

**TOWN OF NEW GLOUCESTER
MINUTES OF ANNUAL TOWN MEETING
May 5, 2008**

The Town Meeting was called to order at 7:03 p.m. by Town Clerk, Rosemary E. Kulow.

*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: Steve Chandler
Seconded by: Nancy Wilcox
No other nominations were made.
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 \$447,424 from taxation and other sources for the ensuing year for the following:

101	Selectmen	\$ 17,450
102	Administration	\$273,778
105	Town Meetings/Elections	\$ 3,700
106	Tax Assessment	\$ 73,816
107	Code Enforcement	\$ 55,680
108	Legal	\$ 18,000
130	Unanticipated Expenses	<u>\$ 5,000</u>
	TOTAL	<u>\$447,424</u>

The Budget Committee recommended \$276,278 for Administration, which would have brought the total for this article to \$449,924. The Board of Selectmen recommends passage as presented.

*Motion: Gary Sacco moved that Article 2 have passage as presented.
Second: Mary Ellen Giffune
Discussion: None
Vote: It was voted that Article 2 have passage as presented - **\$447,424**.*

Article 3. To see if the Town will vote to raise and appropriate \$74,252 from taxation and other sources for the ensuing year for the following:

103	General Assistance	\$ 28,500
131	Health Officer	\$ 1,500
132	Animal Control	\$ 11,450
135	Cemeteries	\$ 8,500
137	Interagency Requests	\$ 14,302
142	Water Treatment	\$ 10,000
	TOTAL	<u>\$ 74,252</u>

Budget Committee and Board of Selectmen recommend passage.

Motion: David Van Wie moved that Article 3 have passage as presented.

Second: Josh McHenry

Discussion: None

Vote: It was voted that Article 3 have passage as presented - \$74,252

Article 4. To see if the Town will vote to raise and appropriate \$232,226 from taxation and other sources for the ensuing year for the following:

111	Fire Department	\$195,626
112	Emergency Management	\$ 4,000
114	Street Lights	\$ 5,500
115	Public Safety Dispatch	\$ 27,100
	TOTAL	<u>\$232,226</u>

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 - \$232,226.

Article 5. To see if the Town will vote to raise and appropriate \$820,965 from taxation and other sources for the ensuing year for the following:

116	Highway Department	\$ 605,640
120	Solid Waste	\$ 212,325
134	Tree Care	\$ 3,000
	TOTAL	<u>\$ 820,965</u>

Budget Committee and Board of Selectmen recommend passage.

Motion: Roger Levasseur moved that Article 5 have passage as presented.

Second: Christopher Rheault

Discussion: None

Vote: It was voted that Article 5 have passage as presented - \$820,965.

Article 6. To see if the Town will vote to raise and appropriate \$168,015 from taxation and other sources for the ensuing year for the following:

104	Buildings & Grounds	\$ 47,100
113	Meeting House/Cable TV	\$ 12,025
123	Library	\$ 84,550
133	Parks & Recreation	<u>\$ 24,340</u>
	TOTAL	<u>\$168,015</u>

Budget Committee and Board of Selectmen recommend passage.

Motion: Christopher Rheault moved that Article 6 have passage as presented.

Second: Mark Gilbert

Discussion: Roger Levasseur and Carlton Wilcox commented on this article.

Vote: It was voted that Article 6 have passage as presented - \$168,015.

Article 7. To see if the Town will vote to appropriate \$200,000 from the undesignated fund balance for the following Public Works Capital Reserve accounts for the ensuing year:

<u>Account 127</u>	
Vehicles & Equipment	\$150,000
Transfer Station	<u>50,000</u>
TOTAL	<u>\$200,000</u>

Budget Committee and Board of Selectmen recommend passage.

Motion: Roger Levasseur moved that Article 7 have passage as presented.

Second: John Neilsen

Discussion: John Neilsen commented on this article.

Vote: It was voted that Article 7 have passage as presented - \$200,000.

Article 8. To see if the Town will vote to appropriate \$92,500 from the undesignated fund balance for the following Public Safety Capital Reserve accounts for the ensuing year:

<u>Account 127</u>	
Fire-Rescue Equipment	\$85,000
Extrication Equipment	<u>\$ 7,500</u>
TOTAL	<u>\$92,500</u>

Budget Committee and Board of Selectmen recommend passage.

Motion: Roger Levasseur moved that Article 8 have passage as presented.

Second: Sean Chayer

Discussion: None

Vote: It was voted that Article 8 have passage as presented - \$92,500.

Article 9. To see if the Town will vote to appropriate \$55,000 from the undesignated fund balance for the following Facilities Capital Reserve accounts for the ensuing year:

<u>Account 127</u>	
Fairgrounds Playground	\$ 5,000
Future Building Needs	\$25,000
Lower Vil. Landscaping	<u>\$25,000</u>
TOTAL	<u>\$55,000</u>

Budget Committee and Board of Selectmen recommend passage.

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

Second: Roger Levasseur

Discussion: Roger Levasseur and Carlton Wilcox commented on this article.

Vote: It was voted that Article 9 have passage as presented - \$55,000.

Article 10. To see if the Town will vote to raise and appropriate \$35,000 from the undesignated fund balance for a Revaluation Capital Reserve account for the ensuing year.

Budget Committee and Board of Selectmen recommend passage.

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

Second: Christopher Rheault

Discussion: None

Vote: It was voted that Article 10 have passage as presented - \$35,000.

Article 11. To see if the Town will vote to appropriate \$451,356 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>
Dump/Plow Truck	\$155,000	Capital Reserve
Paving	\$246,356	\$164,000 CR; \$82,356 URIP
Pickup Truck	<u>\$ 50,000</u>	Capital Reserve
TOTAL	<u>\$451,356</u>	

Budget Committee and Board of Selectmen recommend passage.

Motion: Christopher Rheault moved that Article 11 have passage as presented.

Second: Roger Levasseur

Discussion: John Neilson, Ted Shane, Carlton Wilcox, and Peter Wales commented on this article.

Vote: It was voted that Article 11 have passage as presented - \$451,356.

Article 12. To see if the Town will vote to appropriate \$28,500 from capital reserve and the undesignated fund balance for the following Administration Improvement for the ensuing year:

<u>Account 128</u>		<u>Funding Sources</u>
Filing System	<u>\$28,500</u>	\$19,240 CR; \$9,260 UFB

Budget Committee and Board of Selectmen recommend passage.

Motion: Sean Chayer moved that Article 12 have passage as presented.

Second: Roger Levasseur

Discussion: None.

Vote: It was voted that Article 12 have passage as presented - \$28,500.

Article 13. To see if the Town will vote to appropriate \$37,250 from capital reserve and the undesignated fund balance for the following Buildings & Grounds Capital Improvements for the ensuing year:

<u>Account 128</u>		<u>Funding Sources</u>
Tennis Court Repair	\$11,250	\$3,710 CR; \$7,540 UFB
Stain Town Hall Exterior	\$15,000	UFB
Paint Library Exterior	\$11,000	UFB
TOTAL	<u>\$37,250</u>	

Budget Committee and Board of Selectmen recommend passage.

Motion: Christopher Rheault moved that Article 13 have passage as presented.

Second: Roger Levasseur

Discussion: Carlton Wilcox commented on this article.

Motion: Carlton Wilcox moved and Stephen Hathorne seconded a motion to amend this article by eliminating the staining of town hall exterior and painting of library exterior until an economic analysis is done comparing the cost of vinyl siding to wood siding, reducing the amount to \$11,250.

Discussion: Steven Libby, James Giffune, Carlton Wilcox, and Josh McHenry commented on the amendment.

Vote: Amendment failed.

Discussion: Roger Levasseur asked for a vote on Article 13 as presented.

Vote: It was voted that Article 13 have passage as presented - \$37,250.

Article 14. To see if the Town will vote to raise and appropriate \$89,330 from taxation and other sources for the ensuing year for the following:

122	Planning	\$ 87,600
124	Environmental Resource Com.	\$ 230
126	Water Resources	\$ 300
129	Sabbathday Lake Water Testing	<u>\$ 1,200</u>
	TOTAL	<u>\$ 89,330</u>

Budget Committee and Board of Selectmen recommend passage.

Motion: Christopher Rheault moved that Article 14 have passage as presented.

Second: David Van Wie

Discussion: Beth Sutherland commented on this article.

Vote: It was voted that Article 14 have passage as presented - \$89,330.

Article 16. To see if the Town will vote to raise and appropriate \$750,750 from taxation and other sources for the ensuing year for the following:

109	Insurance	\$284,425
125	Social Security/Retirement	\$ 84,800
139	Debt Service	<u>\$381,525</u>
	TOTAL	<u>\$750,750</u>

Budget Committee and Board of Selectmen recommend passage.

Motion: Sean Chayer moved that Article 16 have passage as presented.

Second: Roger Levasseur

Discussion: None

Vote: It was voted that Article 16 have passage as presented - \$750,750.

Article 17. To see if the Town will vote to raise and appropriate \$205,000 from taxation for the ensuing year for the following:

144	TIF District	\$195,000 (Estimated; determined when tax rate calculated.)
145	Tax Abatements	<u>10,000</u>
	TOTAL	<u>\$205,000</u>

Budget Committee and Board of Selectmen recommend passage.

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

Second: Tim Joy

Discussion: None

Vote: It was voted that Article 17 have passage as presented - \$205,000.

Article 18. 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 18 have passage as presented.

Second: John Neilsen

Discussion: None

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

Article 19. To see if the Town will vote to apply the following anticipated revenues to reduce the tax commitment:

Building & Inspection Fees	\$ 32,020
Transfer Station Fees	\$ 58,000
Boat Excise Tax	\$ 7,000
Auto Excise Tax	\$ 900,000
Town Fees	\$ 18,000
Recreation Program Fees	\$ 8,000
Fines & Reimbursements	\$ 1,000
Clerk Fees	\$ 4,000
Rent Income	\$ 600
Copy/Fax Fees	\$ 2,000
Other GL Revenue	\$ 3,400
Cable TV Franchise Fees	\$ 25,000
Library Revenue	\$ 800
Interest from Overdue Tax Pmts.	\$ 16,000
Interest from Investments	\$ 200,000
Undesignated Fund Balance	\$ 675,300
Capital Reserve Income	\$ 391,950
TOTAL	<u>\$2,343,070</u>

Budget Committee and Board of Selectmen recommend passage.

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

Second: Sean Thayer

Discussion: Martin Geesaman commented on this article.

Vote: It was voted that Article 19 have passage as presented - \$2,343,070.

Article 20. APPROVAL OF ADDITIONAL FUNDING FOR THE FY08 PUBLIC WORKS DEPARTMENT BUDGET: To see if the Town will vote to appropriate up to \$60,000 from the undesignated fund balance to fund Public Works Department operations for the remainder of FY08.

(Due to an extremely hard and costly winter, the FY08 Public Works budget will be completely depleted the week of the annual town meeting.)

Motion: Sean Chayer moved that Article 20 have passage as presented.

Second: Roger Levasseur

Discussion: Josh McHenry, Carlton Wilcox, and Chris Ricardi commented on this article.

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

Article 21. AUTHORIZATION TO FUND LIBRARY ROOF REPAIR: To see if the Town will vote to authorize the expenditure of up to \$10,000 from the Building Emergencies capital reserve account 400-00 to repair a portion of the Library Roof.

(The April 7, 2008 balance in account 400-00 was \$13,999.26.)

Motion: Christopher Rheault moved that Article 21 have passage as presented.

Second: Roger Levasseur

Discussion: Roger Levasseur commented on this article.

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

Article 22. 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: Sean Chayer moved that Article 22 have passage as presented.

Second: Robert Hubbard

Discussion: None

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

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

Second: Sean Chayer

Discussion: None

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

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

Second: Tim Joy

Discussion: None

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

Article 25. 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: Robert Hubbard moved that Article 25 have passage as presented.

Second: Christopher Rheault

Discussion: None

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

Article 26. 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 26 have passage as presented.

Second: Kevin Sullivan

Discussion: None

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

Article 27. 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 11.00 percent per annum. The 11% interest rate is authorized under Title 36 M.R.S.A. Section 505.4, as of January 1, 2008.

Recommendation: that Friday, **October 10, 2008** and Friday, **April 10, 2009** be established as the dates taxes are due and payable, and that interest at the rate of eleven percent (11%) per annum will be charged after such dates.

Motion: Tim Joy moved that Article 27 have passage as presented.

Second: Sean Chayer

Discussion: Martin Geesaman commented on this article.

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

Article 28. ESTABLISHMENT OF INTEREST RATE FOR ABATED TAXES: To see if the town will vote to set the interest rate at six percent (6%) 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 28 have passage as presented.

Second: Christopher Rheault

Discussion: None

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

Article 29. 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 29 have passage as presented.

Second: Kevin Sullivan

Discussion: None

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

Article 30. 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>
4	54-E	21 Castle Rd	Land w/partially built house
10	51-A	1328 Lewiston Rd	House & land
12	21-A	83 Wharff Rd	House & land
12	21-K	off Woodman Rd	Land
12	21-L	off Woodman Rd	Land
12	21-M	off Woodman Rd	Land
13	1-A	1335 Lewiston Rd	House & land

Motion: Christopher Rheault moved that Article 30 have passage as presented.

Second: Roger Levasseur

Discussion: The Town Manager informed those present that since the printing of the warrant, payment had been received for Map 4 Lot 54-E at 21 Castle Road. She recommended removing this property from consideration.

Motion: Steve Libby moved and Steve Hathorne seconded a motion to amend this article by eliminating from consideration Map 4 Lot 54-E at 21 Castle Road. Motion passed.

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

Article 31. 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: Robert Hubbard moved that Article 31 have passage as presented.

Second: Carlton Wilcox

Discussion: None

Vote: It was voted that Article 31 have passage as read.

Article 32. EXCESS EXCISE TAX: To see if the Town will vote to authorize the Town Treasurer to refund excess amounts of excise tax if credit available exceeds the amount transferred to another vehicle per LD 227, "An Act To Allow the Reimbursement of Motor Vehicle Excise Taxes in Certain Cases," which was effective September 20, 2007.

Motion: Robert Hubbard moved that Article 32 have passage as presented.

Second: Kevin Sullivan

Discussion: Roger Levasseur, Dick Cadigan, Martin Geesaman, and Barbie Seaver commented on this article.

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

Article 33. SOLID WASTE AND RECYCLING ORDINANCE: Shall an ordinance entitled, "Town of New Gloucester Solid Waste and Recycling Ordinance," be enacted? (*This ordinance replaces all previous or existing Solid Waste and Recycling ordinances.*)

Motion: Robert Hubbard moved that Article 33 have passage as presented.

Second: Tim Joy

Discussion: Penny Hilton, Hal Bartlett, Roger Levasseur, Beth Sutherland, Josh McHenry, Carlton Wilcox, and Bradford Slye 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: 30 in favor, 50 opposed. The article failed.

Article 34. CONVEYANCE OF SCHOOL HOUSE LOT TO HISTORICAL SOCIETY:
To see if the Town will vote to authorize the Board of Selectmen to convey to the New Gloucester, Maine, Historical Society at no cost, and upon terms as determined to be reasonable by the Board of Selectmen, the parcel of land known as the former Lower Corner House School Lot.

Motion: Christopher Rheault moved that Article 34 have passage as presented.

Second: Kevin Sullivan

Discussion: Sam Coggeshall, Steve Libby, and David Lunt 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: 34 in favor, 35 opposed. The article failed.

Article 35. LAND EXCHANGE IN REGARD TO MAYALL ROAD BRIDGE CONSTRUCTION PROJECT: To see if the Town will vote to authorize the Board of Selectmen to sell a parcel of land of approximately 1.15 acres to the Maine Turnpike Authority in relation to the reconstruction and relocation of the Mayall Road Underpass Bridge Replacement Project and accept a conveyance from the Maine Turnpike Authority of two nearby parcels of land totaling approximately six (6) acres in relation to the same project, upon terms as determined to be reasonable by the Board of Selectmen.

Motion: Tim Joy moved that Article 35 have passage as presented.

Second: Christopher Rheault

Discussion: None

Vote: It was voted that Article 35 have passage as read.

Article 36. ACCEPTANCE OF A TOWN WAY: To see if the Town will vote to accept Douglas Drive as dedicated by the property owner(s), with no Town obligation for damages as a public way.

Motion: Robert Hubbard moved that Article 36 have passage as presented.

Second: Douglas McAtee

Motion: Steve Libby moved and Roger Levasseur seconded a motion to allow Dan MacDonald to speak. The moderator asked for a show of hands. Motion passed.

Discussion: Dan MacDonald, John Neilsen, Douglas McAtee, Ronald Rogers, Jean Libby, Martin Geesaman, Bradford Slye, Rebecca Waitley, Peter Wales, and Carlton Wilcox commented on this article.

Motion: Roger Levasseur asked to move the question. Christopher Rheault seconded the motion.

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

Vote: 32 in favor, 42 opposed. The article failed.

Roger Levasseur moved and Sean Chayer seconded a motion to adjourn at 9:03 p.m. The motion passed unanimously.

ATTEST: _____
Town Clerk, Rosemary E. Kulow