except those which remain by law or are deemed necessary by the Board of Selectmen, lapsed to surplus.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Kate Pickup-McMullin, seconded by Jacob Wartell to pass Article 34 as recommended. A voice vote was called, and the motion was adopted.

**Article 35** **Tax Prepayments:** To see if the town will vote to accept tax payments prior to the commitment date and to pay interest on said tax payments in the amount of 0% per year figured on a monthly basis until the tax commitment date is reached, pursuant to Title 36 M.R.S.A. § 506.

*Explanation: On rare occasions, taxpayers need to pay their taxes before they have been billed. The Town Treasurer cannot accept such early payments unless an article is passed.*

*Recommendation: Selectboard recommends adoption.*

A motion was made by Heidi Lawson, seconded by Jacob Wartell to pass Article 35 as recommended. A voice vote was called, and the motion was adopted.

**Article 36** **Overpayment of Taxes:** To see if the Town will vote to establish the interest rate to be paid to a taxpayer who is determined to have paid an amount of real estate taxes in excess of the amount finally assessed for 2018 at 3% per year on the amount of overpayment.

*Explanation: If a taxpayer wins a tax appeal against the Town, we must pay them interest on the amount of the difference. We are required by law to set that amount each year. We are suggesting the lowest interest rate allowed by law, which is 4% less than what we charge for late payments..*

*Recommendation: Selectboard recommends adoption.*

A motion was made by Nancy Thurlow, seconded by Heidi Lawson to pass Article 36 as recommended. A voice vote was called, and the motion was adopted.

**Article 37** **Selectmen's Pay:** To see if the Town will vote to authorize the Town Treasurer to pay Selectmen, for their time spent on behalf of the Town, for up to twenty-six (26) meetings per year at the rate of \$50.00 per meeting for the Chair and \$45.00 per meeting for the other members.

*Recommendation: The Selectboard made no recommendation on this article.*

A motion was made by Heidi Lawson, seconded by Jacob Wartell to pass Article 37 as recommended. A voice vote was called, and the motion was adopted.

**Article 38**     **Surplus Property:** To see if the Town will vote to authorize the Board of Selectmen to dispose of Town owned personal property under such terms and conditions as they deem to be in the best interest of the Town of Tremont.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Nancy Thurlow, seconded by Heidi Lawson to pass Article 38 as recommended. A voice vote was called, and the motion was adopted.

**Article 39**     **Alewife Ordinance:** To see if the Town will vote to inform the State of Maine's Department of Marine Resources that the Town of Tremont wishes to maintain the Town's rights to river herring.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Heidi Lawson, seconded by Mel Atherton to pass Article 39 as recommended. A voice vote was called, and the motion was adopted.

**Article 40**     **Alewife Lease:** To see if the Town will vote to authorize the Board of Selectmen to lease the Alewife Fishway at the outlet of Seal Cove Pond to that person, persons or corporation which in its judgment will conduct the Fishway to the best advantage of the fish as well as the Town and set terms of the lease and regulate the Fishway in behalf of the Town.

*Recommendation: The Selectboard recommends adoption.*

A motion was made by Michael Hayes, seconded by Jacob Wartell to pass Article 40 as recommended. A voice vote was called, and the motion was adopted.

**Article 41**     **Sold Waste Disposal: PERC Put Option** – To see if the Town will vote to authorize and direct the Board of Selectmen or it's duly authorized designee or designees as a representative of the Town to:

1. Exercise the "Put Option" described in the Sixth Amended and Restated Agreement of Limited Partnership of Penobscot Energy Recovery Company, Limited Partnership; and
2. Execute and deliver on behalf of the Town such documents, and to take such further actions, as the Board of Selectmen or said designee(s) may deem necessary or appropriate in order to exercise the above-described Put Option and to assign the Town's limited partnership interests to Penobscot Energy Recovery Company, Limited Partnership as contemplated thereby.

*Explanation: This article authorizes and directs the Board of Selectmen to exercise a Put Option described in the Sixth Amended and Restated Agreement of Limited Partnership of Penobscot Energy Recovery Company, Limited Partnership.(the "PERC Partnership Agreement"). By exercising this Put Option, the Town is electing to require that the Penobscot Energy Recover Company, Limited Partnership ("PERC") repurchase the Town's*

*limited partnership interest in PERC on the terms described in Section 9.3 of the PERC Partnership Agreement in exchange for a cash payment equal to the Town's proportionate share of One Million Five Hundred Thousand Dollars (\$1,500,000), which represents the agreed upon aggregate value of all limited partnership interests held by the Town and other similarly situated municipal members of the Municipal Review Committee.*

*Recommendation: The Selectboard recommends adoption.*

A motion was made by Heidi Lawson, seconded by Kate Pickup-McMullin to pass Article 41 as recommended. A voice vote was called, and the motion was adopted.

**Article 42** **Harbor Management Ordinance:** Shall an ordinance entitled "Harbor Management Ordinance Amendment" as certified by the Board of Selectmen on January 17, 2017 be enacted?

*The Harbor Committee and Selectboard recommend adoption.*

*Note: Copies of the ordinance proposed above are available from the Town Clerk.*

A motion was made by Haywood May, seconded by Jacob Wartell to pass Article 42 as recommended. A voice vote was called but Moderator Gray was unable to determine a vote. He then called for a written ballot. A written ballot was conducted with 19 YES and 41 NO votes recorded, so the motion failed.

**Article 43** **Wharf Capital Reserve:** To see if the Town will vote to create a Wharf Capital Reserve, and to authorize the Board of Selectmen to expend these funds at its discretion for Town Wharf repairs, construction, expansion, equipment, personal property or real property costing \$5,000 or more.

*Recommendation: The Harbor Committee and Selectboard recommend adoption.*

A motion was made by Heidi Lawson, seconded by Chris Goodwin, to pass Article 43 as recommended. A voice vote was called, and the motion was adopted.

**Article 44** **Library Capital Reserve:** To see if the Town will vote to change the purpose of the Library Capital Reserve to allow the Board of Selectmen to use these funds at its discretion for unbudgeted Bass Harbor Memorial Library repairs costing \$5,000 or more and for library expansions and renovations, with associated furnishings, fixtures, parking and landscaping, and the planning of and fundraising for such improvements.

*Recommendation: Selectboard recommends adoption.*

A motion was made by Peter Maderia, seconded by Jacob Wartell to pass Article 44 as recommended. A voice vote was called, and the motion was adopted.

**Article 45** **Library Ordinance:** Shall an ordinance entitled "Library Ordinance" as certified by the Board of Selectmen on January 17, 2017 be enacted?

*Recommendation: The Library Trustees and Selectboard recommend adoption.*

*Note: Copies of the ordinance proposed above are available from the Town Clerk.*

A motion was made by Peter Maderia, seconded by Kate Pickup-McMullin to pass Article 45 as recommended. A voice vote was called, and the motion was adopted.

**Article 46** **Wharf and Facilities Ordinance Amendment:** Shall an ordinance entitled "Wharf and Facilities Ordinance Amendment" as certified by the Board of Selectmen on April 3, 2017 be enacted?

*Recommendation: The Selectboard recommends adoption.*

*Note: Copies of the ordinance proposed above are available from the Town Clerk.*

A motion was made by Mel Atherton, seconded by Haywood May to pass Article 46 as recommended. A voice vote was called, and the motion was adopted.

**End of Warrant Articles**

Moderator Gray called for a motion to adjourn.

At 8:12 p.m. Janet Patton moved, seconded by Wayne Patton, to adjourn the Town Meeting. A voice vote was called and the motion passed.

Duly Recorded:

\_\_\_\_\_  
Katie Dandurand, Town Clerk  
Town of Tremont

\_\_\_\_\_  
Dana J. Reed, Town Manager  
Town of Tremont

Attest: A True Copy:

\_\_\_\_\_  
Town of Tremont

