

Town of Boothbay Harbor
Town Warrant

To Robert Hasch, Constable of the Town of Boothbay Harbor, in the County of Lincoln, 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 Boothbay Harbor in said county and state, qualified by law to vote in town affairs, to meet at the Boothbay Harbor Municipal Fire Station in said Town on Friday, the 7th day of May, 2021, then and there to act upon Articles 1, 2, and 3. The polls for voting on Articles 1, 2, and 3 shall open at 8:00 AM and will close at 6:00 PM. The remaining business to be transacted under the TOWN WARRANT will be taken up on Saturday, the 8th day of May, 2021 at 9:00 AM in the Boothbay Region Elementary School Gymnasium.

Article 1 To choose a moderator to preside at said meeting.

Article 2 To choose by secret ballot, the following public official for a one-year term.

-1 Selectmen and Overseers of the Poor

Article 3 To choose by secret ballot, the following public officials for a three-year term:

- 1 Selectmen and Overseers of the Poor
- 1 School Committee Member of the Boothbay-Boothbay Harbor CSD
- 1 Trustee of the Boothbay-Boothbay Harbor CSD
- 1 Trustee of the Boothbay Region Water District
- 1 Trustee of the Boothbay-Boothbay Harbor Cemetery District

Article 4 To see if the town shall accept the alewife fishing rights pursuant to DMR rules on West Harbor Pond for the year 2022 and that said pond shall remain closed for conservation.

Article 5 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. Section 506.

Article 6 To see if the town will vote to establish a date when taxes are due and payable, and to fix a rate of interest on delinquent taxes.

Selectmen's Recommendation: Taxes are due upon receipt of tax bills. The first installment is due September 8, 2021. Interest for the overdue amount begins September 9, 2021 at a rate of 6%. The second installment is due March 8, 2022. Interest for the overdue amount begins March 9, 2022 at a rate of 6%.

Article 7 To see if the town will vote to set the interest rate to be paid by the Town on abated taxes pursuant to 36 M.R.S.A. Section 505(4-A).

Selectmen's Recommendation: 6%

- Article 8 To see if the town will vote to appropriate the overlay to pay tax abatements and applicable interest granted during the fiscal year.
- Article 9 To see if the town will vote to authorize the municipal officers, on behalf of the town, to sell and convey any real estate acquired by the town for non- payment of taxes, under such terms and conditions as they deem advisable, and to execute a quitclaim deed for such property.
- Article 10 To see if the town will vote to authorize the municipal officers to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to 23 M.R.S.A. Section 2953.
- Article 11 To see if the town will vote to authorize the municipal officers to dispose of any town owned personal property under such terms and conditions, they deem advisable.
- Article 12 To see if the town will vote to authorize the municipal officers to carry forward any unexpended account balance, they deem advisable, provided that the account carried forward is used for the same purpose, and to fund any expenditure exceeding budget from the undesignated fund balance.
- Article 13 To see if the town will vote to authorize the municipal officers to accept any state funds received by the Town and to appropriate any funds received for a particular purpose to that purpose. Funds received but not dedicated to a particular purpose are appropriated for such uses, terms and conditions as the municipal officers deem advisable.
- Article 14 To see if the town will vote to authorize the municipal officers to apply for, accept and administer any state, federal, or private grant they deem advisable.
- Article 15 To see if the town will vote to authorize the municipal officers, on behalf of the Town, to accept gifts and donations, and to appropriate those gifts and donations to the purposes for which they were received, under such terms and conditions they deem advisable.
- Article 16 To see if the town will vote to use and appropriate ESTIMATED REVENUES of \$1,184,786 to reduce the property tax commitment.

(Selectmen and Budget Committee recommend \$1,184,786)
- Article 17 To see if the town will vote to raise and appropriate \$3,063,255 for the remaining Town of Boothbay Harbor Municipal accounts.

(Selectmen and Budget Committee recommend \$3,063,255)

\$182,350	for the CAPITAL account
\$106,222	for the DEBT SERVICE account
\$198,434	for the ADMINISTRATION account
\$35,172	for the ASSESSING account
\$109,500	for the CONTRACT SERVICES account
\$3,800	for the SUPPLEMENTAL account
\$95,039	for the FINANCE account
\$96,000	for the INSURANCE account
\$13,356	for the MEETINGS & ELECTIONS account
\$88,874	for the MUNICIPAL BUILDINGS & VEHICLES account
\$13,322	for the SELECTMEN account
\$91,884	for the TOWN CLERK account
\$143,635	for the TOWN MANAGER account
\$195,431	for the PAVING & CONSTRUCTION account
\$431,888	for the PUBLIC WORKS account
\$26,014	for the PUBLIC RESTROOMS account
\$108,247	for the WINTER OPERATIONS account
\$7,208	for the ANIMAL CONTROL account
\$7,683	for the EMERGENCY MANAGEMENT account
\$91,690	for the CODE ENFORCEMENT account
\$89,052	for the FIRE DEPARTMENT account
\$38,833	for the HARBOR MANAGEMENT account
\$10,453	for the PUMP OUT account
\$845,129	for the POLICE account
\$29,039	for the PARKING account
\$5,000	for the WELFARE account

Article 18 To see if the town will vote to raise and appropriate \$1,311,703 for STREET LIGHTING, HYDRANT SERVICE, BOOTHBAY REGION REFUSE DISPOSAL DISTRICT, BAYVILLE/ISLE OF SPRINGS, and FIREWORKS accounts.

(Selectmen and Budget Committee recommend \$1,311,703)

\$52,733	for the STREET LIGHTING AND LIGHTS account
\$610,626	for the HYDRANT SERVICE account
\$527,682	for the BOOTHBAY REGION REFUSE DISPOSAL DISTRICT account
\$105,662	for the BAYVILLE/ISLE OF SPRINGS account
\$15,000	for the FIREWORKS account

Article 19 To see if the town will vote to raise and appropriate \$516,333 for the SUPPORT ORGANIZATIONS accounts.

(Selectmen and Budget Committee recommend \$516,333)

\$15,000	for the BB/BBH CEMETERY DISTRICT account
\$7,200	for the BOOTHBAY REGION COMMUNITY RESOURCE COUNCIL account
\$4,800	for the BOOTHBAY REGION HEALTH & WELLNESS FOUNDATION (Community Center) account
\$37,592	for the COMMUNITY CABLE CHANNEL account
\$3,500	for the HARBOR LIGHTS FESTIVAL account
\$2,000	for the HISTORICAL SOCIETY account
\$500	for the MEMORIAL DAY/AMERICAN LEGION account
\$65,000	for the MEMORIAL LIBRARY account
\$1,212	for the NEW HOPE FOR WOMEN account
\$1,200	for the SUMMER BAND CONCERTS account
\$25,818	for the BOOTHBAY REGION DISTRICT NURSE ASSOCIATION account
\$2,500	for the BOOTHBAY REGION HEALTH CARE, INC. account
\$350,011	for the AMBULANCE SERVICE account

Article 20 To see if the town will vote to amend the current Land Use Code as follows: A new subsection 170-101.10(C)(10) is added to read: "All floats shall have reflective markers around their perimeters at each corner or angle point of the structure. These reflective markers must be placed so that they are easily seen by all boat traffic. Markers must be maintained and must be replaced when damaged. Permanent identification must be placed on each float with the owner's name, contact information, and current address."

(The intent is to require safety markers on floats.)

Article 21 To see if the town will vote to amend Chapter 9, Budget, of the Code as follows: Section 9-1, Budget Committee, is amended to read: "There shall be a Budget Committee consisting of five members appointed by the Board of Selectmen. The terms of office shall be for three years. Members of the Budget Committee may be re-appointed any number of times. The Budget Committee will meet with the Selectmen, Town Manager and department heads as mutually agreed upon, following transmission of estimates of expenditures by the Town Manager. It may concur with such estimates in whole or in part and, in case of failure of concurrence, may submit to the Annual Town Meeting its own recommendations."

(The intent is to reduce the number of members of the budget committee and to set the terms of office.)

Article 22 To see if the town will vote to amend the Chapter 162, Victualers, of the Code as follows:

1. Section 162-3 Exceptions, subsection B, is amended to read as follows:

B. The Town Manager shall have the authority to decide if an establishment is exempt or not prior to application.

2. Section 162-4 Applications, subsections A, B, C, and D, are amended to read as follows:

A. Renewals. The Board of Selectmen shall, on the second Monday of May, annually, review all renewal applications for the purpose of determining the status of the applicant's previous conformance with this chapter and at such time make a decision as to approve the renewal request; table the renewal request, setting a date for the applicant to come before the Board to answer questions affecting the consideration of the renewal request; or for reason(s) noted, disapprove the request. Notice of such Board of Selectmen meeting shall be given in the manner required by 30-A M.R.S.A. § 3812. Applicants for renewal shall submit a completed application with fees no later than 21 days prior to the first meeting of the Board of Selectmen in May, annually. Failure to meet the annual renewal deadline shall necessitate a new application.

B. New applications. New applicants may apply at any time during the year. The Board of Selectmen shall hold a public hearing within 21 days of the receipt of any application deemed to be complete by the Town Clerk.

C. Application form. All applicants, whether renewal or new licenses, shall apply on a form as approved by the Board of Selectmen.

D. Advertisement. All victualer license applications shall be advertised by posting notices in two or more public places and advertising in a local newspaper, in print and online, at least seven days prior to said meeting.

3. Section 162-5 License fees; issuance, is amended to read as follows: The annual fee for a new license or renewal of a license shall be as specified in the Town Fee Schedule. The fee shall be paid to the Town Treasurer of Boothbay Harbor upon application. A decision to grant, table or revoke a license shall be made by a majority of the Board of Selectmen present. The decision to grant or revoke shall be signed by those members of the Board of Selectmen present. The action taken by the Board of Selectmen shall be effective immediately. The Town Clerk shall issue the license itself within 48 hours of receiving the application form signed by the Board of Selectmen. If denied or revoked, the Board of Selectmen shall sign an order specifying the reasons thereof, and said order shall be delivered to the applicant within 48 hours by a Constable of the Town of Boothbay Harbor. An establishment shall at all times display its current victualers license in a place within the establishment where it can readily be viewed by any member of the public.

4. Section 162-7 Certification of compliance required; inspections; other sanitary requirements, subsections A, B, C, D, F, G, and H, are amended to read as follows:

A. Compliance certification. An establishment requesting a victualers license or renewal of the same shall certify to the Board of Selectmen and prove to the Board's satisfaction that it is not in violation of any municipal ordinance, including Zoning, or state or federal laws, statute, or regulation. The applicant shall also certify that all water charges by the water system, sewer fees by the Sewer District and taxes assessed by the Town of Boothbay Harbor on the establishment or equipment and fixtures contained therein are fully paid as of the date of application. The Board of Selectmen shall may deny any application which fails to meet these requirements.

B. Initial inspection. An establishment requesting a license for the first time shall be

inspected by the Code Enforcement Officer prior to any action being taken on the license application.

C. Application form. An establishment shall apply for a victualers license or renewal on a form designed for that purpose by the Town of Boothbay Harbor. Failure of an applicant to fill out the form completely or any misstatements on said form may result in the denial of the license.

D. Health. An establishment licensed as a victualer and providing for on-premises food consumption shall provide with its renewal application a copy of its current licenses issued by all applicable State agencies. A new application shall be granted by the Board of Selectmen only under the condition that the victualer license becomes effective after the State has had an on-site inspection and has issued all applicable licenses.

F. Sewage. All classes of establishments, A through H, inclusive, shall either be connected to the public sewer in Boothbay Harbor or have an approved septic disposal system which is constructed and operated in conformance with applicable state and local laws, ordinances and regulations. Mobile food vendors must submit a waste water disposal plan.

G. Garbage. All classes of establishments, A through H inclusive, shall have a sufficient number of containers with tight fitting covers for the storage and disposal of garbage generated. The covered containers shall be stored either in a separate room or, if stored outside, shall be stored on a concrete or macadam base or on a surface which is readily washable and shall have an enclosure around them at least three feet in height and secured against entrance by animals.

H. Vents. An establishment which cooks food on the premises shall have a vent from the cooking area to the outdoors whenever reasonably possible. The location of said vent shall be such that it does not present an unreasonable nuisance to any abutting property or to the public via fumes, grease, smell, heat, steam, condensation, smoke or noise.

(The intent is to eliminate the Licensing Board and transfer its functions to the Board of Selectmen, as well as to make improvements in procedures.)

A person who is not registered as a voter may not vote in any election. You are directed to serve this publication and to post it at the Boothbay Harbor Post Office, West Boothbay Harbor Post Office, and the Town Office at least seven (7) days before the time of said meeting.

Hereof, fail not and have this Warrant with your doings, thereon at the time and place stated. Given under our hands this 22nd day of March, 2021.

DocuSigned by:
Michael J Tomko
6F343DGC98EE408...
Michael Tomko, Chair

DocuSigned by:
Tricia Warren
62F31A1A9055416...
Tricia Warren, Vice-Chair

DocuSigned by:
Denise Griffin
867CC36D217E48C...
Denise Griffin

DocuSigned by:
Wendy Wolf
DB31FB616705466...
Wendy Wolf