

**TOWN WARRANT
FOR THE ANNUAL TOWN MEETING
TOWN OF SANGERVILLE
May 4th, 2024**

Piscataquis, SS

State of Maine

To: Richard Hall Jr. a resident of the Town of Sangerville, in said County of Piscataquis, 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 Sangerville, in the county of Piscataquis and the State of Maine, qualified to vote in Town affairs, to assemble at the Grace Bible Community Room, 40 Douty Hill Road on May 4th, 2024 at 1:00 O'Clock in the afternoon, then and there to act on the following Articles, to wit:

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

Silence: A moment of silence will be observed

Pledge of Allegiance

ARTICLE 2: To adopt the Maine Moderator's Manual published by the Maine Municipal Association as the authority on the rules and procedures for conducting the Annual Town Meeting.

ARTICLE 3: To ascertain if non-resident speakers are present and whether or not Inhabitants wish to call on them, to be heard.

INTRODUCTION OF ELECTED OFFICIALS:

ARTICLE 4: To elect One Selectman, Assessor & Overseer of the Poor, for a three-year term and to fix compensation.

To set the Selectmen Stipend at \$800.00

To elect 1 (one) School Board Member for a three- year term

To elect 1 (one) Sanitary District Trustee for a three-year term

BUSINESS ARTICLES

ARTICLE 5: To see if the Town will set a date when taxes on real estate and personal property shall be due and payable, and set a rate of interest to be charged on taxes unpaid after said date. Recommended due date is August 31, 2024. (The maximum allowed is 8.5 % per title 36, M.R.S.A. § 505 4-A)

Recommended by the Select Board: 8.5% is charged after August 31, 2024 on unpaid taxes.

ARTICLE 6: To see if the town will authorize prepayment of real estate and personal property taxes and pay no interest thereon (Title 36 M.R.S.A 36 § 506).

ARTICLE 7: To see if the Town, in accordance with Title 36 M.R.S.A. § 506-A, will vote that a taxpayer who pays an amount in excess of that finally assessed on April 1, 2024, shall be repaid the amount of the overpayment plus interest from the date of the overpayment at the annual rate of 2.0%.

**Recommended by the Select Board: 2 % per annum.
(Note: This is referencing abated taxes.)**

ARTICLE 8: To see if the Town will allow a discount of two percent (2%) on taxes paid in full before 5:00 p.m. on July 31, 2024 and vote to allow for payments received on taxes to be applied to the taxpayer's oldest outstanding tax bill.

ARTICLE 9: To see if the Town will authorize the Select Board on behalf of the Town to sell cemetery lots. 30% of the revenue shall be put into the Perpetual Care Trust Fund Account.

ARTICLE 10: To see if the Town will authorize the Select Board on behalf of the Town to sell and dispose of Real Estate and Personal Property acquired by the Town for nonpayment of taxes thereon. The revenue received from tax acquired property shall be put in the general fund on such terms as they deem advisable and to execute Quit-Claim Deeds for such property.

ARTICLE 11: To see if the Town will authorize the Municipal Officers to spend only those funds necessary for the operation of the Town of Sangerville during the period from January 1, 2025 to the 2025 Annual Town Meeting.

ARTICLE 12: To see if the Town will authorize the Select Board to apply for and accept or refuse any donations, or gifts on behalf of the Town.

ARTICLE 13: To see if the Town will vote to authorize the Select Board to apply for and accept grants from private, state and federal agencies that do not require matching funds from the town or impose contractual obligations on the Town.

ARTICLE 14: To see if the Town will allow the Municipal Officers to accept revenue generated from Plumbing Permits, and to expend these funds to the Licensed Plumbing Inspector as compensation.

ARTICLE 15: Shall the Town vote to give the monies, in the amount of \$820.88, raised from the State Snowmobile Registrations, received in 2024, to the Four-Winds Snowmobile Club?

ARTICLE 16: To see if the Town will vote to allow the Municipal Officers to expend revenue from the overlay as necessary to account for fractional differences in computing the tax rate, abatements, if any, and the 2% discount for taxes paid in full before 5:00 P.M. on July 31, 2024.

ARTICLE 17: Shall the town vote to accept any and all funds from the State of Maine under the following categories:

- Municipal Revenue Sharing
- Snowmobile Registration Money Reimbursement
- Tree Growth Reimbursement
- General Assistance Reimbursement
- Local Road Assistance and Excise Reimbursements
- Homestead and Veteran's Exemption
- State and Federal Grants
- State Aid to Education
- Other Funds (not included in terms above)

These Proposed Revenues are used to help reduce the amount of taxes for each taxpayer.

Recommended by the Select Board: a yes vote

ARTICLE 18: To see if the Town will vote to authorize the Select Board to use up to \$15,000 from undesignated revenue in the event of overdrafts, unforeseen events, or emergencies. Any use of this contingency arrangement must be voted on at a Select Board meeting and the expenditures made will be listed in the subsequent town report. Transfer of undesignated revenues in the excess of \$15,000. Must be authorized by the vote of a Special Town meeting.

Recommended by the Select Board & Budget Committee: \$15,000

ARTICLE 19: To see what sum of Money the Town will vote to raise and appropriate for **General Government**, not to exceed \$ **338,828**.

Recommended by the Select Board & Budget Committee: \$338,828

ARTICLE 20: To see what sum of money the Town will vote to raise and appropriated for the **Fire Department**, not to exceed \$ **50,000**.

**Recommended by the Select Board, Fire Chief
and Budget Committee: \$50,000**

ARTICLE 21: To see what sum of money the Town will vote to raise and appropriate for the **Fire Department Capital Equipment Fund: \$10,000**.

Recommended by the Select Board and Budget Committee: \$10,000

ARTICLE 22: To see if the Inhabitants of Sangerville will appropriate \$40,000.00 from the Reserve account to purchase 4 New ScotAir Paks and 8 AirPak Air Bottles (out of 11 we need) this will be the first of a 3 phase process to keep the Sangerville Fire Department breathing equipment in compliance.

Citizen Petition

ARTICLE 23: To see what sum of money the Town will vote to raise and appropriate for **Animal Welfare**, not to exceed \$**2,800** and carry the balance to the next fiscal year.

Recommended by the Select Board & Budget Committee: \$2,800

ARTICLE 24: To see what sum of money the Town will vote to raise and appropriate for **Protection, including Street Lights and Hydrants**, not to exceed \$**45,200**.

Recommended by the Select Board & Budget Committee: \$45,200

ARTICLE 25: To see what sum of money the Town will vote to raise and appropriate for **Public Works**, not to exceed \$ **384,710**.

Recommended by the Select Board & Budget Committee: \$ 384,710

ARTICLE 26: To see if the Town will vote to appropriate from the **General Fund** for the purpose of **Road Maintenance and Improvements**, not to exceed \$**200,000**.

Recommended by the Select Board & Budget Committee: \$200,000

ARTICLE 27: To see what sum of money the Town will vote to raise and appropriate for **Health & Sanitation**, not to exceed **\$127,160**.

Recommended by the Select Board & Budget Committee: \$127,160

ARTICLE 28: To see what sum of money the Town will vote to raise and appropriate for **Municipal Welfare**, not to exceed **\$5,000**.

Recommended by the Select Board & Budget Committee: \$5,000

ARTICLE 29: To see if the Town will vote to appropriate from the Monument Lot Reserve for **Monument Lot** expenses not to exceed **\$600**.

Recommended by the Select Board and Budget Committee: \$600

ARTICLE 30: To see if the Town will vote to appropriate for Cemetery Expenses, not to exceed **\$18,900**.

Recommended by the Select Board & Budget Committee: \$18,900

ARTICLE 31: To see if the Town will vote to authorize the Municipal Officers to dispose of town owned property with a value of \$10,000 or less, under such terms and conditions as they deem advisable.

ARTICLE 32: To see if the town will vote too accept donations of funds from “The Millard and Marjorie Smart Trust Fund” and to accept the donor’s condition that the funds to be used to defray Town school expenses and to appropriate said donation toward the town’s share of RSU 80 cost for FY 2024 (estimated donation in 2024 **\$2,000**)

Recommended by the Select Board: \$2,000

ARTICLE 33: To see if the Town will approve Summer and Winter Maintenance for the Turner Road from the North Dexter Road (Route 23) 2,875 feet to the driveway for the property listed as Map 4, Lot 8-4 and the Jackman Corner Road from the North Dexter Road (Route 23).6 of mile towards Parkman Townline; along with Summer Maintenance for the Knowlton Mills Road from the East Sangerville Road to the intersection of the Burrough Road.

ARTICLE 34 To see if the Inhabitants of Sangerville will authorize the Board of Assessors to enter into a purchase agreement with Hutchins Real Estate Investments, LLC for the purpose of purchasing the old municipal building located at 1 Town Hall Avenue, Sangerville for a price of \$20,000. and to provide a quit claim deed to Hutchins Real Estate Investments, LLC.

ARTICLE 35: To see if the Inhabitants of Sangerville, Maine will authorize the town to allocate up to \$440,000.00 from the Town's reserve funds to be used to do renovations to the Town Hall building? With a one – year goal, the renovations will be focused on obtaining municipal fire, hazard and liability insurance and reestablishing use of the first floor for the town office, voting place and community meeting space. ~~The project will be overseen by a committee consisting of the following town citizens: Dennis Campbell, Gerald Peters, Patti Davis, Lance Johnson, and Jeffrey Peters. This committee will put the required repairs and renovations out to bid and forward its recommendation to the Select Board for approval by the Board or by Special Town Meeting within two weeks of submission.~~

Citizen's Petition

MEMORANDUM

TO: Town of Sangerville Select Board
FROM: Kristin M. Collins
DATE: April 22, 2024
RE: **Citizens' Petition**

The Select Board has asked me to comment on a citizens' petition submitted on March 1, which requests placement of an article on the town meeting warrant that would accomplish various things related to the Town Hall building. My opinion is that the Select Board should accept the petition in part and reject it in part. I will address the components of the petition separately.

1. "Authorize the town to allocate up to \$440,000.00 from the Town's reserve funds to be used to do renovations to the Town Hall building."

This provision is allowable because it seeks the appropriation of funds, something that appropriately falls within town meeting to do. However, it is important for the voters to understand that it does not mandate the expenditure of the funds once appropriated. The Select Board will retain the discretion to choose to seek and execute – or not seek and execute - contracts for renovations, and also retains authority over disbursements. Also, the phrase "to do renovations" is broad enough that it would allow the appropriated funds to be used for preliminary work related to renovations, such as assessments, engineering or architectural work. I mention this because some may read the article as requiring the funds be spent on physical renovation work. The article neither requires any expenditure, nor precludes expenditure for "soft costs."

2. "The project will be overseen by a committee consisting of the following town citizens..."

This portion of the article is not a valid exercise of town meeting authority and may be rejected. Title 30-A M.R.S. § 2601 states that, "[e]xcept where specifically provided by law, charter or ordinance, the municipal officers shall appoint all municipal officials and employees required by general law, charter or ordinance and may remove those officials and employees for cause, after notice and hearing." Because the Select Board holds the statutory appointment authority and that authority can only be locally changed by charter

or ordinance, the proposed warrant article does not provide a valid means of removing the Select Board's authority.

Because this portion of the petitioned article violates state law, it may be withheld from the article that is put forward to town meeting vote.

3. "This committee will put the required repairs and renovations out to bid and forward its recommendations to the Select Board for approval by the Board or by Special Town Meeting within two weeks of submission."

Because I think the petitioners intended to form the committee only if it was comprised of the specific individuals mentioned in the petition, I do not recommend that the statement of the committee's authority should be put forward in the absence of the prior sentence regarding its membership. Another reason why this portion of the article should not be accepted is its provision purporting to require the Select Board to call a special town meeting if the Select Board does not approve the recommendations. A warrant article cannot constrain or mandate the Select Board's authority over the town meeting warrant. See *Blanchet v. Waldoboro*, LIN-11-101.

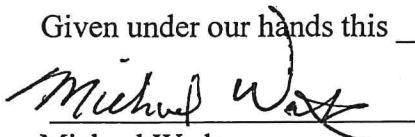
Based on the above, the article submitted to the voters should simply be: "To see if the Inhabitants of Sangerville, Maine will authorize the town to allocate up to \$440,000.00 from the Town's reserve funds to be used to do renovations to the Town Hall building? With a one-year goal, the renovations will be focused on obtaining municipal fire, hazard and liability insurance and reestablishing the use of the first floor for the town office, voting place and community meeting space."


I would be happy to answer any follow-up questions you may have.


Article 36: Shall the Town of Sangerville appropriate reserve funds in order to build a new town office with a community room on town owned land? The total cost of the project is currently estimated at \$500,000.00. The Board will seek Congressional funding for at least 50% of the project, but could be awarded up to 75% of the total cost. A "YES" vote shall cap the maximum "out of pocket" for the town at up to \$250,000.00. With all additional money coming from the grant money. IF the federal funding is not a minimum of 50% of the building cost, the project will not advance.

Recommended by the Select Board

Given under our hands this 25th day of April , A.D. 2024


Michael Wark


Dale Gray


Joanne Cabot

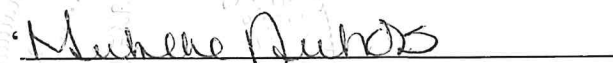
The Select Board of Sangerville

The Registrar of Voters will be available at the Sangerville Town Office on May 3rd, 2024 to correct the voting list.

Pursuant to the within Warrant, I have notified and warned the Inhabitants of Sangerville qualified as therein expressed, to be at the time, and place and for the purpose therein named, by posting this day an attested copy of the within Warrant at the following places:

The Sangerville Town Office
The Sangerville Web site
The R & D Emporium

Attest, a true copy:


Michelle Nichols, Town Clerk

