

WARRANT FOR ANNUAL TOWN MEETING

Town of New Gloucester

June 8, 2021

To: Kimberly A. Getchell, a resident of the Town of New Gloucester, County of Cumberland, 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 New Gloucester, in said county and state, qualified by law to vote in Town affairs, to assemble at New Gloucester Fire Station, 611 Lewiston Road, New Gloucester, Maine on Tuesday, the 8th day of June 2021 at 5:45 a.m., Daylight Savings Time, then and there to act upon Article 1 and by secret ballot on Articles 2 through 35, as set out below (Polls shall be open from 6:00 a.m. to 8:00 p.m.):

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

OPERATIONS:

Article 2. To see if the Town will vote to raise and appropriate \$514,662 from taxation and other sources for the ensuing year for the following:

Article 2		Selectmen	Budget Committee
101	Selectmen	\$ 21,050	\$ 19,850
102	Administration	\$ 390,287	\$ 390,287
105	Elections	\$ 15,800	\$ 15,800
106	Assessing	\$ 40,050	\$ 40,050
108	Legal	\$ 30,000	\$ 30,000
130	Unbudgeted Expenses	\$ 15,000	\$ 15,000
138	Fuel Overrun Allowance	\$ 2,475	\$ 2,475
		\$ 514,662	\$ 513,462

*The Select Board recommends passage at \$514,662.
The Budget Committee recommends passage at \$513,462.*

Article 3. To see if the Town will vote to raise and appropriate \$69,520 from taxation and other sources for the ensuing year for the following:

Article 3		Selectmen	Budget Committee
103	General Assistance	\$ 9,000	\$ 8,000
132	Animal Control	\$ 32,320	\$ 32,320
135	Cemeteries	\$ 28,200	\$ 28,200
		\$ 69,520	\$ 68,520

*The Select Board recommends passage at \$69,520.
The Budget Committee recommends passage at \$68,520.*

Article 4. To see if the Town will vote to raise and appropriate \$705,012 from taxation and other sources for the ensuing year for the following:

Article 4		Selectmen	Budget Committee
114	Street Lights	\$ 7,000	\$ 6,000
115	Cumberland County Dispatch	\$ 43,212	\$ 43,212
117	Fire and Rescue	\$ 654,800	\$ 649,800
		\$ 705,012	\$ 699,012

*The Select Board recommends passage at \$705,012.
The Budget Committee recommends passage at \$699,012.*

Article 5. To see if the Town will vote to raise and appropriate \$1,134,797 from taxation and other sources for the ensuing year for the following:

Article 5		Selectmen	Budget Committee
104	Buildings & Grounds	\$ 90,189	\$ 90,189
116	Public Works	\$ 779,445	\$ 771,614
120	Transfer Station	\$ 265,163	\$ 265,163
		\$1,134,797	\$1,126,966

*The Select Board recommends passage at \$1,134,797.
The Budget Committee recommends passage at \$1,126,966*

Article 6. To see if the Town will vote to raise and appropriate \$237,039 from taxation and other sources for the ensuing year for the following:

Article 6		Selectmen	Budget Committee
113	Cable TV	\$ 24,277	\$ 24,277
123	Library	\$ 111,395	\$ 111,395
133	Parks & Recreation	\$ 101,367	\$ 101,367
		\$ 237,039	\$ 237,039

The Select Board and Budget Committee recommends passage.

Article 7. To see if the Town will vote to raise and appropriate \$123,081 from taxation and other sources for the ensuing year for the following:

Article 7		Selectmen	Budget Committee
107	Code Enforcement	\$ 60,750	\$ 60,750
122	Planning	\$ 62,331	\$ 62,331
		\$ 123,081	\$ 123,081

The Select Board and Budget Committee recommends passage.

Article 8. To see if the Town will vote to raise and appropriate \$1,122,332 from taxation and other sources for the ensuing year for the following:

Article 8		Selectmen	Budget Committee
109	Insurance	\$ 528,900	\$ 528,900
125	Benefits	\$ 230,500	\$ 227,500
139	Debt Service	\$ 362,932	\$ 362,932
		\$1,122,332	\$1,119,332

The Select Board recommends \$1,122,332.

The Budget Committee recommends \$1,119,332.

Article 9. To see if the Town will vote to raise and appropriate \$10,100 from taxation and other sources for the ensuing year for the following:

Article 9		Selectmen	Budget Committee
134	Charter Commission	\$ 10,100	\$ 10,100
		\$ 10,100	\$ 10,100

The Select Board and Budget Committee recommends passage.

Article 10. To see if the Town will vote to raise and appropriate \$305,000 from taxation for the ensuing year for the following budgets:

144	TIF District	\$ 290,000 (Estimated; determined when tax rate calculated)
145	Tax Abatements	<u>\$ 15,000</u>
	TOTAL	\$ 305,000

The Select Board and Budget Committee recommends passage.

Article 11. To see if the Town will vote to raise and appropriate \$342,054 from taxation for the ensuing year for Municipal Paving Projects.

Account 149

Paving	\$342,054 Tax
TOTAL	\$342,054

The Select Board and Budget Committee recommends passage.

CAPITAL PROJECTS & RESERVES:

Article 12. To see if the Town will vote to raise and appropriate \$200,000 from taxation for the ensuing year for Public Works Capital Reserve Account (G1-389-00 – \$165,672).

Account 127

Public Works Capital Reserve Account	\$200,000 Tax
TOTAL	\$200,000

The Select Board and Budget Committee recommends passage.

Article 13. To see if the Town will vote to raise and appropriate \$125,000 from taxation for the ensuing year for Fire and Rescue Capital Reserve Account (G1-388-00 – \$550,324).

Account 127

Fire and Rescue Capital Reserve Account	\$125,000 Tax
TOTAL	\$125,000

The Select Board and Budget Committee recommends passage.

Article 17. To see if the Town will vote to raise and appropriate \$30,000 from Transfer Station Capital Reserve Account (G1-391-00 - \$203,814) for the purchase of two (2) Transfer Station Rolloff Containers

Account 128

(2) Transfer Station Rolloff Containers	\$30,000 CR
TOTAL	\$30,000

The Select Board recommends passage.

Article 18. To see if the Town will vote to accept and spend the following categories of State and Federal Revenue funds during the ensuing year:

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

The Select Board recommend passage.

Article 19. DISPOSITION OF FORECLOSED PROPERTY

To see if the Town will vote to authorize the Select Board to dispose of the following foreclosed properties in such manner and on such terms as the Select Board finds to be in the best interests of the Town except that the Municipal Officers shall use the special sale process required by 36 M.R.S. §943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).

MAP	LOT	LOCATION	LAND/BUILDINGS
22	32	101 Sunset Shores Rd	Land and Building
2	30-E	Sunset Shores Rd	Land Only
13	14-5	5 Spring Valley Lane	Mobile Home
11	21-A	114 Hatch Road	Land and Building

Article 20. ACCEPTANCE OF GIFTS OF MONEY OR PERSONAL PROPERTY

To see if the Town will vote to authorize the Select Board 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.

Article 21. ACCEPTANCE OF *CONDITIONAL* GIFTS OF MONEY AND PERSONAL PROPERTY

To see if the Town will vote to authorize the Select Board to accept conditional gifts of money to the Town and to appropriate and expend the funds for the legal 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 legal manner specified by the donor.

Article 22. To see if the Town will vote to apply the following anticipated Revenues to reduce the tax commitment: Revenue amounts shown are estimates.

Revenues	
Building Inspection & Fees	\$ 42,000
Transfer Station Permits	\$ 10,000
Boat Excise Tax	\$ 7,000
Auto Excise Tax	\$ 1,050,000
Town Fees	\$ 20,000
Recreation Program Fees	\$ 20,000
Fines & Reimbursements	\$ 5,000
Clerk Fees	\$ 5,500
Rent Income	\$ 1
Copy/Fax Fees	\$ 200
Cable Franchise Fees	\$ 29,000
Library Revenue	\$ 1,000
Investment Income	\$ 25,000
Capital Project Accounts Interest	\$ 7,500
Animal Control	\$ 2,000
Transfer Station Recycling	\$ 20,000
EMS Transport Fees	\$ 130,000
Real Estate Tax Interest & Lien Costs	\$ 23,000
Other Misc Income	\$ 500
Cable Grant-matches Equip Expense Amount (see Article 30)	\$ 11,000
TIF (PW Building and Pineland Admin)	\$ 82,500
PW Building Balance of Funds	\$ 25,000
Capital Res. Funds for Cap Projects	\$ 137,875
Use Undesignated Fund Balance to offset taxes	\$ 500,000
TOTAL	\$ 2,154,076

The Select Board recommends passage.

- Article 23. 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.
- Article 24. AUTHORITY TO ACCEPT GRANTS**
To see if the Town will vote to authorize the Select Board 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 and matching funds required for the authorized purposes.
- Article 25. RETURNING UNEXPENDED CAPITAL IMPROVEMENT FUNDS TO CAPITAL RESERVE ACCOUNTS**
To see if the Town will vote to authorize the Select Board to return unexpended capital improvement funds to their corresponding capital reserve accounts.
- Article 26. 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 6.00 percent per annum. The 6% interest rate is authorized under Title 36 M.R.S.A. Section 505.4.
- Recommendation:* that the first Thursday of October and April, Thursday, **October 7, 2021** and Thursday, **April 7, 2022** be established as the dates taxes are due and payable, and that interest at the rate of six percent (6%) per annum will be charged after such dates.
- Article 27. ESTABLISHMENT OF INTEREST RATE FOR ABATED TAXES**
To see if the town will vote to set the interest rate at two percent (2%) per annum to be paid by the town on abated taxes pursuant to Title 36 M.R.S.A. Section 506-A.
- Article 28. 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 Title 36 M.R.S.A. § 506.
- Article 29. DISPOSITION OF SURPLUS TOWN PROPERTY AND REAL PROPERTY**
To see if the Town will vote to authorize the Select Board to sell and dispose of surplus town-owned personal and real property on such terms and conditions as the Select Board finds to be in the best interests of the Town and to deposit proceeds from such sales in the corresponding capital reserve accounts or Undesignated Fund.

Article 30. USE OF GRANT FUNDS FROM TIME WARNER CABLE PER FRANCHISE AGREEMENT WITH THE TOWN FOR “PEG ACCESS EQUIPMENT AND FACILITIES”

To see if the Town will vote to approve the appropriation of \$11,000 from the Cable Grant Account (G1-203 – \$46,080) for the ensuing year for the following: unanticipated maintenance of cable TV production and broadcast equipment. All unused funds will be returned to Cable Grant Account (G1-203) at the end of the ensuing year. (This is not a duplicate – see Article 22)

Article 31. Proposed Housekeeping Ordinance Changes.

The following changes are being updated: outdated references, typographical errors and numbering corrections in and referring to the Village District and Upper Village District.

§4.4.2 Village District (VD)

D. Performance Standards

1. In addition to the Performance Standards contained in Article 5, uses in the Village District shall adhere to the following standards:

- a. In the Village Districts ~~known as the Upper and Lower Villages~~, a structure in residential use or partial residential use must retain at least one dwelling unit when a portion of the structure is converted to non-residential use.

§4.4.14 Upper Village District (UV)

E. Review Process for Upper Village Design Certification Bonus

Applicants seeking Upper Village Design Certification for their projects shall be reviewed under the following process:

- ~~a.1.~~ Applicant holds initial meeting with planning staff and other applicable town staff to discuss design options and review of design guidelines.
- ~~b.2.~~ Applicant submits an Upper Village Design Plan Certification application form, in addition to relevant development review application.
- ~~c.3.~~ Planning staff, in consultation with other staff, makes a preliminary determination as to whether application meets or doesn't meet design certification criteria.
- ~~d.4.~~ Planning Board votes on whether to approve the application for design certification and grant bonus.
- ~~e.5.~~ Site plan and/or subdivision review shall occur concurrently with the design certification process, unless the applicant requests a Planning Board vote on certification prior to detailed development review. Upon receiving design certification, applicants may request and the Planning Board may determine whether the applicant is eligible for expedited site plan review.

F. Criteria for Design Certification Bonus

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4. Compact, Mixed Use Development: Promote a compact, mixed use development pattern that creates and reinforces a village orientation, particularly in areas within and adjacent to the Core Area of the Upper Village. Businesses that provide essential needs to the local populations are encouraged.

G. General Performance Standards for All Projects Within Upper Village District

1. To the greatest extent possible, parking areas for commercial and multi-family uses shall be located behind or to the side of the proposed structures.
2. Any required landscaping or buffering required as part of project approval shall either be completed prior to issuance of a certificate of occupancy, or the applicant shall post a performance guarantee with the town in accordance with Section 7.7.
3. All proposed projects shall assess the potential for existing and future pedestrian access, and incorporate a strategy that is reflected on the approved site plan. Where sidewalks are feasible, they should meet the standards of Section 8.5.8. Where sidewalks are not feasible, pathways and/or reservation of areas for future pedestrian access shall be required.
34. Front setbacks should be minimized in cases where the location of structures closer to roads will promote compatibility with existing streetscapes or contribute to a new streetscape pattern that promotes a village orientation.
45. Entrances/exits onto state and public roads shall be limited and consolidated to the greatest extent possible and clearly delineated. All non-residential parking areas shall be paved.
56. Additional standards for single-family and two-family dwellings in the Upper Village District except lots fronting or accessed from Bald Hill Road:
 - a. These uses are not eligible for expedited site plan review.
 - b. In addition to meeting the site plan review standards of Section 7, these uses shall meet the following additional standards:
 - i. To the greatest extent possible, they shall employ a layout and design that contributes to a village orientation. Applicants are encouraged to review the Town’s Voluntary Design Guidelines to obtain guidance.
 - ii. To the greatest extent possible, they shall employ the smallest land area or linear distance in excess of the minimum lot size, frontage or front setback requirements necessary for the use.
67. Waiver of standards: The standard of Section G. may only be waived if meeting the particular standard
 - (1) a. Creates significant practical difficulties or
 - (2) b. Results in actions that are contrary to the purposes this District.

§7.4.1 Review Procedure

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E. Expedited Review

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3. Eligible Activities
 - a. Residential C, Village, and Upper Village Districts (*Village and Upper Village*)

Update general manure standard and be consistent with shoreland zones

§5.1.4 Agriculture

- 1.A. All spreading or disposal of manure shall be accomplished in conformance with the ~~Soil Testing Handbook for professional Agriculturalists; Second Edition 1989~~ Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001 or, ~~when applicable,~~ and the Nutrient Management Law (Title 7 M.R.S.A. sections 4201-4209).

Clarification of Certificate of Occupancy Standard at CEO request

§6.1 Administration of Permits

§6.1.5 Certificate of Occupancy

- A. It shall be unlawful to use or occupy or permit the use or occupancy of any building or structure hereafter erected, changed, converted, wholly or partly altered, or enlarged in its use or construction, until a Certificate of Occupancy shall have been issued by the Code Enforcement Officer stating that the building or structure conforms with the requirements of this Ordinance, the State Plumbing Code, the NFPA Life Safety Code, the Maine Uniform Building and Energy Code, and is in compliance with all provisions of this or any other applicable ordinance of the Town of New Gloucester and with any conditions imposed on the project by the Planning Board or Board of Appeals. The Certificate of Occupancy shall be issued in conformity with the provisions of this Ordinance upon completion of the work. A Certificate shall not be issued until a copy of the water analysis for the well serving the premises has been received by the CEO for his records.

Clarification of appeals process for projects subject to Site Plan Review

§6.3.2 Powers and Duties

- A. Administrative Appeal

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A decision granting, granting with conditions, or denying a building permit or use permit pursuant to the decision of the Planning Board on an application for site plan or Subdivision review is not appealable to the Board of Appeals.

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Add timeline for abutters notices to ensure timely notice

- §7.3.4 Required Notification: For proposed projects that involve a new commercial use or the conversion of a residential use or non-commercial use to a commercial use requiring planning board site plan review, the applicant shall notify all abutters within 250 feet of the subject property that an application has been submitted to the Planning Board. The applicant shall provide proof of notification by certified mail, return receipt required. Owners of abutting properties shall be those listed in the most recent tax records of the Town of New Gloucester. Notices must be mailed at least 7 days in advance of the first meeting which the application has been placed on the agenda. [~~Amended 5/1/2017 Town Meeting~~]


§7.4.1 Review Procedure

- G. At the time of determination that the application is complete, the Board may schedule a public hearing for the next available time on the Board's agenda. In addition, the applicant at his or her expense and after approval by the Code Enforcement Officer of the wording to be used, shall place notice of the public hearing in summary form in a newspaper of general circulation in the Town of New Gloucester at least seven (7) days prior to the public hearing. The applicant is responsible for notifying the CEO and all landowners within 250 feet of the subject property at his or her expense. The Board shall be given proof of notification either through certified mail or a certificate of mail. Notices must be mailed at least 7 days in advance of the public hearing.

- Article 32. Shall the Town Vote to Adopt the Comprehensive Plan for the Town of New Gloucester as presented at the March 18th Public Hearing?
- Article 33. Shall the Town Vote to demolish the former Public Works Garage at 1036 Lewiston Road, at a cost not to exceed \$50,000, from Undesignated Fund Balance?
- Article 34. Shall the Town take ownership of Map 17 Lot 34 via donation from property owner for uses including but not limited to public trail connectivity including pedestrian, snowmobile and other uses?
- Article 35. Should a budget article fail, do you authorize the spending authority of the Town to continue with existing budget for sixty (60) days?

The Registrar of Voters hereby gives notice that voter registration will be accepted at the Town Office during regular office hours and at the meeting.

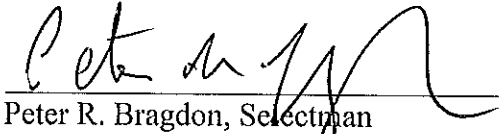
Dated in New Gloucester this 7th day of April, 2021, the same being at least ten (10) days before the time appointed for said meeting.



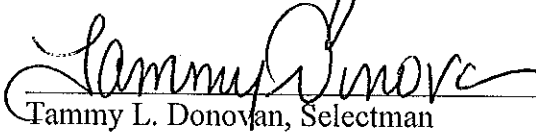
Karen L. Gilles, Chairman



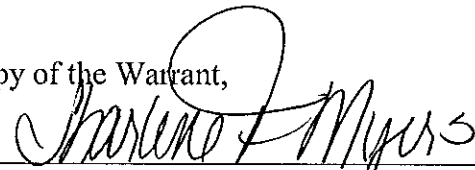
Linda D. Chase, Vice Chairman



Peter R. Bragdon, Selectman



Tammy L. Donovan, Selectman

A true copy of the Warrant,
Attested: 

Sharlene F. Myers, Acting Town Clerk

April 7, 2021