

2009

# Town of New Gloucester Minutes of Annual Town Meeting 2009

New Gloucester, Me.

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**TOWN OF NEW GLOUCESTER  
MINUTES OF ANNUAL TOWN MEETING  
May 4, 2009**

The Town Meeting was called to order at 7:04 p.m. by Town Clerk, Sumner M. Field III.

*The Clerk led the town meeting attendees in the **Pledge of Allegiance**.*

**Article 1. To choose a Moderator to preside at said meeting.**

*Nomination of: Beverly Cadigan  
Nomination by: Nancy Wilcox  
Seconded by: Jean Libby  
No other nominations were made.  
Motion to close nominations: Barbara Seaver  
Seconded by: Josh McHenry  
Those in favor of closing nominations: all  
Opposed: none  
Nomination of Beverly Cadigan carried.  
3 votes were cast for Beverly Cadigan.  
Beverly Cadigan was elected Moderator.*

*The Clerk administered the Oath of Office to the Moderator.*

**Article 2. To see if the Town will vote to raise and appropriate \$448,909 from taxation and other sources for the ensuing year for the following:**

101	Selectmen	\$ 17,450
102	Administration	\$269,738
105	Town Meetings/Elections	\$ 5,100
106	Tax Assessment	\$ 72,016
107	Code Enforcement	\$ 54,605
108	Legal	\$ 15,000
130	Unanticipated Expenses	<u>\$ 15,000</u>
	<b>TOTAL</b>	<b><u>\$448,909</u></b>

*The Budget Committee and Board of Selectmen recommends passage as presented.*

*Motion: Christopher Rheault moved that Article 2 have passage as presented.  
Second: Roger Levasseur  
Discussion: Josh McHenry and Roger Levasseur commented on this article.  
Vote: It was voted that Article 2 have passage as presented - **\$448,909**.*

**Article 3. To see if the Town will vote to raise and appropriate \$65,450 from taxation and other sources for the ensuing year for the following:**

103	General Assistance	\$ 28,500
131	Health Officer	\$ 1,000
132	Animal Control	\$ 11,050
135	Cemeteries	\$ 8,500
137	Interagency Requests	\$ 8,900
142	Water Treatment	\$ 7,500
	<b>TOTAL</b>	<b><u>\$ 65,450</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 3 have passage as presented.*

*Second: Josh McHenry*

*Discussion: None*

*Vote: It was voted that Article 3 have passage as presented - \$65,450.*

**Article 4. To see if the Town will vote to raise and appropriate \$238,930 from taxation and other sources for the ensuing year for the following:**

111	Fire Department	\$201,780
112	Emergency Management	\$ 3,000
114	Street Lights	\$ 5,500
115	Public Safety Dispatch	\$ 28,650
	<b>TOTAL</b>	<b><u>\$238,930</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 4 have passage as presented.*

*Second: Christopher Rheault*

*Discussion: None*

*Vote: It was voted that Article 4 have passage as presented - \$238,930.*

**Article 5. To see if the Town will vote to raise and appropriate \$810,211 from taxation and other sources for the ensuing year for the following:**

116	Highway Department	\$ 599,925
120	Solid Waste	\$ 208,286
134	Tree Care	\$ 2,000
	<b>TOTAL</b>	<b><u>\$ 810,211</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Christopher Rheault moved that Article 5 have passage as presented.*

*Second: Roger Levasseur*

*Discussion: None*

*Vote: It was voted that Article 5 have passage as presented - \$810,211.*

**Article 6. To see if the Town will vote to raise and appropriate \$169,150 from taxation and other sources for the ensuing year for the following:**

104	Buildings & Grounds	\$ 51,950
113	Meeting House/Cable TV	\$ 10,200
123	Library	\$ 83,700
133	Parks & Recreation	<u>\$ 23,300</u>
	<b>TOTAL</b>	<b><u>\$169,150</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Christopher Rheault moved that Article 6 have passage as presented.*  
*Second: George Carman*  
*Discussion: Penny Hilton, August Jaccaci, and Roger Levasseur commented on this article.*  
*Vote: It was voted that Article 6 have passage as presented - \$169,150.*

**Article 7. To see if the Town will vote to appropriate \$127,250 from the undesignated fund balance for the following Public Works Capital Reserve accounts for the ensuing year:**

<u>Account 127</u>	
Vehicles	\$ 77,250
Transfer Station	<u>50,000</u>
<b>TOTAL</b>	<b><u>\$127,250</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Christopher Rheault moved that Article 7 have passage as presented.*  
*Second: Timothy Joy*  
*Discussion: None*  
*Vote: It was voted that Article 7 have passage as presented - \$127,250.*

**Article 8. To see if the Town will vote to appropriate \$50,000 from the undesignated fund balance for the following Public Safety Capital Reserve accounts for the ensuing year:**

<u>Account 127</u>	
Fire-Rescue Equipment	\$40,000
Extrication Equipment	<u>\$10,000</u>
<b>TOTAL</b>	<b><u>\$50,000</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 8 have passage as presented.*  
*Second: George Carman*  
*Discussion: Roger Levasseur commented on this article.*  
*Vote: It was voted that Article 8 have passage as presented - \$50,000.*

**Article 9. To see if the Town will vote to appropriate \$85,000 from the undesignated fund balance for the following Capital Reserve accounts for the ensuing year:**

<u>Account 127</u>	
Revaluation	\$35,000
Future Building Needs	\$50,000
<b>TOTAL</b>	<b><u>\$85,000</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Christopher Rheault moved that Article 9 have passage as presented.*

*Second: Kathleen Potter*

*Discussion: Roger Levasseur commented on this article.*

*Motion: Roger Levasseur moved and Stephen Hathorne seconded a motion to amend this article by eliminating the Future Building Needs \$50,000, reducing the article amount to \$35,000.*

*Discussion: Josh McHenry, Steven Libby, and Lenora Conger commented on the amendment.*

*Vote: Amendment failed.*

*Discussion: Stephen Hathorne, Steven Libby, and Lenora Conger commented on this article.*

*Vote: It was voted that Article 9 have passage as presented - **\$85,000**.*

**Article 10. To see if the Town will vote to appropriate \$282,519 from capital reserve accounts and MDOT Urban & Rural Initiative Program (URIP) funds for the following Public Works Capital Improvements for the ensuing year:**

<u>Account 128</u>		<u>Funding Sources</u>
Paving	\$282,519	\$200,163 CR; \$82,356 URIP
<b>TOTAL</b>	<b><u>\$282,519</u></b>	

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 10 have passage as presented.*

*Second: Christopher Rheault*

*Discussion: Penny Hilton, Roger Levasseur, Ted Shane, and Sumner Field commented on this article.*

*Vote: It was voted that Article 10 have passage as presented- **\$282,519**.*

**Article 11.** To see if the Town will vote to appropriate **\$180,000** from capital reserve, TIF and the undesignated fund balance for the following **Capital Improvements** for the ensuing year:

<u>Account 128</u>		<u>Funding Sources</u>
Life Pac Defibrillator	\$ 20,000	UFB
Hydr Power	\$ 10,000	UFB
Pac More Trailer	\$ 75,000	UFB
Morse Road Study	\$ 75,000	TIF
<b>TOTAL</b>	<b><u>\$180,000</u></b>	

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 11 have passage as presented.*

*Second: Sean Chayer*

*Discussion: Christopher Rheault, Joshua McHenry, August Jaccaci, Ted Shane, and Steven Libby commented on this article.*

*Vote: It was voted that Article 11 have passage as presented - \$180,000.*

*On a motion from Tom Blake at 8:00 p.m., seconded by Roger Levasseur, it was voted to take a 15 minute recess. The Town Meeting resumed at 8:15 p.m.*

**Article 12.** To see if the Town will vote to raise and appropriate **\$87,450** from taxation and other sources for the ensuing year for the following:

122	Planning	\$ 85,950
126	Water Resources	\$ 300
129	Sabbathday Lake Water Testing	<u>\$ 1,200</u>
	<b>TOTAL</b>	<b><u>\$ 87,450</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Christopher Rheault moved that Article 12 have passage as presented.*

*Second: Joshua McHenry*

*Discussion: None*

*Vote: It was voted that Article 12 have passage as presented - \$87,450.*

**Article 13. To see if the Town will vote to raise and appropriate \$723,475 from taxation and other sources for the ensuing year for the following:**

109	Insurance	\$265,175
125	Social Security/Retirement	\$ 84,800
139	Debt Service	<u>\$373,500</u>
	<b>TOTAL</b>	<b><u>\$723,475</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 13 have passage as presented.*

*Second: Joshua McHenry*

*Discussion: None*

*Vote: It was voted that Article 13 have passage as presented - \$723,475.*

**Article 14. To see if the Town will vote to raise and appropriate \$200,000 from taxation for the ensuing year for the following:**

144	TIF District	\$195,000 (Estimated; determined when tax rate calculated.)
145	Tax Abatements	<u>5,000</u>
	<b>TOTAL</b>	<b><u>\$200,000</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 14 have passage as presented.*

*Second: Joshua McHenry*

*Discussion: None*

*Vote: It was voted that Article 14 have passage as presented - \$200,000.*

**Article 15. To see if the Town will vote to accept and spend the following categories of State revenue funds during the ensuing year:**

1. Municipal Revenue Sharing
2. MDOT URIP
3. Tree Growth Reimbursement
4. General Assistance Reimbursement
5. Veterans Exemption Reimbursement
6. Snowmobile Registration Funds
7. Public Library State Aid
8. Emergency Management Assistance/Homeland Security Grants
9. Other State Aid (*pass-through funds and property tax relief*)
10. State Grants or Other Funds (*not included in items 1 – 9 above.*)

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 15 have passage as presented.*

*Second: Christopher Rheault*

*Discussion: None*

*Vote: It was voted that Article 15 have passage as read.*

**Article 16. To see if the Town will vote to apply the following anticipated revenues to reduce the tax commitment:**

Building & Inspection Fees	\$ 23,595
Transfer Station Fees	\$ 50,000
Boat Excise Tax	\$ 6,500
Auto Excise Tax	\$ 800,000
Town Fees	\$ 18,000
Recreation Program Fees	\$ 8,000
Fines & Reimbursements	\$ 500
Clerk Fees	\$ 4,000
Rent Income	\$ 1
Copy/Fax Fees	\$ 1,800
Cable TV Franchise Fees	\$ 25,000
Library Revenue	\$ 1200
Interest from Overdue Tax Pmts.	\$ 16,000
Interest from Investments	\$ 100,000
Undesignated Fund Balance	\$ 723,029
Capital Reserve Income	<u>\$ 200,000</u>
<b>TOTAL</b>	<b><u>\$1,977,625</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Joshua McHenry moved that Article 16 have passage as presented.*

*Second: Christopher Rheault*

*Discussion: Christopher Rheault, August Jaccaci, Gary Sacco, Beth Sutherland, Sumner Field, Steven Libby, and Lenora Conger commented on this article.*

*Vote: It was voted that Article 16 have passage as presented - \$1,977,625.*

**Article 17. AUTHORITY TO ACCEPT REVENUE IN EXCESS OF AMOUNT BUDGETED: To see if the Town will vote to authorize the Clerk/Treasurer to accept revenue in excess of amounts budgeted on behalf of the town.**

*Motion: Christopher Rheault moved that Article 17 have passage as presented.*

*Second: Joshua McHenry*

*Discussion: None*

*Vote: It was voted that Article 17 have passage as read.*

**Article 18. AUTHORITY TO ACCEPT GRANTS: To see if the Town will vote to authorize the Board of Selectmen to apply for and accept, on behalf of the Town, state and federal grants and grants from nonprofit organizations for municipal purposes, including when necessary, the authority to sign the grant contract and accept the conditions that accompany grant funds, and to appropriate and expend grant funds for the authorized purposes.**

*Motion: Roger Levasseur moved that Article 18 have passage as presented.*

*Second: Christopher Rheault*

*Discussion: None*

*Vote: It was voted that Article 18 have passage as read.*



**Article 19. ACCEPTANCE OF GIFTS OF MONEY OR PERSONAL PROPERTY:** To see if the Town will vote to authorize the Board of Selectmen to accept gifts of money or personal property to the Town and to appropriate and expend such money for such public purposes as the Board deems to be in the interest of the Town.

*Motion:* Roger Levasseur moved that Article 19 have passage as presented.

*Second:* Joshua McHenry

*Discussion:* None

*Vote:* It was voted that Article 19 have passage as read.

**Article 20. ACCEPTANCE OF *CONDITIONAL* GIFTS OF MONEY AND PERSONAL PROPERTY:** To see if the Town will vote to authorize the Board of Selectmen to accept conditional gifts of money to the Town and to appropriate and expend the funds for the purposes for which the gift was made and in accordance with any conditions imposed by the donor and to accept conditional gifts of personal property to the Town and to use the property in the manner specified by the donor.

*Motion:* Roger Levasseur moved that Article 20 have passage as presented.

*Second:* George Carman

*Discussion:* None

*Vote:* It was voted that Article 20 have passage as read.

**Article 21. RETURNING UNEXPENDED CAPITAL IMPROVEMENT FUNDS TO CAPITAL RESERVE ACCOUNTS:** To see if the Town will vote to authorize the Board of Selectmen to return unexpended capital improvement funds to their corresponding capital reserve accounts.

*Motion:* Roger Levasseur moved that Article 21 have passage as presented.

*Second:* George Carman

*Discussion:* Roger Levasseur and Steven Libby commented on this article.

*Vote:* It was voted that Article 21 have passage as read.

**Article 22. ESTABLISHMENT OF INTEREST RATE FOR LATE TAX PAYMENTS:** To see if the Town will vote to fix a date and terms when taxes shall become due and payable, and set an interest rate of 9.00 percent per annum. The 9% interest rate is authorized under Title 36 M.R.S.A. Section 505.4, as of January 1, 2008.

*Recommendation:* that Friday, **October 9, 2009** and Friday, **April 9, 2010** be established as the dates taxes are due and payable, and that interest at the rate of nine percent (9%) per annum will be charged after such dates.

*Motion:* Robert Hubbard moved that Article 22 have passage as presented.

*Second:* George Carman

*Discussion:* None

*Vote:* It was voted that Article 22 have passage as read.

**Article 23. ESTABLISHMENT OF INTEREST RATE FOR ABATED TAXES: To see if the town will vote to set the interest rate at four percent (4%) per annum to be paid by the town on abated taxes pursuant to 36 M.R.S.A. Section 506-A.**

*Motion: Robert Hubbard moved that Article 23 have passage as presented.*

*Second: William Kiley*

*Discussion: Joshua McHenry and Sumner Field commented on this article.*

*Vote: It was voted that Article 23 have passage as read.*

**Article 24. ACCEPTANCE OF TAX PREPAYMENTS: To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed, pursuant to 36 M.R.S.A. § 506.**

*Motion: Christopher Rheault moved that Article 24 have passage as presented.*

*Second: George Carman*

*Discussion: None*

*Vote: It was voted that Article 24 have passage as read.*

**Article 25. DISPOSITION OF FORECLOSED PROPERTY: To see if the Town will vote to authorize the Board of Selectmen to sell and dispose of the following foreclosed properties on such terms as the Board of Selectmen finds to be in the best interests of the Town.**

<u>MAP</u>	<u>LOT</u>	<u>LOCATION</u>	<u>LAND/BUILDING</u>
2	8	21 Maine Street	Mobile only
3	24-A	73 Penney Road	Mobile & land
3	67-B1	63 Farrington Lane	House & land
6	2-A	670 Lewiston Rd	House & land
6	4	684 Lewiston Road	Mobile & land
6	36-H	554B Snow Hill Road	Mobile & land
7	34-1	239 Intervale Road	Land
7	41	128 Church Road	House & land
7	44	233 Intervale Road	Land
10	1	Lewiston Rd/Bald Hill Road	Land
12	21-A	83 Wharff Rd	Houses, barn & land
12	21-K	off Woodman Rd	Land
12	21-L	off Woodman Rd	Land
12	21-M	off Woodman Rd	Land

*Motion: Christopher Rheault moved that Article 25 have passage as presented.*

*Second: Robert Hubbard*

*Discussion: Roger Levasseur, Penny Hilton, and Steve Libby commented on this article.*

*Vote: It was voted that Article 25 have passage as read.*

**Article 26. DISPOSITION OF SURPLUS TOWN PROPERTY:** To see if the Town will vote to authorize the Board of Selectmen to sell and dispose of surplus town-owned personal property on such terms and conditions as the Board of Selectmen finds to be in the best interests of the Town and to deposit proceeds from such sales in the corresponding capital reserve accounts.

*Motion:* Roger Levasseur moved that Article 26 have passage as presented.

*Second:* Robert Hubbard

*Discussion:* None

*Vote:* It was voted that Article 26 have passage as read.

**Article 27. AUTHORIZATION TO FUND IMPROVEMENTS TO A ROWE STATION ROAD BALL FIELD:** To see if the Town will vote to authorize the expenditure of up to \$7,000 from the Recreation Ball Fields Special Revenue Account (216) to improve a Rowe Station Ball Field.

*Motion:* Robert Hubbard moved that Article 27 have passage as presented.

*Second:* Joshua McHenry

*Discussion:* Roger Levasseur, Kevin Sullivan, and Sumner Field commented on this article.

*Vote:* It was voted that Article 27 have passage as read.

*Joshua McHenry moved to discuss Article 29 before discussion of Article 28. Sean Chayer seconded the motion. Steven Libby and Joshua McHenry discussed this motion. The motion carried to discuss Article 29 before Article 28..*

**Article 29. ZONING AMENDMENT TO TRANSFER OF DEVELOPMENT RIGHTS, ARTICLE 9: To see if the Town will vote to amend the Zoning Ordinance. The amendment affects the program in the following ways:**

- Sending sites can protect property from development with either a perpetual conservation easement *or a deed restriction*.
- Eligible sending sites now include those with a minimum of 10 acres in common ownership, *or acreage equivalent to 1 transferable development right abutting existing permanently preserved land*.
- Allows the seller, *the purchaser, or a joint partnership of the 2* to initiate the application process.
- *Separates and clearly details* the application process, submission requirements, and approval criteria.
- *Establishes district standards* for the Sending and Receiving Districts in Article 4 of the Zoning Ordinance, Zoning Districts.
- *Eliminates* the dedicated open space requirement of the cluster development provision in the Receiving District 1.
- *Creates a 2<sup>nd</sup> receiving district* within the existing receiving district applying the dimensional standards of the Village District and with no minimum acreage requirement.

*Motion: Christopher Rheault moved that Article 29 have passage as presented.*

*Second: Joshua McHenry*

*Discussion: Don Libby and Larry Zuckerman both stated that information printed in the Town Meeting Booklets was incomplete.*

*Vote: Article 29 failed.*

**Article 28. REVISION TO THE TOWN'S CABLE TV ORDINANCE: To see if the Town will vote to accept the revised Cable TV Ordinance submitted by the Cable TV Committee and approved by the Board of Selectmen.**

*Motion: Robert Hubbard moved that Article 28 have passage as presented.*

*Second: George Carman*

*Discussion: Bob MacGregor, Patti Mikkelsen, Joshua McHenry, Penny Hilton, August Jaccaci, Beth Sutherland, David Van Wie, Larry Zuckerman, and Steven Libby commented on this article.*

*Vote: The article failed.*

*Roger Levasseur moved and George Carman seconded a motion to adjourn at 9:45 p.m. The motion passed unanimously.*

ATTEST: \_\_\_\_\_  
Town Clerk, Sumner M. Field III