

2019

2019 Town of Poland Maine Annual Election and Town Meeting Warrant

Poland, Me.

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Town of Poland, Maine
April 5 & April 6, 2019
Annual Election & Town Meeting Warrant

To: Amie Juergens, a resident of the Town of Poland in the County of Androscoggin in the 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 Poland qualified to vote in Town affairs, to meet upstairs at the Town Hall in the said Town of Poland on Friday the 5th day of April, A.D. 2019 at eight o'clock in the forenoon to act on articles 1 and 2 of this warrant and to meet at the Poland Regional High School, 1457 Maine Street on Saturday the 6th day of April, 2019 at nine o'clock in the forenoon to act on articles 3 through 38 of this warrant to wit:

MUNICIPAL ELECTION NOTICE

You are hereby notified that the Municipal Election, set forth in Article 2 of this Warrant, will be determined on a printed ballot by referendum vote in conformity with sections 2528 to 2532 of Title 30-A of the Maine Revised Statutes, as amended, at the Poland Town Hall, 1223 Maine Street, on Friday, April 5, 2019. The polls will be open between the hours of 8:00 AM and 7:00 PM on Friday, April 5, 2019.

The Annual Town Meeting portion of the Warrant (the business meeting for articles 3 through 38 of this warrant) will be held at the Poland Regional High School, 1457 Maine Street, on Saturday, April 6, 2019 beginning at 9:00AM.

Unless specifically noted in the article, the budget appropriation, and financial items voted on in this warrant are for the Town's 2020 fiscal year covering the period July 1, 2019 through June 30, 2020.

The Registrar of Voters, Nicole M. Pratt, gives notice that the registrar's office will be in session from 8:00 AM to 7:00 PM at the Town Hall on Friday, April 5, 2019 for the purpose of registering new voters and correcting the current list of voters.

Article 1. To choose a Moderator to preside at said election and town meeting.

Note: Town Charter Regulation - A quorum to elect a Moderator and to proceed with an election process shall be a minimum of ten (10) registered voters.

Article 2. To elect by secret ballot two (2) Selectpersons for a term of three (3) years, two (2) Library Trustees for a term of three (3) years, and one (1) RSU #16 School Director for a term of three (3) years.

Note: Municipal Officials' terms begin April, 2019; RSU Directors' terms begin July, 2019.

LEGISLATIVE ARTICLES

Article 3. To see if the Town will vote to adopt the **Maine Moderator's Manual** as prepared by the Maine Municipal Association as the parliamentary procedure at Town Meeting for the ensuing year, or see what action the Town will take.

Note: Town Charter Requirement - The business portion of the Town Meeting requires that a minimum of one hundred (100) registered voters be present, and the quorum must stand for the remainder of the business meeting. Except as provided for within the Charter, the general law shall govern the calling of and proceedings at the Town Meeting.

Article 4. To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – section 508.18. L.3.? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.) **Planning Board recommends approval.**

Article 5. To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – Chapter 14 Definitions “Agriculture”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval.**

Article 6. To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code**. Section 1100 “Amendments to Building Standards”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval.**

Article 7. To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code**. Section 304.3 “Appeal Procedure”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval.**

Article 8. To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code**. Section 304.4 “Reconsideration”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval.**

Article 9. To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – Chapter 14 Definitions “Business Day”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval.**

Article 10. Shall an ordinance entitled “2019 Amendments to the **Poland Comprehensive Land Use Code** to adopt Marijuana Standards” be enacted? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval. Board of Selectpersons recommends approval.**

Article 11. Shall an ordinance entitled “2019 Amendments to the **Poland Comprehensive Land Use Code** to Authorize and Regulate Medical Marijuana Manufacturing Facilities” be enacted? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval. Board of Selectpersons recommends approval.**

Article 12. Shall an ordinance entitled “2019 Amendments to the **Poland Comprehensive Land Use Code** to Authorize and Regulate Medical Marijuana Testing Facilities” be enacted? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval. Board of Selectpersons recommends approval.**

Article 13. Shall an ordinance entitled “2019 Amendments to the **Poland Comprehensive Land Use Code** to Authorize and Regulate Medical Marijuana Registered Caregiver Retail Stores” be enacted? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Planning Board recommends approval. Board of Selectpersons recommends approval.**

Article 14. Shall an ordinance entitled “2019 Amendments to the **Poland Comprehensive Land Use Code** to Authorize and Regulate Adult Use Marijuana Cultivation Facilities” be enacted? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.) **Planning Board does not recommend approval. Board of Selectpersons recommends approval.**

Article 15. Shall an ordinance entitled "2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Adult Use Marijuana Products Manufacturing Facilities" be enacted? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.) **Planning Board does not recommend approval. Board of Selectpersons recommends approval.**

Article 16. Shall an ordinance entitled "2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Adult Use Marijuana Testing Facilities" be enacted? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.) **Planning Board does not recommend approval. Board of Selectpersons recommends approval.**

Article 17. Shall an ordinance entitled "2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Adult Use Marijuana Stores" be enacted? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.) **Planning Board does not recommend approval. Board of Selectpersons recommends approval.**

Article 18. Shall an ordinance entitled "2019 Amendments to the Poland Comprehensive Land Use Code to Add Definitions to Section 1402 Medical Marijuana and Adult Use Marijuana Definitions" be enacted? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.) **Planning Board recommends approval. Board of Selectpersons recommends approval.**

MUNICIPAL ARTICLES

Article 19.

- 1) To see if the Town will vote to make all taxes assessed for the Town's 2020 fiscal year, July 1, 2019 through June 30, 2020, due in two (2) installments, with the first half (1/2) of the total amount assessed due and payable on **October 1, 2019**, and the remaining half (1/2) due on **April 1, 2020**; and to charge **interest** at the **rate** of eight percent (**9.00%**) per year computed on a daily basis on any portion of the installment due that remains outstanding as of November 1, 2019 or May 1, 2020, and
- 2) To see if the Town will vote, pursuant to Title 36 M.R.S.A., section 506-A, to set the **interest rate** to be paid by the Town on **abated taxes** at three percent (3.00%), and
- 3) To see if the Town will permit the Tax Collector or their designee to waive **accidental tax interest payment shortages** in an amount not to exceed \$5.00.

Board of Selectpersons and Budget Committee recommend approval.

Article 20. To see if the Town will vote to appropriate the following **non-property tax resources** to reduce the total amount authorized to be raised by taxation,

	<u>FY 2019-20</u>
State Municipal Revenue Sharing:	\$ 224,380
Motor Vehicle Excise:	\$ 1,300,000

MDOT LRAP:	\$ 72,000
Ambulance Service Fees:	\$ 251,000
All Other Anticipated Revenues:	\$ 295,628
TOTAL	<u>\$ 2,143,008</u>

and further to see if the Town will authorize the Board of Selectpersons and Treasurer to accept any additional revenues or funds that may be used to reduce the amount required to be raised by taxation. **Board of Selectpersons and Budget Committee recommend approval.**

Article 21. To see if the Town will vote to authorize the use of funds from the Jane Ricker Trust, totaling **\$51,825**, and the AB Ricker Fund, totaling **\$15,265**, for the purpose of supplementing the Ricker Memorial Library operating budget for Fiscal Year 2020 in accordance with the Town’s Investment Policy. **Board of Selectpersons and Budget Committee recommend approval.**

Article 22. To see if the Town will vote to raise and appropriate **\$605,973** for Town **Administration** in the program areas indicated in the following accounts:

Administration	\$ 437,018
Contracted Services	\$ 100,504
Buildings & Grounds	\$ 55,420
CATV Administration	\$ 13,031
TOTAL	<u>\$ 605,973</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 23. To see if the Town will vote to raise and appropriate **\$317,063** for **Community Services** in the program areas indicated in the following accounts.

Planning & Comm. Development	\$ 106,125
Recreation – Non-Programs	\$ 78,643
Health Officer	\$ 2,145
Beach Maintenance	\$ 5,588
Conservation/Lake Protection	\$ 10,000
General Assistance	\$ 10,000
Social Service Agencies	\$ 4,000
Ricker Library	\$ 93,062
Ball Fields	\$ 7,500
TOTAL	<u>\$ 317,063</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 24. To see if the Town will authorize the Board of Selectpersons to expend **\$56,500** from existing balances of the Town’s **Tax Increment Finance (TIF) District I** Account, consistent with 30-A M.R.S.A. § 5251-5261, for the purpose of 2019-2020 funding of the Poland Community and Economic Development Committee (CEDC). **Board of Selectpersons and Budget Committee recommend approval.**

Article 25. To see if the Town will vote to raise and appropriate **\$829,612** for **Public Works** and **Solid Waste** Departments in the program areas indicated in the following accounts.

Public Works Department	\$ 580,450
Solid Waste Department	\$ 249,162

TOTAL **\$ 829,612**

Board of Selectpersons and Budget Committee recommend approval.

Article 26. To see if the Town will vote to raise and appropriate **\$1,125,789** for **Public Safety** in the program areas indicated in the following accounts.

Fire Rescue Department	\$ 783,974
Sheriff / Police Services	\$ 250,465
Dispatching	\$ 43,900
Animal Control Officer	\$ 10,350
Streetlights	\$ 17,400
Hydrants	\$ 14,700
Emergency Mgmt Agency	\$ 5,000
TOTAL	<u>\$ 1,125,789</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 27. To see if the Town will vote to raise and appropriate **\$838,631** for **Financial Services** in the program areas indicated in the following accounts.

Non-TIF Debt	\$ 118,909
Insurances and Benefits	\$ 719,722
TOTAL	<u>\$ 838,631</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 28. To see if the Town will appropriate from **Tax Increment Financing (TIF) District I** an estimated total amount of **\$676,054**, dependent upon actual mil rate, as follows:

Estimated Annual Revenue:	\$ 729,528
2003E (28.23%)	\$ 35,556
2006C (100%)	\$ 108,694
2000FR (100%)	\$ 160,609
2012E (14.14%)	\$ 21,743
Annual Hydrant Fee (Est.)	\$ 28,500
Administrative Support (48%)	\$ 21,164
Legal, Assessing and Accounting	\$ 2,500
Heavy Duty Rescue Maint. & Equip	\$ 28,000
CEA Payment – PSB (40%)	\$ 200,188
CEDC	\$ 56,500
Bleeders	\$ 12,600
TOTAL:	<u>\$ 676,054</u>
Estimated Balance to TIF I	\$ 53,474
Estimated Cumulative Balance of TIF 1	\$ 206,600

Board of Selectpersons and Budget Committee recommend approval.

Article 29. To see if the Town will appropriate from **Tax Increment Financing (TIF) District II** an estimated total amount of **\$600,008**, dependent upon actual mil rate, as follows:

Estimated Annual Revenue:	\$ 670,115
2010F (96%)	\$ 272,198

Administrative Support (44%)	\$ 19,400
Legal, Assessing and Accounting	\$ 2,500
Electricity	\$ 480
Recreational Trails	\$ 40,000
CEA Payment – PSB (40%)	\$ 265,430
TOTAL:	<u>\$ 600,008</u>
Estimated Balance to TIF II	\$ 70,107
Estimated Cumulative Balance of TIF II	\$ 403,629

Board of Selectpersons and Budget Committee recommend approval.

Article 30. To see if the Town will appropriate from the **Downtown Village Tax Increment Financing (TIF) District** an estimated amount of **\$74,604**, dependent upon actual mil rate, as follows:

Estimated Annual Revenue	\$ 130,452
CEA Payment – JTK Holdings (50%)	\$ 15,100
2010B (100%)	\$ 40,134
2010F (4%)	\$ 11,342
Administrative Support (8%)	\$ 3,528
Legal, Assessing and Accounting	\$ 2,000
Vehicle Maintenance	\$ 2,500
TOTAL	<u>\$ 74,604</u>
Estimated Balance to DTV TIF	\$ 55,848
Estimated Cumulative Balance of DTV	\$ 380,397

Board of Selectpersons and Budget Committee recommend approval.

Article 31. To see if the Town will vote to raise and appropriate **\$788,206** for the FY20 **Capital Improvement Program** for the Capital Reserve accounts indicated below:

<u>Capital Project</u>	<u>Amount</u>
Town Roads Reserve	\$ 442,000
Public Works Reserve	\$ 150,000
Solid Waste Reserve	\$ 2,000
Municipal Facilities Reserve	\$ 16,000
Fire Rescue Reserve	\$ 140,000
Law Enforcement Reserve	\$ 27,206
Conservation Reserve	\$ 1,000
Planning & Comm. Dev. Reserve	\$ 10,000
TOTAL	<u>\$ 788,206</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 32. To see if the Town will vote to raise and appropriate **\$870,136** for 2019-2020 County Taxes. **Board of Selectpersons and Budget Committee recommend approval.**

Article 33. To see if the Town will vote to raise and appropriate **\$40,000** for **Overlay** for the purposes of granting tax abatements and addressing unforeseeable emergencies through the building of unassigned fund balance. **Board of Selectpersons and Budget Committee recommend approval.**

Article 34. To see if the Town will vote to adopt the “Town of Poland Property Tax Assistance Ordinance”. (A copy of the proposed ordinance is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.) **Board of Selectpersons recommends approval.**

Article 35. **This warrant article is only to be voted on if the previous article passes.** To see if the Town will vote to authorize the Board of Selectpersons to transfer from the Town’s unassigned fund balance an amount of \$15,000 for the purpose of funding the Property Tax Assistance Ordinance? **Board of Selectperson and Budget Committee recommend approval.**

Article 36. To see if the Town will vote to authorize the Board of Selectpersons to transfer from the Town’s unassigned fund balance an amount not to exceed \$150,000 for the purpose of reducing the total amount authorized to be raised by taxation for the fiscal year 2020? **Board of Selectpersons and Budget Committee recommend approval.**

Article 37. To see if the Town will vote to amend Article 37 of the April 6, 2013 Annual Town Meeting by adding “with the exception of the sale of town owned property located on Tax Map 10 Lot 94 where the proceeds from sale of that property would be placed in the Conservation Operation Fund”. The amended article will read: To see if the Town will vote to authorize the Board of Selectmen to set up a Reserve fund strictly for the purpose of funds received from the sale of Town owned property for purposes of investing those funds into the Town’s economic development with the exception of the sale of town owned property located on Tax Map 10 Lot 94 where the proceeds from sale of that property would be placed in the Conservation Operation Fund. **Board of Selectpersons recommends approval.**

Article 38. To see if the Town will vote to exceed the LD1 property tax levy limit. **Board of Selectpersons and Budget Committee recommend approval.**

Note: Must be voted by written secret ballot.