

**TOWN OF SEBAGO  
TOWN WARRANT (MINUTES)  
FISCAL YEAR 2019-2020  
May 14, 2019**

Just before the start of this meeting, Town Manager, Michele Bukoveckas, presented a Certificate of Appreciation – Spirit of America Award and Municipal Resolution to town resident, Corinne AuCoin, in recognition of her many dedicated years of volunteering and service to the community of Sebago.

The meeting was called to order at 6:30 pm by Town Clerk, Maureen Scanlon. Present were Selectmen: Edythe Harnden, Chris Harrington, Phil Lowe, Tim Mayberry and Chris Parker, Town Manager, Michele Bukoveckas, Town Clerk and Recorder, Maureen Scanlon, Budget Committee Member, Jim Libby, and both Budget and Capital Investment Committees Member, Jerry Holt. There were 71 voting residents in attendance including the Selectmen and Budget and CIP Committee Members.

Maureen asked the members of the assembly to turn their phones to either vibrate or silent mode. She then asked the public to stand and recite the Pledge of Allegiance.

To Tim Anderson, Resident, in the Town of Sebago, in the County of Cumberland:

Greetings:

In the name of the State of Maine, you are hereby required by law to notify and warn the inhabitants of the Town of Sebago qualified by law to vote in Town affairs, to meet at the Town Hall in said Town of Sebago **at 6:30 pm., Tuesday, the 14th day of May 2019, to act on** the following:

**Article 1. To choose a Moderator to preside at said meeting.**

Tim Mayberry made a motion to nominate Rich Ruhlin as Moderator. It was seconded by Chris Parker. There were no other nominations. After a written vote was taken, Rich Ruhlin was sworn in as Moderator.

Mr. Ruhlin stated that he will be using the Maine Moderator's Manual to govern this proceeding.

**Article 2. To see if the Town will vote to accept and apply non-tax revenues against the total amount authorized to be raised by taxation, including:**

Excise Tax	\$355,000
Boat Excise Tax	\$12,000
Local Road Assistance	\$50,000
Transfer Station Fees (Scrap Metal/Universal Waste)	\$30,000
Building Permits	\$20,000
Plumbing Permits	\$8,500
Real Estate Interest	\$38,000
Lien Costs	\$8,000
General Assistance Reimbursement	\$200
Agent Fees	\$8,000
Time Warner Franchise Fees	\$25,000
Tree Growth Reimbursement	\$30,000
State Park Sharing	\$1,500
Douglas Mountain Parking/Donations	\$1,000
Veterans Reimbursement	\$1,500
Recreation Fees	\$1,800
Interest Income	\$15,000
Other Non-Tax Revenue	<u>\$5,207</u>
Total	\$610,707

***(Budget Committee and Selectmen so recommend.)***

Chris Parker made a motion to approve the article as read. It was seconded by Chris Harrington. Motion carried.

**Article 3. To see if the Town will vote to accept and apply BETE, Homestead Exemption, and State Revenue Sharing monies (to be calculated at the date commitment) against the total amount authorized to be raised by taxation. (Selectmen so recommend)**

Chris Harrington made a motion to approve the article as read. It was seconded by Edie Harnden. Motion carried.

**Article 4. To see if the Town will raise and appropriate by taxation and other revenues \$585,194 to fund wages, salaries, and stipends and other expenses to fund General Government including:**

Administration	\$337,000
Selectmen	\$16,570
Town Manager	\$64,454
Clerk/Tax Collector	\$89,780
Code Enforcement	\$55,800
Health Officer	\$1,080
General Assistance	\$10,575
Elections	\$3,800
Appeals Board	\$225
Planning Board	\$225
Service Providers	\$5,685

***(Budget Committee and Selectmen so recommend)***

Edie Harnden made a motion to approve the article as read. It was seconded by Phil Lowe. Motion carried.

**Article 5. To see if the Town will raise and appropriate \$372,955 by taxation and other revenues to fund Public Safety, including:**

Alarms	\$7,300
Animal Control	\$6,800
Rescue	\$59,750
Daytime Rescue	\$177,800
Fire	\$107,005
Dispatch	\$14,300

***(Budget Committee and Selectmen so recommend.)***

Phil Lowe made a motion to approve the article as read. It was seconded by Tim Mayberry. Motion carried.

**Article 6. Shall the Town appropriate \$4,000 from the undesignated fund balance for a Household Hazardous Waste Day and shall the Town reduce the operating budget expenditure (Hazardous Waste) by those amounts? *(Budget Committee and Selectmen so recommend.)***

Tim Mayberry made a motion to approve the article as read. It was seconded by Chris Parker. Motion carried.

**Article 7. To see if the Town will raise and appropriate ~~\$180,200~~ (\$176,200) by taxation and other revenues to fund Health and Sanitations, including:**

Solid Waste	\$174,200
Hazardous Waste Day	<del>\$4,000</del> (Reduced to 0 – Zero)
Universal Waste	\$2,000

***(Budget Committee and Selectmen so recommend.)***

The Town Manager, Michele Bukoveckas, was recognized and allowed to speak as a non-resident. She stated that with the passage of Article 6 the dollar amount for this article is now reduced to \$176,200 with the Hazardous Waste Day line item being reduced to zero (0).

Chris Parker made a motion to amend the dollar amount of this article to \$176,200. It was seconded by Chris Harrington. Motion carried as amended.

**Article 8. Shall the Town appropriate \$15,000 from the undesignated fund balance for Projects (Bridges) and shall the Town reduce the operating budget expenditure Roads by that amount? *(Budget Committee and Selectmen so recommend.)***

Chris Harrington made a motion to approve the article as read. It was seconded by Edie Harnden.

Ted Greene asked for an explanation on this article. The Town Manager responded that this is to repair the guardrails and the footings on the Dyke Mountain Road Bridge. This bridge is getting close to failing inspection. Before it fails inspection by the State, the necessary repairs are going to be performed.

Linda May asked what the amount is in the Undesignated Fund Balance. The Town Manager responded that it is approximately 1.9 million.

Motion carried.

**Article 9. To see if the Town will raise and appropriate ~~\$731,409~~ (\$716,409) by taxation and other revenues to fund Public Works including:**

Roads	<del>\$404,300</del> (Reduced to \$389,300)
Snow Removal	\$327,109

***(Budget Committee and Selectmen so recommend.)***

The Moderator noted, that as a point of order, the reduction in the dollar amount of this article from \$731,409 to \$716,409 is due to the passage of Article 8.

Eddie Harnden made a motion to approve the article as amended. It was seconded by Phil Lowe. Motion carried.

**Article 10. To see if the Town will raise and appropriate \$55,050 by taxation and other revenues to fund Maintenance, Repairs, and Improvements of Town Properties, including:**

Street Lights	\$7,600
Town Hall	\$12,700
Town Office	\$13,150
Town Garage	\$15,350
Sebago Veterans' Memorial Park	\$700
Sebago Cemetery	\$150
Associated Cemeteries	\$550
Small Cemeteries	\$2,500
Historical Society	\$2,350

***(Budget Committee and Selectmen so recommend.)***

Chris Harrington made a motion to approve the article as read. It was seconded by Tim Mayberry.

David McCarthy asked if the line item of \$700 for the Sebago Veterans' Memorial Park includes fixing the posts and the painting and leveling of the gazebo. The Town Manager responded that it is for electricity and regular maintenance. Mr. McCarthy asked if this dollar amount could be increased in order to do the additional repairs at the Veteran's Park. The Town Manager responded that this is a "closed article" which means the amount can be lowered but not raised. Tim Mayberry stated that the issues that Mr. McCarthy brought up will be addressed by the Board of Selectmen at their next regular meeting.

Motion carried.

**Article 11. To see if the Town will raise and appropriate \$74,380 by taxation and other revenues to fund Recreation and Community Organizations, including:**

Sebago Days	\$5,400
Memorial Day	\$500
Recreation Administration	\$16,400
Douglas Mountain	\$1,330
Town Beach	\$10,450
Softball	\$3,000
SYAA	\$4,500
Soccer	\$3,500
Basketball	\$4,000
Library	\$22,000
Food Pantry	\$3,300

***(Budget Committee and Selectmen so recommend.)***

Tim Mayberry made a motion to approve the article as read. It was seconded by Chris Parker.

A question was asked about the increase in funding for the Town Beach. The Town Manager responded that it is for wages for the Beach Attendants in order to provide more of a presence at the beach.

Motion carried.

**Article 12. For expenditures to service the Solar Bond Debt authorized by Article 26 of the June 2018 Town Meeting, shall the Town raise and appropriate \$31,482 through taxes? *If this article fails, the debt service monies will be appropriated from the Undesignated Fund Balance.***

Chris Parker made a motion to approve the article as read. It was seconded by Chris Harrington.

It was noted that this article does not have a Selectmen or Budget Committee recommendation noted at the end of the article. The Town Manager explained that this article is basically asking whether the legislative body wants these funds to be raised through taxation as opposed to being withdrawn from the Undesignated Fund which will be done if this article is not approved. It was noted that it was "unspecified" in Article 26 at the 2018 Town Meeting when the Solar Bond Debt was originally authorized how it would be repaid and that this is a five-year term.

Jim Libby stated that during the Budget Committee process there was literally no data to work with this year regarding the expense for this new venture. He stated that this is meant to be a cost savings and he would like to see it implemented now. Therefore, he would like to see this \$31,482 reduced by an estimated savings of \$12,000, and have the funds come out of the Undesignated Fund Balance. There was no action taken on this suggestion.

It was noted that the funds that have been previously paid for electricity costs has been raised through taxation.

Motion carried (to raise the funds by taxation).

**Article 13. Shall the Town appropriate \$243,605 from the undesignated fund balance to fund the following Capital Investment Program items: Fire SCBAs and Tank 2, and shall the Town reduce the operating budget expenditures below by those amounts? *(Budget Committee and Selectmen so recommend.)***

Chris Harrington made a motion to approve the article as read. It was seconded by Edie Harnden. Motion carried.

**Article 14. To see if the Town will vote to raise and appropriate ~~\$619,938~~ (\$376,333) by taxation and other revenues to fund the Capital Investment Program. If funding is reduced it must be cut from the bottom up. (This account is funded by priority from the top down)**

Tank 2	V11	<del>\$109,817</del> (Reduced to 0 – Zero)
Engine 4	V13	\$37,165
Rescue Boat, motor & trailer	V20	\$4,094
Engine 3	V07	\$8,763
Ambulance	V06	\$30,612
Grader	V18	\$434
Excavator	V19	\$9,787
Roll-off Container Truck	V16	\$4,111
4x4 Backhoe	V04	\$12,993
6-Wheeler Plow Truck	V14	\$11,518
Tank 1	V08	\$23,288
10-Wheeler Plow Truck	V01	\$16,243
Engine 1	V12	\$37,306
Utility 1	V05	\$1,955
Fire Department – Breathing Apparatus	P30	<del>\$133,788</del> (Reduced to 0 – Zero)
EMS Cardiac Monitor	P24	\$3,181
Cascade System	P26	\$23,962
Emergency Generators	P25	\$3,729
Public Safety Building Construction	P28	\$70,000
Town Buildings Maintenance	P23	\$15,598
Replace Radio Repeater	P07	\$2,232
50 Yard Container for Transfer Station	P21	\$471
Revise Tax Tables	P10	\$18,787

Town Office Computer Server	P16	\$2,815
Town Parking Paving	P05	\$37,289

***(Budget Committee, CIP Committee and Selectmen so recommend.)***

The Moderator noted that as a point of order, the reduction in the dollar amount of this article from \$619,938 to \$376,333 is due to the passage of Article 13.

Edie Harnden made a motion to approve the article as amended. It was seconded by Phil Lowe. Motion carried.

**Article 15. To see if the Town will authorize the Board of Selectmen to spend an amount not to exceed \$100,785 from the CIP Public Safety Construction Account for the construction of the EMS living quarters. (Amount above includes \$48,300 approved in Article 6 of the June 2018 Annual Town Meeting.) (Selectmen and CIP Committee so recommend)**

Phil Lowe made a motion to approve the article as read. It was seconded by Tim Mayberry. Motion carried.

**Article 16. To see if the Town will authorize the Board of Selectmen to transfer vehicle funds in CIP from one vehicle to another vehicle in CIP within the same department. (Selectmen, CIP Committee and Budget Committee recommend)**

Tim Mayberry made a motion to approve the article as read. It was seconded by Chris Parker. Motion carried.

**Article 17. To see if the Town will vote to authorize the transfer of unexpended appropriated funds in the Road Paving Expense Account on June 30, 2019 to the FY 20 Road Paving Expense Account. (Budget Committee and Selectmen so recommend.)**

Chris Parker made a motion to approve the article as read. It was seconded by Chris Harrington. Motion carried.

**Article 18. To see if the Town will vote to fund the Branch-Duckers Snowmobile Club with funds received from the State's snowmobile registrations refund. (Selectmen so recommend.)**

Chris Harrington made a motion to approve the article as read. It was seconded by Edie Harnden. Motion carried.

**Article 19. To see if the Town will vote to authorize winter maintenance (snow and ice control) on the public easement roads, subject to the approval of the Board of Selectmen. (Selectmen so recommend.)**

Edie Harnden made a motion to approve the article as read. It was seconded by Phil Lowe. Motion carried.

**Article 20. To see if the Town will vote to extend the winter maintenance (snow and ice control) on the Woodland Road to an adequate turn around not to exceed .82 miles in distance from the junction of Route 114. (Selectmen so recommend).**

Phil Lowe made a motion to approve the article as read. It was seconded by Tim Mayberry.

David McCarthy asked how the Board of Selectmen arrived at their recommendation for this article.

Tim Mayberry explained that they took the recommendation of the town's Code Enforcement Officer and documentation from the original approval. The non-resident Code Enforcement Officer, Brandon Woolley, was recognized and allowed to speak for clarification purposes. He explained that the original Warrant Article authorizing the town to provide winter maintenance for this road was for .72 miles (in distance). This distance falls short of the town's turnaround location for the plow trucks by approximately .04 miles. It was either an error in the measuring, or a mathematical error. This Article will fix it.

Beth McCarthy stated that she wanted to clarify that she has lived on this road for the past twenty-five years and all of a sudden this is now an issue since a new business is located at the end of the road. Tim Mayberry responded that this is simply to remedy an oversight that has been discovered.

David McCarthy stated that the Code Enforcement Officer is incorrect and that the original Public Easement agreement ended at his property line (driveway entrance). He further stated that he believes there is more room for the plow trucks to turn around at the bottom of the hill (his property line) than there is at the top of the hill, however, due to prior financial commitments he has been unable to provide an adequate turnaround at this location. He does not understand why there hasn't been a Public Hearing held on this matter so the public can be informed prior to this meeting. He asked the people of Sebago not to approve this article since it will continue to be an added expense to the town and that there is only one house located at the end of the road; so, it is essentially their driveway.

Rescue Deputy Chief, Jason Schoolcraft stated that it would be nice if the town's ambulance was able to respond to a potential emergency call on a plowed road.

Tina Vanasse commented that the people have elected and appointed their town officials. If they are trying to make things work for the benefit of all, why would they listen to a discussion over a personal interest in a specific place? The Code Enforcement Officer, Town Manager and the Selectmen know what they are doing to correct an error that has been discovered. That is why they are elected or appointed. They cannot come to the public for every decision that has to be made. They have to take the information that they have and come to a decision that has to be made. She believes that this falls into that category.

Brandon Woolley gave further testimony on the research that was done on this matter and stated that there are actually two dwellings (two families) located at the end of this road, not one. He also explained that Mr. McCarthy is correct in stating that the Public Easement ends at his property line. However, there is a second Public Easement that extends to the end of the road.

Mr. McCarthy responded that as a former Selectman he voted against plowing Public Easement roads. Recently he has come to the Board of Selectmen to get the winter maintenance of this Public Easement stopped. He doesn't believe in it. It is not just for him; and he has tried to stop this practice a number of times.

Motion carried.

**Article 21. To see if the Town will vote, pursuant to 36 M.R.S.A. § 506, to authorize the tax collector and treasurer to accept the prepayment of taxes not yet committed. (Selectmen so recommend.)**

Chris Parker made a motion to approve the article as read. It was seconded by Chris Harrington. Motion carried.

**Article 22. To see if the Town will vote to establish an interest rate of 7% on delinquent property tax bills and establish property tax due dates on the first Tuesday in November 2019 and on the first Tuesday of May 2020 for two equal payments. (Selectmen so recommend.)**

Chris Harrington made a motion to approve the article as read. It was seconded by Edie Harnden.

Susan Gassett asked how the rate of 7% is derived. The Town Manager responded that it is recommended by the State Treasurer. This year the recommended rate is 9%; the Board of Selectmen chose to stay at 7% as has been done for the past several years.

Motion carried.

**Article 23. To see if the Town will vote to pay for tax abatements and applicable interest granted during the fiscal year of 2019/2020 from Overlay. (Explanation: The Selectmen, as Assessors, are authorized to raise Overlay under Title 36 MRSA section 710 but require voter authorization to spend Overlay. Overlay cannot be more than 5% of the Tax Commitment.) (Selectmen so recommend).**

Edie Harnden made a motion to approve the article as read. It was seconded by Phil Lowe. Motion carried.

**Article 24. To see if the Town will vote to authorize the Selectmen for and on behalf of the Town, to execute quit claim deeds of the Town's interest in any real estate acquired by virtue of**

matured tax liens and to fix the terms and conditions thereof; except that the Municipal Officers shall use the special sale process required by 36 M.R.S. § 943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner (s). *(Selectmen so recommend.)*

Phil Lowe made a motion to approve the article as read. It was seconded by Tim Mayberry. Motion carried.

- Article 25. To see if the town will vote to authorize the municipal officers to sell or dispose of surplus town-owned personal property (something that remains above what is used or needed), including vehicles and equipment, under such terms and conditions as they deem advisable. Town owned land would only be disposed of with voter approval at an Annual or Special Town Meeting. *(Selectmen so recommend.)***

Tim Mayberry made a motion to approve the article as read. It was seconded by Chris Parker. Motion carried.

- Article 26. To see if the Town will vote to authorize the Selectmen for, and on behalf of the Town, to ratify article overdrafts of less than 5%. *(Selectmen so recommend.)***

Chris Parker made a motion to approve the article as read. It was seconded by Chris Harrington. Motion carried.

- Article 27. To see if the Town will vote to authorize the Selectmen to appropriate up to \$20,000 from the undesignated fund, as they deem advisable to meet unexpected expenses or emergencies that occur during the fiscal year 2019-2020. Any use of this arrangement must be voted on at a Select Board meeting. *(Selectmen so recommend.)***

Chris Harrington made a motion to approve the article as read. It was seconded by Edie Harnden. Motion carried.

- Article 28. To see if the Town will vote to authorize the Selectmen for and on behalf of the Town to apply funds received from FEMA grants for storm damage to supplement the Public Works, Fire and EMS annual budgets. *(Selectmen so recommend.)***

Edie Harnden made a motion to approve the article as read. It was seconded by Phil Lowe.

Linda May asked if these FEMA funds will be used strictly for storm damage; or will they be added to support the annual budget? The Town Manager responded that these funds are a result of storm damage but would not necessarily have to be used for storm damage. It could be used to supplement the budgets. Linda May suggested that it would be a benefit to the residents of Sebago to retain these funds in an account specifically for storm damage repairs. Deputy Fire Chief, Alan Greene, stated that in the past, funding for storm damage repairs have gone over budget to pay for the emergency and the FEMA funds have helped to off-set that cost in the budget.

Motion carried.

- Article 29. To see if the Town will vote to authorize the Board of Selectmen to apply for and accept State and Federal grants, grants from non-profit organizations, donations, real estate, and certain funds, including trust funds or other revenues, on behalf of the Town for municipal purposes, including when necessary, the authority to sign grant contracts, documents and/or other paperwork and accept the conditions that accompany grant funds, and to appropriate and expend grant funds and or other funds for authorized purposes as the Board of Selectmen deem in the best interest of the Town during the fiscal year 2019-2020. *(Selectmen so recommend.)***

Chris Parker made a motion to approve the article as read. It was seconded by Chris Harrington.

A question was asked, that if grant money is accepted by the town, does this mean that the town must continue to maintain whatever the grant was originally obtained for? Tim Mayberry explained that this is most often the case, that is why the Board of Selectmen is diligent in their review of potential grant funding. Not all grants are found to be beneficial to the town.

Susan Gassett asked why it was being limited to non-profit organization; public (for profit) organizations give out grants too? The Town Manager responded that she does not believe it is

limiting the town to non-profit organizations; however, there may be some restrictions because the town is a municipality. She will look into the matter. Ted Greene pointed out the fact that in the third line of the article it states the term "other revenues" and this should cover that concern.

Motion carried.

**Article 30. To see if the Town will authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads. (Selectmen so recommend.)**

Chris Harrington made a motion to approve the article as read. It was seconded by Edie Harnden.

There were comments in support of this article.

Motion carried.

**Article 31. Shall the Town of Sebago adopt an ordinance entitled "Town of Sebago "Local Food and Community Self-Governance Ordinance"? (Copies are attached) (Selectmen so recommend)**

Edie Harnden made a motion to approve the article as read. It was seconded by Phil Harnden.

Paul White asked if there were any concerns that this will not meet Federal, State or Food Safety laws. The Code Enforcement Officer responded that there were no concerns and proceeded to explain the reasoning for this ordinance.

Motion carried.

**Article 32. Shall the Town of Sebago adopt an ordinance entitled "Town of Sebago Consumer Fireworks Ordinance"? (Copies are attached) (Selectmen so recommend)**

Phil Lowe made a motion to approve the article as read. It was seconded by Tim Mayberry.

Questions and comments on this ordinance were addressed by the Code Enforcement Officer.

Motion carried.

Ted Greene made a motion to adjourn. It was seconded by Tim Mayberry. Moderator Rich Ruhlin stated that this is not a requirement to close the meeting. According to the Maine Moderator's Manual once all items on the Warrant have been addressed there is no further business that can be discussed, and it is assumed that the meeting is adjourned, therefore there is no reason for further debate. However, it is acceptable to recognize the motion and second. The Moderator declared the meeting officially closed at 8:05 pm. He then reminded the assembly that the Sebago School Budget Validation meeting is being held immediately after this meeting and invited all to remain for that meeting.

Respectfully Submitted,



Maureen F. Scanlon  
Town Clerk