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Annual Town Meeting Minutes Jonesport Maine 2019

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TOWN OF JONESPORT
ANNUAL TOWN MEETING WARRANT
March 11, 2019 – 3:30 p.m.
DAYLIGHT SAVINGS TIME
JONESPORT-BEALS HIGH SCHOOL GYM

Tonia Merchant called the meeting to order.

Youth Pastor, Cameron Farris, opened with prayer and Tonia led in the salute to our Country's flag. Julie Farris served as Ballot Clerk. Irene Rogers, William (Lee) Guptill, and John Church served as Ballot Tellers.

To: Howard Mills, a resident of the Town of Jonesport, in the County of Washington, State of Maine.

Greetings: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Jonesport, qualified to vote in Town Affairs, to assemble at the Jonesport-Beals High School Gymnasium at Snare Creek, in said Town on Monday, the ELEVENTH (11th) day of March, 2019, at 3:30 p.m., to act on the following articles, to wit:

Motion was made and seconded to dispense the reading of the Warranty in its entirety; none opposed.

ARTICLE 1: To elect, by ballot, a Moderator to preside at said meeting.

Nomination was made and seconded for Jane McMichen.

Motion was made and seconded for nominations to cease; all in favor.

9 votes were cast in favor of Jane McMichen.

Motion was made and seconded to allow non-residents to speak. This motion carried 38-0.

Motion was made and seconded to take Article 35 out of order and place between Articles 9 and 10.

This motion carried; 18 yes; 13 No.

ARTICLE 2: To elect the necessary member(s) of the Board of Selectmen to serve for a three (3) year term.

Nomination was made and seconded for Dwight Alley.

Motion was made and seconded for nominations to cease; all in favor.

11 votes were cast in favor of Dwight Alley.

ARTICLE 3: To elect the necessary member(s) of the Board of Assessors for a three (3) year term.

Nomination was made and seconded for Holly Davis.

Motion was made and seconded for nominations to cease; all in favor.

12 votes were cast in favor of Holly Davis.

ARTICLE 4: To elect the necessary member(s) of the Jonesport School Committee, who will also be member(s) of the Moosabec Community School District School Committee.

Motion was made and seconded for Suzen Polk-Hoffses.

Motion was made and seconded for Clifford Norton, III.

Motion was made and seconded for nominations to cease; all in favor.

36 votes were cast for Suzen; 33 votes were cast for Clifford.

Suzen Polk-Hoffses was elected.

ARTICLE 5: To elect the necessary member(s) of the Moosabec Community School District Committee.

Nomination was made Clifford Norton III, nomination was made for Wilma Jones both of which declined.

Nomination was made and seconded for Velton (Buzza) Alley, Jr.

Motion was made and seconded for nominations to cease; all in favor.

12 votes were cast in favor of Velton Alley, Jr.

ARTICLE 6: To elect the necessary member(s) of the Moosabec Community School District Board of Trustees.

Nomination was made and seconded for Ernest Kelley, Jr.

Motion was made and seconded for nominations to cease; all in favor.

8 votes were cast in favor of Ernest Kelley, Jr.

ARTICLE 7: To elect three (3) Overseers of General Assistance.

Nomination was made and seconded to elect the Board of Selectmen.

Motion was made and seconded for nominations to cease; all in favor.

8 votes were cast in favor of the Board of Selectmen.

ARTICLE 8: To elect a Fire Chief/Fire Inspector.

Nomination was made and seconded for Boyde Crowley.

Motion was made and seconded for nominations to cease; all in favor.

11 votes were cast in favor of Boyde Crowley.

ARTICLE 9: To see if the Town will authorize the Town Selectmen to appoint a committee of five (5) to govern and enforce the Shellfish Conservation Ordinance regarding shellfish harvesting.

Motion was made and seconded to accept the article as written.

Motion carried 34 yes; 0 No

Article 35: To see if the Town will vote to authorize the Selectmen to sign a new interlocal agreement with Pleasant River Solid Waste Disposal District.

(This article was taken out of order.)

Motion was made and seconded to accept the article as written.
 Frances Havey and Tom Batson spoke on behalf of the Pleasant River Solid Waste Disposal District.
 Mark Wright spoke on behalf of Mark Wright Disposal.
 After much discussion a motion was made and seconded to vote by written ballot; the motion carried; 38-0.
 After more discussion there was a motion and second to move the question. This motion carried; 33-0.
 Motion to accept the article failed by a vote of 16 yes; 52 No.

ARTICLE 10: To see what the Town will vote to charge for interest on delinquent Real Estate and Personal Property Taxes for Year 2019, if said taxes are not paid by the delinquent date of December 31, 2019. (The State Treasurer has determined 9% (nine and 00/100 percent) as the highest conventional rate of interest for Year 2019.)

Motion was made and seconded to charge 3% for interest on delinquent Real Estate and Personal Property Taxes for Year 2019.
 Motion carried; 25-0.

ARTICLE 11: To see if the Town will vote to allow a 3% (three percent) discount on all Real Estate and Personal Property Taxes for the Year 2019, if taxes are paid in full on or before thirty (30) days from post office mailing date of tax bills by the Tax Collector. (MRSA, Title 36, Section 505).

Motion was made and seconded to amend the article to allow **0 %** discount on all Real Estate and Personal Property Taxes for the Year 2019, if taxes are paid in full on or before thirty (30) days from post office mailing date of tax bills by the Tax Collector.

Motion carried; 36-0.

ARTICLE 12: If the town votes yes on Article 11, to see what sum of money the Town will vote to raise and appropriate for the Tax Discount. **SR/BCR: \$40,000.00**

N/A ; article #11 offered 0% discount.

ARTICLE 13: To see if the Town will vote to authorize the tax collector or treasurer to accept prepayments of taxes not yet committed, pursuant to MRSA, Title 36, Section 506.

Motion was made and seconded to accept the article as read.

Motion carried; 27-0

ARTICLE 14: To see if the Town will vote to accept and appropriate the categories of funds listed below as provided by the Maine State Legislature. (estimated in the amount as listed below and based on Treasurer's Receipts of 7/1/17 to 6/30/18.)

State and Local Road Assistance	\$ 10,040.00
State Grants I Aid:	
Municipal Revenue Sharing	95,000.00
Snowmobile Registration Reimbursement	132.00

State Park Fee	00.00
Veterans' Exemption	2,000.00
Tree Growth	10,000.00
General Assistance	00.00
Homestead Exemption	<u>64,893.00</u>
Total :	\$ 182,065.00

State Aid to Education (including Federal pass through funds)

Educational Subsidy:	118,624.00
Other Receipts:	<u>4,249.00</u>
	\$ 122,873.00

Federal:

Title 1A	\$ 121,284.00
Proficiency Based Education	00.00
Title 11A	14,780.00
Title IVA-SSAE	29,567.00
Title VI	6,915.00
Local Entitlement Grant	37,607.00
Preschool Grant	00.00
PEPG Grant	00.00
Gearup Grant	<u>19,567.00</u>
Total:	\$ 229,720.00

Total State and Federal Education: \$ 534,658.00

Motion was made and seconded to accept the article as read with the total amount of \$534,658.00.

Motion carried; 36-0.

ARTICLE 15: To see if the Town will vote to direct the Board of Selectmen to direct the Board of Assessors to deduct the Excise Taxes and other anticipated revenues received by the Treasurer in 2019-2020 from the Year 2019 appropriation.

Vehicle Excise Tax	\$ 250,000.00
Boat Excise Tax	9,000.00
Interest on Delinquent Taxes & Delinquent Tax	1,000.00
State Municipal Revenue Sharing	55,000.00
Snowmobile Registration Reimbursement	00.00
State Park Fee Sharing	00.00
Veteran's Exemption Reimbursement	1,500.00
General Assistance	00.00
Checking & Sweep Interest & other revenue	5,000.00
Homestead Exemption Reimbursement	60,000.00
Fire Dept. Revenues (Town of Beals)	<u>16,667.00</u>
Total:	\$ 398,167.00

Motion was made and seconded to accept the article as read with the total amount of

\$398,167.00.

Motion carried; 33-0.

ARTICLE 16: To see if the Town will vote to authorize the Selectmen to expend revenues generated from each of the following accounts to be applied toward the operation of each program generating said revenue:

- a. Shellfish Conservation Expense (sale of licenses);
- b. Planning Board (building and subdivision permits and CEO fees);
- c. Concealed Firearms Permits (Town's share of fees);
- d. Campground (donations collected for cost of operation and maintenance);
- e. Sale of Trash Bags (help defray PRSWDD costs and decrease appropriation);
- f. Mooring Fees collected;
- g. Dog License fees;
- h. Fines/Reimbursements;
- i. Town website;
- j. Cemetery funds

Motion was made and seconded to accept the article as read.

Motion carried; 31-0.

Article 17: To see if the Town will vote to authorize the Board of Selectmen to borrow or appropriate from unappropriated surplus as they deem advisable, to meet unanticipated expenses and emergencies that occur during the Fiscal Year 2019-2020. (Creation of some form of contingency account can often avoid the necessity of calling a number of special town meetings during the year when relatively minor issues can be resolved with the expenditure of minor funds, but monies have not been appropriated for those purposes.)

Not an Appropriation SR/ BCR: \$20,000

Motion was made and seconded to accept the article as read with the BCR of \$20,000.00.

Motion carried; 30-0.

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to sell and dispose of any real estate acquired by the town for nonpayment of taxes thereon, on such terms as they deem advisable to the best interest of the Town, and to execute Quit Claim Deeds for such property after three (3) weeks of publication in a local newspaper.

Motion was made and seconded to accept the article as written.

Motion carried; 33-1.

ARTICLE 19: To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, if permissible, to apply for, accept, and expend Federal and State Grant Funds during Fiscal Year 2019-2020; i.e., Community Development Block Grants; Public Facilities/Infrastructure Programs for Building Construction/Wastewater Systems/Wells; Small Community Grants (Wastewater systems); Maine Community Foundation; Maine Historic Preservation Comm.; Federal Emergency Mitigation Assistance Grants (FEMA) and Maine Emergency Mitigation Assistance (MEMA); Dept of Transportation's Small Harbor Improvements Program (SHIP); Eastern Maine Development Corp., and any other grants which would be beneficial to the Town.

Motion was made and seconded to accept the article as read.
Motion carried; 32-0.

ARTICLE 20: To see if the town will vote to authorize the municipal officers to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to MRSA, Title 23, Section 2953.

Motion was made and seconded to accept the article as written.
Motion carried; 31-1.

~Key to abbreviations used in the following articles of this warrant~

BCR: Budget Committee Recommends

SR: Selectmen Recommends

GENERAL GOVERNMENT/ADMINISTRATION:

At 5:30 a fifteen minute recess was taken.

ARTICLE 21: To see what sum of money the Town will vote to raise and appropriate for Administration:

General Administration Expense	\$ 50,000.00
Office Personnel	45,679.00
Legal Fees	15,000.00
Computer Software	8,000.00
Computer Equipment	750.00
Town Maps	<u>1,000.00</u>
SR/BCR:	\$ 120,429.00

Motion was made and seconded to accept the article as read with the total BCR of \$120,429.00.
Motion carried; 33-0.

ARTICLE 22: To see what sum of money the Town will vote to raise and appropriate for Elected/Appointed Officials:

Assessor's Office	\$ 20,000.00
Board of Selectmen SR \$1,900.	BCR 2,500.00
Clerk, Treasurer, Tax Collector	34,014.00
Registrar of Voters	200.00
Payroll Taxes (Appointed/Elected Officials) SR \$8,058.	<u>8,100.00</u>

TOTAL GENERAL GOVERNMENT/ADMINISTRATION SR \$ 64,172.00 BCR: \$ 64,814.00

Motion was made and seconded to accept the article as read with the total BCR of \$64,814.00.
Motion carried; 36-0.

PROTECTION:

ARTICLE 23: To see what sum of money the Town will vote to raise and appropriate for the Protection:

Jonesport Vol. Fire Department Inc. SR \$ 55,000.	\$60,000.00
Fire Truck Maintenance	00.00
Moosabec Ambulance Service	20,550.00

Local Emergency Director	1,500.00
Harbor Master Salary & expenses	12,660.00
Float Repairs	5,000.00
Public Shore Access	0.00
Special Events Security	500.00
Shellfish Warden Salary/exp	<u>11,000.00</u>

TOTAL PROTECTION SR \$106,210.00 BCR: \$ 111,210.00

Motion was made and seconded to accept the article as written with the total BCR of \$111,210.00.

Motion carried; 37-0.

ENFORCEMENT:

ARTICLE 24: To see what sum of money the Town will vote to raise and appropriate for Enforcement.

CEO Expense/Payroll Taxes	\$ 7,000.00
Animal Control Officer/Expense	00.00
Planning Board Salaries (<i>to be paid from reserve</i>)	<u>0.00</u>

TOTAL ENFORCEMENT SR/BCR: \$ 7,000.00

Motion was made and seconded to accept the article as read with the total BCR of \$7,000.00.

Motion carried; 31-0.

PUBLIC WORKS:

ARTICLE 25: To see what sum of money the Town will vote to raise and appropriate for Public Works.

Streets & Roads (E-911 Costs included)	\$ 17,500.00
Road Paving (<i>Pay Back to surplus</i>)	32,500.00
Street Lights	20,000.00
Sidewalks and Crosswalks	00.00
Sand/Salt Stockpile	30,000.00
Sand/Salt Maintenance/Lights	1,200.00
Salt/Sand Shed (<i>Pay Back to surplus</i>)	10,000.00
Snow/Ice Removal	<u>144,000.00</u>

TOTAL PUBLIC WORKS SR/BCR: \$ 255,200.00

Motion was made and seconded to accept the article as written with the BCR of \$255,200.00.

Motion carried; 33-0.

HEALTH & SANITATION:

ARTICLE 26: To see what sum of money the Town will vote to raise and appropriate for Health & Sanitation.

Beach Property Maintenance	00.00
General Town Maintenance	2,800.00
PRSWDD Contract	<u>\$ 69,000.00*</u>

TOTAL HEALTH & SANITATION **SR/BCR:** **\$ 71,800.00**

(Article # 35 was defeated, therefore the \$69,000. for PRSWDD was not needed.)

Motion was made and seconded to accept the article with the BCR of \$2,800.00 for General Town Maintenance.

Motion carried; 30-0

CEMETERIES:

ARTICLE 27: To see what sum of money the Town will vote to raise and appropriate for the Cemeteries.

Greenwood Cemetery	\$ 16,650.00
General clean-up & Memorial Day Flags	<u>6,500.00</u>

TOTAL CEMETERIES **SR/BCR:** **\$ 23,150.00**

Motion was made and seconded to accept the article as read with the total BCR of \$23,150.00

Motion carried; 33-0.

SOCIAL SERVICES:

ARTICLE 28: To see what sum of money the Town will vote to raise and appropriate for Social Services.

General Assistance	<u>\$ 00.00</u>
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TOTAL SOCIAL SERVICES **SR/BCR:** **00.00**

Motion was made and seconded to accept the article as read with the total BCR of \$0.00.

Motion carried; 28-0.

LEISURE SERVICES:

ARTICLE 29: To see what sum of money the Town will vote to raise and appropriate for Leisure Services.

Peabody Memorial Library	\$ 23,000.00
4 th of July	10,000.00
Town Clock	5,000.00
Tennis/Basketball Courts	00.00
West Jonesport Park	00.00
Skating Pond	1,000.00
Campground (self-supporting)	<u>00.00</u>

TOTAL LEISURE SERVICES **SR/BCR:** **\$ 39,000.00**

Motion was made and seconded to accept the article as read with the total BCR of \$39,000.00
Motion carried; 37-0.

ORGANIZATIONS (Third Party Requests):

ARTICLE 30: To see what sum of money the Town will vote to raise and appropriate for Third Party Requests.

Third Party Requests \$ 1,000.00

TOTAL ORGANIZATIONS (Third Party Requests) SR/BCR: \$ 1,000.00

Motion was made and seconded to accept the article as read with the total BCR of \$1,000.00.
Motion carried; 29-0.

ECONOMIC DEVELOPMENT:

ARTICLE 31: To see what sum of money the Town will vote to raise and appropriate for Economic Development.

Economic Development Committee \$1,000.00

TOTAL ECONOMIC DEVELOPMENT SR/BCR: \$ 1,000.00

Motion was made and seconded to accept the article as read with the total BCR of \$1,000.00.
Motion carried; 29-0.

ARTICLE 32: To see what sum the Town will vote to allow the Board of Selectmen to direct the Board of Assessors to deduct from the reserved Revenue Sharing Account from the Year 2018 appropriation.

SR/BCR: \$ 30,000.00

Motion was made and seconded to amend the article to read: "To vote to allow the Board of Selectmen to direct the Board of Assessors to deduct from the reserved Revenue Sharing Account \$48,000.00 from the Year 2019 appropriation.

The amended article carried; 33-2.

Article 33: To see if the Town will raise a sum of \$25,000 for additional Sheriff coverage.

Motion was made and seconded to approve the article for the sum of \$25,000.00.

This additional coverage would be overtime coverage to address the current needs of the Town. After much discussion, a motion was made and seconded to call the question. This motion carried; 45-1.

The motion to approve the article carried; 38-9.

Article 34: To see if the Town will vote to adopt Medical Marijuana Ordinance as written. A public hearing was held February 27,2019 at 5:30 p.m.

Motion was made and seconded to approve the Medical Marijuana Ordinance as written.
Motion carried; 31-1.

Motion was made by Loren Faulkingham and seconded to reconsider Article #4.

A short recess was called to figure out the legality of this motion. Roberts Rules of Order was the governing rules for the meeting. Those rules were unclear as to whether an article in which an election by written ballot had taken place could be reconsidered. The Maine Moderator's Manual stated nominations ought not to be reconsidered but not that they couldn't. Legal counsel was sought from the Town's Attorney Hamer. He left it to the Moderator's discretion.

After much discussion of the fairness and the precedent of such action a motion was made and seconded to call the question. This motion carried; 29-5.

A motion was made and seconded to vote by written ballot for the reconsideration of Article #4. This motion carried; 35-2.

The motion to reconsider Article #4 failed; 16 Yes, 42 No.

Article 36: To see if the Town will vote to amend the Town of Jonesport Land Use Ordinance to include the Amended Road Proclamation signed by the Selectmen on the 31st day of October 2018 for the purpose of making Land Use Decisions. A public hearing was held February 27, 2019 at 5:30 p.m.

Motion was made and seconded to accept the article as read.

Motion carried; 34-4.

Motion was made and seconded to adjourn; all in favor. Meeting adjourned at 7:51 p.m.

TOTAL raised for 2019-2020 \$650,603.00

FOR YOUR INFORMATION: Reference to Article 14 the figures are based on the 2017-2018 Fiscal Year Treasurer's Receipts. This is in accordance with the "State of Maine Fund Acceptance Law" that requires all municipalities to specifically vote to accept any funds provided to them by the State Legislature after July 1, 2019. The law requires separate warrant articles for each category of state funding. It is also a requirement to indicate an estimate of the amount that may be received for each category based on the Town Treasurer's Receipt Records and then use "unknown" if funds have never been received previously. The law further provides that if a town fails to accept state funds to which it is or may be entitled in accordance with the procedure outlined above, the state is prohibited from releasing those funds after July 1, 2018. The State Treasurer will withhold those funds until the Town can show proof that it has voted to accept state funds by adopting a specific warrant article dealing with that category of state funding.

Due to the fact the Town has not received dollar (\$) allocations for Elementary Education from the State of Maine nor has the Town been notified of the County Tax Assessment and the Moosabec Community School District Assessment; we are unable to provide a budget at this time. A meeting to vote on action for these articles will be held at a future date.

A True Copy Attest:

Tonia J. Merchant, Town Clerk
TOWN OF JONESPORT, MAINE