TOWN OF DAMARISCOTTA

WARRANT FOR FISCAL YEAR 2023

ANNUAL TOWN MEETING

FOR PERIOD JULY 1, 2022 TO JUNE 30, 2023

LINCOLN, SS STATE OF MAINE

TO: Jason Warlick, Constable for the Town of Damariscotta, in the County of Lincoln.

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Damariscotta, in said County, qualified by law to vote in Town Affairs, to assemble at the Damariscotta Municipal Building, 21 School Street in said Town, on Tuesday, the 14thh day of June, A.D. 2022 at 8:00 A.M. then and there to act on Articles 1 through 32.

The polls for voting on Articles 1 through 32 will be open at 8:00 A.M. and will close at 8:00 P.M.

The adjourned meeting to act on articles 33 through 48 in the Warrant will be resumed at the Great Salt Bay Community School, 559 Main Street in said Town on Wednesday the 15th of June, A.D 2022 at 6 P.M.

ARTICLE 1. To choose a Moderator to preside at said meeting.

ARTICLE 2. To elect by secret ballot in accordance with the vote of the Town, the following officers:

**Two Selectmen/Assessors/Overseers of the Poor (Three-year terms)**

**One School Committee Member (Three-year term)**

**One Sanitary District Trustee (Three-year term)**

ARTICLE 3. To see if the Town will vote to adopt Charter amendments that include designating the Historical Preservation Review Commission as a Standing Committee a change in Town Manager expenditure authority and changing the name “Board of Selectmen” to “Select Board” and “Select Board member” to be consistent with the recent wording change in State Statutes and increasing the town manager expenditure authority for budgeted purchases and contracts to $15,000. A copy of the Town Charter that shows the proposed amendments is on file with the Town Clerk.

ARTICLE 4.Tosee if the Town will vote to adopt amendments to the Land Use Ordinance prohibiting new formula businesses as defined as in the ordinance from locating in the Commercial 1 (Downtown) District. A copy of this proposed amended ordinance is on file with the Town Clerk.

ARTICLE 5. To see if the Town will vote to amend the Land Use Ordinance to update the list of permitted and conditional uses, add new definitions, and revise several existing definitions. A copy of this proposed amended ordinance is on file with the Town Clerk.

ARTICLE 6. To see if the Town will vote to amend the Planned Unit Development Provisions and the Dimensional Standards of the Land Use Ordinance to better utilize sewer accessible land and to encourage development of new housing in the community.  A copy of this proposed amended ordinance is on file with the Town Clerk.

ARTICLE 7. To see if the Town will vote to rescind the Town’s 2019 Ordinance banning single use plastic bags went into effect in March, 2019 since this ordinance has been superseded by the State Statute banning single use plastic bags.  A copy of this proposed ordinance is on file with the Town Clerk.

ARTICLE 8. To see if the Town will vote to amend the Medical Marijuana Licensing Ordinance to:

        -Prohibit more than one of the same type of license at the same establishment

-Prohibit a person (as defined) from applying for a license if that person, as owner, officer, member manager or partner, already holds the same type of license anywhere in the community

-Require medical marijuana retail establishments to begin operation within 60 days and be fully operational within 120 days

-Require other medical marijuana establishments to begin operation within 120 days and be fully operational within 1 year

-Prohibit an applicant whose license has been revoked from applying for any adult use (or medical marijuana use as applicable) license for 3 years

-Clarify that if a license is revoked, the licensee will forfeit the application fee and any other town fees associated with the application

-Clarify which Departments have enforcement responsibilities

A copy of this proposed ordinance is on file with the Town Clerk.

ARTICLE 9. To see if the Town will vote to amend the Adult Use Marijuana Licensing Ordinance to:

-Prohibit more than one of the same type of license at the same establishment

-Prohibit a person (as defined) from applying for a license if that person, as owner, officer, member manager or partner, already holds the same type of license anywhere in the community

-Require adult use marijuana retail establishments to begin operation within 60 days and be fully operational within 120 days

-Require other adult use marijuana establishments to begin operation within 120 days and be fully operational within 1 year

-Prohibit an applicant whose license has been revoked from applying for any adult use (or medical marijuana use as applicable) license for 3 years

-Clarify that if a license is revoked, the licensee will forfeit the application fee and any other town fees associated with the application

-Clarify which departments have enforcement responsibilities

A copy of this proposed amended ordinance is on file with the Town Clerk.

ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of $948,956.56 for GENERAL GOVERNMENT:

ADMINISTRATION: Board of Selectmen & Budget Committee recommend: $ 531,078.54

ASSESSING: Board of Selectmen & Budget Committee recommend: $ 70,217.00

PLANNING & DEV: Board of Selectmen & Budget Committee recommend: $ 90,395.14

SOLID WASTE: Board of Selectmen & Budget Committee recommend: $ 140,402.88

MUNICIPAL BLDGS: Board of Selectmen & Budget Committee recommend: $ 57,593.00

CONTINGENCY: Board of Selectmen & Budget Committee recommend: $ 22,000.00

LEGAL SERVICES: Board of Selectmen & Budget Committee recommend: $ 15,000.00

INSURANCES: Board of Selectmen & Budget Committee recommend: $ 15,770.00

GEN. ASSISTANCE: Board of Selectmen & Budget Committee recommend: $ 6,500.00

**TOTAL GENERAL GOVERNMENT:**

**Board of Selectmen & Budget Committee recommend: $ 948,956.56**

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of $723,561.68 for the POLICE DEPT:

**TOTAL POLICE DEPARTMENT:**

**Board of Selectmen & Budget Committee recommend: $ 723,561.68**

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of $476,902.40for PUBLIC SAFETY -NOT INCLUDING POLICE DEPARTMENT:

ANIMAL CONTROL: Board of Selectmen & Budget Committee recommend: $ 6,536.00

FIRE DEPT: Board of Selectmen & Budget Committee recommend: $ 149,357.62

EMERGENCY MGT: Board of Selectmen & Budget Committee recommend: $ 2,279.45

HYDRANTS: Board of Selectmen & Budget Committee recommend: $ 157,103.44

STREET LIGHTS: Board of Selectmen & Budget Committee recommend: $ 6,500.00

TRAFFIC LIGHTS: Board of Selectmen & Budget Committee recommend: $ 2,200.00

CLC AMBULANCE: Board of Selectmen & Budget Committee recommend: $ 152,925.89

**TOTAL PUBLIC SAFETY NOT INCLUDING POLICE DEPARTMENT:**

**Board of Selectmen & Budget Committee recommend: $ 476,902.40**

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of $553,674.42 for PUBLIC WORKS:

HIGHWAY DEPT: Board of Selectmen & Budget Committee recommend: $ 507,996.42

CEMETERY MAINT: Board of Selectmen & Budget Committee recommend: $ 44,508.00

BISCAY BEACH: Board of Selectmen & Budget Committee recommend: $ 1,170.00

**TOTAL PUBLIC WORKS:**

**Board of Selectmen & Budget Committee recommend: $ 553,674.42**

ARTICLE 14. To see if the Town will vote to appropriate the sum of $20,000 from Trust Funds for the WORTHY POOR:

**Board of Selectmen & Budget Committee recommend: $ 20,000.00**

ARTICLE 15. To see if the Town will vote to raise and appropriate the sum of $8,350 for Adult Education:

**Board of Selectmen & Budget Committee recommend: $ 8,350.00**

ARTICLE 16. To see if the Town will vote to raise and appropriate the sum of $201,975 for DEBT SERVICE:

Bond Issue for Road and Sidewalk Improvements 10/37 $ 191,132.72

Loan for Street Light Purchase and LED Conversion 10/25 $ 10,842.28

**TOTAL DEBT SERVICE:**

**Board of Selectmen & Budget Committee recommend: $ 201,975.00**

ARTICLE 17. To see if the Town will vote to raise and appropriate the sum of $552,396.62 for the Lincoln County

Assessment:

**Assessment approved by the County Commissioners $ 552,396.62**

ARTICLE 18. To see if the Town will add a new Capital Reserve Account entitled “Broadband” for the purpose of setting aside funding that becomes available for Broadband-related services and facilities.

ARTICLE 19. To see if the Town will vote to raise and appropriate the sum of $424,100 for the CAPITAL RESERVE FUND**:**

|  |  |  |  |
| --- | --- | --- | --- |
| Reserve Acct | Projected Balance 6/30/2022 | Recommended  FY 2023 | Total Projected Available  FY 2023 |
| Municipal Building | $27,072 | $ 12,600 | $39,672 |
| Fire Station | $164,593 | $90,000 | $254,593 |
| Sand/Salt Shed | $20,859 | $0 | $ 20,859 |
| Waterfront | $ 651,025 | $0 | $651,025 |
| **SUBTOTAL LAND & BLDGS** | **$ 863,549** | **$ 102,600** | **$966,149** |
| Fire Truck | $254,475 | $85,000 | $339,475 |
| Fire Equipment | $37,179 | $2,000 | $ 39,179 |
| **SUBTOTAL FIRE DEPT** | **$ 291,654** | **$87,000** | **$ 378,654** |
| **POLICE VEHICLE** | **$8,000** | **$12,000** | **$ 20,000** |
| Highway Truck | $ 16,000 | $10,000 | $ 26,000 |
| Highway Equipment | $24,527 | $5,000 | $29,527 |
| **SUBTOTAL HIGHWAY DEPT.** | **$ 40,527** | **$15,000** | **$ 55,527** |
| Sidewalk Program | $185,277 | 0 | $185,277 |
| Paving, Drainage & Maintenance | $420,146 | $108,000 | $528,146 |
| Municipal Parking Lot | $13,914 | $2,000 | $15,914 |
| **SUBTOTAL TRANSPORTATION** | **$ 619,337** | **$110,000** | **$ 729,337** |
| **TECHNOLOGY** | **$614** | **$4,000** | **$4,614** |
| **COMPREHENSIVE PLAN** | **$7,270** | **$5,000** | **$12,270** |
| **CEMETERY** | **$ 6,817** | **$23,500** | **$30,317** |
| **LANDFILL** | **$10,148** | **$4,000** | **$14,148** |
| **TOWN CLOCK** | **$ 12,061** | **$1,000** | **$ 13,061** |
| **BISCAY BEACH** | **$3,758** | **0** | **$ 3,758** |
| **PROPERTY REVALUATION** | **$ 40,000** | **$ 60,000** | **$100,000** |
| TOTAL RESERVE BALANCES | $ 1,903,735 | $424,100 | $2,327,835 |

**TOTAL CAPITAL RESERVE FUND:**

**Board of Selectmen & Budget Committee recommend: $ 424,100**

ARTICLE 20. To see if the Town will vote to raise and appropriate the sum of $3,000 for COMMUNITY SERVICES RECREATION & HOLIDAY FUNDS:

**Board of Selectmen & Budget Committee recommend: $ 3,000**

ARTICLE 21. To see if the Town will vote to raise and appropriate the sum of $33,813 for support of the annual operation of Skidompha Public Library as the public library for the citizens of Damariscotta:

**Board of Selectmen & Budget Committee recommend: $ 33,813**

ARTICLE 22. To see if the Town will vote to raise and appropriate the sum of $17,500 to support of Lincoln County Television: (Request submitted by petition)

**Organization Request: $ 17,500**

ARTICLE 23. To see if the Town will vote to raise and appropriate the sum of $1,325 for the provider agency New Hope for Women.  (Request submitted by petition)

**Organization Request: $ 1,325**

ARTICLE 24. To see if the Town will vote to raise and appropriate the sum of $2,000 for the provider agency Coastal Kids Preschool. (Request submitted by petition)

**Organization Request: $ 2,000**

ARTICLE 25 To see if the Town will vote to raise and appropriate the sum of $4,820 for the provider agency Spectrum Generations. (Request submitted by petition)

**Organization Request: $ 4,820**

ARTICLE 26. To see if the Town will vote to raise and appropriate the sum of $2,200 for the provider agency Healthy Kids.

**Organization Request: $ 2,200**

ARTICLE 27. To see if the Town will vote to raise and appropriate the sum of $7,500 for the provider agency Historical Society. (Request submitted by petition)

**Organization Request: $ 7,500**

ARTICLE 28. To see if the Town will vote to appropriate from the Estimated Revenues Account $1,421,625 to be applied to reduce the 2023 Tax Commitment.

GENERAL GOVERNMENT: $ 874,600

INTERGOVERNMENTAL REVENUES: $ 340,000

STATE REIMBURSEMENTS/TAX EXEMPTIONS: $ 196,400

STATE REIMBURSEMENT/GENERAL ASSISTANCE: $ 4,875 POLICE REVENUES: $ 5,750 **Board of Selectmen & Budget Committee recommend: $ 1,421,625**

ARTICLE 29. To see if the Town will vote to appropriate $22,000 from the Maine Department of Transportation Local Road Assistance Program and transfer it to the General Fund as a revenue to be applied toward the Highway Department.

**Board of Selectmen & Budget Committee recommend: $ 22,000**

ARTICLE 30. To see if the Town will vote to appropriate $200,000 from the Undesignated Fund Balance to be applied to reduce the FY 2023 tax rate:

**Board of Selectmen & Budget Committee recommend: $ 200,000**

ARTICLE 31. To see if the town will vote to exceed the property tax levy limit of $1,752,768 established for Damariscotta by state law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than the property tax levy limit.

ARTICLE 32. To see if the Town will vote to authorize the Board of Selectmen to borrow or appropriate from un-appropriated surplus of $25,000 as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2023. (Projected balance on June 30, 2022: $1,400,000)

**Board of Selectmen recommends: $ 25,000**

ARTICLE 33. To choose one Cemetery Trustee for a three-year term. **Selectmen nominate:** **Patti Whitten**

ARTICLE 34. To choose two Budget Committee members for three-year terms, one Budget Committee member for a one year term, one Alternate Committee member for a three year term and one Alternate Committee member for two year term.

**Selectmen nominate: Richard McLean, Shari Sage, Dan Hunter for three year terms; \_\_\_\_\_\_\_\_\_\_\_ for a two year term and \_\_\_\_\_\_\_\_\_for the Alternate member three year term, for the Alternate member two year term.**

ARTICLE 35. To see if the Town will vote to set the first open business day of October 2022 (October 3, 2022) and the first open business day of April 2023 (April 3, 2023) when all 2023 taxes shall be due and payable in semi-annual installments and instruct the Tax Collector to charge interest at 4% per annum on all taxes unpaid after said dates.

ARTICLE 36. To see if the Town will vote to authorize the Tax Collector to offer a 2023 Tax Club Plan to taxpayers who enroll no later than July 29, 2022; who pay the total amount of 2023 taxes by monthly payments from July 1, 2022 to April 30, 2023; 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. To be eligible for the Tax Club all 2022 taxes must be paid in full.

ARTICLE 37. To see if the Town will vote to authorize the Board of Selectmen to spend funds from various reserve funds as they deem necessary in accordance with the capital improvement program.

ARTICLE 38. To see if the Town will vote to authorize the Board of Selectmen to accept gifts of money, bequests, apply for and accept State and Federal Grants, and grants from non-profit organizations on behalf of the Town for municipal purposes, including when necessary, the authority to authorize the signing of grant contracts, accept the conditions that accompany gifts of money, bequests, and grant funds, and to appropriate and expend gifts of money, bequests, and grant funds for the authorized purposes.

ARTICLE 39. To act on the reports of the Selectmen/Assessors/Overseers of the Poor, Town Manager, Treasurer, Tax Collector, Town Clerk and other officials.

ARTICLE 40. To see if the Town will vote to authorize the Board of Selectmen to enter into multi-year contracts subject to annual appropriation at Town Meeting.

ARTICLE 41. To see if the Town will vote to authorize the Board of Selectmen to set the date, hour, and place for the next Annual Town Meeting.

ARTICLE 42. To see if the Town will vote to authorize the Board of Selectmen to dispose of Town-owned personal property, under such terms and conditions, as they deem advisable.

ARTICLE 43. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to expend money for General Assistance as needed.

ARTICLE 44. To see if the Town will vote to accept from the Massasoit Engine Company gifts of money and certain items of equipment to be used for the benefit of the Town and the Massasoit Engine Company.

ARTICLE 45. To see if the Town will vote to re-appropriate money from the sale of Town owned vehicles to the respective departmental vehicle reserve accounts.

ARTICLE 46. To see if the Town will vote to authorize the Tax Collector to accept prepayments of taxes not yet committed, and to pay interest at a rate of 0% (zero) as a courtesy to taxpayers who wish to prepay some or all of their uncommitted taxes.

ARTICLE 47. To see if the Town will vote to set the interest rate at 2% (percent) to be paid by the Town on prepaid abated taxes pursuant to 36 M.R.S.A § 506-A (no less than 4% (percent) less than the interest rates established by the Municipality.)

ARTICLE 48. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon on such terms as they deem advisable and to execute quit-claim deeds thereon, provided the Selectmen give three consecutive weeks’ notice of their intentions to make such a sale through public advertisement in a local newspaper 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).  The property may be sold back to the original owner for all taxes due, plus interest and all costs, without the advertisement requirement.

Given under our hands at said Damariscotta, Maine this 6th day of April, A.D., 2022

Board of Selectmen

Town of Damariscotta

Daryl Fraser, Chair

Mark Hagar

Joshua Pinkham

Louis F. Abbotoni

Tom Anderson

Attest: S/Rebecca J. Bartolotta, Town Clerk