

2007

Minutes of Annual Town Meeting Saturday May 12, 2007

Brenda L Singo, Town Clerk

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**MINUTES OF ANNUAL TOWN MEETING
Saturday, May 12, 2007**

137 Voters Present

Town Clerk brought meeting to order at 8:00AM.

Announcements were made and the Town Clerk read the Warrant and Return on Warrant.

Article 1. To choose a moderator by written ballot to preside at said meeting.

Nomination for Mark Greene made by Steve Train

Vote: Mark Greene – 3

Town Clerk Swore in Mark Greene as Moderator

Pledge of Allegiance followed by a moment of silence.

Motion made by Jim Wilber to allow the public to speak – 2nd by Ralph Sweet

Vote: U -1

Moderator Mark Greene appointed and swore in Ralph Sweet as Deputy Moderator.

Article 2. To elect by written ballot a Selectman to serve on the Board of Selectmen (those elected shall also serve as the assessors and overseers of the poor) for a term of three years, effective from 7/1/2007 to 06/30/2010.

Nomination for Emily Jacobs made by Karen Nadeau-Norcross

Nomination for Newell Stewart made by Craig Stewart

Nomination for Brad Brown made by Florence Brown

Vote: Newell Stewart – 69

Brad Brown – 39

Emily Jacobs – 19

Article 3. To elect by written ballot a School Committee member to serve on the School Committee for a term of three years, effective from 7/1/2007 to 06/30/2010.

Nomination for Thomas Hohn made by Melissa Brown

Nomination for Yvette Dunnigan made by Ellen Sorg

Motion made by Emil Berges to close the nominations – 2nd by Jim Wilber

Vote: U

Vote: Yvette Dunnigan – 83

Thomas Hohn – 39

Moderator swore in Newell Stewart – Selectman and Yvette Dunnigan – School Committee

Chief Deputy Kevin Joyce of the Cumberland County Sheriffs Dept. addressed residents and took questions.

The “Francis ‘Tiny’ Murphy Civic Award” was presented by LICA President Helen Kay to recipient Sharon Marr.

Article 4. To see if the Town will vote to authorize the Board of Selectmen to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to 23 M.R.S.A. {2953.

Motion made by Jim Wilber to accept Art. 4 as read – 2nd by Steve Train
Vote: U

Article 5. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to procure a loan or loans in anticipation of taxes, such loan or loans (principal and interest) to be repaid during the municipal year out of money raised from municipal year taxes.
The Finance Committee recommends a “YES” vote.

Motion made by Emily Jacobs to accept Art. 5 as read – 2nd by Lorraine Doughty
Vote: U

Article 6. To see if the Town will vote to authorize and direct the Board of Selectmen to screen and approve or appoint Sheriff’s Deputies and/or Constables for the fiscal year 2007-2008.
The Selectmen recommend a “YES” vote.

Motion made by Emil Berges to accept Art. 6 as read – 2nd by Anne-Marie Train
Vote: U

Article 7. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to enter into a contract with a waste hauler for solid waste hauling, for a period not to exceed three years.
The Selectmen recommend a “YES” vote.

Motion made by Emil Berges to accept Art. 7 as read – 2nd by Ruth Peterson
Vote: U

Article 8. To see if the Town will vote that the Town tax is due on September 15, 2007 and is payable in two (2) installments on September 15, 2007 and March 15, 2008 and to set the interest rate to be charged for late payments 12% per year.
The Finance Committee recommends a “YES” vote.

Motion made by Emil Berges to accept Art. 8 as read – 2nd by Jim Wilber
Vote: U -1

Article 9. To see if the Town will vote to authorize the Tax Collector to accept tax money in advance of receiving the tax commitment from the assessors. The Town will pay no interest on these advance payments.

The Finance Committee recommends a “YES” vote.

Motion made by Jim Wilber to accept Art. 9 as read – 2nd by Emil Berges

Vote: U

Article 10. To see if the Town will vote to authorize the Board of Selectmen and the School Committee to accept, on behalf of the Town: gifts, donations and contributions in the form of money, personal services and materials. Said gifts will be for the benefit of the Town, its government including legal departments and public facilities thereof, for the purpose of aiding and enhancing the delivery of public services. Said gifts to be without conditions and not require the voters to raise additional maintenance monies.

The Finance Committee and School Committee recommend a “YES” vote.

Motion made by Donna Rockett to accept Art. 10 as read – 2nd by Emil Berges

Vote: U

Article 11. To see if the Town will authorize the Board of Selectmen and the School Committee, on behalf of the Town, to secure grants, funds and other available revenues from the state, federal and other agencies and sources and authorize the expenditure of said dedicated funds.

The Finance Committee and School Committee recommend a “YES” vote.

Motion made by Anne-Marie Train to accept Art. 11 as read – 2nd by Lillian Murphy

Vote: U

Article 12. To see if the Town will vote to authorize the Selectmen to borrow or appropriate from un-appropriated surplus as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2007-2008.

The Finance Committee recommends a “YES” vote.

Motion made by Tom Marr to accept Art. 12 as read – 2nd by Nancy Jordan

Vote: U

Article 13. To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 5% for the 2007-2008 fiscal year.

Motion made by Nancy Jordan to accept Art. 13 as read – 2nd by Emil Berges

Vote: U

Finance Chairman Paul Riley presented an overview of proposed budget.

Article 14. To see what sum of money the Town will vote to raise and appropriate for compensation for Town Officers and/or Appointees.

The Finance Committee recommends:	
Selectmen (3 at \$2,538)	\$ 7,614
(Chair)	\$ 2,030
Parklands/Beaches	\$ 750
Wharves/Floats	\$ 2,000
Public Safety	\$ 1,015
Solid Waste	\$ 1,015
Rescue Boat	\$ 1,015
Assessing/Map Updates	\$ 1,015
Town Clerk	\$10,976
Treasurer	\$11,524
Tax Collector	\$10,976
Office Assistant	\$ 3,150
Admin. Assistant to Selectmen	\$ 2,369
Town Hall Employee Benefits	\$ 2,200
Road Commissioner	\$ 2,000
Code Enforcement Officer	\$ 9,734
Animal Control Officer	\$ 1,000
Harbormaster	\$ 550
Town Meeting Moderator	\$ 100
Social Services Director	\$ 250
Recreation Director	\$ 3,350
Payroll Taxes	\$ 6,300
Clam Warden	\$ 250
Island Fellow Contribution	\$ 1,500
TOTAL	\$82,683

Motion made by Steve Train to accept Art. 14 as read – 2nd by Emil Berges

Vote: U -1

Article 15. To see what sum of money the Town will vote to raise and appropriate for professional assistance.

The Finance Committee recommends:	
Town Accountant	\$ 1,000
Town Annual Audit	\$ 6,800
Town Counsel	\$12,000
Tax Assessor	\$ 2,000
Additional Professional Assistance	\$ 5,500
Lawn Mowing Contract	\$ 3,398
TOTAL	\$30,698

Motion made by Anne-Marie Train to accept Art. 15 as read – 2nd by Emil Berges

Vote: U

Article 16. To see if the Town will vote to accept, as a gift, the former Falmouth Harbormaster vessel with intentions to use this vessel as the new Long Island Harbormaster Vessel.

The Selectmen recommend a “YES” vote.

Motion made by Tom Marr to accept Art. 16 as read – 2nd by Steve Train

Motion made by Anne Wary to move the pending question – 2nd by Emil Berges

Vote: Carries by 2/3

Vote on Art. 16: U

Article 17. To see if the Town will vote to accept the “Nondiscrimination Family Subsidy Policy”.

Families who are year round residents of Long Island and who have a child:

- (a) Who is a year round resident of Long Island Maine
- (b) Who is a middle school or high school student enrolled in a private school; and
- (c) Whose school tuition is not being paid by the school administrative unit for Long Island;

Shall be entitled to receive a family subsidy from the Town as follows: The monthly subsidy shall be equal to the monthly tuition the family pays to its private school, but not to exceed one ninth (1/9) of the Town’s portion of the annual tuition paid by the school administrative unit to Portland High School or King Middle School as appropriate, to educate a student from Long Island. To obtain the monthly subsidy the family must submit proof to the Town Clerk of the amount of tuition they paid to their private school that month so that their child could attend that school. If both parents of the student are year-round residents of Long Island, the subsidy shall be paid jointly to both parents, but if only one parent is a year-round resident of Long Island, the subsidy shall be paid only to the parent who is a year round resident of Long Island.

The Legal Counsel for the Town of Long Island, does not recommend adopting this policy.

(Note: This vote was petitioned by Chris and Patti Papkee and honored by the Long Island Board of Selectmen)

At the request of the sponsor, the petitioners have withdrawn without prejudice.

No vote taken.

Article 18. To see what sum of money the Town will vote to raise and appropriate for Town government administration.

The Finance Committee recommends:
Town Government Administration
\$68,660

Motion made by John Norton to accept Art. 18 as read – 2nd by Jim Wilber

Vote: U

Article 19. To see what sum Long Island will appropriate for its contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (Recommend \$222,801) and to see what sum Long Island will raise as its contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Act in accordance with Maine Revised Statutes, Title 2-A, section 15688.

The School and Finance Committees Recommend \$206,679.

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

Motion made by Anne-Marie Train to accept Art. 19 as read – 2nd by Steve Train

Vote: U

**THE FOLLOWING ARTICLE (#20), MUST HAVE AN ACCURATE RECORDED
HAND COUNT**

Article 20. Shall Long Island raise and appropriate \$156,917 in additional local funds, which exceeds the State's Essential Programs and Services funding model by \$141,146. **The School Committee and the Finance Committee recommend \$156,917 for the following reasons:** *The EPS tuition rate is lower than the actual tuition cost to the Town. Long Island's student teacher ratio is lower than the EPS ratio. Operation and Maintenance of Plant, supplies and equipment and system administration exceed the EPS funding model.*

Explanation: The additional local funds are those locally raised funds over and above Long Island's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Program and Services Funding Act that will help achieve Long Island's budget for educational programs.

Motion made by Bob Jordan to accept Art. 20 as read – 2nd by John Norton

Vote: Yes – 82 No – 0 (zero)

Article 21. To see what sum Long Island will authorize the School Committee to expend for the fiscal year beginning July 1, 2007 and ending June 30, 2008 from Long Island's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Act, additional local funds for school purposes under Main Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, State subsidy and other receipts for the support of schools.

The School and Finance Committees Recommend \$442,218.

Summary of School Budget Funding

\$222,801 – Local and State EPS
 156,917 – Local Optional
62,500 – Surplus and Misc. Income
 \$442,218 – Total Budget

Motion made by Lorraine Doughty to accept Art. 21 as read – 2nd by Bob Jordan

Vote: U

Article 22. To see what sum the Town will vote to raise and appropriate for the Long Island Community Library operating costs.

The Finance Committee recommends:	\$ 5,000
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Motion made by Rod Jacobs to accept Art. 22 as read – 2nd by Jim Wilber

Vote: U

Article 23. To see what sum of money the Town will vote to raise and appropriate for insurance.

The Finance Committee recommends:	
Insurance	\$19,000

Motion made by John Norton to accept Art. 23 as read – 2nd by Anne-Marie Train

Vote: U

Article 24. To see what sum of money the Town will vote to raise and appropriate for Public Safety.

The Finance Committee recommends:	
Police Protection	\$30,054
Fire Protection	
\$49,325	
EMS Expense	
\$14,380	
Rescue Boat Expense	\$
4,140	
Emergency Preparedness	\$ 2,000
Stipends & Payroll Costs	\$24,859
TOTAL	\$124,758

Motion made by Steve Train to accept Art. 24 as read – 2nd by Emily Jacobs

Motion made by Michael Floyd to amend Police Protection from to \$31,254 – 2nd by Ruth Peterson

Motion made by Randy Parker to move the pending question

Vote on the amendment: U -10

Vote on Art. 24 as amended: U -3

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

The Finance Committee recommends:	
Public Works	
\$78,637	

Motion made by Anne-Marie Train to accept Art. 25 as read – 2nd by Ruth Peterson
Vote: U

Article 26. To see what sum of money the Town will vote to raise and appropriate for Solid Waste.

The Finance Committee recommends:	
Solid Waste	\$86,507

Motion made by Lorraine Doughty to accept Art. 26 as read – 2nd by Helen Kay
Vote: U

Article 27. To see what sum of money the Town will vote to raise and appropriate for Social Services.

The Finance Committee recommends:	
Social Services	\$ 900

Motion made by Jim Wilber to accept Art. 27 as read – 2nd by Rod Jacobs
Vote: U

Article 28. To see what sum of money the Town will vote to raise and appropriate for the Recreation Committee, including Community Center operation.

The Finance Committee recommends:	\$22,130
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Motion made by Anne-Marie Train to accept Art. 28 as read – 2nd by Jim Wilber
Vote: U

Article 29. To see what sum of money the Town will vote to raise and appropriate for the Cemetery operations.

The Finance Committee recommends:	\$ 7,455
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Motion made by Ruth Peterson to accept Art. 29 as read – 2nd by Lorraine Doughty
Vote: U

Article 30. To see what sum of money the Town will vote to accept and appropriate for the Painting, Planting & Chowder Society.

The Finance Committee recommends:	\$ 5,000
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Motion made by Lorraine Doughty to accept Art. 30 as read – 2nd by Meredith Sweet
Vote: U

Article 31. To see what sum of money the Town will vote to raise and appropriate for Capital Debt Service.

The Finance Committee recommends:
Capital Debt Service
\$65,948

Motion made by Lorraine Doughty to accept Art. 31 as read – 2nd by Steve Train
Vote: U

Article 32. To see if the Town will vote to accept the categories of funds listed below as provided by the Maine State Legislature. Funds to be expended pursuant to M.S.R.A. by municipal legislative body. The amount of each category is an estimate only.

Beach (State Park Revenue Sharing)	\$ 4,500
Civil Emergency Funds	unknown
General Assistance Reimbursement	\$ 0
Local Road Assistance	\$10,744
Municipal Revenue Sharing	\$10,000
Registration Refund	unknown
Property Tax Relief	unknown
Public Library State Aid per Capital	unknown
Public Library Stipend	\$ 0
Special Ed. Entitlement	\$ 0
State Gen. Purpose Aid to Education	
\$16,122	
ECIA Title I	\$ 0
ECIA Title II	\$ 0
School Lunch Reimbursement	\$ 1,000
Cert. Block Grant	unknown
Tree Growth	\$ 0
Veteran’s Exemption Reimbursement	\$ 50

The Finance Committee recommends a “YES” vote.

Motion made by Steve Train to accept Art. 32 as read – 2nd by Michael Floyd
Vote: U

Article 33. To see if the Town will vote to appropriate, for the fiscal year beginning 1-July-2007 and ending 30-June-2008, all revenues, grants, fees and designated surplus, for the purpose of reducing 2007-2008 tax commitment.

The Finance Committee recommends:	
Revenues, Fees & Grants	\$119,625

Audited 05-06 Government Surplus	\$106,422
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Motion made by Emily Jacobs to accept Art. 33 as read – 2nd by Tom Marr

Vote: U

Article 34. To see what sum of money the Town will vote to raise and transfer to the Minimum Balance Set Aside with the condition that the Town authorize the Selectmen to reduce or increase that amount to stabilize the mil rate.

The Finance Committee recommends:	\$ 8,500
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Motion made by Lorraine Doughty to accept Art. 34 as read – 2nd by Lillian Murphy

Vote: U

Article 35. To see what sum of money the Town will vote to raise and appropriate for Social Service Referrals.

The Finance Committee recommends:	
Social Service Referrals	\$ 0

Motion made by Lorraine Doughty to accept Art. 35 as read – 2nd by Michael Floyd

Vote: U

Article 36. To see if the Town will vote to authorize 2006-2007 CIP Surplus to be transferred to CIP Reserve Fund.

The Finance Committee recommends a “YES” vote.

Motion made by Lorraine Doughty to accept Art. 36 as read – 2nd by Emily Jacobs

Vote: U

Article 37. To see what sum of money the Town will vote to transfer from the CIP Reserve Fund (including accumulated interest) and appropriate for 2007-2008 Capital Improvement Projects.

The Finance Committee recommends:	\$ 0
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Motion made by Lorraine Doughty to accept Art. 37 as read – 2nd by Emily Jacobs

Vote: U

Article 38. To see what sum of money the Town will vote to raise and appropriate for the Capital Improvement Project Reserve Fund.

The Finance Committee recommends:	\$ 0
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Motion made by Anne-Marie Train to accept Art. 38 as read – 2nd by Warren Brayley

Vote: U

Article 39. To see what sum the Town will vote to raise and appropriate for capital spending.

The Finance Committee recommends:	\$45,450
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Motion made by Anne-Marie Train to accept Art. 39 as read – 2nd by Lorraine Doughty

Vote: U

Article 40. To see if the Town will vote a) to approve a “pavement crack sealing” project; b) to appropriate a sum not to exceed \$11,000 to meet the cost; and c) to fund the said appropriation by authorizing the Treasurer and Chairman of the Board of Selectmen to issue general obligation securities of the Town of Long Island, Maine (including temporary notes in anticipation of the sale thereof), in an aggregate principal amount not to exceed \$11,000, and the discretion to fix the date(s), maturity(ies), calls for redemption, place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Long Island, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

The Board of Selectmen and Finance Committee recommend a “YES” vote.

FINANCIAL STATEMENT

Estimated 03/20/2007

1. Total indebtedness:

A. Bonds outstanding and unpaid:

1. Cumberland County	\$ 54,061
2. Road Paving	\$ 50,000
3. Trash Truck	\$ 5,000
4. Tennis Court	\$ 10,800
5. Asbestos Removal	\$ 10,188
6. Second Fire Truck	\$ 90,000
7. Cemetery Expansion	\$ 11,760

C. Bonds authorized but not issued:

Roofs (Town Meeting 2006)	\$ 16,000
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B. Bonds to be issued if this Article is approved:

\$ 11,000

2. Costs:

At an estimated interest rate of 5.25% for 3 year maturity, the estimated costs of this bond issue will be:

Principal	\$ 11,000
Interest	\$ 4,000
Total New Debt Service	\$ 15,000

3. Validity:

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the

bonds issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Nancy Jordan
Nancy Jordan, Treasurer

Motion made by Steve Train to accept Art. 40 as read – 2nd by Lorraine Doughty

Vote: U

Article 41. To see if the Town will vote to repeal and replace an Ordinance entitled “Chapter 14 Land Use – Article 4 Shoreland Zoning District Standards – Sec. 4.18 Administration – Subsection C”.

- C. For purposes of these land use ordinances the ~~mean high tide mark~~ maximum spring tide level shall be considered to be the shoreline lot line.

(This change is required per letter from Michael Morse, State of Maine, Department of Environmental Protection, dated July 10, 2006, defining the Shoreland Zoning guideline and language is available at Town Hall for your information.)

Motion made by Jim Wilber to accept Art. 41 as read – 2nd by Will Tierney

Moderator stepped aside at 11:23am – back in at 11:25am

Motion made by Ann Kremer to move the pending question

Vote: U

Vote on Art. 41: U -18

Article 42. To see if the Town will vote to repeal and replace an Ordinance entitled “Chapter 14 Land Use – Article 3: Zoning District Standards – Subsection 3.2 IR-1 Island Residential Zone Paragraph B-7”.

- (7) One detached accessory structure with a footprint less than one-hundred (100) square feet shall be permitted on each lot and shall be exempt from side and rear setbacks. ~~One (1) shed per lot and~~ shall be permitted without a building permit provided that the Town is notified ~~of the shed~~ by submitting a plot plan showing the location of the accessory structure on the property to be kept on file at Town Hall.

Motion made by Chris Papkee to accept Art. 42 as read – 2nd by Lorraine Doughty

Vote: U -4

Article 43. To see if the Town will vote to repeal and replace an Ordinance entitled “Chapter 6 Buildings and Building Regulations – Art. II Building Code – Sec. 6-16. Adoption of BOCA National Building Code”.

There is hereby adopted for the purpose of regulating the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, the

following certain code recommended by the Building Officials and Code Administrators International, Inc., the BOCA National Building Code, ~~1993~~ current edition, and the whole thereof, except for such portions as are deleted, modified or amended in this article.

(Code 1968, § 301.1; Ord. No. 211-79, 10-22-79; Ord. No. 354-81; Ord. No. 290-84, § 1 11-19-84; Ord. No. 540-87, § 1, 6-3-87; Ord. No. 109-90, 10-1-90)

State law reference—Authority to adopt codes by reference, 30-A M.R.S.A. § 3003.

Motion made by Anne-Marie Train to accept Art. 43 as read – 2nd by Jim Wilber

Vote: U

Article 44. To see if the Town will vote to repeal and replace an Ordinance entitled “Chapter 17 Sheriff & Constable – Art. III Offenses Against Public Safety – Division 2. ATV’s and Golf Cart Registration – **Sec. 17-13. Golf Carts on Town Streets by Certain Persons – Paragraph (1)**”.

(1) The operator must ~~be over the age of twenty-one (21) or~~ possess a valid license to operate a motor vehicle; and ~~are~~ is required to show evidence of insurance, bill of sale and have original (new) purchase price at time of registration.

Motion made by Rod Jacobs to accept Art. 44 as read – 2nd by Ruth Peterson

Motion made by Nancy Jordan to move the pending questions

Vote: U

Vote on Art. 44: U -8

Article 45. To see if the Town will vote to repeal and replace an Ordinance entitled “Chapter 13.4 Harbor and Waterfront – Sec. 13.4-4. Registration of Moorings – Sec. 4.2 Registration Fees”.

Registration fees to be reviewed annually and adjusted, if necessary, by the Board of Selectmen.

Personal use by resident or

Non-resident tax payer: _____ ~~\$25.00~~ \$30.00

Personal use by non-resident: _____ ~~\$40.00~~ \$60.00

Rental use: _____ ~~\$40.00~~ \$60.00

Motion made by Steve Train to accept Art. 45 as read – 2nd by Emily Jacobs

Vote: U -4

Article 46. To see if the Town will vote to have the Selectmen investigate creating the position of a Town Administrator and prepare a budget for such a position. (The Selectmen shall report back their findings to the voters at the next regular Town Meeting – May 10, 2008)

Motion made by Richard Clarke to accept Art. 46 as read – 2nd by Ethan Norcross

Moderator stepped aside at 11:45am – Deputy Moderator stood in.

Motion made by Brad Brown to amend Article 46 to read after the word “Administrator”, “and/or Manager” – 2nd by Steve Train

Motion made by Emil Berges to move the pending question

Vote: U -4

Vote on the Amendment: U -10

Motion made by Emil Berges to move the pending question

Vote: U -4

Vote on Article 46 as amended: U -12

Article 47. To see if the Town will vote to authorize the Selectmen to lease certain parcels of Town owned or tax acquired property for an annual fee of no less than, but not to exceed the amount that would otherwise be collected as tax revenue if the property were privately owned, for the purpose of allowing construction of privately owned homes under a criteria established by the Long Island Year Round Housing Committee.

Motion made by Jim Wilber to accept Art. 47 as read – 2nd by Steve Train

Motion made by John Norton to amend Article 47 to take out the word “lease” and replace it with “transfer” – 2nd by Tammy Hohn

Motion made by Nancy Jordan to move the pending question

Vote: Carries by 2/3

Vote on amendment: Fails U -2

Motion made by Steve Train to amend Article 47 to remove “certain” and add after the word “lease” to add “parcels 255, 256, 361, and 344 ...” – 2nd by Rod Jacobs

Motion made by Anne-Marie Train to move the pending question

Vote: Fails by 2/3

Vote on amendment: U -8

Motion made by Joe Donovan to amend Article 47 to add after the word “Committee”, “and approved by the elected Selectmen.” – 2nd by Bob Jordan

Motion made by Ruth Peterson to move the pending question

Vote: U -4

Vote on amendment: U -4

Motion made by Emil Berges to move the pending question

Vote: U

Vote on Article 47 as amended: U -11

Donna Rockett introduced CBL General Manager Katherine Devo

Moderator resumed at 1:20pm

Article 48. To see if the Town will vote to continue the “Municipal Parking Area Permits and Regulations Policy” (effective June 1, 2006) adopted by the Selectmen on April 4, 2006 – amended October 3, 2006.

The Selectmen recommend a “YES” vote.

Long Island Municipal Parking Area Permits and Regulations

Effective June 1, 2006 – Amended October 3, 2006

- 1. Requirement to Display a Valid Parking Permit.** All vehicles parked in any Town of Long Island Municipal Parking lot must display a valid Parking Permit.
- 2. Parking Permits.** Parking Permits will be issued as stickers and must be permanently affixed to the driver side lower corner of the vehicle windshield. Each vehicle must have a valid Parking Permit before parking in any municipal lot. Parking Permits are valid for a one-year period commencing on the date the Parking Permit was purchased.
- 3. Permit Fees.** Vehicles for which owners have paid current excise tax on valid registration to the Town of Long Island are entitled to a free Parking Permit for the vehicle. Vehicles for which owners have not paid excise tax to the Town of Long Island shall be required to show current registration and pay \$75/year or \$20/month for a Parking Permit.
- 4. Violations and Fines.** Vehicles parked in any Town of Long Island Municipal Parking Lot not displaying a valid Parking Permit shall be fined \$20.00 per day. Vehicles violating these regulations three or more times shall be temporarily incapacitated through the application of a parking boot or towed to a designated impoundment area. To secure the release of booted or impounded vehicles, owners must first pay the Town in full all outstanding fines and/or towing charges.
- 5. Availability of Town Parking Areas.** Parking areas within Town lots are limited and parking for vehicles with Parking Permits is on a first come, first served bases. The purchase of Parking Permit does not guarantee the holder will necessarily find that spots are available.

****PARKING IS PROHIBITED ON ISLAND AVENUE FROM GARFIELD ST.
EASTWARDLY, TO BOSTON SAND & GRAVEL****

Motion made by Lorraine Doughty to accept Art. 48 as read – 2nd by John Norton

Motion made by John Norton to move the pending question

Vote: U

Vote by paper ballot: Yes – 72 No – 14
(requested by Selectmen)

Article 49. To see if the Town will vote to authorize the Selectmen to sell to the State of Maine a “Protective Covenant” on Ponces Landing that will ensure in perpetuity, commercial fishing access. (This Covenant will not prohibit existing uses of the property.)

The Selectmen recommend a “YES” vote.

Motion made by Steve Train to accept Art. 49 as read – 2nd by Emily Jacobs

Vote: U

Article 50. To see if the Town will vote to adopt the following changes in the Town of Long Island Land Use Ordinance, Article 3 to authorize Accessory Dwelling Units:

A. By adopting the following new definition of Accessory Dwelling Unit:

ARTICLE 2: DEFINITIONS

Accessory Dwelling Unit: An efficiency or one (1) bedroom residential unit that is clearly secondary to the owner occupied residence used for purposes of housing family members or relatives which provides a separate living area designed and equipped with separate and complete housekeeping facilities (living area including kitchen, bath, and one (1) bedroom).

B. By amending Article 3 to authorize Accessory Dwelling Units as Conditional Uses in the Island Residential 1 (IR-1) Zone, Island Residential 2 (IR-2) Zone and Island Business (IB) Zone:

ARTICLE 3: “Zoning District Standards”

Section 3.2 IR-1 Island Residential Zone

C. Conditional uses: The following uses are permitted only upon the issuance of a conditional use permit by the appeals board, subject to the provisions of Article 13 (Zoning Board of Appeals) of this chapter and any special provisions, standards or requirements specified below:

- (2) Other:
 - k. Accessory Dwelling Units

Section 3.3 IR-2 Island Residential Zone

- C. Conditional uses: The following uses are permitted only upon the issuance of a conditional use permit by the appeals board, subject to the provisions of Article 13 (Zoning Board of Appeals) of this chapter and any special provisions, standards or requirements specified below:

(2) Other:

- i. Accessory Dwelling Units

Section 3.9 I–B Island Business Zone

- C. Conditional uses: The following uses are permitted only upon the issuance of a conditional use permit by the appeals board, subject to the provisions of Article 13 (Zoning Board of Appeals) of this chapter and any special provisions, standards or requirements specified below:

(11) Accessory Dwelling Units

C. By amending Article 7, Townwide Performance Standards by adopting the following standards for Accessory Dwelling Units:

Section 7.23 Accessory Dwelling Units

- A. The purpose of these provisions authorizing Accessory Dwelling Units is to provide enhanced opportunities to accommodate housing for family/relative members while protecting the single-family character of existing residential neighborhoods.
- B. Any proposed Accessory Dwelling Unit must meet the following standards:
 - 1. Accessory Dwelling Units shall be primarily accessed through the existing living area of the primary structure and all other entrances to the Accessory Dwelling Unit as may be required shall appear subordinate to the main entrance serving the existing dwelling.
 - 2. All additions or reconfigurations related to an Accessory Dwelling Unit shall be designed to be subordinate in scale and mass to the design and massing of the main structure and shall be compatible with the architectural style and quality of the main structure.
 - 3. Accessory Dwelling Units shall have at least five hundred (500) square feet of floor area and shall not exceed fifty (50%) percent of the floor area of the main dwelling unit. Floor area measurements for these purposes shall not include unfinished attic, basement or cellar areas, and shall not include shared hallways or other common areas.

4. A Single Family Dwelling containing an Accessory Dwelling Unit shall be served by a single electrical service.
5. Only one (1) Accessory Dwelling Unit is permitted per lot and must be incorporated into the existing dwelling.
6. Accessory Dwelling Units shall not be permitted for any nonconforming structure or use, where the nonconformity is due to the use of the premises. Accessory Dwelling Units may be permitted in nonconforming structures that are nonconforming due to dimensional requirements As long as the proposed Accessory Dwelling Unit and structure conform to the other requirements for Accessory Dwelling Units under this Section.
7. Prior to permitting an Accessory Dwelling Unit in either an existing structure or a new structure, the Board of Appeals shall require the applicant to hire a licensed Site Plan Evaluator (SE), not at public expense, to certify that any existing subsurface wastewater disposal system (SSWD) proposed to be used, or a new system to be built, meets or will meet the current standards of the Maine State Plumbing Code Subsurface Wastewater Disposal Rules for the number of bedrooms being proposed for the structure. A full copy of the results shall be included in the Conditional Use Permit Application and submitted to the Board of Appeals.

Motion made by Emily Jacobs to accept Art. 50 as read – 2nd Anne-Marie Train
Vote by paper ballot: Yes – 71 No – 17
(requested by Selectmen)

Article 51. To see if the Town will vote to adopt the following amendments to the Town of Long Island Code of Ordinances, Land Use Ordinance, Chapter 14, to authorize multi-family dwelling units in the Island Business (IB) Zone:

A. By amending Article 2, Definitions to include a definition of Multi-Family Dwellings:

ARTICLE 2: DEFINITIONS

Dwelling, Multi-Family - A detached building used exclusively for the residential occupancy by two (2) or more families and containing two (2) or more dwelling units

B. By amending Article 3, Zoning District Standards to authorize Multi-Family Dwellings in the IB Zone as follows:

ARTICLE 3: ZONING DISTRICT STANDARDS, Section 3.9., I-B Island Business Zone, Subsection C, Conditional Uses:

12. Multi-Family Dwellings

C. By amending Article 7, Townwide Performance Standards, to adopt the following procedures

and performance standards for Multi-Family Dwellings:

ARTICLE 7: TOWNWIDE PERFORMANCE STANDARDS:

7.24 Multi-Family Dwellings:

A. To permit a Multi-Family Dwelling in an existing structure or a new structure, the applicant must provide a report and certification from a licensed Site Plan Evaluator (SE), not at public expense, certifying that any existing or proposed subsurface wastewater disposal system (SSWD) meets or will meet the current standards of the Maine State Plumbing Code Subsurface Wastewater Disposal Rules for the proposed Multi-Family Dwelling. A full copy of the report and certification shall be provided as part of the applicant's Conditional Use Permit Application.

D. By amending Article 3, Zoning District Standards, Section 3.9, I-B Island Business Zone, Subsection E as follows:

ARTICLE 3: Zoning District Standards, Section 3.9 I-B Island Business Zone

E: Dimensional Requirements. In addition to the provisions of this Chapter, lots in the IB, Business District Zone, shall meet the following minimum requirements:

(1) Minimum lot size except as provided in Article 6 (Non-conforming Structures, Uses and Lots):

~~a. Sixty thousand (60,000) square feet for all permitted uses except for lodging houses and inns:~~

~~b. Lodging houses: Sixty thousand (60,000) square feet for up to six (6) lodging rooms, plus ten thousand (10,000) square feet for each additional lodging room in excess of six (6).~~

~~c. Inns: Ten thousand (10,000) square feet for each guest room, sixty thousand (60,000) square feet minimum.~~

~~d. Where an existing subsurface disposal system serving an existing structure requires replacement, the replacement system shall meet the requirements of the latest Maine Subsurface Wastewater Disposal Rules. The land area requirements of this section shall not apply to such a replacement system.~~

a. Sixty thousand (60,000) square feet for all permitted uses except for the following:

(i). Lodging Houses: Sixty thousand (60,000) square feet for up to six (6) lodging rooms, plus an additional ten thousand (10,000) square feet for each additional lodging room in excess of six (6) rooms.

(ii). Inns: Ten thousand (10,000) square feet for each guest room, Sixty Thousand (60,000) square feet minimum.

(iii) Multi-Family Dwelling: Ten Thousand (10,000) square feet for each

bedroom in the dwelling and Sixty Thousand (60000) square foot minimum.

b. Where an existing subsurface disposal system serving an existing structure requires replacement or enlargement, the replacement system shall meet the requirements of the latest Maine Subsurface Wastewater Disposal Rules. The land area requirements of this section shall not apply to such a replacement system.

Motion made by John Norton to accept Art. 51 as read – 2nd by Anne-Marie Train

Motion made by Ruth Peterson to move the pending question

Vote: Carries by 2/3

**Vote by paper ballot: Yes – 52 No – 38
(requested by Selectmen)**

Art. 52. To see if the Town will vote to authorize the Planning Board to draft a proposed amendment to Chapter 14, Land Use Ordinance, Article 3: Zoning District Standards, Section 3.2. IR-1, Island Residential Zone to allow Multi-Family Dwellings for consideration at the Long Island Annual Town Meeting in 2008.

Motion made by Will Tierney to accept Art. 52 as read – 2nd by Lorraine Doughty

Vote: Fails U -7

Art. 53. To see if the Town will vote to authorize the Planning Board to draft a proposed amendment to Chapter 14, Land Use Ordinance, Article 3: Zoning District Standards, Section 3.3, IR-2, Island Residential Zone to allow Multi-Family Dwellings for consideration at the Long Island Annual Town Meeting in 2008.

Motion made by Chris Papkee to accept Art. 53 as read – 2nd by Michael Floyd

Vote: Fails U

Motion made by Steve Train to adjourn – 2nd by Michael Floyd

Meeting adjourned 2:55PM

S/ Brenda L. Singo

**Brenda L. Singo
Town Clerk**

ATTEST: “A true copy of the Minutes of the Annual Town Meeting, May 12, 2007”

S/ Brenda L. Singo
