

**TOWN OF BOWDOINHAM
TOWN MEETING WARRANT MINUTES
June 14, 2023**

**Sagadahoc, ss
State of Maine**

To: Kate Cutko, a resident of the Town of Bowdoinham, in said County of Sagadahoc, State of Maine.

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Bowdoinham, in said County and State, qualified to vote in Town affairs, to assemble at **Bowdoinham Community School on Wednesday, June 14, 2023, at 7:00pm**, then and there to act on Articles 1 through 43 as set out below.

ARTICLE 1: To choose a moderator to preside at said meeting.

John Cunningham was sworn in as Moderator.

ORDINANCES

ARTICLE 2: Shall an ordinance entitled “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Allow for Accessory Dwelling Units” be enacted?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

It was moved and seconded to adopt this article. Article was adopted.

TAX INCREMENT FINANCING

ARTICLE 3: Shall the Town vote to amend the CMP/Riverfront Municipal Development and Tax Increment Financing District and Development Program originally dated June 10, 2014, pursuant to Title 30-A Chapter 206 of the Maine Revised Statutes, in accordance with the Resolution approved by the Select Board on April 25, 2023, a copy of which is attached and incorporated herein by reference?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

It was moved and seconded to adopt this article. Article was adopted.

CAPITAL IMPROVEMENT ARTICLES

ARTICLE 4: To see if the Town will vote: (1) to approve the reconstruction, paving and maintenance of various town roads and parking lots, including all other reasonably necessary costs related thereto (the “Project”); and (2) to appropriate up to \$1,000,000 for the Project; and (3) to authorize the Treasurer and the Chair of the Select Board to issue general obligation bonds of the Town of Bowdoinham (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$1,000,000; and (4) to delegate to the Treasurer and the Chair of the Select Board the discretion to fix the date(s), maturity(ies), interest rate(s), denomination(s), place(s) of payment, premium(s), call(s) for redemption, current or advance refunding(s) of the securities, form(s) and other detail of said general obligation bonds, including execution and delivery of said general obligation bonds and to provide for the sale thereof as well as the negotiation and execution of any loan agreement with any party or certifications related thereto.

TREASURER’S FINANCIAL STATEMENT

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$6,402,836.35
B. Bonds authorized and unissued:	\$0
C. Bonds to be issued if this Article is approved:	<u>\$1,000,000.00</u>
Total	\$7,402,836.35

Costs:

At an estimated interest rate of 5.15% for an assumed 10-year maturity, the estimated costs of this bond issue will be:

Principal:	\$1,000,000.00
Interest:	\$304,496.22
Total Debt Service:	\$1,304,496.22

Validity: The validity of the bonds and the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Nicole Briand, Treasurer
Town of Bowdoinham, Maine

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 5: To see if the Town will vote: (1) to approve the rehabilitation, stabilization and preservation of Town Hall, including all other reasonably necessary costs related thereto (the “Project”); and (2) to appropriate up to \$1,000,000 for the Project; and (3) to authorize the Treasurer and the Chair of the Select Board to issue general obligation bonds of the Town of Bowdoinham (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$1,000,000; and (4) to delegate to the Treasurer and the Chair of

the Select Board the discretion to fix the date(s), maturity(ies), interest rate(s), denomination(s), place(s) of payment, premium(s), call(s) for redemption, current or advance refunding(s) of the securities, form(s) and other detail of said general obligation bonds, including execution and delivery of said general obligation bonds and to provide for the sale thereof as well as the negotiation and execution of any loan agreement with any party or certifications related thereto.

TREASURER’S FINANCIAL STATEMENT

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$6,402,836.35
B. Bonds authorized and unissued:	\$0
C. Bonds to be issued if this Article is approved:	<u>\$1,000,000.00</u>
Total	\$7,402,836.35

Costs:

At an estimated interest rate of 5.75% for an assumed 15-year maturity, the estimated costs of this bond issue will be:

Principal:	\$1,000,000.00
Interest:	\$519,312.66
Total Debt Service:	\$1,519,312.66

Validity: The validity of the bonds and the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Nicole Briand, Treasurer
Town of Bowdoinham, Maine

RECOMMENDATION: The Select Board recommends this article to pass, 4-0. The Finance Advisory Committee recommends this article not to pass, 0-3, 2 abstained.

It was moved and seconded to adopt this article. Article was not adopted.

ARTICLE 6: Shall the Town vote to authorize the Select Board to enter into a lease purchase agreement in a principal amount not exceeding \$250,000 (exclusive of finance costs), for a term not to exceed ten years, and under such other terms and conditions as the Board deems advisable, for the purpose of funding the acquisition of an excavator, including attachments for the Public Works Department?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 7: Shall the Town vote to appropriate from Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government for the following projects, as itemized below?

Projects:	Project Estimates <i>(actual cost may vary)</i>
Purchase & Installation of Compacting Dumpster	\$20,000
Road & Parking Lot Maintenance	\$100,000
Total <i>(not to exceed)</i>	\$322,761.90

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

Explanation: June 15, 2022 Town Meeting the Town appropriated the \$322,761.90 of ARPA Funds for an estimate of \$295,000 in projects. This article would: 1) approve the last \$20,000 and 2) allow the funding approved for road maintenance to also be used for parking lot maintenance. As noted above, the project amounts are estimates and may vary, the total amount will not exceed the Town’s total ARPA funds.

A motion was made and seconded to amend Article 7 to remove the Compacting Dumpster. This amendment was not adopted.

It was moved and seconded to adopt Article 7 as written. Article was adopted.

ARTICLE 8: Shall the Town vote to raise and appropriate \$650,000, as itemized below, for the CAPITAL RESERVE Budget?

Capital Improvements:	\$7,500
Town Hall & Town Office:	\$90,000
Cemetery Maintenance:	\$15,000
Solid Waste & Recycling:	\$44,500
Public Works Reserve:	\$440,000
Fire Reserve:	\$67,000
Recreation Reserve:	\$10,000
Electronic Equipment Reserve	\$3,500
Waterfront Reserve:	\$2,000
Total	\$650,000

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

EXPENSE BUDGET ARTICLES

ARTICLE 9: Shall the Town vote to raise and appropriate \$795,843 for the ADMINISTRATION Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 10: Shall the Town vote to raise and appropriate \$150,266 for the PLANNING, COMMUNITY DEVELOPMENT AND CODE ENFORCEMENT Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 11: Shall the Town vote to raise and appropriate \$15,000 for the CONTINGENCY Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 12: Shall the Town vote to raise and appropriate \$47,000 for the GENERAL SERVICES Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 13: Shall the Town vote to raise and appropriate \$522,671 for the DEBT SERVICES Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 14: Shall the Town vote to raise and appropriate \$383,900 for the FIRE AND RESCUE DEPARTMENT Budget?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0. The Finance Advisory Committee recommends \$389,900, 5-0.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 15: Shall the Town vote to raise and appropriate \$119,350 for the TOWN FACILITIES MAINTENANCE Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 16: Shall the Town vote to raise and appropriate \$27,810 for the ANIMAL CONTROL AND HARBOR MASTER Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 17: Shall the Town vote to raise and appropriate \$807,485 for the PUBLIC WORKS DEPARTMENT Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 18: Shall the Town vote to raise and appropriate \$219,379 for the SOLID WASTE AND RECYCLING DEPARTMENT Budget?

RECOMMENDATION: The Select Board recommends this article not to pass, 3-2. The Finance Advisory Committee recommends the article to pass, 5-0.

It was moved and seconded to adopt this article. Article was adopted.

ARTICLE 19: Shall the Town vote to raise and appropriate \$121,997 for the RECREATION Budget?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

A motion was made and seconded to amend Article 19 to reduce the amount to \$75,756; this amendment was not adopted.

It was moved and seconded to adopt Article 19 as written. Article was adopted.

OUTSIDE ORGANIZATION REQUESTS

It was moved and seconded to group articles 20-22 in a single vote. Articles were adopted.

ARTICLE 20: Shall the Town vote to raise and appropriate \$1,650 for SPECTRUM GENERATIONS?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

Article was adopted.

ARTICLE 21: Shall the Town vote to raise and appropriate \$762 for The Life Flight Foundation?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

Article was adopted.

ARTICLE 22: Shall the Town vote to raise and appropriate \$1,000 for Waldo Community Action Partners?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

Article was adopted.

REVENUE BUDGET ARTICLE

ARTICLE 23: Shall the Town vote appropriate the sum of \$1,698,494 from the ESTIMATED REVENUES ACCOUNTS (Non-Property Tax Revenues) to be applied to reduce the 2024 tax commitment?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

PROPERTY TAX LEVY LIMIT

ARTICLE 24: To see if the Town will vote to increase the property tax levy limit of \$1,026,728 established for Bowdoinham by State law in the event the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.

Explanation: The budget as presented will result in a municipal property tax levy of \$2,165,619 which is \$1,138,891 above the Town’s property tax levy limit.

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

John Cunningham informed that by law this vote needed to be taken by written ballot. It was moved and seconded to adopt this article. The vote was 80 Yes, 17 No. Article was adopted.

FUND BALANCE ARTICLES

ARTICLE 25: Shall the Town vote to appropriate the sum of \$35,000 from the UNDESIGNATED FUND BALANCE to be used for the first payment of the excavator lease agreement?

RECOMMENDATION: Select Board and Finance Advisory Committee unanimously recommend this article to pass.

It was moved and seconded to adopt this article. Article was adopted.

BUSINESS ARTICLES

It was moved and seconded to group articles 26-43 in a single vote. Articles were adopted.

ARTICLE 26: Shall the Town vote to fix the first day of November 2023 and the first day of May 2024 when all 2024 real estate and personal property taxes shall be due and payable in semi-annual installments and to instruct the Tax Collector to charge interest at 8.00% per annum on all taxes unpaid after said date(s)?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 27: Shall the Town vote to establish the interest rate of 4.00% per year on the amount of overpayment to be paid to a taxpayer who is determined to have paid an amount of real estate or personal property taxes in excess of amount finally assessed pursuant to 36 M.R.S. §506-A?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 28: Shall the Town vote to authorize the Tax Collector to accept tax payments prior to the commitment of taxes?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 29: Shall the Town vote to authorize the Tax Collector to offer a 2024 Tax Club Plan to taxpayers who enroll no later than July 31, 2023, who pay the total amount of 2024 taxes by monthly payments from September 2023 to June 30, 2024, who abide by the requirements of said plan; who shall receive from the Town, in return for such payments, full credit for such taxes paid without incurring any charge of interest?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 30: Shall the Town vote to authorize the payment of any overdrafts that may occur in the Town's 2023/2024 budget to be paid out of the undesigned fund balance?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 31: Shall the Town vote to authorize the Select Board to appropriate funds from various reserve funds, as they deem necessary, in a manner that is consistent with the purposes for which said funds were established?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 32: Shall the Town vote to authorize the Select Board to transfer unexpended funds remaining in department expense accounts, which are appropriated by the town meeting in FY23-24 but which are not expended in FY23-24, in to related reserve accounts?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 33: Shall the Town vote to authorize the Select Board and Treasurer to accept on behalf of the Town, monetary gifts, and donated equipment and vehicles, and to appropriate said gifts to supplement the accounts and departments as specified by the benefactor?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 34: Shall the Town vote to authorize the following actions on behalf of the town: (1) to authorize the Select Board to rent, lease, sell, or otherwise dispose of any real estate acquired by the town for non-payment of taxes thereon on such terms as they deem advisable and execute Municipal Quit Claim deeds for same; (2) to authorize the Select Board to keep any real estate acquired for non-payment of taxes or portion thereof for the use of the town when they deem it to be in the town's best interests; and (3) to authorize the Select Board to rent or lease town-owned

real estate that was not acquired for non-payment of taxes when they deem it to be in the town's best interest and on such terms as they deem advisable?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 35: Shall the Town vote to authorize the municipal Treasurer to waive the foreclosure of a tax lien mortgage by recording a Waiver of Foreclosure at the Registry of Deeds in which the Tax Lien Certificate is recorded, prior to the right of redemption expiring, pursuant to 36 M.R.S. § 944?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 36: Shall the Town vote to authorize the Select Board and Treasurer, on behalf of the Town to sell or dispose of obsolete Town equipment, material, and commodities on such terms as they deem proper and place money from said sales into related reserve account, if the Board deems appropriate?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 37: Shall the Town vote to authorize the Treasurer to accept any donations, gifts or grants of money for the Heating Assistance Program reserve account and to expend available funds from the account for the designated purpose?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 38: Shall the Town vote to authorize the Select Board and Treasurer to enter into multi-year contracts necessary to provide services to the Town?

Explanation: Services for the town include but are not limited to ambulance service, banking, road maintenance, snow removal, curbside recycling and trash disposal.

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 39: Shall the Town vote to authorize the Select Board and Treasurer to accept and expend Community Development Block Grant Funds and other federal, state or private grants on behalf of the Town?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 40: Shall the Town vote to authorize the Select Board to periodically set fees for returned checks, copies of Town ordinances and other documents, and notary services?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 41: Shall the Town vote to authorize the Select Board to collect Solid Waste Management User Fees for Fiscal Year 2024 at the rate of \$3.00 per bag?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 42: Shall the Town vote to set the annual permit fee of \$100.00 per year, per truck for commercial haulers operating within the Town of Bowdoinham, pursuant to the provisions of 7.1.1 of the Solid Waste Management Ordinance?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

ARTICLE 43: Shall the Town vote to authorize the Select Board to close any road or roads or portions thereof for winter maintenance and to annul, alter, or modify such decisions, pursuant to 23 M.R.S. §2953, and that such orders made by the Select Board shall be a final determination?

RECOMMENDATION: The Select Board recommends this article to pass, 5-0.

Article was adopted.

“Attest”

Tina Magno, Town Clerk

There were 162 registered voters in attendance.