

**TOWN OF NEW GLOUCESTER  
MINUTES OF ANNUAL TOWN MEETING  
May 3, 2010**

The Town Meeting was called to order at 7:10 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: Donald Libby  
Nomination by: Beverly Cadigan  
Seconded by: Kevin Sullivan  
No other nominations were made.  
Motion to close nominations: Roger Levasseur  
Seconded by: George Carman  
Those in favor of closing nominations: all  
Opposed: none  
Nomination of Donald Libby carried.  
3 votes were cast for Donald Libby.  
Donald Libby 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 \$430,657 from taxation and other sources for the ensuing year for the following:**

101	Selectmen	\$ 16,900
102	Administration	\$275,800
105	Town Meetings/Elections	\$ 4,350
106	Tax Assessment	\$ 45,000
107	Code Enforcement	\$ 55,607
108	Legal	\$ 18,000
130	Unanticipated Expenses	<u>\$ 15,000</u>
	<b>TOTAL</b>	<b><u>\$430,657</u></b>

***Budget Committee and Board of Selectmen recommend passage as presented.***

*Motion: Roger Levasseur moved that Article 2 have passage as presented.*

*Second: Jean Couturier*

*Discussion: Roger Levasseur commented on this article.*

*Motion: Roger Levasseur moved and Penelope Hilton seconded a motion to reduce Article 2 to zero dollars.*

*Discussion: Roger Levasseur, Joshua McHenry, Penny Hilton, Sean Chayer, Steven Libby, Sumner Field, James Giffune, and William Kiley commented on the amendment.*

*Motion: Steven Libby moved and Megan McHenry seconded a motion to allow Nancy Pinette to speak.*

*Vote: The motion carried unanimously.*  
*Discussion: Nancy Pinette, Christopher Rheault, Jean Couturier, Lenora Conger, Lawrence Zuckerman, Melanie Craig, Scott Doyle and Stephen Hathorne commented on the amendment.*  
*Motion: Stephen Hathorne asked to move the question. Penelope Hilton seconded the motion.*  
*Vote: The vote on the amendment was passed unanimously.*  
*Discussion: Janet Smaldon commented on the original Article 2.*  
*Vote: It was voted that Article 2 have passage as amended to zero dollars.*

**Article 3. To see if the Town will vote to raise and appropriate \$73,800 from taxation and other sources for the ensuing year for the following:**

103	General Assistance	\$ 44,000
131	Health Officer	\$ 1,000
132	Animal Control	\$ 11,050
135	Cemeteries	\$ 8,500
137	Interagency Requests	\$ 4,250
142	Water Treatment	<u>\$ 5,000</u>
	<b>TOTAL</b>	<b><u>\$ 73,800</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 3 have passage as presented.*  
*Second: George Carman*  
*Discussion: Roger Levasseur, Sean Chayer, Sumner Field, Lenora Conger, Steven Libby, Eleanor Fellers, and Penelope Hilton commented on this article.*  
*Motion: Steven Libby moved and Jean Couturier seconded a motion to reduce Article 3 to zero dollars.*  
*Discussion: Roger Levasseur, Christopher Rheault, Lenora Conger, Joshua McHenry, Steven Libby, Beverly Cadigan, Gary Sacco and David Van Wie commented on the amendment.*  
*Motion: Stephen Hathorne asked to move the question. Roger Levasseur seconded the motion.*  
*Vote: Amendment failed.*  
*Vote: It was voted that Article 3 have passage as read.*

**Article 4. To see if the Town will vote to raise and appropriate \$240,037 from taxation and other sources for the ensuing year for the following:**

111	Fire Department	\$202,305
112	Emergency Management	\$ 2,300
114	Street Lights	\$ 6,000
115	Public Safety Dispatch	<u>\$ 29,432</u>
	<b>TOTAL</b>	<b><u>\$240,037</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion: Roger Levasseur moved that Article 4 have passage as presented.*  
*Second: George Carman*  
*Discussion: None.*  
*Vote: It was voted that Article 4 have passage as read.*

**Article 5. To see if the Town will vote to raise and appropriate \$798,235 from taxation and other sources for the ensuing year for the following:**

116	Highway Department	\$ 596,000
120	Solid Waste	\$ 200,235
134	Tree Care	\$ 2,000
	<b>TOTAL</b>	<b><u>\$ 798,235</u></b>

***Budget Committee and Board of Selectmen recommend passage.***

*Motion:* Roger Levasseur moved that Article 5 have passage as presented.  
*Second:* George Carman  
*Discussion:* Roger Levasseur, Sean Chayer and Sumner Field commented on this article.  
*Vote:* It was voted that Article 5 have passage as read.

**Article 6. To see if the Town will vote to raise and appropriate \$172,310 from taxation and other sources for the ensuing year for the following:**

104	Buildings & Grounds	\$ 48,050
113	Meeting House/Cable TV	\$ 10,900
123	Library	\$ 84,000
133	Parks & Recreation	\$ 29,360
	<b>TOTAL</b>	<b><u>\$172,310</u></b>

***Budget Committee and Board of Selectmen recommend passage.***

*Motion:* Robert Hubbard moved that Article 6 have passage as presented.  
*Second:* Roger Levasseur  
*Discussion:* Joshua McHenry, Roger Levasseur, Sean Chayer, Sumner Field, and Linda Chase commented on this article.  
*Motion:* Joshua McHenry moved and George Carman seconded a motion to reduce Article 6 to zero dollars.  
*Discussion:* Wanda Brissette, Sumner Field, Steven Libby, Melanie Craig, George Carman, Robert Hubbard, Stephen Hathorne and David Van Wie commented on the amendment.  
*Vote:* Amendment fails.  
*Vote:* It was voted that Article 6 have passage as read.

**Article 7. To see if the Town will vote to appropriate \$62,500 from the undesignated fund balance for the following Public Works Capital Reserve accounts for the ensuing year:**

<u>Account 127</u>	
Vehicles	\$ 50,000
Transfer Station	12,500
<b>TOTAL</b>	<b><u>\$ 62,500</u></b>

***Budget Committee and Board of Selectmen recommend passage.***

*Motion:* Roger Levasseur moved that Article 7 have passage as presented.  
*Second:* Christopher Rheault

*Discussion:* Penelope Hilton, Steven Libby, Jean Couturier, Roger Levasseur, Sean Chayer and Lenora Conger commented on this article.

*Vote:* It was voted that Article 7 have passage as read.

**Article 8. To see if the Town will vote to appropriate \$20,000 from the undesignated fund balance for the following Public Safety Capital Reserve accounts for the ensuing year:**

<u>Account 127</u>	
Fire-Rescue Equipment	\$20,000
<b>TOTAL</b>	<b><u>\$20,000</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion:* Stephen Hathorne moved that Article 8 have passage as presented.

*Second:* David Van Wie

*Discussion:* None.

*Vote:* It was voted that Article 8 have passage as read.

**Article 9. To see if the Town will vote to appropriate \$225,000 from taxation 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	\$225,000	\$142,644 UFB; \$82,356 URIP
<b>TOTAL</b>	<b><u>\$225,000</u></b>	

*Budget Committee and Board of Selectmen recommend passage.*

*Motion:* Robert Hubbard moved that Article 9 have passage as presented.

*Second:* George Carman

*Discussion:* Penelope Hilton commented on this article.

*Motion:* Joshua McHenry moved and Megan McHenry seconded the motion to overrule decision by moderator concerning discussion of Public Works Loader under Article 9.

*Vote:* The motion carried unanimously.

*Discussion:* Penelope Hilton, Theodore Shane, Eleanor Fellers, Lenora Conger, Steven Libby, Sumner Field, Richard Cadigan, Melanie Craig and Scott Doyle commented on the loader.

*Motion:* Stephen Hathorne asked to move the question. Lenora Conger seconded the motion.

*Vote:* It was voted that Article 9 have passage as read.

**Article 10. To see if the Town will vote to raise and appropriate \$87,650 from taxation and other sources for the ensuing year for the following:**

122	Planning	\$ 86,150
126	Water Resources	\$ 300
129	Sabbathday Lake Water Testing	\$ 1,200
	<b>TOTAL</b>	<b><u>\$ 87,650</u></b>

*Budget Committee and Board of Selectmen recommend passage.*

*Motion:* Stephen Hathorne moved that Article 10 have passage as presented.  
*Second:* Lenora Conger  
*Discussion:* Mary Bickerstaff, Sumner Field, Sean Chayer, Paul First, Jean Couturier, Joshua McHenry, Penelope Hilton, Lawrence Zuckerman and Norton Lamb commented on this article.  
*Motion:* David Lunt asked to move the question. Stephen Hathorne seconded the motion.  
*Vote:* It was voted that Article 10 have passage as read.

**Article 11. To see if the Town will vote to raise and appropriate \$734,000 from taxation and other sources for the ensuing year for the following:**

109	Insurance	\$281,000
125	Social Security/Retirement	\$ 83,000
139	Debt Service	<u>\$370,000</u>
	<b>TOTAL</b>	<b><u>\$734,000</u></b>

***Budget Committee and Board of Selectmen recommend passage.***

*Motion:* Roger Levasseur moved that Article 11 have passage as presented.  
*Second:* Stephen Hathorne  
*Motion:* Steven Libby moved and Penelope Hilton seconded a motion to reduce Article 11 to zero dollars.  
*Discussion:* None.  
*Vote:* The vote on the amendment was passed unanimously.  
*Discussion:* None.  
*Vote:* It was voted that Article 11 have passage as amended to zero dollars.

**Article 12. 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:* Stephen Hathorne moved that Article 12 have passage as presented.  
*Second:* George Carman  
*Discussion:* Roger Levasseur, Steven Libby, Lawrence Zuckerman, Lenora Conger, Sumner Field and Paul First commented on this article.  
*Vote:* It was voted that Article 12 have passage as read.

**Article 13. 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:* Stephen Hathorne moved that Article 13 have passage as presented.

*Second:* Robert Hubbard

*Discussion:* Sean Chayer, Sumner Field and Jean Couturier commented on this article.

*Vote:* It was voted that Article 13 have passage as read.

**Article 14. To see if the Town will vote to apply the following anticipated revenues to reduce the tax commitment:**

Building & Inspection Fees	\$ 21,295
Transfer Station Fees	\$ 50,000
Boat Excise Tax	\$ 6,500
Auto Excise Tax	\$ 800,000
Town Fees	\$ 18,000
Recreation Program Fees	\$ 10,000
Fines & Reimbursements	\$ 600
Clerk Fees	\$ 4,000
Rent Income	\$ 1
Copy/Fax Fees	\$ 1,800
Cable TV Franchise Fees	\$ 25,000
Library Revenue	\$ 1,500
Interest from Investments	\$ 52,000
Undesignated Fund Balance	\$ 498,500

**TOTAL \$1,489,196**

***Budget Committee and Board of Selectmen recommend passage.***

*Motion:* Robert Hubbard moved that Article 14 have passage as presented.

*Second:* Kevin Sullivan

*Discussion:* Joan Jaccaci, Sumner Field, Christopher Rheault, Joshua McHenry, Sean Chayer, Steven Libby, Jean Couturier and Penelope Hilton commented on this article.

*Vote:* It was voted that Article 14 have passage as read.

**Article 15. 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:* Stephen Hathorne moved that Article 15 have passage as presented.  
*Second:* Joshua McHenry  
*Discussion:* None.  
*Vote:* It was voted that Article 15 have passage as read.

**Article 16. 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:* David Van Wie moved that Article 16 have passage as presented.  
*Second:* Joshua McHenry  
*Discussion:* None.  
*Vote:* It was voted that Article 16 have passage as read.

**Article 17. 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:* Stephen Hathorne moved that Article 17 have passage as presented.  
*Second:* William Kiley  
*Discussion:* None.  
*Vote:* It was voted that Article 17 have passage as read.

**Article 18. 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:* Stephen Hathorne moved that Article 18 have passage as presented.  
*Second:* Robert Hubbard  
*Discussion:* David Van Wie commented on this article.  
*Vote:* It was voted that Article 18 have passage as read.

**Article 19. 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:* Stephen Hathorne moved that Article 19 have passage as presented.  
*Second:* Robert Hubbard  
*Discussion:* Roger Levasseur, Sumner Field and Steven Libby commented on this article.  
*Vote:* It was voted that Article 19 have passage as read.

**Article 20. RETURNING UNEXPENDED FUNDS TO THE GENERAL FUND:** To see if the Town will vote to authorize the transfer of funds in general ledger special revenue accounts to capital reserve accounts, the general fund or to reduce taxes as recommended on the attached chart.

*Recommended by the Town's Auditors.*

<u>Account #</u>	<u>Description</u>	<u>Amount</u>	<u>Recommendation</u>
G1-203-00	Septic Grant	\$ .54	UFB
G1-329-00	Water Test	\$ 25.20	UFB
G1-353-00	Cemetery Markers	\$ .48	UFB
G1-356-01	Soccer Equipment Fund	\$ 22.41	CR G1-404-00 Parks & Rec.
G1-414-00	Woodman Road Project	\$ 184,703.86	CR G1-414-00 Woodman Rd Project
G1-220-00	Library Interior Repair	\$ 1,960.76	CR G1-346-00 Library
G1-221-00	Transfer Station Engineering	\$ 924.29	CR G1-391-00 Transfer Station
G1-222-00	Containment Units	\$ 3,002.97	CR G1-389-00 Hwy Equipment
G1-223-00	Fairgrounds Infield	\$ 312.32	CR G1-407-00 Fairgrounds
G1-224-00	Transfer Station Repair	\$ 364.30	CR G1-391-00 Transfer Station
G1-225-00	Public Works Garage	\$ 623.45	CR G1-394-00 Future Buildings

*Motion:* Peter Wales moved that Article 20 have passage as presented.  
*Second:* Roger Levasseur  
*Discussion:* Peter Wales, Steven Libby, Jean Couturier and Roger Levasseur commented on this article.  
*Vote:* It was voted that Article 20 have passage as read.

**Article 21. 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 7.00 percent per annum. The 7% interest rate is authorized under Title 36 M.R.S.A. Section 505.4, as of January 1, 2008.

*Recommendation:* that Friday, **October 8, 2010** and Friday, **April 8, 2011** be established as the dates taxes are due and payable, and that interest at the rate of seven percent (7%) per annum will be charged after such dates.

*Motion:* Robert Hubbard moved that Article 21 have passage as presented.  
*Second:* Jean Couturier  
*Discussion:* None.  
*Vote:* It was voted that Article 21 have passage as read.

**Article 22. ESTABLISHMENT OF INTEREST RATE FOR ABATED TAXES:** To see if the town will vote to set the interest rate at three percent (3%) per annum to be paid by the town on abated taxes pursuant to Title 36 M.R.S.A. Section 506-A.

*Motion:* Kevin Sullivan moved that Article 22 have passage as presented.  
*Second:* Joshua McHenry  
*Discussion:* None.  
*Vote:* It was voted that Article 22 have passage as read.

**Article 23. 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.

*Motion:* Stephen Hathorne moved that Article 23 have passage as presented.  
*Second:* Robert Hubbard  
*Discussion:* None.  
*Vote:* It was voted that Article 23 have passage as read.

**Article 24. 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	22D	328B Sabbathday Road	Mobile & land
1	2-1	41 Gabriel Woods Road	House & land
3	13-2	19 Libby Lane	Mobile only
7	41	128 Church Road	House & land
3	67-B1	63 Farrington Lane	House & land
10	13-B2	182 Bald Hill Road	Mobile only
6	36H	554B Snow Hill Road	Mobile & land

*Motion:* Joshua McHenry 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 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:* Joshua McHenry moved that Article 25 have passage as presented.  
*Second:* Stephen Hathorne  
*Discussion:* Roger Levasseur, Penelope Hilton and Jean Couturier commented on this article.  
*Vote:* It was voted that Article 25 have passage as read.

**Article 29. (Taken out of order) AMENDMENTS TO THE ZONING ORDINANCE AND TOWN ZONING MAP RELATED TO THE STATE MANDATED SHORELAND ZONING ACT: To see if the Town will vote to amend the Zoning Ordinance and Town Zoning Map. Proposed changes are highlighted below.**

The Mandatory Shoreland Zoning Act requires municipalities to adopt shoreland zoning for land use within 250 feet of great ponds, rivers, wetlands and 75 feet of streams as defined. Ordinance must meet the minimum guidelines set forth by the State Board of Environmental Protection. The minimum guidelines were revised by the State in 2006, and all municipalities were required to amend their ordinances accordingly by July 1, 2009. New Gloucester still seeks to meet the State mandate.

The Town's current shoreland zoning is integrated into the Zoning Ordinance. The proposed revisions seek to limit impacts to areas within shoreland zones and follow the State minimum requirements as closely as possible.

Zoning Ordinance substantive changes include:

- Lake District renamed the Limited Residential Shoreland District
- Separate definitions section created for Limited Residential Shoreland (LRS) and Resource Protection (RP) Districts (Section 2.3).
- Performance Standards updated for LRS and RP Districts (Section 5.2).
- Uses added to the LRS (Section 4.4.5) and RP Districts (Section 4.4.6).
- Permitting of single and two family dwellings in the LRS District transferred from Planning Board to Code Enforcement.
- Expansion of nonconforming structures in the shoreland zone changed from the current 30 percent rule to a maximum allowable total floor area (Section 3.2.3.C).

Zoning Map substantive changes include:

- LRS and RP Districts along most streams reduced from 250 feet to 75 feet.
- Additional wetland areas zoned LRS and RP in order to meet Board of Environmental Protection requirements.

*Full text copies of the proposed revisions to the Zoning Ordinance and Town Zoning Map related to the state mandated Shoreland Zoning Act are available from the Town Clerk.*

*Motion: Lawrence Zuckerman moved to take Article 29 out of order.*

*Second: Jean Libby*

*Discussion: None.*

*Vote: It was voted unanimously to take Article 29 out of order.*

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

*Second: Peter Turner*

*Discussion: None.*

*Vote: It was voted that Article 29 have passage as read.*

**Article 26. WELL / SEPTIC SETBACKS: To see if the Town will vote to amend the Zoning Ordinance.**

Town ordinance is more restrictive than State plumbing code regarding setbacks between replacement septic systems and drinking water wells.

In some cases following the Town ordinance rather than State plumbing code could result in a homeowner not being able to replace an out-dated or failing septic system. Small non-conforming lots of record built upon prior to the enactment of Town's zoning ordinance and lots in higher density districts are particularly affected.

State plumbing code allows the 100' setback to be reduced for replacement systems, only if specific additional steps are taken to protect drinking water quality.

The proposed amendment seeks to add the phrase "except State plumbing code setback requirements shall apply to replacement wells and septic systems" to Sections 4.4.8.J.3.B and 5.1.25.

*Motion: Joshua McHenry moved that Article 26 have passage as presented.*

*Second: Jean Couturier*

*Discussion: Steven Libby commented on this article.*

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

**Article 27. 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 protect property from development with conservation easement or a deed restriction.
- Eligible sending sites now include those with at least 10 acres in common ownership, or acreage equivalent to one transferable development right and abutting an existing permanently preserved land.
- Separates and clearly details the application process, submission requirements, and approval criteria.
- Establishes district standards for 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 second receiving district within the existing receiving district, applying the dimensional standards of the Village District and with no minimum acreage requirement.

*Motion: Joshua McHenry moved that Article 27 have passage as presented.*

*Second: Mark Power*

*Discussion: Roger Levasseur, Paul First, Norton Lamb, Lawrence Zuckerman, Jean Libby and Christopher Rheault commented on this article.*

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

**Article 28. WIND ENERGY CONVERSION ORDINANCE: To see if the Town will vote to adopt the proposed Wind Energy Conversion Ordinance.**

Reduces our dependence on fossil fuels by allowing wind powered energy systems as an Accessory Use. The focus of the ordinance is allowing small to medium sized wind energy systems that meet ordinance standards. The Accessory Use requirement does not permit large grid-scale commercial projects.

*Accessory Use – A use customarily incidental and subordinate to the principal use and located on the same lot (New Gloucester Zoning Ordinance).*

The proposed ordinance addresses application procedures, submission requirements, and development standards.

*Motion: Joshua McHenry moved that Article 28 have passage as presented.*

*Second: Robert Hubbard*

*Discussion: Roger Levasseur commented on this article.*

*Vote: It was voted that Article 28 have passage as read.*

**Article 30. CITIZENS PETITION: To see if the Town will vote to approve the following petition: “To see if the people of New Gloucester will dedicate all franchise fees allocated by the town’s cable television provider to the operating budget of channel 3 (Dept. 113: Meetinghouse/Cable TV Account) starting in FY 2011.”**

*Motion: Joshua McHenry moved that Article 30 have passage as presented.*

*Second: David Van Wie*

*Discussion: Betty Wurtz, Wanda Brissette, Conrad Wurtz, William MacGregor, Stephen Hathorne, David Van Wie, Joan Jaccaci, Sumner Field and Caroline Loupe commented on this article.*

*Vote: It was voted that Article 30 have passage as read.*

**Article 31. CABLE FRANCHISE FEE ALLOCATION: To see if the Town will vote to apply any cable franchise fees not expended through the operating budget of Department 113 (Cable Committee/Meeting House) to Capital Reserve Account 392 (Cable TV).**

*Motion: Stephen Hathorne moved that Article 31 have passage as presented.*

*Second: David Van Wie*

*Discussion: Wanda Brissette, Steven Libby and William MacGregor commented on this article.*

*The moderator asked for a counted vote on this article. Barbara Seaver and James Giffune did a count of hands.*

*Vote: 21 in favor, 41 opposed. The article failed.*

**Article 32. CITIZENS PETITION: To see if the Town will vote to approve the following petition:  
“To see if the people of New Gloucester will designate the town cable television  
system, channel 3, as a public access station with all the attendant rights of free usage  
thereof.”**

*Motion: Stephen Hathorne moved that Article 32 have passage as presented.*

*Second: Robert Hubbard*

*Discussion: None.*

*Vote: It was voted that Article 32 have passage as read.*

**Article 33. REVISION TO THE TOWN’S CABLE TV ORDINANCE: To see if the Town will  
vote to accept the revised Cable TV Ordinance to be implemented September 1, 2010,  
submitted by the Cable TV Committee and approved by the Board of Selectmen.**

*Motion: Stephen Hathorne moved that Article 33 have passage as presented.*

*Second: Roger Levasseur*

*Discussion: Joshua McHenry, Steven Libby, Sumner Field, Penelope Hilton, William MacGregor and  
Patti Mikkelsen commented on this article.*

*Vote: It was voted that Article 33 have passage as read.*

*Stephen Hathorne moved and Robert Hubbard seconded a motion to adjourn at 11:55 p.m.  
The motion passed unanimously.*

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