

Town of Warren Minutes for July 21, 2020

County of Knox, SS.

State of Maine

The Town of Warren Meeting at the Warren Community School July 21, 2020 was opened by Corinne Michaud at 7:00p.m.

Article 1: Election of Moderator - To choose a moderator by written ballot to preside at said meeting. Mike Mayo was elected as moderator with 5 ballots cast.

Article 2: Election of Officers - To elect all necessary Town Officers as are required to be elected by secret ballot:

Two (2) members of the Board of Selectmen for a three (3) year term.

Election results Selectman Seat #1, 3 year term, expires 2023 Roger L. Peabody was elected with 662 votes.

Election results Selectman Seat #2, 3 year term, expires 2023 Wayne G. Luce was elected with 648 votes.

Two (2) members of the RSU #40 Board of Directors, one (1) for a three (3) year term, one (1) for the remainder of a three (3) year term to expire 2022.

Election results RSU #40 Board of Directors, one (1) for a three (3) year term, expires 2023 Morgan Hynd was elected with 649 votes.

Election results RSU#40 Board of Directors, one (1) for the remainder of a three (3) year term, expire 2022 Randy Kassa was elected with 10 votes.

Four (4) Sanitary District Members, three (3) for a three (3) year term, one (1) for the remainder of a three (3) year term to expire in 2021.

Election results Sanitary District, Seat 1, term to expire 2023, Mark F. Waltz was elected with 659 votes.

Election results Sanitary District, Seat 2 remainder of term to expire 2021 Rebecca Martin and Travis Anderson both received 7 votes. Neither are elected.

Election results Sanitary District, Seat 4, term to expire 2023, Daniel G. Davey was elected with 647 votes.

Election results Sanitary District, Seat 5, term to expire 2023, Rebecca Martin was elected with 13 votes.

Article 3: To choose all necessary Town Officials for the ensuing year, other than those now required to be elected by ballot under the provisions of Maine law.

Five (5) members of the Budget Committee, four (4) for a three (3) year term, one (1) for the remainder of a three year term to expire 2021.

4 year term: Grant Watmough, William Lufkin, Sandra Overlock and Joseph Ike Johnson were nominated and seconded, the four nominated were appointed by a show of hands.

1 remainder: No nominations therefor the Board of Selectmen may nominate at a later date.

Two (2) Fish Wardens for one (1) year terms.

1 year Edward Courtenay and George Knutson were nominated and seconded by a show of hands.

Article 4: To see if the Town will vote to authorize the Selectmen pursuant to 12 MRS § 6131 to promulgate such regulations compatible with the General Laws of the State to govern the time when and the manner in which alewives shall be taken therein. (Note: Municipal rights in existence on January 1, 1974, which are not exercised for 3 consecutive years shall lapse 12 MRS §6131.)

Article 4 was moved and seconded. It was passed as written, by a show of hands.

Article 5: To see if the Town will authorize the Selectmen to sell surplus alewives for one or more years, or take any action relative to the same.

Article 5 was moved and seconded. It was passed as written, by a show of hands.

Article 6: To see what sum the Town will vote to raise and appropriate for The Board of Selectmen for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 3-1-1 \$37,550

Budget Committee recommends: Vote 9-2 \$44,350

Discussion: Board of Selectmen decided not to take their stipends this year.

Article 6 was moved and seconded for the Budget Committee amount of \$44,350. It was passed, by a show of hands.

Article 7: To see what sum the Town will vote to raise and appropriate for Administration for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$244,761

Budget Committee recommends: Vote 10-1 \$244,761

Article 7 was moved and seconded. It was passed as written, by a show of hands.

Article 8: To see what sum the Town will vote to raise and appropriate for Town Clerk for The period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$51,926

Budget Committee recommends: Vote 7-4 \$51,926

Article 8 was moved and seconded. It was passed as written, by a show of hands.

Article 9: To see what sum the Town will vote to raise and appropriate for Assessing for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$50,400

Budget Committee recommends: Vote 10-1 \$50,400

Article 9 was moved and seconded. It was passed as written, by a show of hands.

Article 10: To see what sum the Town will vote to raise and appropriate for Code Enforcement & Planning for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$53,924

Budget Committee recommends: Vote 7-3-1 \$53,924

Article 10 was moved and seconded. It was passed as written, by a show of hands.

Article 11: To see what sum the Town will vote to raise and appropriate for Fire for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 4-0-1 \$102,396

Budget Committee recommends: Vote 10-0-1 \$102,396

Article 11 was moved and seconded. It was passed as written, by a show of hands.

Article 12: To see what sum the Town will vote to raise and appropriate for Ambulance for the period July 1, 2020 to June 30, 2021.

(Carry forward unexpended Ambulance from 2019-2020 \$31,000 Article 27)

Board of Selectmen recommends: Vote 4-0-1 \$250,650

Budget Committee recommends: Vote 8-1-2 \$250,650

Discussion: The amount of carry forward is included in this amount.

Article 12 was moved and seconded. It was passed as written, by a show of hands.

Article 13: To see what sum the Town will vote to raise and appropriate for Animal Control for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$11,889

Budget Committee recommends: Vote 11-0 \$11,889

Article 13 was moved and seconded. It was passed as written, by a show of hands.

Article 14: To see what sum the Town will vote to raise and appropriate for Public Works for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 4-1 \$473,547

Budget Committee recommends: Vote 11-0 \$469,809

Article 14 was moved and seconded for the Board of Selectmen's recommended amount \$473,547. It was passed, by a show of hands.

Article 15: To see what sum the Town will vote to raise and appropriate for Transfer Station for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 4-0-1 \$261,740

Budget Committee recommends: Vote 10-1 \$261,740

Discussion: The amount is \$50,000 greater than last year due to hauling fee increases, increased number of hauls because of increased use.

Article 15 was moved and seconded. It was passed as written, by a show of hands.

Article 16: To see what sum the Town will vote to raise and appropriate for Library for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$37,683

Budget Committee recommends: Vote 10-1 \$37,683

Article 16 was moved and seconded. It was passed as written, by a show of hands.

Article 17: To see what sum the Town will vote to raise and appropriate for Recreation for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$54,961

Budget Committee recommends: Vote 8-2-1 \$54,961

Article 17 was moved and seconded. It was passed as written, by a show of hands.

Article 18: To see what sum the Town will vote to raise and appropriate for General Protection for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 5-0 \$239,034

Budget Committee recommends: Vote 11-0 \$239,034

Article 18 was moved and seconded. It was passed as written, by a show of hands.

Article 19: To see what sum the Town will vote to raise and appropriate for Social Services & Contributions for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 4-0-1 \$23,317
 Budget Committee recommends: Vote 10-0-1 \$23,317

Social Service & Contributions:

Community Services	9,317
General Assistance	10,000
<u>Historical Society</u>	<u>4,000</u>
Total	23,317

Community Services:

Midcoast Maine Community Action	1,000
New Hope for Women	1,155
Penquis Community Action	3,187
Red Cross	500
Knox Clinic	2,475
<u>Life Flight Foundation</u>	<u>1,000</u>
Total	9,317

Discussion: Knox clinic is a volunteer based non-profit advocating for and providing free/low cost medical, dental, prescription assistance, mental health and wellness. Last year they provided about 300 visits and receive no government funding.

Article 19 was moved and seconded. It was passed as written, by a show of hands.

Article 20: To see what sum the Town will vote to raise and appropriate for Facilities & Grounds for the period July 1, 2020 to June 30, 2021.

Board of Selectmen recommends: Vote 4-0-1 \$58,050
 Budget Committee recommends: Vote 11-0 \$58,350

Discussion: Selectman Luce, offered to haul trash at no fee for the Town, reducing the amount.

Article 20 was moved and seconded for the Budget Committee's amount of \$58,350. Motion failed, by a show of hands.

Article 20 was moved and seconded for the Board of Selectmen's recommendation of \$58,050. It was passed by show of hands.

Article 21: To see what sum the Town will vote to raise and appropriate for the Capital Improvement Plan Reserves for the period July 1, 2020 to June 30, 2021.

(Carry forward unexpended Road Paving from 2019-2020 \$66,988 Article 27)

Board of Selectmen recommends: Vote 5-0 \$451,500
 Budget Committee recommends: Vote 11-0 \$441,500

Capital Improvement	FY-21		
	MGR	BC	BOS
Office Equipment Reserve (Admin)	1,500		
Assessment Review (Admin)	20,000	10,000	
Public Works Reserve (Plow Truck)	70,000		
Ambulance Purchase	15,000		
Dry Hydrant Install	2,000		
FD Equipment Purchase (Fire Truck)	50,000		

FD Digital Communication	2,000	
Ambulance Equipment Reserve	6,500	
Road Improvement/ Paving	250,000	
Town Properties Paving (Town Office)	30,000	
Transfer Station Reserve	2,500	12,500
TOTAL	441,500	451,500

Discussion: The amount is recommended higher for the Board of Selectmen due to unexpected

work that needs to be done at the Transfer Station.

Article 21 was moved and seconded Board of Selectmen's recommendation of \$451,500. It was passed as written, by a show of hands.

Article 22: To see what sum the Town will vote to raise and appropriate for Personnel for the period July 1, 2020 to June 30, 2021. **(Carry forward unexpended Health Insurance from 2019-2020 \$17,000 Article 27)**

Board of Selectmen recommends: Vote 5-0 \$216,275

Budget Committee recommends: Vote 11-0 \$215,362

Discussion: the higher amount was due to fica and Medicare increases.

Article 22 was moved and seconded Board of Selectmen's recommendation of \$216,275. It was passed, by a show of hands.

Article 23: To see what sum the Town will vote to raise and appropriate for Warren Days for the period July 1, 2020 to June 30, 2021 **(Carry forward unexpended Warren Day from 2019-2020 \$4,600 Article 27)**

Board of Selectmen recommends Vote 5-0 \$4,600

Budget Committee recommends Vote 11-0 \$4,600

Article 23 was moved and seconded. It was passed as written, by a show of hands.

Article 24: To see if the Town will vote to reduce the amount to be raised by taxation using estimated revenues for the Municipal Budget for the fiscal year July 1, 2020 to June 30, 2021.

Revenue	FY 20-21
Administration Income	12,000
Ambulance Fees	80,000
Boat Excise	5,000
Building Permits	9,500
Cable Franchise	24,000
Recreation Programing Fees	9,000
Excise Tax	680,000
Property Tax Interest	30,000
Investment Interest	4,300
Transfer Station Fees	20,000
Trash Bags	87,000
Lien Costs	15,000
Concealed Weapons	100
Planning Board	1,000
Tree Growth	8,500

Animal Control	2,000
Junk Yard Permits	150
Plumbing Permits	4,500
Town Clerk Fees	4,400
DOT/LRAP	45,000
General Assistance Reimbursement	5,000
State Revenue Sharing	150,000
BETE	6,000
Prison Hydrant Refund	6,756
Total:	1,209,206

Article 24 was moved and seconded. It was passed as written, by a show of hands.

Article 25: To see if the Town will vote to authorize the Selectmen to move up to 10% of unexpended balances, from various accounts as needed to provide for the continuity of public services.

Article 25 was moved and seconded. It was passed as written, by a show of hands.

Article 26: To see if the Town will authorize the Selectmen to expend such monies as they deemed necessary from Reserve Funds, or take any action relative to the same, so long as the funds are used for their intended purpose.

Article 26 was moved and seconded. It was passed as written, by a show of hands.

Article 27: To see if the Town will authorize the Selectmen to carry forward unexpended funds that were raised and appropriated at the June 18, 2019 Town Meeting for the departments listed below:
 Ambulance: unexpended wages to carry forward to offset Ambulance wages \$31,000 (Article 12)
 Warren Day: unexpended Warren Day budget to carry forward to offset Warren Day budget \$4,600 (Article 23)
 Capital Improvements: unexpended Road Paving funds to carry forward to offset Road Paving \$66,988 (Article 21)
 Personnel: unexpended HRA (Health Reimbursement Account) to carry forward to offset HRA costs \$17,000 (Article 22)

Article 27 was moved and seconded. It was passed as written, by a show of hands.

Article 28: To see if the Town will authorize taking \$74,027 from Fund Balance to cover overdrafts in FY 2018-2019.

Discussion: Overdrafts were several unexpended expenses for the Town.

Article 28 was moved and seconded. It was passed as written, by a show of hands.

Article 29: To see if the Town will vote to fix the 15th day of November, 2020 and the 15th day of May, 2021 as the due dates when assessed taxes shall be payable and to charge 8.00% per annum interest on all unpaid taxes after that date.

Article 29 was moved and seconded. It was passed as written, by a show of hands.

Article 30: To see if the Town will authorize the use of funds from the Fund Balance to cover annual abatements, or take any action relating to the same.

Article 30 was moved and seconded. It was passed as written, by a show of hands.

Article 31: To see if the Town will vote to retroactively appropriate \$200,000 from Fund Balance to be used to reduce the 2019 Tax Commitment and \$150,000 to reduce 2020 Tax Commitment.

Discussion: This article was left out last year, if this is not done it will raise this year's taxes. The

Unassigned fund balance as of June 30, 2019 was 2,662,332.

Article 31 was moved and seconded. It was passed as written, by a show of hands.

Article 32: To see if the Town will vote to appropriate up to \$200,000 from Fund Balance to be used to reduce the 2021 Tax Commitment.

Article 32 was moved and seconded. It was passed as written, by a show of hands.

Article 33: To see if the Town will vote, pursuant to 36 M.R.S.A §506, to authorize the Tax Collector to accept pre-payment of taxes not yet due or assessed to pay 3% interest on any prepaid taxes that are abated or act thereon.

Article 33 was moved and seconded. It was passed as written, by a show of hands.

Article 34: To see if the Town will vote to authorize the 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 for same. If sale is to anyone other than the former owner, the Board of Selectmen shall follow the special sale process required by 36 M.R.S.A. §943-c for qualifying homestead property.

Article 34 was moved and seconded. It was passed as written, by a show of hands.

Article 35: To see if the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of Town-owned personal property as it deems advisable.

Discussion: Personal property such as equipment, vehicles etc. "Dispose of" refers to trading in.

Article 35 was moved and seconded. It was passed as written, by a show of hands.

Article 36: To see if the Town will vote to authorize the Selectmen and Treasurer, on behalf of the Town, to accept the proceeds of any payment on insurance claims for damage occurring to Town equipment and to allow the expenditure of funds as necessary to replace said equipment as they deem appropriate or act thereon.

Article 36 was moved and seconded. It was passed as written, by a show of hands.

Article 37: To see if the Town will vote to authorize the Selectmen, on behalf of the Town, to accept grants, insurance refunds, reimbursements or other funds received by the Town and apply these funds to the accounts the Selectmen deem appropriate.

Article 37 was moved and seconded. It was passed as written, by a show of hands.

Article 38: To see if the Town will vote to authorize the Selectmen, pursuant to 30-A M.R.S.A §5655, on behalf of the Town, to accept unconditional donations of property or money to supplement a specific appropriation already made, to reduce the tax assessment, to endow a municipal education fund, or to reduce permanent debt.

Article 38 was moved and seconded. It was passed as written, by a show of hands.

Article 39: To see if the Town will vote to authorize the Selectmen, pursuant to 30-A M.R.S.A §5654, on behalf of the Town, to accept conditional gifts of money or property in trust pending affirmative action by Town Meeting vote.

Discussion: A conditional gift example; if someone gives money to the Town for the Library, the condition is that money is to be used for no other purpose than the Library.

Article 39 was moved and seconded. It was passed as written, by a show of hands.

Article 40: To see if the Town will vote to appropriate all of the money received from the State of Maine for snowmobile registrations to the Bog Brigade Snowmobile Club for the maintenance of their network of trails, on the condition that those trails are open to the public for the purpose of snowmobiling at no charge.

Article 40 was moved and seconded. It was passed as written, by a show of hands.

Article 41: To see if the Town will vote to amend the ordinance entitled "George's River Regional Shellfish Management Ordinance" as follows:

Section 17: VIOLATIONS, SUSPENSION OF LICENSES AND FINES

- i. Misconduct: anyone who is rude or threatening to the town administration shall have their GRRSM Shellfish license suspended for one month for the first offense and one year for the second offense.

The GRRSM Joint Board recommends approval.

Discussion: Reason for this was a very rude digger using profanities at Town staff. Currently there are no rules against it. The Joint Board would enforce as necessary.

Article 41 was moved and seconded. It was passed as written, by a show of hands.

Article 42: To see if the Town will vote to enact the Citizen's Petition entitled "2020 Amendment to the Land Use Ordinance of the Town of Warren" as follows:

Section 16. Land Use Standards

- x. Medical Marijuana Registered Dispensaries and Medical Marijuana Cultivation Facilities

Current Ordinance:

Medical Marijuana Registered Dispensaries and Medical Marijuana Cultivation Facilities shall conform to the following approval and performance standards, as applicable, in order to receive permit approval, and at all times during their operation. Notwithstanding 1 MRSA § 302, the zoning limitations set forth in Section 13 as well as the following standards shall apply to applications for Medical Marijuana Registered Dispensaries and Medical Marijuana Cultivation Facilities pending as of November 10, 2015.

Proposed Ordinance:

Planning Board approval issued prior to January 1, 2020 for a Medical Marijuana Cultivation Facility operating pursuant to 22 MRSA §§ 2421 et seq. shall be deemed to constitute approval for cultivation of adult use marijuana pursuant to 28-B MRS 101 et seq. Notwithstanding the above, no marijuana cultivation facility may operate without the applicable state license. Anyone cultivating adult use marijuana pursuant to 28-B MRSA §§ 101 et seq. and this Ordinance shall adhere to the laws of the State of Maine and the State of Maine Rules governing the Adult Use Marijuana Program Rule (18-691 CMR Chapter 1).

Article 42 was moved and seconded to be voted on by written ballot. Motion passed to have written ballot for Article 42, by show of hands

Discussion: Joseph Berkenbile, urges a no vote. He is not against growing but regulations and an ordinance need to be made and approved of first. He has been appointed to the Adult use Board and they need to meet and come up with an ordinance, to be reviewed by the town attorney then the Board of Selectman. Then the Town would need to hold a special Town meeting for approval.

Dan Cellucci, medical grower in Town, would hope the Town residents would vote yes. He and 25+ growers in Town are hoping to be able to sell to the Adult use market. He fears big companies are going to take the market and force the little farms out. Nothing else it going to change, he will continue to grow this just allows the medical caregivers to sell their harvest for adult use. The Town will benefit when a yearly fee is implemented. Licenses will still need to be acquired from the State for those that want to grow for Adult use. He has the license but it can't currently be used because it's banned in town.

Joe, sympathies but the Town ordinance reads that only one cultivator and one dispensary is allowed.

Jason, believes there is confusion in the ordinance. All of the growers are cultivating and dispensing their crop. They won't be doing anything different just being able to sell for adult use.

Asher Putterman, There is still a lot of work on this in Augusta and he is a part of the ever changing regulations regarding adult use. There are 8 licenses for Adult use cultivation 4 were given to the same company. Adult use is very heavily regulated.

Joseph, believes there is confusion over the ordinance, there are 25+ Medical growers in the Town but none of them were approved as Cultivation facilities or dispensaries. There is nothing in the ordinance to regulate medical caregivers at all.

Motion was made and seconded to call the Vote. Motion failed by show of hands. Discussion may continue.

Dan, producing medical cannabis according to the State is the same thing as a cultivation facility.

Ann, can sympathize with Dan he came to Town shortly after she opened the café with covid it's been really hard to operate and this will allow Dan to harvest and sell to another market.

Michelle Bennett, medical caregivers won't be operating any differently, everything will be the same. The only difference will be that the growers can sell their crop to the adult use market, 6 shops are going into Rockland. Adult use will have stricter regulations and required testing, medical is not required to do any testing.

Article 42 was voted on by written ballot Results: Yes vote 31 No vote 14 motion passes to amend Land Use Ordinance.

Meeting was adjourned at 8:44p.m.

45 Residents, 6 non-residents attended the Warren Town Meeting on July 21, 2020

Respectfully submitted by Board Secretary Sara K. Davis on July 22, 2020

Given under our hands this 12th day of August, A.D., 2020.

Roger Peabody
Roger Peabody, Chair

Wayne Luce
Wayne Luce, Vice Chair

Brent Pratt
Brent Pratt

James Kinney

Jan Macdonald
Jan Macdonald

Selectmen for the Town of Warren

ATTEST: This is a true copy of the Town of Warren Annual Town Meeting Minutes, as certified to me by the municipal officers of the Town of Warren, Maine, and adopted by the Board of Selectmen on August 12, 2020.

Date: Aug. 13, 2020

Signature: Corinne E. R. Michaud

Corinne E. R. Michaud, Town Clerk