

Town of Raymond Board of Selectmen ePacket May 14, 2019 Table of Contents

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Agenda



BOARD OF SELECTMEN Agenda

May 14, 2019

6:30pm – Regular Meeting

Broadcast Studio 423 Webbs Mills Road

Resolution: We, the Raymond Board of Selectmen, recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to "Be the Influence" and to recognize that decisions matter.

1) Call to order

2) Minutes of previous meetings

- a) April 9, 2019 Regular Meeting
- b) April 23, 2019 Approval of Annual Town Meeting Warrant

3) New Business

- a) Recognition of Lawrence Murch
- b) Age Friendly Raymond Survey Results Sheila Bourque
- c) <u>Health Insurance Representation Discussion</u> Rolf Olsen and Cathy Ricker, Finance Director
- Approval of the RSU #14 Budget Validation Referendum Warrant Sue Look, Town Clerk
- e) <u>RSU #14 Withdrawal Committee Update</u> Rolf Olsen, Chairman
- 4) Public Comment
- 5) Selectman Comment

6) Town Manager's Report and Communications

- a) Confirm Dates for Upcoming Regular Meetings
 - June 18, 2019
 - July 9, 2019
- b) Reminder of Election Schedule
 - May 22, 2019 RSU #14 Public Budget Meeting at the Windham High School

Selectman's Meeting Agenda (Page 1 of 2) May 14, 2019

auditorium at 6:30pm

- June 4, 2019 Annual Town Meeting at the Jordan Small Middle School gymnasium at 6:00pm
- June 11, 2019 Municipal Offices and RSU #14 Referendum Elections at the Jordan Small Middle School gymnasium from 7:00am to 8:00pm

c) Reminder of Upcoming Holiday Schedule

• Monday, May 27th – Memorial Day

7) Treasurer's Warrant

8) Executive Session

a) <u>Consideration and Award of Scholarship Applications</u> (Pursuant to MRSA 1 §405 (6)(F))

9) Adjournment

Selectman's Meeting Agenda (Page 2 of 2) May 14, 2019

Previous Meeting Minutes - 4/9/2019



BOARD OF SELECTMEN Minutes

April 9, 2019

6:00pm – Executive Session 6:30pm – Regular Meeting

> Broadcast Studio 423 Webbs Mills Road

Resolution: We, the Raymond Board of Selectmen, recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to "Be the Influence" and to recognize that decisions matter.

<u>Select Board members in attendance</u>: Teresa Sadak, Rolf Olsen, Marshall Bullock, Lawrence Taylor, Samuel Gifford

Select Board members absent: none

Town Staff in attendance:

Don Willard – Town Manager Bruce Tupper – Fire Chief Nathan White – Public Works Director

1) Called to order at 6:00pm by Chair Sadak.

2) Executive Session

a) Consideration of New Public Safety Union Contract (Pursuant to MRSA 1 §405 (6)(D))

Motion to enter executive session as noted above by Selectman Olsen. Seconded by Selectman Taylor.

Unanimously approved

Motion to leave executive session by Selectman Taylor. Seconded by Selectman Olsen.

Unanimously approved

Motion to accept the Public Safety Union Contract by Selectman Olsen. Seconded by Selectman Gifford.

Unanimously approved

Selectman's Meeting Minutes (Page 1 of 10)

April 9, 2019

3) Minutes of previous meetings

a) March 19, 2019

Motion to approve as presented by Selectman Taylor. Seconded by Selectman Gifford.

Unanimously approved

4) Public Hearing

a) <u>Ordinance Changes Proposed by the Planning Board for Town Warrant</u> – Scott Dvorak, Code Enforcement Officer

Public Hearing declared open by Chair Sadak

CEO Dvorak – Some of the changes are simple typos and corrections, some are to get us up-to-date with DEP, and some are pertaining to Type 1 Manufactured Housing *(aka: mobile homes, trailers)* in the Shoreland Zoning.

Chair Sadak – If someone moves a home to another location and we do not do an inspection at the new location. Do we need to add something for this?

CEO Dvorak – I would still require that all connections be inspected. I can not withhold a Certificate of Occupancy, but I would perform a walk thru.

Public Hearing declared closed by Chair Sadak

Motion to approve Article 2 as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

Motion to approve Article 3 as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

Motion to approve Article 4 as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

Motion to approve Article 5 as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

Motion to approve Article 6 as written by Selectman Olsen. Seconded by Selectman Gifford.

Unanimously approved

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5) New Business

a) <u>Discussion of Private Section of Gore Road and Consideration of a Town Meeting</u> <u>Warrant Article</u> – Teresa Sadak, Chair

Chair Sadak – Thank you all for coming out tonight. We all realize that Gore Road is bad. This has been going on for a long time and tonight we are here to move forward. I want to acknowledge Dave Getchell and Jennifer White of Little Sebago Lodges, Deer Acres, Sharon Young (lives on Little Sebago and is on the Gray Town Council). We have been working on this and it seems that the doors are opening to come to a resolution. And a huge "thank you" to Nathan, Don, Steve LaValle and Deb Cabana.

Town Manager Willard – This has a very long history. It was the first issue that I was confronted with when I arrived 19 years ago. Since that time, we have had multiple complaints and have tried to come up with innovative solutions unsuccessfully. Nathan came up with the notion that we could come up with a quid pro quo with Gray. We sat down with the Town Manager to discuss the points of issue important to each side. One for the Town of Raymond is the fact that this is a private roadway. We have over 250 miles of private roads, so we have to be very careful how we proceed. We do understand the uniqueness of this private road spanning a public road in Raymond to roads in Gray. We also know that we need to do this in a revenue neutral way as it is against the law for a Town to put taxpayer monies into a private road. So, then we began to talk about more practical things like how much is it going to cost. Nathan looked at the 1,246' of road and came up with a conservative estimate of \$108,000. On top of that there would be surveying and deed work. Raymond is interested in some Public Works equipment that is owned by the Town of Gray. We proposed to buy the equipment and then Gray could donate the money to Raymond for this project, but it was found that Gray could not do that. They can give us the equipment and we can take the money that we would have paid Gray for the equipment and put it toward the project. The project would be led by Raymond and Gray would assist where they could. Other considerations are below:

Source	\$	Description	In Kind Work	In Kind Plowing
Gray Residents & Road Associations	\$25,000			
Raymond Residents along section of Gore Road in question	\$9,500	Includes deed work and their contribution to the project		
Town of Gray		Public Works equipment donation - Truck Lifts & 2010 Volvo Dump Truck - valued at \$67,500	Public Works Labor - to assist Raymond Public Works	Plowing - North Raymond Road from the Gray town line to Pond Road in Raymond - 1.4 miles in perpetuity
Town of Raymond	\$67,500	Money planned to purchase Gray's Truck Lifts and 2010 Volvo Dump Truck	Public Works Labor	Plowing - Lyons Point Road (extension of Brown Road) public section 1.3 miles and Gore Road .7 miles in perpetuity

TOTAL

\$102,000

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April 9, 2019

Public Works Director White – If we change the scope of work a bit, we should come in at about \$96,000.

Chair Sadak – We have been talking to the attorneys to see what we need to do. We want to do it this year, so we will be knocking on doors or whatever needs to be done. There are a couple of steps that needs to be taken. We will need a petition, that we will have drawn up legally, that everyone will need to sign stating that they agree with deeding over their rights to the road and paying their share of the \$9,500. We also need deed descriptions changed so the Town controls from the center of the road.

Public Works Director White – Typically we have 3 rod roads, which is 48'. This means that the Town owns 24' on either side of the center line.

Chair Sadak – The attorney said that the money needs to be collected and put into an escrow account. We will be drawing up Promissory Notes for each land owner to sign which will have a couple of options for paying their share. If they are not paid the Town will put a lien on the property. The Town still needs to approve this at Town Meeting, and the road associations in Gray will be meeting to vote on this in May. This is a big issue and we seem to have all involved on board.

Selectman Bullock – Will there be Quit Claim Deeds for the 48' or will this be a right-of-way?

Public Works Director – The Town does not own the roads, they all set in rights-ofway. We will have an obligation and a right-of-way across it.

Selectman Bullock – The other question I have is Promissory Notes. These will be signed by the current property owners, but do they flow to the property?

Town Manager Willard – Yes.

Selectman Bullock – So if the property owner signs and then sells 2 days from then, the Promissory Note stays with the property?

Town Manager Willard – Yes.

Chair Sadak – There are a couple of options on the fees. There will be a charge for the deed work.

Town Manager Willard – I think it was Rolf got quotes of between \$250 and \$300. I have not heard back with a quote from our Town Attorney. I did receive information from Gray pertaining to the section of Gore Road that they acquired.

Selectman Bullock – Do the land owners on this section of Gore Road have a deed to the right-of-way for the road?

Chair Sadak – We went way back and did not find any. We will move forward from here.

Public Works Director White – That is where the pricing for the deed work will vary. Some of the deeds are more recent and have good descriptions and others are terrible.

Chair Sadak - Where does the private section start?

Public Works Director White - About 20' past Dolimount Road.

Chair Sadak – I count 14 owners. There are a couple of people who in behind and use the road even though they do not have road frontage.

Town Manager Willard – In fairness, it needs to be back lots as well as abutters.

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Public Works Director White – The back lots should have an easement.

Chair Sadak – If we are asking Deer Acres and Little Sebago, then we should ask all of these people to contribute as well.

Town Manager Willard – Only the abutters will have the deed piece.

Paul Doyle – You say that this situation is really unique. What do you mean by that?

Town Manager Willard – You have a private road sandwiched between 2 Town roads in 2 different towns.

Public Works Director White – All of our other private roads start at a Town road and dead end.

Mr Doyle – Why is it that Gray took care of their end and we are doing this. Years ago, they were granted that right-of-way, the people of the association were granted the right-of-way and they were to maintain that roadway.

Chair Sadak – From doing research it has been difficult to ascertain who has done what. My concern is there is so much mixed back history. I would like to move forward, how can we fix this.

Public Works Director White – Kaela (*Kaela Gonzalez, Assessing Assistant*) pulled deeds for a number of properties down there and nothing was consistent.

Mr Doyle – My mother (it is her property) struggles with the idea for paying for the deeds to be adjusted and thinks the \$500 is just ridiculous. I am seeing how bad the road is, but I still have a problem with the money to change the deeds.

Town Manger Willard – Any time you live on a private road you have either an association or an assessment to contribute each year to road maintenance. If they have not been doing that for 20 or 30 years, there is your \$500 and then some.

Chair Sadak – We are asking that each owner pay \$500 plus the attorney fees to change your own deed at around \$250.

Mr Doyle – So, you are talking about an additional \$250.

Chair Sadak – That is why we are coming up with a Promissory Note so you would not need to come up with it all at once. We also have people on the Gray side saying that they will help with the cost.

Town Manager Willard – There is the issue of the development that has happened in Gray. The road could be a liability. It is not a liability I would want to have I would want it taken care of.

Chair Sadak – It is my understanding that there is another sub-division going in down there, too.

Mr Doyle – You already said this is not going to be fixed this year.

Public Works Director White – If all of the paperwork gets done before Town Meeting and it is approved at Town Meeting, then it will be the project worked on in FY2019-2020.

Chair Sadak – We have to have the papers in by a certain deadline for Town Meeting, April 23, 2019. This is when we approve the Town Meeting warrant.

Selectman Bullock – As a previous banker, if I were in the market to sell a property down there, I would want the deed as clean as possible. Some of these you would have difficulty the way they are worded.

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Town Manager Willard – Also, I would want a nice public road in front of it.

James Anderson – If we are going to make exceptions for people in back lots, this gentleman does not even drive on this section. He just owns property on it.

Public Works Director White – His driveway access is on Dolimount Road. It is the corner lot of Dolimount and Gore Road. His deed would need to change.

Chair Sadak – We have a price of \$96,000. Gray is giving \$67,500 and the people in Gray will be paying \$25,000.

Town Manager Willard – We are trying to be fair to all involved and be creative in how we resolve it.

Ken Berry – I just moved in. Will our contribution change based on the scope of the project?

Chair Sadak – If everyone on the Gray side is contributing, I think that the residents along this section in Raymond should contribute as well.

Mr Berry – I do not disagree with that at all. I am wondering if the \$500 will be all that is requested of us or will it change if the project goes longer than anticipated.

Public Works Director White – I fatten up the estimate this time of year because I can not see everything I need to. I have enough time in there that I think I am covered on anything. I am going by what Gray ran into and what I have seen. I have estimated 250 yards of gravel we may not need that much. I am confident that we will come in at the \$96,000 number that we have.

Mr Berry – That is good. I know we do not know until you get in there.

Town Manager Willard – The intention is for this to be a one-time contribution.

Mr Berry – I am not opposed to the \$500 contribution whatsoever.

Selectman Bullock – When you bought the house, did you take title insurance on the property?

Mr Berry – Yes. I found out about this the day after we closed when I met Bob King. I agree that we need to just move forward. There are often car parts in the road.

There was some discussion made without people going to the microphone.

Selectman Olsen – You are on a private road. This is a chance to get out from under that now. If you don't, and everyone walks away from this, what is your liability?

Mr Berry – That is my concern. Especially with Gray expanding in that area. I am for the contribution as long as we know what that contribution will be.

Chair Sadak – We are trying to get the best price for the legal to change the deeds. My worry is if we don't do something now, these doors may not open again.

Bob King – Mr Bullock, can we go back on our title insurance?

Selectman Bullock – I am not an attorney.

Selectman Olsen – You would need to go back to the holder of the insurance.

Selectman Bullock – I asked that question because the regulations have changed and anyone may want to look at this.

Mr King – Did we get a clarification on contribution for back lots?

Town Manager Willard - \$500 for back lots, \$500 plus title fees for abutters, title fees

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only for the lot with only road frontage.

Selectman Bullock - Has anyone opened the door with CMP yet?

Town Manager Willard – I have made 6 calls thus far and my municipal street light person said she would try to get me an answer. It appears that they will participate.

Mr King – CMP has a pole line through there, would that need to be part of the right-of-way?

Public Works Director – That would be a part of each deed.

Wendy McEnroe - I looked at my deed and I do have title insurance. Do I call them?

Selectman Bullock – The reason I asked that question is the title insurance would delineate the boundaries.

Ms McEnroe – Will the road be brought up to DOT standards, will I need to pay \$500 a year?

Selectman Olsen – No, because now it would be a town road.

Ms McEnroe – I don't understand why that little chunk is private. You have noting to show that it is private already.

Chair Sadak – We have nothing to show it is public.

Town Manager Willard – I would check with my attorney, my title insurance company to see if there is any relief they can give you. We have no record of acceptance of this as a public road. (NOTE: It requires a Town Meeting vote to make a road a public road.) Until such a record is brought forth, it will remain a private road.

Ms McEnroe - I don't understand that.

Public Works Director White – We found record of where Gore Road was turned over from the County to the Town and it distinguishes the end is where it turns off to Dolimount Road (which used to be Naples Road).

Ms McEnroe – Who originally paved that road?

Public Works Director White – Probably the association. When I first started here in the early 1990s the association paved from Dolimount Road down.

David Getchell, Vice-president of Little Sebago Lodges Association – in 1999-2000 our association paved the section in Raymond and Gray because it was in such horrible condition. That was our \$25,000 contribution to that. I am very happy that this is going forward and in the manner that it is. As you know, we tried a secession movement to join Raymond, we would still like to do that someday, it is a small price to pay when people look at the damage to their vehicles. The other consideration is the damage to Public Safety vehicles that need to use this section of road. Our association will do what we can. The school bus goes down there as well.

Chair Sadak – What is the consensus of those here? Are you willing to go forward?

Someone from the audience – What are the next steps?

Chair Sadak – We would vote tonight to move forward. We would get the documents from the Town attorney for an agreement, petition, and promissory notes for all of the people involved to sign.

Selectman Olsen – Then the deed changes must be done. Then we go to Town Meeting to ask the Town if they want to take on this section of Gore Road as a public road.

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Chair Sadak – The deed changes will happen after Town Meeting.

Mr King – Where is the center of the road?

Public Works Director White – When it is surveyed, they will square it up and we will mark it so when it is paved it will be back where it was, it will stay within that right-of-way.

Chair Sadak – We have to have certain things in place to take this to Town Meeting.

Mr Doyle – I have a garage. I measured from the right-of-way and it is 25' from the right-of-way.

Selectman Bullock – I think you would be grandfathered.

Selectman Taylor – It does mean that 10' or 15' of their current lawns will now be in the right-of-way. Will this make any of the lots too small based on the current Land Use Ordinance?

Public Works Director White – We are not going to own that piece of property. We will have the right-of-way to maintain that section.

All of the residents present raised their hands that they wanted to move forward. There was some more discussion from the floor, not at the microphone.

Mr Berry – We called the title company and they told us that we lived on a public road.

Chair Sadak – I would like to see what they have as proof that it is a public road. The next step is for us to vote to start this process. Then there would be an agreement, petition, and promissory notes. There will be a couple of options for payment.

Sharon Young – I am a Notary and live in the neighborhood if anyone needs me.

Motion to proceed as outlined in the notes by Town Manager Willard (included in the table above) to make Gore Road a public road instead of a private road subject to the terms and conditions set out by the Town Attorney by Selectman Bullock. Seconded by Selectman Taylor.

Unanimously approved

Town Manager Willard – I would like to thank Gray and their residents for their cooperation in this. Deb Cabana, Gray Town Manager, is hopeful that this will be resolved in her "municipal lifetime" so let's hope that is true.

Chair Sadak – The next thing is that Little Sebago Association will be holding a vote on May 16th. If they vote not to participate, we will need to remove the warrant article and not proceed. Everyone be sure that you come out to Town Meeting to vote on June 4th at Jordan Small Middle School at 6:00pm.

b) <u>Renewal of Fisherman's Catch Liquor License</u> – Sue Look, Town Clerk

Bill Coppersmith (owner of Fisherman's Catch) is still working with the Fire Alarm company to resolve an issue and he is purchasing a replacement fire extinguisher. Once these are complete the Fire Inspection will be completed.

Motion to approve the liquor license renewal for Fisherman's Catch contingent upon a favorable, complete Fire Inspection by Selectman Taylor. Seconded by Selectman Bullock.

Unanimously approved

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April 9, 2019

c) <u>County Tax Assessment</u> – Sue Look, Town Clerk

Motion to approve for a total of \$788,378 by Selectman Gifford. Seconded by Chair Sadak.

Voted 4-1, passed

d) Discussion of Provider Agencies Warrant Article - Teresa Sadak, Chair

Selectman Olsen – My thought is to authorize the Town Manager to spend up to \$2,000 to work with the provider agencies and if he deems it necessary to give them monies from this pool. Don has always done an excellent job in getting us more for our money and I think he is going to be able to prioritize this for us.

Chair Sadak – Don interacts with the people and knows more of the needs. SMAA and RTP would go to Don to work with them. One of his worries is what if he choses someone we do not like.

Selectman Bullock – My concern is having Don be the sole decider on this. I don't want someone coming in yelling at him because he made a choice. My idea is that Don would choose a Selectman and a member of the Budget-Finance Committee so there would be 3 people deciding how to best spend this money.

Selectman Olsen – I really want Don to be the point guy. I do not want to set up another committee.

Selectman Bullock – I don't want a committee, just people he calls to ask.

Selectman Olsen – If he feels that it is valid, then I think we need to listen to him as well.

Town Manager Willard – Whenever there is opportunity to be insulated it is good. Based on the conversation you have just had, I am fine, I can handle it.

Selectman Bullock – The other comment I have is whatever is in the TIF stays there.

Selectman Olsen – This is for other opportunities that are not included in the TIF.

Motion to move the concept of the Provider Agency Warrant Article which would authorize the Town Manager to expend up to \$2,000 for provider agencies and would go to a warrant article for Town Meeting by Selectman Olsen. Seconded by Selectman Taylor.

Unanimously apprved

e) <u>GA Confidentiality Policy</u> – Sue Look, Town Clerk

Town Manager Willard – Since Alice Hamilton retired, I have taken on the GA responsibilities and Sue Look has taken on the organization and State reporting aspects. Is so doing, she found a confidentiality policy that had never been enacted.

Motion to approve as presented by Selectman Olsen. Seconded by Selectman Taylor.

Unanimously approved

f) RSU #14 Withdrawal Committee Update - Rolf Olsen, Chairman

Selectman Olsen – We have completed the draft of the withdrawal agreement and it has been presented to the Superintendent and Assistant Superintendent. We are awaiting their response. We do have the upcoming meeting on May 28th. At that meeting we will be beginning to put together sub-committees. Please go to the town website and fill out an application.

- 6) Public Comment none
- 7) Selectman Comment none

8) Town Manager's Report and Communications

- a) Confirm Dates for Upcoming Regular Meetings
 - May 14, 2019
 - June 18, 2019
- b) Reminder of Budget Schedule
 - April 23, 2019 Warrant Article review & approval
 - April 30, 2019 Budget-Finance Committee vote on recommendations for each budget warrant article
 - June 4, 2019 Annual Town Meeting at 6:00pm at JSMS

c) Reminder of Upcoming Holiday Schedule

Monday, April 15th – Patriot's Day

9) Treasurer's Warrant

Motion to approve Treasurer's Warrant for a total of \$96,831.21 by Selectman Olsen. Seconded by Selectman Taylor.

Unanimously approved

10) Adjournment

Motion to adjourn at 8:07pm by Selectman Bullock. Seconded by Selectman Taylor. Unanimously approved

Respectfully submitted,

Susan L Look, Town Clerk

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April 9, 2019



BOARD OF SELECTMEN Minutes

April 23, 2019

6:30pm – Regular Meeting

Broadcast Studio 423 Webbs Mills Road

Resolution: We, the Raymond Board of Selectmen, recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to "Be the Influence" and to recognize that decisions matter.

<u>Select Board members in attendance</u>: Teresa Sadak, Rolf Olsen, Marshall Bullock, Samuel Gifford

Select Board members absent: Lawrence Taylor

Budget-Finance Committee members in attendance: Bob Gosselin, Brian Walker, Sheila Bourque

Town Staff in attendance:

Don Willard – Town Manager Cathy Ricker – Finance Director Sue Look – Town Clerk

1) Called to order at 6:40pm by Chair Sadak (late due to some technical issues)

Chair Sadak stated that an executive session would be added after the warrant articles to consider participation in the Spirit of America award.

Chair Sadak then announced that Public Comments would be moved to before New Business.

2) New Business

a) Approve Warrant Articles for Annual Town Meeting, June 4, 2019

Town of Raymond June 4, 2019 ANNUAL TOWN MEETING WARRANT

TO: Nathan White, a constable of the Town of Raymond, in the County of Cumberland and State of Maine.

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Raymond, qualified by law to vote in Town affairs, to meet at the Jordan-Small Middle

* TAKEN OUT OF ORDER			
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School gymnasium in said town on Tuesday, June 4, 2019 at 6:00 P.M., then and there to act on Articles 1 through 43 as set out below.

The continuation of said meeting will be held at the Jordan-Small Middle School gymnasium in said town on Tuesday, the 11th day of June, A.D. 2019, at seven o'clock in the forenoon, then and there to act upon by secret ballot on Article 44 as set out below, the polling hours thereof to be from seven o'clock in the forenoon until eight o'clock in the evening.

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

BEGINNING OF ORDINANCE CHANGES

ARTICLE 2: Shall Article 6 B and 6 C of the Raymond Land Use Ordinance, as adopted May 21, 1994, and amended through June 6, 2017, be further amended by the adding the underscored language and removing the language in strikeout text as shown below?

The Select Board recommends Article 2

Motion to recommend above article by Selectman Olsen. Seconded by Selectman Bullock. **Unanimously approved**

DESCRIPTION:

Three Changes:

- Adding the designation of "a" for the paragraph under Article 6 B 1
- Correction of a mistyped date in B 1 a
- Setting the meeting day for the Zoning Board of Appeals to the last Monday of the month as needed

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

RAYMOND LAND USE ORDINANCE (excerpts)

ARTICLE 6 - BOARD OF APPEALS

- B. Powers and Duties
 - 1. The Board of Appeals shall have the following authority:
 - a. Subject to the provisions of this Ordinance, to hear and decide appeals, on a de novo basis, from orders, decisions, determinations or interpretations made by the Code Enforcement Officer or the Building Inspector. [Amended 8/7/07, and 6/7/2616]
- C. Appeals Procedure
 - 1. The Board of Appeals shall meet once each month and at other times as called by the

* TAKEN OUT OF ORDER			
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chairman as needed on the last Monday of the month. A quorum of the Board is necessary to conduct an official Board meeting shall consist of at least three (3) members. A majority vote of the quorum is required for the passage or denial of any appeal.

ARTICLE 3: Shall the Raymond Shoreland Zoning Provisions, as adopted May 21, 1994, and amended through June 7, 2017, be further amended by adding the underscored language and removing the language in strikeout text as shown below?

The Select Board recommends Article 3

Motion to recommend above article by Selectman Olsen. Seconded by Selectman Bullock. **Unanimously approved**

DESCRIPTION:

These changes are to include the conditions per review by Michael Morse as outlined by the Maine Department of Environmental Protection letter dated January 30, 2018. Amendments include:

- Section 12-C-3 Non-Conforming Structures Clerical referencing of renumbered sections
- Section 15-C Piers, Docks, Wharves, Bridges and any other structure and Uses Extending Over or Below the Normal High-Water Body or Within a Wetland
- Section 15-Q Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting
- Section 15-S Exemptions to Clearing and Vegetation Removal Requirements
- Section 16-G Appeals regarding Notice of Decisions process
- Section 17 Definitions Adding of the term "Excavation Contractor" and editing the terms "Expansion of Structure" and "Non-Conforming Structure".

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

TOWN OF RAYMOND SHORELAND ZONING PROVISIONS (excerpts)

Section 12. NON-CONFORMANCE

3. Relocation: A non-conforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Code Enforcement Officer, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of State law, the State of Maine Subsurface Wastewater Disposal Rules (Rules), and the Town's standards, or that a new system can be installed in compliance with the law, said Rules and local standards. In no case shall a structure be relocated in a manner that causes the structure to be more non- conforming. In determining whether the building relocation meets the setback to the greatest practical extent, the Code Enforcement Officer shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation. When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the Code Enforcement Officer shall require replanting of native vegetation to compensate for the destroyed vegetation

* TAKEN OUT OF ORDER			
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in accordance with Section 15(<u>ST</u>). In addition, the area from which the relocated structure was removed must be replanted with vegetation. Replanting shall be required as follows:

Section 15. LAND USE STANDARDS

C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal high-water Line of a Water Body or Within a Wetland

- 12. Vegetation may be removed in excess of the standards in Section 15(Q) of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board.
 - b. Revegetation must occur in accordance with Section 15(SI).

Q.Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting

1. In a Resource Protection District abutting a great pond, there shall be no cutting of vegetation within the strip of land extending one hundred (100) feet, horizontal distance, inland from the normal high-water line, except to remove hazard trees as described in Section QR.

Tree at 4-1/2« feet Above Ground Level (diameter in inches)	Points
2 - <4 inches	1
4 - <8 inches	2
8 - < 12 inches	4
12 inches or greater	8

- c. In order to protect water quality and wildlife habitat, existing vegetation under three (3) feet in height and other ground cover, including leaf litter and forest duff layer, shall not be cut, covered or removed, except to provide for a footpath or other permitted uses as described in Section 15(PQ) paragraphs (2) and (2)(a) above.
- f. In order to maintain the vegetation in the shoreline buffer, clearing or removal of vegetation for allowed activities including associated construction and related equipment operation, within or outside the shoreline buffer, must comply with the requirements of Section 15(PQ)(2).
- 3. At distances greater than one hundred (100) feet, horizontal distance, from the normal high-water line of any lake, pond, river flowing to a great pond, and any other water body, tributary stream, or the upland edge of a wetland, , there shall be allowed on any lot, in

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any ten (10) year period, selective cutting of not more than forty (40) percent of the volume of trees four (4-1/2) inches or more in diameter, measured 4-1/2 « feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty- (40) percent calculation. For the purposes of these standards volume may be considered to be equivalent to basal area. In no event shall cleared openings for any purpose, including but not limited to, principal and accessory structures, driveways and sewage disposal areas, exceed in the aggregate, 25% of the lot area within the shoreland zone or ten thousand (10,000) square feet, whichever is greater, including land previously developed or cleared. This provision applies to the portion of a lot within the shoreland zone, including the buffer area.

S. Exemptions to Clearing and Vegetation Removal Requirements

The following activities are exempt from the clearing and vegetation removal standards set forth in Section 15(PQ), provided that all other applicable requirements of this chapter are complied with, and the removal of vegetation is limited to that which is necessary:

Section 16. ADMINISTRATION

G. Appeals

2. Variance Appeals

g. The Code Enforcement Officer may grant a variance to an owner of a residential dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The CEO shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The CEO may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. The term "structures necessary for access to or egress from the dwelling" shall include railing, wall or roof systems necessary for the safety or effectiveness of the structure. Any permit issued pursuant to this subsection is subject to sections 16(G)(2)(e) and 16 (G)(3)(b)(6).

3. Appeal Procedure

- b. Decision by Board of Appeals
 - 6) All decisions shall become a part of the record and shall include a statement of findings and conclusions as well as the reasons or basis therefore, and the appropriate order, relief or denial thereof. <u>The Board shall cause written notice of</u> <u>its decision to be mailed or hand-delivered to the applicant and to the Department</u> <u>of Environmental Protection within seven(7) days of the Board's decision.</u>

17. DEFINITIONS

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Excavation Contractor – an individual or firm engaged in a business that causes the disturbance of soil, including grading, filling and removal, or in a business in which the disturbance of soil results from an activity that the individual or firm is retained to perform.

Expansion of a structure - an increase in footprint <u>or height</u> of a structure, including all extensions such as, but not limited to: attached decks, garages, porches and greenhouses.

Non-conforming structure - a structure which does not meet any one or more of the following dimensional requirements; setback, height, <u>footprint</u>, or lot coverage, but which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

ARTICLE 4: Shall the Raymond Subdivision Ordinance, as adopted May 21, 1994, and amended through June 3, 2014, be further amended by adding the underscored language and removing the language in strikeout text as shown below?

The Select Board recommends Article 4

Motion to recommend above article by Selectman Gifford. Seconded by Selectman Olsen. **Unanimously approved**

DESCRIPTION:

The change is a clarifying statement of site and subdivision plan expiration terms and timeframes, as well as requests for one-time extensions or phasing approval terms. This added item is identical to the expiration of Final Approval as listed within the Raymond Land Use Ordinance and will bring consistency to understanding the enforcement of Subdivision and Site Plan approvals expiration time periods.

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

TOWN OF RAYMOND SUBDIVISION ORDINANCE (excerpts)

ARTICLE 11 – ENFORCEMENT

6. Expiration of Final Plan Approval.

Site Plan and Subdivision Plan approvals shall expire and be void if the construction activity associated with the approval is not commenced within two (2) years, and completed within four (4) years after the date of the site plan or subdivision plan approval unless the reviewing authority, at the time of approval, establishes a different completion schedule, but in no case shall the initial approval period exceed five (5) years to commence and complete. A property owner/developer or their agent may request an extension of the period to commence and/or complete construction by submitting a request to the reviewing authority that issued the site plan or subdivision plan approval. The reviewing authority may grant a one-time extension of up to two years to commence and/or complete construction is not commenced or completed within the approval time frame, the

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applicant must reapply for, and receive approval prior to beginning or continuing construction. Projects approved as Phased Developments shall only be approved by the Planning Board, and the above expiration of approval terms shall apply to any one phase of construction activity. For the purposes of this Section, this section, "commencement of construction" shall be defined to include, but not be limited to, any land/site or vegetation clearing, site disturbance, stockpiling or excavation of soil on the site property, or building expansion or alterations in accordance with the approved plans. The determination of whether construction has commenced shall be in the sole discretion of the Code Enforcement Officer.

67. Severability

The invalidity of any section or provision of this Ordinance shall not be held to invalidate any other section or provision of this Ordinance.

ARTICLE 5: Shall the Raymond Shoreland Zoning Provisions, as adopted May 21, 1994, and amended through June 7, 2017, be further amended by adding the underscored language and deleting the language in strikethrough type as shown below?

The Select Board recommends Article 5

Motion to recommend above article by Selectman Olsen. Seconded by Selectman Bullock. Unanimously approved

DESCRIPTION:

Section 14 Table of Uses 15. A. Single Family Residential to include subnote (***) clarifying the use of only Type 2 Manufactured Homes aka Modular Homes within the Shoreland Zoning. Section 17 – clarification for the terms "Manufactured Homes", and "Dwelling Unit" to expand and replace term Residential Dwelling. This was a result of the Town of Raymond Board of Selectmen's action to place a moratorium on "mobile Homes construction per a citizens' petition.

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

RAYMOND SHORELAND ZONING PROVISIONS (excerpts)

SECTION 14. TABLE OF LAND USES

TABLE 1 "LAND USES IN THE SHORELAND ZONE"

LAND USES	RP	SP	LRR1 LRR2
15. A. Single family residential (<u>***</u>)	no	no	CEO

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(***) Allowed single family structures shall include those units commonly called "modular homes," or "Type 2 Manufactured Homes" as defined in Article 12-Definitions; *Manufactured Housing*, which the manufacturer certifies are constructed in compliance with Title 10, Chapter 975, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

SECTION 17. DEFINITIONS

Dwelling Unit - One (1) or more habitable rooms designed, intended or used for living quarters by one (1) or more persons living together as a family, with living, sleeping, sanitary, and cooking facilities, including within the meaning of cooking facilities a stove, hot plate, microwave oven, or other device for heating or cooking food. The term shall include manufactured houses and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.

- 1. <u>Permanent or year-round A dwelling unit so constructed as to be suitable for occupancy</u> <u>three hundred sixty-five (365) days of the year.</u>
- 2. <u>Seasonal A dwelling unit so constructed as to be suitable for occupancy during the warmer months of the year only.</u>

Manufactured Housing - A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For the purpose of this section, one type of manufactured housing is allowed in the Shoreland Zoning, which shall be:

1. Those units commonly called "modular homes," or Type 2 Manufactured Homes which the manufacturer certifies are constructed in compliance with Title 10, Chapter 975, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

Residential dwelling unit - a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing cooking, sleeping and toilet facilities. The term shall include mobile homes and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.

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ARTICLE 6: Shall the Raymond Land Use Ordinance, as adopted May 21, 1994, and amended through June 6, 2017, be further amended by the adding the underscored language and removing the language in strikeout text as shown below?

The Select Board recommends Article 6

Motion to recommend above article by Selectman Olsen. Seconded by Selectman Gifford. **Unanimously approved**

DESCRIPTION:

Revising allowed uses within Article 4 - C. Rural District (R), and D. Rural District (RR) for one family dwelling units, to include Manufactured Homes (Type1 and 2) to that uses line item, and deleting the previous sections referencing Mobile/Manufactured homes. Article 12 shall include adding the terms "Manufactured Homes" to include defining Type 1 and Type 2 Manufactured homes and adding the term "Dwelling Unit" for clarification and consistency as relating to the Shoreland Zoning Definitions.

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

TOWN OF RAYMOND LAND USE ORDINANCE (excerpts)

ARTICLE 4 – DISTRICT REGULATIONS

C. Rural District (R)

- 2. Permitted Uses
 - a. One-family dwelling to include modular Manufactured hHomes (Type <u>1 and</u> 2 manufactured homes) [Amended 5/21/05]
 - b. Church
 - c. Public buildings and facilities
 - d. Agriculture including commercial poultry and piggery operations that conform to Article 9 of this Ordinance.
 - e. Accessory uses and buildings
 - f. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.
 - g. Bed and breakfast inn not to exceed five (5) rental rooms and not to serve alcohol.
 - h. Boarding homes not to exceed five (5) rentable rooms excluding family living space.
 - i. Public utility and communication facilities.
 - j. Mobile/Manufactured home fourteen (14) feet wide with a pitched roof, manufactured in 1976 or later, with frost wall, grad beam or concrete slab, which shall be designed, if a single unit, to accept T or L additions and shall be so sited so that the longest structural dimension is not more than thirty degrees (30) from parallel with the street or road upon which the lot fronts or, on a corner lot, the more heavily traveled street or road upon which the lot fronts. [Adopted 5/16/87]

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D. Rural Residential District (RR)

2. Permitted Uses

- a. One-family dwelling to include <u>Manufactured Homes (Type 1 and 2 manufactured</u> <u>homes)</u> modular homes (Type 2 manufactured homes) [Amended 5/21/05]
- b. Church.
- c. Schools.
- d. Public buildings and facilities.
- e. Agriculture excluding commercial poultry and piggery operations.
- f. Accessory uses and buildings.
- g. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.
- h. Bed and breakfast inn not to exceed five (5) rentable rooms and not to serve alcohol.
- i. Boarding home not to exceed five (5) rentable rooms excluding family living space.
- j. Public utility and communication facilities.
- k. Mobile/Manufactured home fourteen (14) feet wide with a pitched roof, manufactured in 1976 or later, with frost wall, grad beam or concrete slab, which shall be designed, if a single unit, to accept T or L additions and shall be so sited so that the longest structural dimension is not more than thirty degrees (30) from parallel with the street or road upon which the lot fronts or, on a corner lot, the more heavily traveled street or road upon which the lot fronts. [Adopted 5/16/87]

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS ORDINANCE

Dwelling Unit - One (1) or more habitable rooms designed, intended or used for living quarters by one (1) or more persons living together as a family, with living, sleeping, sanitary, and cooking facilities, including within the meaning of cooking facilities a stove, hot plate, microwave oven, or other device for heating or cooking food. The term shall include manufactured houses and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units. [Adopted 5/16/87]

Manufactured Housing - A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For the purpose of this section, two types of manufactured housing are included. Those two types are:

1. Those units constructed after June 15, 1976, commonly called "newer mobile homes," or <u>"Type 1 Manufactured Homes"</u> which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development Standards, meaning structures transportable in one or more sections, which in the traveling mode are 14 body feet or more in width and are 750 or more square feet, constructed with a pitched roof, and with frost wall, grade beam or concrete slab, which shall be designed, if a single unit, to accept T or L additions and shall be so sited so that the longest structural dimension is not more than thirty degrees (30) from parallel with the street or road upon which the lot fronts or, on a corner lot, the more heavily traveled street

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or road upon which the lot fronts, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air conditioning or electrical systems contained in the unit.

This term also includes any structure, which meets all the requirements of this subparagraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et. seq.; and

2. Those units commonly called "modular homes," <u>or Type 2 Manufactured Homes</u> which the manufacturer certifies are constructed in compliance with Title 10, Chapter 975, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

END OF ORDINANCE CHANGES

ARTICLE 7: To see if the Town will vote, pursuant to 23 M.R.S.A.§2953, that orders of the municipal officers with respect to the closing of roads to winter maintenance shall be a final determination.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 8: To see if the Town will vote to authorize the Selectmen on behalf of the Town to sell and dispose of any property acquired by the Town for nonpayment of taxes pursuant to the policy adopted by the Selectmen, as may be amended from time to time, the policy to remain consistent with State statutes and laws. In all cases conveyance to be made by municipal quitclaim deed.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

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ARTICLE 9: To see what date taxes will be due and to set an interest rate for unpaid amounts.

The Select Board recommends/does not recommend 1^{st} half to be due October 31, 2019 and 2^{nd} half to be due April 30, 2020 with interest at nine percent (**9%**) on any unpaid balances.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Gifford.

Selectman Bullock – This is an increase from last year at 8%?

Finance Director Ricker – Yes.

Unanimously approved

ARTICLE 10: To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at nine percent (**9%**) for the fiscal year.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 11: To see if the Town will vote to authorize the Board of Selectmen to dispose of Town owned personal property with value not to exceed **\$35,000**.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 12: To see if the Town will vote to authorize the Selectmen to appropriate from undesignated fund balance (surplus) to meet the unanticipated needs of the community that occur during the fiscal year and/or to adjust the tax rate as the Selectmen deem advisable an amount not to exceed **\$75,000**.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Olsen.

Unanimously approved

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ARTICLE 13: To see if the Town will authorize the Selectmen, for the fiscal year 2019 - 2020, to transfer funds between appropriation accounts as long as the grand total of all appropriations is not exceeded. Any such transfers to be approved only at a properly called public meeting of the Selectmen.

Motion to recommend above article as written by Selectman Bullock. Seconded by Selectman Olsen.

Unanimously approved

ARTICLE 14: To see if the Town will vote to authorize the use of Town employees and/or Town owned equipment or independent contractor(s) hired by the Town for maintenance on private roads in special and certain circumstances where in the public's interest.

Note of explanation – Three examples of when the use of Town employees and equipment may be necessary:

A. Tying in work done on a public road that intersects a private road;

B. Plowing snow on a private road to clear the way for emergency response apparatus; and

C. In rare or emergency situations, maintaining private roads for school bus access to special education students as deemed necessary.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Olsen.

Selectman Bullock - I normally abstain from this because I own a private Road.

Voted 3-0-1, motion passed

ARTICLE 15: To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. §506, with no interest.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Bullock.

Unanimously approved

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ARTICLE 16: To see if the Town will vote to appropriate **\$249,497** from the tax increment of the Pipeline/RT 302 Tax Increment Financing District for FY 2019 - 2020 projects proposed in the Tax Increment Financing District Development Program.

Motion to recommend above article as written by Selectman Bullock. Seconded by Selectman Olsen.

Chair Sadak – I think the playground is in there. Where is the playground.

Finance Director Ricker – It is in the CIP.

Town Clerk Look – Madam Chair, it was requested that we put the detail in there by Selectman Bullock.

Selectman Bullock – I would like to have an addendum to the Town Warrant with this detail included.

Unanimously approved

ARTICLE 17: To see if the Town will vote to raise and appropriate \$<u>491,822</u> for the Administration account.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 18: To see if the Town will vote to raise and appropriate \$<u>26,675</u> for the Employee Compensation and Training account.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 19: To see if the Town will vote to raise and appropriate **\$59,051** for the Assessing account.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

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ARTICLE 20: To see if the Town will vote to raise and appropriate **<u>\$94,886</u>** for the Code Enforcement Department account.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Olsen.

Unanimously approved

ARTICLE 21: To see if the Town will vote to raise and appropriate \$<u>32,800</u> for the Town Buildings account.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 22: To see if the Town will vote to raise and appropriate \$<u>174,765</u> for the Technology Department account.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 23: To see if the Town will vote to raise and appropriate **\$<u>8,500</u>** for the Community Development account.

Motion to change the amount to **\$1,000** and to recommend above article as amended by Selectman Olsen. Seconded by Selectman Bullock.

Selectman Bullock – I think there is a narrow focus on the bus, there are only 4 people who ride the bus. The people who are supporting the bus have admitted that the bus is not effective. We need more stops or we need to change the bus stops. Taking a wider view of it, RTP offers a lot of services that we have not looked at. I understand that transportation is a big issue in town. They should be looking at combining RTP and the bus and perhaps the town can subsidize some RTP funding, otherwise I do not support the bus.

Chair Sadak – I have called RTP and they do door-to-door for a certain price, you do have to fill out an application. This is a service we would use. There is a different population who would use the bus than would use the van and I think we should look closer at the van.

Selectman Bullock – I think they should explore that and the town would be willing to subsidize some.

Chair Sadak – I did ask them if they would accept that and they said yes, they do accept donations. Don was able to help someone today with this RTP service.

Unanimously approved

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ARTICLE 24: To see if the Town will vote to raise and appropriate \$<u>809,774</u> for the Fire/Rescue Department account.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 25: To see if the Town will vote to raise and appropriate \$<u>32,312</u> for the Animal Control account.

Motion to recommend above article as written by Selectman Bullock. Seconded by Selectman Gifford.

Unanimously approved

ARTICLE 26: To see if the Town will vote to raise and appropriate \$<u>771,633</u> for the Public Works account.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 27: To see if the Town will vote to raise and appropriate \$<u>338,458</u> for the Solid Waste account.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 28: To see if the Town will vote to raise and appropriate \$<u>35,643</u> for the Cemeteries account.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Gifford.

Unanimously approved

ARTICLE 29: To see if the Town will vote to raise and appropriate **\$**<u>17,300</u> for the Parks & Recreation account.

Motion to change the amount for Parks & Recreation to **\$17,700** and to recommend above article as corrected by Selectman Olsen. Seconded by Selectman Bullock. **Unanimously approved**

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ARTICLE 30: To see if the Town will vote to raise and appropriate **\$74,000** for the Raymond Village Library.

Motion to recommend the above article as written by Select Gifford. No second.

Motion to change the amount to **\$60,000** and to recommend above article as written by Selectman Bullock. Seconded by Selectman Gifford.

Motion to amend the amount to \$66,000 by Selectman Olsen. No second

Selectman Bullock – My feeling here is that we are asking the Library to spend 7% of what they have in their savings account rather than having the town increase it to the tax payers.

Chair Sadak – If we pay the \$74,000 we go to 63%, and to pay for the extra hours it feels like we are telling the Library how many hours they can pay. That would be micro-managing and I do not want to take that position.

Selectman Bullock – They have the wherewithal to support the increase and expense. I don't understand what the thinking is when they have \$200,000 in the bank and they are still asking us for more money.

Chair Sadak – I would hope that if something does happen that they would come to the Town and ask for help.

Selectman Bullock – Which we have done in the past.

Voted 3-1, motion passed

ARTICLE 31: To see if the Town will vote to raise and appropriate \$<u>8,000</u> for the General Assistance account.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Bullock.

Unanimously approved

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ARTICLE 32: To see if the Town will vote to raise and appropriate \$<u>2,000</u> for the support of Provider Agencies at the discretion of the Town Manager to assist the citizens of Raymond.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Selectman Bullock – What I think this is doing is to allow the Town Manager to decide on provider agencies and getting this process out of the loop, so to speak.

Chair Sadak – This does not cover the Library, nor does it cover the bus.

Selectman Bullock – There were other agencies that requested funds and Don can decide this. If Don needs guidance he could confer with others.

Town Manager Willard – This is an opportune time to say that today I used Southern Maine Agency on Aging and the RTP bus on an emergency basis for a 97 year old WWII veteran to get him to a doctor's appointment. It worked very well.

Unanimously approved

ARTICLE 33: To see if the Town will vote to raise and appropriate \$<u>572,661</u> for the Insurance and Employee Benefits accounts.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 34: To see if the Town will vote to raise and appropriate \$<u>323,600</u> for Debt Services.

Included are:

2013 Public Works Road Construction Bond Payment	\$ 224,000
2015 Bond Payment	\$ 99,600

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Olsen.

Unanimously approved

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ARTICLE 35: To see if the Town will vote to raise and appropriate **\$**<u>785,000</u> for the Capital Improvement Program.

Included are:

Public Works Equipment Reserve	\$ 215,000
Public Works Paving/Road Reserve	\$ 320,000
Municipal Facilities Improvements	\$ 35,000
Technology	\$ 105,000
Fire Department Equipment/Facilities	\$ 75,000
Playground Improvements	\$ 35,000

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Selectman Bullock – Where do we stand on the playground? Are we finished? Chair Sadak – On the playground at Mill Street, last year we bought a small and large climbing unit. This year we want to add a walking path around Mill Street and there will be a place to park. We are hoping the Boy Scouts will help with kiosks.

Unanimously approved

ARTICLE 36: To see if the Town will vote to appropriate the money received from the State for snowmobile registrations, not to exceed \$2,000, to the Raymond Rattlers Snowmobile Club for the maintenance of their network of snowmobile trails, on condition that those trails be open in snow season to the public for outdoor recreation purposes at no charge, and to authorize the municipal officers to enter into an agreement with the Club, under such terms and conditions as the municipal officers may deem advisable, for that purpose.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 37: To see whether the Town will vote to carry forward any existing fund balance in the Capital Improvement Program (C.I.P.) accounts, the Healthcare Reimbursement Accounts (H.R.A.), Tax Increment Financing (T.I.F.) for the playground, RSU Withdrawal Legal, Land Improvements in the Cemetery Fund, and the Employee Compensation Account.

Motion to recommend above article as written by Selectman Bullock. Seconded by Selectman Olsen.

Unanimously approved

* TAKEN OUT OF ORDER

Selectman's Meeting Minutes

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ARTICLE 38: To see if the Town will vote to raise and appropriate \$<u>788,378</u> for the County Tax account.

Motion to recommend above article as written by Selectman Gifford. Seconded by Selectman Bullock.

Unanimously approved

ARTICLE 39: To see if the Town will vote to appropriate the total sum of \$<u>1,569,728</u> from estimated non-property tax revenues to reduce the property tax commitment, together with all categories of funds, which may be available from the federal government, and any other sources.

Motion to recommend above article as written by Selectman Bullock. Seconded by Selectman Gifford.

Unanimously approved

ARTICLE 40: To see if the Town will vote to authorize the Selectmen to appropriate from undesignated fund balance (surplus) to reduce the property tax commitment as the Selectmen deem advisable an amount not to exceed **\$300,000**.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Gifford.

Unanimously approved

ARTICLE 41: To see if the Town will vote to authorize Town Staff to make application for and execute any documents related to a grant; and to authorize the Select Board to accept or reject grants, donations and/or gifts of money to the Town of Raymond; and to authorize the expenditure of monies awarded, donated and/or gifted for the purposes specified in the grant, donation, and/or gift.

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Gifford.

Town Manager Willard – All references to the **Select Board** should be consistent in the articles. The articles are copied from year to year and some use Selectmen and others Select Board.

Unanimously approved

Selectman's Meeting Minutes

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ARTICLE 42: To see if the Town will vote to accept certain State Funds as provided by the Maine State Legislature during the fiscal year beginning July 1, 2019 and any other funds provided by any other entity included but not limited to:

- Municipal Revenue Sharing
- Local Road Assistance
- Emergency Management Assistance
- Snowmobile Registration Money
- Homestead Exemption
- Tree Growth Reimbursement
- General Assistance Reimbursement
- Veteran's Exemption Reimbursement
- Business Equipment Tax Exemption (BETE) Reimbursement
- State Grant or Other Funds

Motion to recommend above article as written by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved

* TAKEN OUT OF ORDER

Selectman's Meeting Minutes

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ARTICLE 43: To see if the Town, pursuant to 23 M.R.S.A. § 3025, will vote to accept the dedication made by the land owners listed below of title in fee simple in a strip of land bounded and described as follows: a portion of Gore Road to a width of 3 rods, which is 49' 6" wide or 24' 9" from the center line; and to accept and establish a town way on said strip of land; and to authorize the Select Board to enter into an agreement with the Town of Gray for assistance with this project, outlining the terms and conditions as they deem advisable.

Owner(s)	Address	Map-Lot
Timothy B Kilvert	76 gore Rd	008-007
John E Powers	0 Gore Rd	008-009
	9 Paw Print	008-009-
Wendy McEnroe & David Redlon	Pass	A
	7 Paw Print	
Keith A & Cynthia F Minton	Pass	008-010
Judith V Blake	86 Gore Rd	008-011
Robert C & Laura J King	90 Gore Rd	008-012
Edmund A & Anne C Angell	94 Gore Rd	008-013
CMP	98 Gore Rd	008-014
Thomas M LaPierre	0 Gore Rd	008-015
	93 Gore Rd	008-016
Kamden B Berry & Heather A Levesque	89 Gore Rd	008-017
Joseph E Letourneau	84A Gore Rd	008-018
		008-018-
Katherine A & James M Anderson	83 Gore Rd	А
Elinor L Doyle	2 Dolimount Rd	008-019

Motion to recommend above article as written by Selectman Bullock. Seconded by Selectman Gifford.

Town Manager Willard - "CMP" should be changed to "Central Maine Power Company" and change "3 rods" to "three rods".

Selectman Olsen – Just so there is not an issue going forward, the actual wording in the deeds will be:

[OWNER(s)] hereby release to TOWN OF RAYMOND . . . , any and all right, title and interest he/she/they may have in and to Gore Road, so-called, in the Town of Raymond, County of Cumberland and State of Maine, for the purpose of a public way, as it crosses his/her/their property in the Town of Raymond, County of Cumberland and State of Maine, as described in deed dated ______ and recorded in the Cumberland County Registry of Deeds in Book _____, Page ____.

Town Manager Willard – I don't think we need that level of detail here, though. Do you?

Selectman Olsen – No, so it is in the record.

Selectman Bullock - CMP is no longer CMP. Is CMP in the deed?

Town Manager Willard – Yes, it is on the deed as Central Maine Power.

* TAKEN OUT OF ORDER

Selectman's Meeting Minutes

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Unanimously approved

ARTICLE 44: To elect two (2) Selectmen, for three-year terms; two (2) members for the Budget-Finance Committee, for three-year terms; and one (1) member for the RSU School Board of Directors, for a three-year term.

3) * Public Comment

Sheila Bourque – Sheila Bourque, 63 Hancock Road. I am appearing as a resident of Raymond. I would like to ask the Select Board in their deliberations to consider the work of those that are on the ground doing the work every day to make Raymond a more livable community. The library, Southern Maine Agency on Aging and the bus are all important pieces to Raymond and our residents. There are many volunteers working hard, but we need help and support from the Town. I would ask that you consider adding an incremental warrant for the Town meeting to give Raymond voters an opportunity to discuss and vote of these issues.

4) Selectman Comment

Chair Sadak – I got an email from Sheila Bourque. She realized that the Select Board was not included in the email lists for the Library, Age Friendly, and Raymond Arts.

Ms Bourque – You are probably not aware of what is going on in this area. I am asking that I be able to add your Raymond addresses, not your personal email addresses.

Town Manager Willard – I get the emails and forward them to the Select Board members. Anything that is local and Raymond I send.

Selectman Bullock – I think what we are saying is if you send it to Don, we are getting it.

5) Treasurer's Warrant

Motion to approve the Treasurer's Warrant for a total of \$149,900.99 by Selectman Olsen. Seconded by Selectman Bullock. **Unanimously approved**

ADDED TO AGENDA AT THE BEGINNING OF THE MEETING:

Executive Session

a) <u>Consideration of Participating in Spirit of America Award</u> (Pursuant to MRSA 1 §405 (6)(A))

Motion to enter executive session at 7:24pm pursuant to MRSA 1 §405 (6)(A) pertaining to the Spirit of America Award by Selectman Olsen. Seconded by Selectman Bullock.

Unanimously approved.

Motion to leave executive session at 7:34pm by Selectman Olsen. Seconded by

* TAKEN OUT OF ORDER

Selectman's Meeting Minutes

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Selectman Bullock.

Unanimously approved.

6) Adjournment

Motion to adjourn at 7:35pm by Selectman Olsen. Seconded by Selectman Bullock. **Unanimously approved**

Respectfully submitted,

Susan L Look, Town Clerk

* TAKEN OUT OF ORDER

Selectman's Meeting Minutes

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RSU #14 Budget Validation Referendum Warrant

Attachment B / Raymond 2019

WARRANT AND NOTICE OF ELECTION

CALLING REGIONAL SCHOOL UNIT NO. 14

BUDGET VALIDATION REFERENDUM

(20-A-M.R.S.A. 1486)

TO: Michael Duffy, a resident of Regional School Unit No. 14 (the "Regional School Unit") composed of the Towns of Raymond and Windham, State of Maine:

• In the name of the State of Maine, you are hereby ordered to serve upon the Municipal Clerks of each of the municipalities within Regional School Unit No. 14, namely Raymond and Windham, an attested copy of this Warrant and Notice of Election. Service shall be in hand within three (3) days of the date of this Warrant and Notice of Election. The Municipal Clerks of the above municipalities shall immediately notify the respective municipal officers, who shall post the following Warrant and Notice of Election.

TOWN OF RAYMOND REGIONAL SCHOOL UNIT BUDGET VALIDATION REFFERENDUM WARRANT AND NOTICE OF ELECTION

Cumberland ss.

State of Maine

TO: Sue Look, Town Clerk of Raymond: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this Warrant and Notice of Election.

TO THE VOTERS OF RAYMOND:

You are hereby notified that a Regional School Unit budget validation referendum election will be held in the Town of Raymond on Tuesday, June 11, 2019 at 7:00 a.m. at Jordan Small Middle School, 423 Webbs Mills Road in Raymond for the purpose of determining the following referendum question:

- Question 1: Do you favor approving the Regional School Unit No. 14 budget for the upcoming school year that was adopted at the latest Regional School Unit Budget Meeting?
- Question 2: Do you wish to continue the Budget Validation Referendum process in Regional School Unit No. 14 for an additional three years?

The polls must be opened at 7:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change in name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this 10th day of Apen 2019 at Windham, Maine. (SB meeting location)

A majority of the Regional School Unit No. 14 Board of Directors.

A true copy of the Warrant and Notice of Election, attest:

Michael Duffy, Resident ø Regional School Unit No. 14

Countersigned this ______day of _____2019 at Raymond, Maine.

A majority of Municipal Officers of the Town of Raymond.

A true copy of the Warrant and Notice of Election, attest:

Sue Look, Town Clerk Town of Raymond, Maine

Attachment C

WARRANT TO CALL REGIONAL SCHOOL UNIT NO. 14 BUDGET MEETING (20-A M.R.S.A. §1485)

TO: Michael Duffy, a resident of Regional School Unit No. 14 (the "Regional School Unit") composed of Raymond and Windham, State of Maine.

In the name of the State of Maine, you are hereby required to notify the voters of each of the municipalities within Regional School Unit No. 14, namely, Raymond and Windham, that a Regional School Unit Budget Meeting will be held at Windham High School, 406 Gray Road, Windham, Maine at 6:30 P.M. on Wednesday, May 22, 2019 for the purpose of determining the Budget Meeting articles set forth below.

ARTICLE 1A: To elect a moderator to preside at the meeting.

ARTICLES 1 THROUGH 11 AUTHORIZE EXPENDITURES IN COST CENTER CATEGORIES

ARTICLE 1: To see what sum the Regional School Unit will be authorized to expend for Regular Instruction. Regional School Unit Board Recommends	\$18,841,966.07
ARTICLE 2: To see what sum the Regional School Unit will be authorized to expend for Special Education. Regional School Unit Board Recommends	\$8,731,788.24
ARTICLE 3: To see what sum the Regional School Unit will be authorized to expend for Career and Technical Education. Regional School Unit Board Recommends	\$0.00
ARTICLE 4: To see what sum the Regional School Unit will be authorized to expend for Other Instruction. Regional School Unit Board Recommends	\$992,554.55
ARTICLE 5: To see what sum the Regional School Unit will be authorized to expend for Student and Staff Support. Regional School Unit Board Recommends	\$4,216,518.73
ARTICLE 6: To see what sum the Regional School Unit will be authorized to expend for System Administration. Regional School Unit Board Recommends	\$1,440,638.82
ARTICLE 7: To see what sum the Regional School Unit will be authorized to expend for School Administration. Regional School Unit Board Recommends	\$2,762,945.22
ARTICLE 8: To see what sum the Regional School Unit will be authorized to expend for Transportation and Buses. Regional School Unit Board Recommends	\$2,921,295.83

ARTICLE 9: To see what sum the Regional School Unit will be authorized to expend for Facilities Maintenance. Regional School Unit Board Recommends	\$5,861,758.85
ARTICLE 10: To see what sum the Regional School Unit will be authorized to expend for Debt Service and Other Commitments.	
Regional School Unit Board Recommends	\$2,420,233.00
ARTICLE 11: To see what sum the Regional School Unit will be authorized to expend for All Other Expenditures. Regional School Unit Board Recommends	\$355,000.00
ARTICLES 12 THROUGH 14 RAISE FUNDS FOR THE PROPOSED SCHOOL	BUDGET
ARTICLE 12: To see what sum the Regional School Unit will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and to see what sum the Regional School Unit will raise and assess as each municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and to see what sum the numeration from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.	
Recommended amounts set forth below:	
Total Appropriated (by municipality): Town of Raymond:	
Town of Windham:	\$7,091,076.34 \$30,693,617.82
School Regional School Unit Total Appropriated: (Sum of above)	\$37,784,694.16
Total Raised (and Regional School Unit assessments by mu	
Town of Raymond:	\$6,968,183.78
Town of Windham:	\$15,625,188.00
School Regional School Unit Total Raised: (Sum of above)	\$22,593,371.78
Explanation: The Regional School Unit's contribution to the total of education from kindergarten to grade 12 as described in the Esser Services Funding Act is the amount of money determined by state minimum amount that the Regional School Unit must raise and as receive the full amount of state dollars.	cost of funding public ntial Programs and law to be the
ARTICLE 13: To see what sum the Regional School Unit will raise and appropriate for the annual payments on debt service previously approved by the Regional School Unit voters for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Regional School Unit's contribution to the total cost of funding public education from kindergarten to grade 12. Regional School Unit Board Recommends	\$452,312.50

\$452,312.50

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the Regional School Unit's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the Regional School Unit voters.

ARTICLE 14: (Written ballot required). To see what sum the Regional School Unit will raise and appropriate in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, which exceeds the State's Essential Programs and Services allocation model as set forth below, as required to fund the budget recommended by the School Board.

Regional School Unit Board Recommends

\$9,158,610.30

NOTE: The Regional School Unit Board recommends the amount (\$9,158,610.30) for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Serviced funding model by \$9,158,610.30: To continue programs and services that are presently offered, that are not covered or not fully covered by the EPS allocation model, such as athletics, co-curricular activities and Advanced Placement courses.

Explanation: The additional local funds are those locally raised funds over and above the Regional School Unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act that will help achieve the Regional School Unit's budget for educational programs.

ARTICLE 15: SUMMARIZES THE PROPOSED SCHOOL

BUDGET. To see what sum the Regional School Unit will authorize the Regional School Unit Board to expend for the fiscal year beginning July 1, 2019 and ending June 30, 2020 from the Regional School Unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

Regional School Unit Board Recommends

ARTICLE 16: AUTHORIZES EXPENDITURE OF GRANTS AND OTHER RECEIPTS. Shall the Regional School Unit Board be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated?

ARTICLE 17: AUTHORIZES THE ADULT EDUCATION PROGRAM AND RAISES THE LOCAL SHARE. To see if Regional School Unit No. 14 will appropriate **\$638,658.60** for adult education and raise **\$295,086.51** as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program. \$48,544,699.31

\$638,658.60

ARTICLE 18: AUTHORIZES A TRANSFER TO AND EXPENDITURE FROM THE CAPITAL RESERVE FUND. Shall the Regional School Unit Board be authorized to transfer \$900,000 from unexpended balances at the end of the 2019-20 fiscal year to the School Capital Reserve Fund and to expend \$900,000 from the reserve fund for the following purposes(s) in addition to amounts the voters have previously authorized to be expended from the School Capital Reserve Fund for this or other projects?

Total Funding Requested		\$900,000
	Subtotal	\$300,000
Interior Renovations		\$300,000
10.Primary School		
Bus Loop	Subtotal	\$200,000
9. Primary School		\$200,000
Gym Exterior Siding	Subtotal	\$25,000
8. Jordan Small Middle School		\$25,000
Boiler	Subtotal	\$60,000
7. Jordan Small Middle School		\$60,000
Gym & Bleacher Repairs	Subtotal	\$20,000
6. Jordan Small Middle School/Raymond Elem.		\$20,000
Science Room	Subtotal	\$10,000
5. Windham High School		\$10,000
Roof	Subtotal	\$80,000
4. Windham High School		\$80,000
Heating	Subtotal	\$100,000
3. Windham High School		\$100,000
Gym & Bleacher Repairs	Subtotal	\$40,000
2. Windham High School/Windham Middle School		\$40,000
Network Infrastructure	Subtotal	\$65,000
1. District Wide		\$65,000

Given under our hand this 10th day, April 2019 at Windham, Maine. CIRI

A majority of the Regional School Unit Board of Regional School Unit No. 14

A true copy of the Warrant, attest:

Michael Duffy, Resident Regional School Unit No. 14