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Minutes of Annual Town Meeting, March 13, 2012

Jennifer Kovacs, Town Clerk

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March 13, 2012

Minutes of Annual Town Meeting

Town Clerk Jennifer Kovacs called the meeting to order at the Lamoine Town Hall at 7:55AM.

1. To choose a moderator to preside over said meeting. **Joan Broussard nominated Harvey Kelley. Stuart Marckoon 2nd. A written ballot elected Mr. Kelley 3-0. Mr. Kelley swore his oath of office to Town Clerk Kovacs, and then appointed Stuart Marckoon as Deputy Moderator, who took the oath of office from Mr. Kelley. At 8:00AM, Mr. Kelley opened the polls for balloting.**
2. To elect the following Town Officers by secret ballot:
 - a. Selectman & Overseer of the Poor (2 positions, term to end town meeting 2015)
 - b. Assessor (1 position, term to begin July 1, 2012 and end June 30, 2015)
 - c. Representative to RSU #24 (1 position, term to begin July 1, 2012 and end June 30, 2015)

Selectman	Total Votes
Cooper, S. Josephine	67
McFarland, Gary	68
Others	2
Assessor	
Jordan, Michael	59
Others	1
RSU #24 Representative	
Jones, Brett	68
Others	3
Total Votes Cast	79
# Registered	1428
Turnout %	5.53%

Open Town Meeting

Wednesday, March 14, 2012 6:00 PM

Prior to the opening of the annual open town meeting, Town Clerk Jennifer Kovacs administered the oaths of office to S. Josephine Cooper, Selectman & Overseer of the Poor, Gary McFarland, Selectman & Overseer of the Poor, Michael Jordan, Assessor, and Brett Jones RSU #24 Representative.

Ballot Clerk Kathleen DeFusco checked in 78 voters at the open town meeting.

Prior to the start of business:

The Lamoine Board of Selectmen presented the Citizen of the Year award to Frederick Stocking.

The Lamoine Conservation Commission presented an award to Frederick Stocking for his land conservation efforts.

Selectmen Gary McFarland requested a moment of silence for the acts of violence affecting the community on Sunday March 11, 2012.

Moderator Harvey Kelley called the open town meeting to order at approximately 6:15 PM.

Mr. Kelley established that he would operate according to the Maine Moderator's Manual.

Mr. Kelley announced the results of the election the previous day.

It was moved and 2nd to allow non-voters/non-residents to speak at the moderator's discretion. The motion passed by a greater than 2/3rds majority on a hand vote.

3. To see if the town will vote to set the date that property taxes will be due in two equal payments on August 31, 2012 and February 28, 2013, and to fix the rate of interest at 7.00% to be charged on the unpaid amounts beginning September 1, 2012 and March 1, 2013 respectively, and to fix the rate of interest paid for overpayments at 3.00% per annum. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
4. To see if the Town will vote to authorize the Selectmen to sell and/or dispose of any property acquired by tax liens after first offering the property to the previous owners for payment of all back taxes, fees and interest, and if they decline, advertising for sealed bids on same, and stating the lowest bid acceptable, and to allow the Selectmen to authorize the Treasurer to waive automatic lien foreclosures when it is in the best interest of the Town. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
5. To see if the Town will vote to authorize the Selectmen to sell and/or dispose of any property or fixtures deemed to be surplus and unusable to the Town and worth less than \$1,000 fair market value, under such terms and conditions as they deem advisable after advertising such items publicly. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
6. To see if the Town will vote to appropriate all funds from the money received from the State of Maine for registration of snowmobiles to the Frenchman Bay Riders Snowmobile Club for the purpose of maintaining their snowmobile trails, to be open for the use of the public at all times, and to authorize the municipal officers to enter into an agreement with the Club, under such terms and conditions as the municipal officers may deem advisable, for that purpose. . **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
7. To see if the Town will vote to authorize the tax collector or treasurer to accept pre-payments of 2012/2013 taxes not yet committed pursuant to 36 M.R.S.A. § 506. . **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
8. To see if the town will vote that orders of the Board of Selectmen for the closing of roads in winter under 23 MRSA §2953 shall be final determinations of said closings. **It was moved and 2nd to approve article as written. Jay Fowler asked which roads would be closed in the winter. Stuart Marckoon said the Gully Brook Road. The motion passed on a hand vote.**
9. To see if the Town will vote to authorize expenditures to pay tax abatements and applicable interest granted by the Board of Assessors or the Board of Selectmen during the fiscal year beginning July 1, 2012 in an aggregate amount not to exceed the property tax commitment overlay. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
10. To see what sum the Town will vote to raise and appropriate for its share of costs for enforcement and administration of the Frenchman's Bay Regional Shellfish Conservation Ordinance. (*The Selectmen and Budget Committee recommend \$3,000.00*) **It was moved and 2nd as recommended. There was a brief discussion on water quality and beach cleanup. Paul Davis and Jim Norris thanked the Selectmen and seven towns involved for all their effort and support. Selectmen Dick Fennelly asked if the town residents would do a non-binding straw poll on rewording the ordinance. Residents showed a positive response for all questions. The motion passed on a hand vote.**

11. To see what sum the Town will vote to raise and appropriate for Administration and to set the salaries of the following elected officers whose salaries will be paid from the Administration Account of the General Fund, and to authorize the Board of Selectmen to establish the rate of compensation for appointed officials.

Position	Recommended Salary (Budget Committee & Selectmen)
Selectman (Chair)	\$1,600.00
Selectman (non-chair, 4 positions)	\$1,000.00
Assessor (Chair)	\$1,600.00
Assessor 2	\$1,500.00
Assessor 3	\$1,500.00

(The Budget Committee & Selectmen recommend \$175,888.45 and the salaries as outlined above.)
It was moved and 2nd to pass as recommended. The motion passed on a hand vote.

12. To see if the Town will appropriate from funds received from the Allen and Leurene Hodgkins Memorial Trust an amount not to exceed \$8,000 for purchase and installation of storage shelving and other devices for the Town Office Vault. *(The Budget Committee recommends a "yes" vote).*
It was moved and 2nd to pass as recommended. The motion passed on a hand vote.

13. To see what sum the Town will vote to raise and appropriate for capital projects and debt service payments. *(The Selectmen and Budget Committee recommend a total of \$18,950.00 including \$7,450.00 for debt service payment on the 2009 fire truck, \$1,500.00 for installation of a new entrance door at the Lamoine Town Hall, and \$10,000.00 to be added to the Revaluation Reserve Fund.)*
It was moved and 2nd to pass article with the recommended amount. The motion passed on a hand vote.

14. To see what sum the Town will vote to raise and appropriate for Code Enforcement, including operations of the Planning and Appeals Boards, and to authorize expenditure of the state share of local plumbing fees to the Maine Department of Human Services. *(The Selectmen and Budget Committee recommend \$20,660.00.)*
It was moved and 2nd to pass as recommended. The motion passed on a hand vote.

15. To see what sum the Town of Lamoine will vote to raise and appropriate for the support of social service organizations listed below, which made written requests for funding from the Selectmen, and met the criteria of the Town Meeting Donation Requests Ordinance adopted November 7, 2000.

Requesting Agency	Requested	Recommended
American Red Cross – Pine Tree Chapter	\$600.00	\$600.00
Child & Family Opportunities	\$600.00	\$600.00
Down East AIDS Network	\$600.00	\$600.00
Downeast Horizons	\$600.00	\$600.00
Eastern Area Agency on Aging	\$250.00	\$250.00
Emmaus Homeless Shelter	\$400.00	\$400.00
Friends In Action – Community Connection	\$600.00	\$600.00
Grand Auditorium	\$600.00	\$600.00
Eastern Maine Home Care	\$579.00	\$579.00
Hospice Volunteers of Hancock County	\$600.00	\$600.00
Lamoine Historical Society	\$600.00	\$600.00
Loaves & Fishes Food Pantry	\$600.00	\$600.00
Maine Coast Memorial Hospital	\$600.00	\$600.00

Open Door Recovery Center	\$600.00	\$600.00
Washington/Hancock Community Agency	\$600.00	\$600.00
Women's Infants & Children (Downeast Health)	\$600.00	\$600.00
Yesterday's Children	\$300.00	\$300.00
Total	\$9,329.00	\$9,329.00

(The Budget Committee & Selectmen recommend \$9,329.00 as outlined above. The donation requests ordinance requires the Board of Selectmen to recommend no more than 5% of one mill, which is \$12,728.60)

It was moved and 2nd to approve as recommended. The motion passed on a hand vote.

16. To see if the Town will appropriate \$2,402.00 from Undesignated Fund Balance for purchase and installation of 6 picnic tables at Lamoine Beach during the fiscal year ending June 30, 2012. *(The Parks Commission Selectmen and Budget Committee recommend approval)* **It was moved and 2nd to pass article with the recommended amount. The motion passed on a hand vote.**
17. To see what sum the Town will vote to raise and appropriate for Parks, Recreation and Cemetery Maintenance. *(The Parks Commission, Selectmen and Budget Committee recommend \$9,308.00).* **It was moved and 2nd to raise and appropriate \$9,308.00. The motion passed on a hand vote.**
18. To see what sum the Town will vote to raise and appropriate for library services. *(The Selectmen and Budget Committee recommend \$5,882.00. The Ellsworth Public Library has requested funding of \$5,882.00).* **It was moved and 2nd to raise and appropriate \$5,882.00. There was a brief discussion on library services and funding. The motion passed on a hand vote.**
19. To see what sum the Town will vote to raise and appropriate for Public Safety Expenditures. *(The Budget Committee, Selectmen and Fire Department recommend \$56,015.50)* **It was moved and 2nd to raise and appropriate \$56,015.50. Upon recommendation from Fire Chief George Smith the motion was withdrawn. Chief Smith moved to raise and appropriate \$56,515.50, which was 2nd. The fire chief explained the extra \$500 above the recommendation was for respiratory fit testing. The motion passed on a hand vote with the amended amount.**
20. To see what sum the Town will vote to raise and appropriate for Road Maintenance. *(The Budget Committee and Selectmen recommend \$133,400.00.)* **It was moved and 2nd to pass a s recommended. The motion passed on a hand vote.**
21. To see what sum the Town will vote to raise and appropriate for major road projects including repavement of Clamshell Alley, Cos Cob Avenue, the Fire Station Apron and Parking Area and the Parking Lot at Lamoine Beach. *(The Budget Committee and Selectmen recommend \$46,200.00).* **It was moved and 2nd to raise and appropriate \$46,200.00. The motion passed on a hand vote.**
22. To see what sum the Town will vote to raise and appropriate for waste disposal including operation of the Lamoine Transfer Station, shipment to the Penobscot Energy Recovery Company, recycling contractor, monitoring of wells around the former landfill, and to authorize the Selectmen to continue the contract of disposal of septic sludge. *(The Selectmen and Budget Committee recommend \$101,187.70)* **It was moved and 2nd to raise and appropriate \$101,187.70. The motion passed on a hand vote.**
23. To see if the town will appropriate \$25,449.20 from the Education Fund Balance for the purposes of paying for excess secondary tuition costs estimated for Fiscal Year 2011/12. *(The Budget Committee recommends a yes vote).* **It was moved and 2nd to approve as recommended. Stuart Marckoon made a motion to amend article to \$18,896.59. The motion was 2nd. The amendment passed on a hand vote. The article as amended passed on a hand vote.**

24. To see what sum the Town will raise and appropriate for the purposes of secondary education tuition and debt service, and insured value factor payments to non-RSU 24 facilities for those students in grades 9-12 attending non-RSU 24 secondary schools. *(The Budget Committee recommends \$64,867.25).* **It was moved and 2nd to to raise and appropriate \$56,807.75. The motion passed on a hand vote.**

25. To see which revenues the Town will vote to appropriate for inclusion in the non-education portion of the budget to offset local property taxes.

Revenue Fund	Amount	Fund Total
<i>General Fund</i>		
Interest on Real Estate Taxes	\$7,500.00	
Automobile Excise Taxes	\$275,000.00	
Watercraft Excise Taxes	\$3,800.00	
Administration Fees	\$550.00	
Tax Lien Charges	\$2,300.00	
Agent Fees	\$5,500.00	
General Assistance Reimbursement	\$1,500.00	
Interest on Investments	\$12,000.00	
Rental Income – Cell Phone Tower	\$12,000.00	
Undesignated Fund Balance (Surplus)	\$55,000.00	
		\$375,150.00
<i>Road Fund</i>		
URIP Program (State Funding)	\$22,000.00	
Use of Road Fund	\$0.00	\$22,000.00
<i>Code Enforcement Fund</i>		
Local Plumbing Fees	\$2,000.00	
Code Enforcement Fees	\$7,000.00	
	\$0.00	\$9,000.00
<i>Code Enforcement Fund Transfer</i>		
<i>Other Funds</i>		
Local Animal Control Fees		\$1,000.00
Hodgkins Trust Fund (Article 11)		\$8,000.00
Use of Parks Fund		\$1,500.00
Total Offsets to Local Property Tax		\$416,650.00

*Municipal Revenue Sharing will also reduce the tax commitment and is not included in the above figure. *(The Selectmen and Budget Committee recommend the revenue figures listed above.)* **It was moved and 2nd to approve as recommended. The motion passed on a hand vote.**

26. To see if the Town will vote to establish and/or continue the following funds:

Fund Balance Account	Balance as of 6/30/11*
Code Enforcement Fund	\$11,303.76
Fire Truck Reserve Fund	\$9,546.10
Road Assistance Fund	\$59,271.58
Education Capital Fund	\$9,352.06
Animal Control Fund	\$4,046.95

Revaluation Reserve Fund	\$74,178.72
Insurance Deductible Fund	\$5,640.33
Harbor Fund	\$13,152.43
Cable TV Channel Fund	\$25,466.80
Parks & Recreation Fund	\$5,735.59
Capital Improvements Fund	\$65,651.16
Land Conservation Fund	\$4,221.11
Veterans Memorial Fund	\$5,573.92
Conservation Commission Fund	\$277.33
Flag Display Maintenance Fund	\$127.54

*Note that most funds are part of continuing operations, so the balance of 6/30/11 does not reflect any appropriations, expenditures or revenues for the current fiscal year.

(The Selectmen and Budget Committee recommend continuing the above funds)

It was moved and 2nd to approve the article as written. The motion passed on a hand vote.

27. To see if the Town will authorize expenditure of funds from the Harbor Fund for improvements at the Harbor area as suggested to and approved by the Board of Selectmen, and to authorize the Selectmen to set the compensation of the Harbor Master and Deputy Harbor Master to be paid from the Harbor Fund. *(The Selectmen and Budget Committee recommend approval as written).*

It was moved and 2nd to approve the article as written. The motion passed on a hand vote.

28. To see if the Town will authorize expenditure of funds from the Cable TV Fund for operation of Lamoine's Cable TV channel as suggested to and approved by the Board of Selectmen, and to authorize the Selectmen to set the compensation of the Cable TV Operations Manager. Expenditures are to be deducted from and Revenues are to be added to the Cable TV fund. Expenditure amounts are not to exceed available amounts in said fund. **It was moved and 2nd to approve the article as written. The motion passed on a hand vote.**

29. To see if the Town will authorize expenditure of funds from the Veterans' Memorial Fund as recommended to and approved by the Board of Selectmen for the purposes of maintaining the memorial, not to exceed the available amount of the fund. **It was moved and 2nd to approve the article as written. The motion passed on a hand vote.**

30. To see if the Town will authorize expenditure of funds in the Conservation Commission Fund as recommended to and approved by the Chair of the Conservation Commission for commission projects, said funds not to exceed the available amount of the fund. **It was moved and 2nd to approve the article as written. The motion passed on a hand vote.**

Following the final article there was a brief discussion regarding how to change recommended amounts for outside agency requests.

There being no further business to transact, Moderator Kelley declared the town meeting adjourned at 7:40 PM.

Respectfully submitted,

Jennifer Kovacs, Town Clerk