

2018 Annual Town Meeting Warrant with Explanations

To: Lisa Huestis, a resident of the Town of Berwick in the County of York and the State of Maine.

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Berwick qualified by the law to vote in Town affairs, to assemble at the Town Hall on Tuesday, the 12th day of June, 2018, at 8:00 a.m. until 8:00 p.m. to act on Article 1 through 45 as set out below:

ARTICLE 1

To elect a Moderator to preside over the meeting.

ARTICLE 2

To elect by secret ballot, two Selectmen (who also serves as Assessor and Overseer of the Poor) for three years and two School Board Members for MSAD #60 one for three years and one for two years.

ARTICLE 3

Shall the Town vote to adopt the proposed amendments to the Land Use Ordinance? (Exhibit A attached hereto).

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 4

Shall the Town adopt the Subdivision Ordinance? (Exhibit B attached hereto).

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 5

Shall the Town vote to use up to **\$2,270,695** from estimated revenues to reduce the amount to be raised by taxation in Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 6

Shall the Town vote to raise and appropriate the sum of **\$314,805** for the General Expense Account for Fiscal Year 2018/19, which begins July 1, 2018?

NOTE: This Account will be used to fund a variety of general expenses which are not easily classified from an accounting perspective under other departments, including a variety of required insurance premiums, audit services, legal services rendered by the Town Attorney, streetlights, traffic signals, interest on returned escrow balances, and miscellaneous expenditures requested from the Board of Selectmen.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 7

Shall the Town vote to raise and appropriate the sum of **\$351,806** for the Town Administration Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 8

Shall the Town vote to raise and appropriate the sum of **\$262,017** for the Town Clerk Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 9

Shall the Town vote to raise and appropriate the sum of **\$116,823** for the Planning & Ordinance Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 10

Shall the Town vote to raise and appropriate the sum of **\$86,550** for the Assessor's Office Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 11

Shall the Town vote to raise and appropriate the sum of **\$118,140** for the Town Hall Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 12

Shall the Town vote to raise and appropriate the sum of **\$10,000** for the General Assistance Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 13

Shall the Town vote to raise and appropriate the sum of **\$1,679,556** for the Police Department Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 14

Shall the Town vote to raise and appropriate the sum of **\$822,770** for the Fire Department Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 3:1

ARTICLE 15

Shall the Town vote to raise and appropriate the sum of **\$880,635** for the Public Works Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 16

Shall the Town vote to authorize the expenditure of all revenues received from the State of Maine Urban/Rural Initiative Program for Fiscal Year 2018/19 for road improvements as authorized by the Program with unspent balances to be carried forward each year?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 17

Shall the Town vote to raise and appropriate the sum of **\$440,159** for the Refuse Disposal Account for Fiscal Year 2018/19, which begins July 1, 2018?

NOTE: This Account will be used to fund the operations of the Berwick Transfer Station during Fiscal Year 2018/19.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 18

Shall the Town vote to raise and appropriate the sum of **\$114,851** for the Recreation Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 19

Shall the Town vote to appropriate the sum of **\$92,855** for Debt Service with funds coming from the Fire Pumper Replacement Reserve account and the Lena Clark Trust to cover this appropriation for Fiscal Year 2018/19, which begins July 1, 2018 and as authorized by the passage of Article 31 & 32 at the 2016 Annual Town Meeting?

NOTE: The voters approved the issuance of general obligation bonds up to \$1,000,000 for two fire trucks and up to \$125,000 for new windows in the Town Hall auditorium and repair of the Town Hall clock.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 20

Shall the Town vote to raise and appropriate the sum of **\$24,450** for the Community/Agency Appropriations Account for Fiscal Year 2018/19, which begins July 1, 2018?

NOTE: This account will be used to make contributions to and at the request of the following outside agencies or purposes: COAST Bus Service, American Legion Citizen Recognition Dinner, Memorial Day, Holiday Decorations, and the Seacoast Shipyard Association.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 21

Shall the Town vote to raise and appropriate the sum of **\$196,388** for the annual Fire Protection costs for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 22

Shall the Town vote to appropriate the sum of **\$100,000** from Unassigned Fund Balance for Fiscal Year 2018/19 and authorize its use for road, bridge, and sidewalk construction and repairs, as well as Town parking lots and public ways, and including expenses for curbing, drainage and engineering fees when required, with the funds to be used in conjunction with the State of Maine Urban/Rural Initiative Program, and with unspent balances to be carried forward each year?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 23

Shall the Town vote to raise and appropriate the sum of **\$50,000** for its use for road, bridge, and sidewalk construction and repairs, as well as Town parking lots and public ways, and including expenses for curbing, drainage and engineering fees when required, with the funds to be used in conjunction with the State of Maine Urban/Rural Initiative Program, and with unspent balances to be carried forward each year?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 24

Shall the Town vote to appropriate the sum of **\$18,000** from the Lena Clark Trust account for the purpose of continuing the electrical upgrades necessary at the Town Hall and place this amount into the Town Building Capital Reserve account for Fiscal Year 2018/19, which begins July 1, 2018 with unspent balances to be carried forward each year until fully expended?

NOTE: This is phase two of the electrical upgrades needed at Town Hall and will consist of removing existing wiring and pipework from the main power disconnect in the electrical room to the street side service to the weatherhead. This work will replace the original service line coming into the building.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 25

Shall the Town vote to appropriate the sum of **\$6,600** from the Lena Clark Trust account for the purpose of purchasing an access control system for the Town Hall and place this amount into the Town Building Capital Reserve account for Fiscal Year 2018/19, which begins July 1, 2018 with unspent balances to be carried forward each year until fully expended?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 26

Shall the Town vote to raise and appropriate the sum of **\$10,000** as the first lease payment for the purchase of one new police cruisers for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount into the Police Capital Equipment account established for this purpose with unspent balances to be carried forward each year until fully expended and authorize the Board of Selectmen to enter into a lease purchase agreement on terms it deems appropriate with the balance to be repaid over a period of no longer than five (5) years?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 27

Shall the Town vote to raise and appropriate the sum of **\$25,000** to purchase new capital equipment for the Fire Department for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount into the Fire Department Equipment Reserve account established for this purpose with unspent balances to carry forward each year until full expended?

NOTE: This Account will be used to fund the purchase of personal protective equipment, continue the replacement of the SCBA bottles, and begin necessary mobile radio upgrades.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 28

Shall the Town vote to raise and appropriation the sum of **\$33,000** to purchase a stainless-steel dump body to prolong the life of a 2000 plow truck for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount into the Public Works Capital Vehicle account established for this purpose with unspent balances to be carried forward each year until fully expended.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 29

Shall the Town vote to raise and appropriate the sum of **\$32,000** as the first lease payment for the purchase of a loader for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount into the Public Works Capital Vehicle account established for this purpose with unspent balances to be carried forward each year until fully expended and authorize the Board of Selectmen to enter into a lease purchase agreement on terms it deems appropriate with the balance to be repaid over a period of no longer than five (5) years?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 30

Shall the Town vote to raise and appropriate the sum of **\$30,000** for Fiscal Year 2018/19, which begins July 1, 2018, and authorize its use to continue addressing storm drainage system outfall issues identified by the Maine DEP during an audit of the Town's stormwater drainage system, and place this amount into the Planning Capital Reserve account established for this purpose with unspent balances to be carried forward each year until fully expended?

NOTE: If approved these funds will be used for the design work on outfall 8 located on First Street and the eventual repairs as determined by the design work.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 31

Shall the Town vote to raise and appropriate the sum of **\$21,634** for Debt Service in Fiscal Year 2018/19 as authorized by the passage of Article 37 at the 1997 Annual Town Meeting?

NOTE: This Account will be used to fund one-half the cost for repayment of the Water Department Bond issued by the Federal Rural Development Agency for the new Water Treatment Plant in 1999. There are ten more years of payments on this bond.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 32

Shall the Town vote to raise and appropriate the sum of **\$10,000** and authorize the Board of Selectmen to hold it in a Contingency Account and to use it to meet unanticipated expenses and emergencies that might occur during the Fiscal Year 2018/19, which begins July 1, 2018 and with unspent balances to be carried forward each year?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 33

Shall the Town vote to raise and appropriate the sum of **\$104,000** as a contribution to the Berwick Library Association for Fiscal Year 2018/19, which begins on July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 3:1

ARTICLE 34

Shall the Town vote to raise and appropriate the sum of **\$18,400** for the Federal Stormwater Program for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount into the account established for this purpose with unspent balances to be carried forward each year until fully expended?

NOTE: This Account will be used for the purpose of implementing State and Federal permitting requirements for discharges from municipal separate stormwater sewer systems (MS4s).

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 35

Shall the Town vote to raise and appropriate the sum of **\$15,000** for Economic Development purposes for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount into the account established for this purpose with unspent balances to be carried forward each year until fully expended?

NOTE: The Envision Berwick Committee working through the Town Administration Department will contract for technical assistance, grant writing assistance, consultant assistance to develop financial options, purchase site amenities, allowance for printing and mailings, match grant funds, and to leverage other funding that the Town is eligible to apply for. Also, any grant match or any funds used to advance the implementation of the Comprehensive Plan, as Amended, will be approved by the Board of Selectmen.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 36

Shall the Town vote to raise and appropriate the sum of **\$500** for Emergency Management for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount into the account established for this purpose with unspent balances to be carried forward each year until fully expended?

NOTE: This Account will be used for the purpose of funding expenses like provision of shelter, food supplies and other associated costs during emergencies which occur within the Town.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 37

Shall the Town vote to raise and appropriate the sum of **\$13,000** for the Unfunded Liabilities Account for Fiscal Year 2018/19, which begins July 1, 2018 and place this amount in the account established for this purpose with unspent balances to be carried forward each year until fully expended?

NOTE: This Account will be used to satisfy existing obligations to employees who have accrued compensated absences such as vacation time or sick time, if and when such entitlements must be paid out upon employee departure from the Town's staff. The current balance in this account is \$105,000 and the Town's compensated absences balance as of June 30, 2017 was \$228,133.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 38

Shall the Town vote to authorize the use of interest money from the Lena Clark Trust Fund Interest Account when there are major repairs or maintenance needs at the Town Hall?

NOTE: The Trust Fund was established to take care of the Town Hall. Interest from the Trust Fund is in an Investment Account with LPL Investments through Quadripoint Investment Management. The interest balance as of June 30, 2017 was **\$66,985**, which was the close of the prior Fiscal Year. Interest funds are not used for every day repair or maintenance costs but instead are being allowed to accumulate for one time or major unforeseen repairs or expenses. Approval of this Article will authorize these kinds of expenditures from the Interest Account should it become necessary to make them during Fiscal Year 2018/19.

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 39

Shall the Town vote to reallocate the remaining \$2,695.00 from the funds raised and appropriated for the purpose of replacing the Police Department's 2006 ATV as authorized by the passage of Article 38 at the 2016 Annual Town Meeting and instead authorize its use for purchasing and equipping new cruisers and place in the Police Cruiser Reserve account?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 40

Shall the Town vote to reallocate the remaining \$285.00 from the funds raised and appropriated for the purpose of a material containment area as authorized by the passage of Article 23 at the May 15, 2007 Annual Town Meeting and instead authorize its use for future Public Works equipment purchases and place the amount in the Public Works Equipment Reserve account established for this purpose?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 41

Shall the Town vote to reallocate the remaining \$8.00 from the funds raised and appropriated for the purpose of purchasing a tail gate sander as authorized by the passage of Article 21 at the May 16, 2006 Annual Town Meeting and instead authorize its use for future Public Works equipment purchases and place the amount in the Public Works Equipment Reserve account established for this purpose?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 42

Shall the Town vote to reallocate the remaining \$5,000.00 from the funds appropriated from unappropriated surplus for the purpose of surveying various boundaries within and around the Town as authorized by the passage of Article 23 at the May 16, 2000 Annual Town Meeting and instead authorize its use for funding a statistical revaluation of the Town's properties and place the amount in the Assessing Account for Fiscal Year 2018/19, which begins July 1, 2018?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 43

Shall the Town vote to charge interest on unpaid taxes at the rate of **8.00%** per annum, and to set the date when taxes committed for Fiscal Year 2018-2019 (July 1, 2018 through June 30, 2019) become due and payable as October 15, 2018 and April 16, 2019, with said interest to be collected after October 16, 2018 and April 17, 2019, and allow the Tax Collector to accept prepayment of taxes prior to the Tax Commitment Date?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 44

Shall the Town Vote to set an interest rate of **4.00%** as allowed by state law as the rate to be paid to taxpayers who pay amounts in excess of amounts finally assessed and authorize any such interest paid or abatements granted to be charged against the annual overlay?

THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0

ARTICLE 45

Shall the Town vote to raise and appropriate the sum of \$36,386 to the Berwick Sewer District for Fiscal Year 2018/19, which begins July 1, 2018?

NOTE: The District indicates that their focus for the funds at this time is on assisting in repayment of the District's debt service as a result of upgrading both pump stations to accommodate for growth of the downtown area.

THE BOARD OF SELECTMEN RECOMMENDS NO VOTE 2:1 (1 RECUSED)

The June 12, 2018 Town Meeting Warrant is signed and approved as presented/amended by the Berwick Board of Selectmen at its meeting on the 20TH day of March 2018.

Thomas Wright, Chairman

Edward Ganiere, Vice Chair

Rebecca England

Mark Pendergast

Joshua Plante

Board of Selectman, Town of Berwick, Maine

ATTEST:

Patricia Murray, Town Clerk