

**TOWN OF BOWDOINHAM  
TOWN MEETING WARRANT**

**Sagadahoc, ss**

**State of Maine**

To: Madeline Winston, 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 **Orion Performing Arts Center on Wednesday, June 9, 2021 at 7:00pm**, then and there to act on Articles 1 through 45 as set out below.

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

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**ORDINANCES**

**ARTICLE 2:** Shall an ordinance entitled, “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding Non-Roadside or Cross-Country Distribution Lines (greater than 34.5kv)” be enacted?

**RECOMMENDATION:**

**ARTICLE 3:** Shall an ordinance entitled, “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding Non-Conforming Buildings” be enacted?

**RECOMMENDATION:**

**ARTICLE 4:** Shall an ordinance entitled, “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding General Performance Standards and Use-Specific Performance Standards” be enacted?

**RECOMMENDATION:**

**ARTICLE 5:** Shall an ordinance entitled, “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update the Select Board License and Application Fees Regarding Marijuana Licenses” be enacted?

**RECOMMENDATION:**

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**CAPITAL IMPROVEMENT ARTICLES**

**ARTICLE 6:** To see if the Town will vote: (1) to approve capital improvement projects that include the reconstruction, paving and maintenance of town roads and paving and maintenance of the Fire Station Parking Lot, including all other reasonably necessary components related thereto (the “Projects”); and (2) to appropriate \$900,000 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 \$900,000; 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	\$5,498,255.76
B. Bonds authorized and unissued:	\$0
C. Bonds to be issued if this Article is approved:	<u>\$900,000.00</u>
Total	\$6,398,255.76

Costs:

At an estimated interest rate of 2.8% for an assumed 10-year maturity, the estimated costs of this bond issue will be:

Principal:	\$900,000.00
Interest:	\$144,333.84
Total Debt Service:	\$1,044,333.84

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.

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Nicole Briand, Treasurer  
Town of Bowdoinham, Maine

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 7:** To see if the Town will vote: (1) to approve a capital improvement project that includes the reconstruction, paving and maintenance of the Dingley Road Mallon Brook stream crossing, including all other reasonably necessary components related thereto (the “Project”); and (2) to appropriate \$250,000 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 \$250,000; 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:

D. Bonds outstanding and unpaid	\$5,498,255.76
E. Bonds authorized and unissued:	\$0
F. Bonds to be issued if this Article is approved:	<u>\$250,000.00</u>
Total	\$5,748,255.76

Costs:

At an estimated interest rate of 3.2% for an assumed 15-year maturity, the estimated costs of this bond issue will be:

Principal:	\$250,000.00
Interest:	\$68,686.32
Total Debt Service:	\$318,686.32

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.

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Nicole Briand, Treasurer  
Town of Bowdoinham, Maine

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 8:** Shall the Town vote to raise and appropriate \$149,000, as itemized below, for the CAPITAL RESERVE Budget?

Capital Improvements:	\$76,500
Town Hall & Town Office:	\$35,000
Cemetery Maintenance:	\$3,000
Solid Waste & Recycling:	\$26,500
Public Works Reserve	\$5,000
<u>Riverfront Building:</u>	<u>\$3,000</u>
Total	\$149,000

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 9:** Shall the Town establish the Rideout Memorial Reserve Fund and appropriate the sum of \$375,987.04 that was received from the Miriam B. and Linwood B. Rideout Memorial Trust to this Reserve Fund to be used for the purposes consistent with those specified in the Sagadahoc Probate Court’s Order for Termination of Charitable Trust dated July 22, 2020?

**EXPLANATION:** The Town has received \$375,987.04 from the termination of the Miriam B. and Linwood B. Rideout Trust by the Trustee through Probate Court, Sagadahoc County. Per the Order for Termination of Charitable Trust (Docket #2020-010), the funds are to be held in a fund to be known as the Miriam B. and Linwood B. Rideout (“Rideout Fund”) which shall be used only for worthy projects and undertakings, as determined by its governing board, and not for normal operating expenses. In addition, the Town of Bowdoinham shall use its Rideout Fund to the extent feasible, for the development, administration, and implementation of a management plan for Merrymeeting Bay, the elements of which may include (i) shoreline stabilization, (ii) a canoe and kayak boat launch, (iii) pedestrian trails and a parking area at the trail head, (iv) boardwalks and observation platforms, and (v) generally improved access to Merrymeeting Bay with a view to fostering awareness and appreciation of the Bay as a natural resource. A copy of the Order for Termination of Charitable Trust in on file with the Town Clerk’s Office.

**RECOMMENDATION:**

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**CONVEYANCE OF LICENSE AND EASEMENT FOR SOLAR FACILITY  
ON TOWN’S PUBLIC WORKS BUILDING**

**ARTICLE 10:** Shall the Town vote to authorize the Select Board and Treasurer (1) to grant a license, easement, lease, or other encumbrances over the Town’s public works facility located at 121 Pond Road in Bowdoinham, Maine (as shown on Tax Map R02, Lot 62) to ReVision Energy, Inc., its designee or third party investor (“ReVision”) in order to allow ReVision to design, install, own and operate a solar energy generation system thereon so that the Town may purchase the electric energy and net energy billing credits produced by said system and thereby reduce the Town’s electricity costs, all for an initial term of twenty years with such extensions and on such terms and conditions as the Select Board in its discretion deems advisable, and (2) to execute and deliver on behalf of the Town such other contracts, documents and certificates and take all other actions that may in the Select Board’s judgment be necessary or convenient to effect the transactions authorized herein and qualify the Town to participate in net energy billing?

**RECOMMENDATION:**

**EXPLANATION:** The Town issued a request for proposals (RFP) on July 27, 2020 soliciting proposals from solar developers to install a solar energy generation system on the Town’s public works facility in order for the Town to reduce its electricity costs by taking advantage of Maine’s net energy billing program. Under this program, a utility customer with a financial interest in a solar energy generation facility receives, for the electricity delivered on the customer’s behalf to the electric grid from a solar facility, monetary credits that reduce the customer’ monthly utility bill. If this Article is approved, the Select Board will negotiate an agreement that will (1) allow Revision to install, own, and operate arrays of solar panels on the roof of the public works building at 121 Pond Road, along with related equipment and infrastructure, for the purpose of generating clean electricity to be delivered to the utility grid, and (2) allow the Town to purchase the electricity and the associated net energy billing credits generated by the solar panels in order to participate in the net energy billing program and achieve anticipated long-term electric energy cost savings.

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**ROAD DISCONTINUANCES**

**ARTICLE 11:** To see if the Town will vote to approve the Municipal Officers’ April 13, 2021 Order of Discontinuance of its public easement over the Jenkins Road, for a distance of approximately 1,200 feet beginning at the eastern border of lot R03-63’s property line and running westward to the eastern border of lot R02-70’s property line, which Order is filed with the Town Clerk, and to appropriate \$0.00 to pay damages as stated in the Order.

**RECOMMENDATION:**

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**CITIZENS PETITION FOR PURCHASE OF RECYCLING BARN**

**ARTICLE 12:** To see if the Town will vote to acquire property owned by David Berry located at 243 Post Road, Bowdoinham, Maine (described more particularly in a deed recorded at the Sagadahoc County

Registry of Deeds at Book 445, Page 227) for the purchase price of \$175,000 and to authorize and direct that the Selectmen shall take all actions necessary to close on the purchase of said property prior to September 1, 2021, for the purposes of refurbishing and utilizing the Recycling Barn?

**RECOMMENDATION:**

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**EXPENSE BUDGET ARTICLES**

**ARTICLE 13:** Shall the Town vote to raise and appropriate \$557,392 for the ADMINISTRATION Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 14:** Shall the Town vote to raise and appropriate \$95,427 for the PLANNING, COMMUNITY DEVELOPMENT AND CODE ENFORCEMENT Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

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

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 16:** Shall the Town vote to raise and appropriate \$86,500 for the GENERAL SERVICES Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 17:** Shall the Town vote to raise and appropriate \$429,247 for the DEBT SERVICES Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 18:** Shall the Town vote to raise and appropriate \$106,801 for the FIRE AND RESCUE DEPARTMENT Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 19:** Shall the Town vote to raise and appropriate \$91,885 for the TOWN FACILITIES MAINTENANCE Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 20:** Shall the Town vote to raise and appropriate \$21,256 for the ANIMAL CONTROL AND HARBOR MASTER Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 21:** Shall the Town vote to raise and appropriate \$532,544 for the PUBLIC WORKS DEPARTMENT Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 22:** Shall the Town vote to raise and appropriate \$188,313 for the SOLID WASTE AND RECYCLING DEPARTMENT Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

**ARTICLE 23:** Shall the Town vote to raise and appropriate \$59,958 for the RECREATION Budget?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

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**OUTSIDE ORGANIZATION REQUESTS**

**ARTICLE 24:** Shall the Town vote to raise and appropriate \$1,500 for SPECTRUM GENERATIONS?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

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**PROPERTY TAX LEVY LIMIT**

**ARTICLE 25:** To see if the Town will vote to exceed the property tax levy limit of \$910,300.48 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.

**RECOMMENDATION:**

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**REVENUE BUDGET ARTICLE**

**ARTICLE 26:** Shall the Town appropriate the sum of \$960,071 from the ESTIMATED REVENUES ACCOUNTS (Non-Property Tax Revenues) to be applied to reduce the 2022 tax commitment?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

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**FUND BALANCE ARTICLES**

**ARTICLE 27:** Shall the Town appropriate the sum of \$140,000 from the UNDESIGNATED FUND BALANCE to be applied to reduce the 2022 tax commitment?

**RECOMMENDATION:** Finance Advisory Committee recommends the article to pass.

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**BUSINESS ARTICLES**

**ARTICLE 28:** Shall the Town vote to fix the first day of November 2021 and the second day of May 2022 when all 2022 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 6.00% per annum on all taxes unpaid after said date(s)?

**RECOMMENDATION:**

**ARTICLE 29:** Shall the Town vote to establish the interest rate of 2.00% 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:**

**ARTICLE 30:** Shall the Town vote to authorize the Tax Collector to accept tax payments prior to the commitment of taxes?

**RECOMMENDATION:**

**ARTICLE 31:** Shall the Town vote to authorize the Tax Collector to offer a 2022 Tax Club Plan to taxpayers who enroll no later than July 31, 2021, who pay the total amount of 2022 taxes by monthly payments from July 2021 to June 30, 2022, 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:**

**ARTICLE 32:** Shall the Town vote to authorize the payment of any overdrafts that may occur in the Town's 2021/2022 budget to be paid out of the fund balance?

**RECOMMENDATION:**

**ARTICLE 33:** Shall the Town vote to authorize the Select Board to spend 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:**

**ARTICLE 34:** 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 FY21-22 but which are not expended in FY21-22, in to related reserve accounts?

**RECOMMENDATION:**

**ARTICLE 35:** 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:**

**ARTICLE 36:** Shall the Town vote to authorize the following actions on behalf of the town: (1) to authorize the Select Board and Treasurer 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:**

**ARTICLE 37:** 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:**

**ARTICLE 38:** 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?

**RECOMMENDATION:**

**ARTICLE 39:** 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:**

**ARTICLE 40:** Shall the Town vote to authorize the Select Board and Treasurer to enter into multi-year contracts necessary to provide services to the Town?

**RECOMMENDATION:** Select Board recommends the article to pass. Services for the town include but are not limited to ambulance service, banking, road maintenance, snow removal, curbside recycling and garbage disposal.

**ARTICLE 41:** 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:**

**ARTICLE 42:** Shall the Town vote to authorize the Select Board to annually set fees for returned checks, copies of Town ordinances and other documents, and notary services?

**RECOMMENDATION:**

**ARTICLE 43:** Shall the Town vote to authorize the Select Board to collect Solid Waste Management User Fees for Fiscal Year 2022 at the rate of \$2.50 per bag?

**RECOMMENDATION:**

**ARTICLE 44:** Shall the Town vote to set the annual permit fee for commercial haulers operating within the Town of Bowdoinham, pursuant to the provisions of 7.1.1 of the Solid Waste Management Ordinance, as follows: (1) \$175.00 fee per year, per truck for trucks with up to and including six (6) wheels; and (2) \$275.00 per year, per truck for trucks with more than six (6) wheels?

**RECOMMENDATION:**



**ARTICLE 45:** 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:**

Given unto our hands the 11<sup>th</sup> day of May 2021.

Select Board  
Town of Bowdoinham

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David Engler, Chair

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Peter Lewis

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Jeremy Cluchey, Vice-Chair

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Mark Favreau

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Thomas Walling

Witness to All:

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Nicole Briand, Town Manager