

Minutes of the Special Town Meeting May 16, 2018

Deputy Town Clerk Stuart Marckoon called the meeting to order at 6:00 PM at the Lamoine Consolidated School Gym. Approximately 34 voters and 5 non-voters were present.

1. To choose a moderator to preside over said meeting. **S. Josephine (Jo) Cooper was nominated and 2nd as moderator. There were no other nominations. A written vote elected Mrs. Cooper 19-to-1. Deputy Clerk Marckoon administered the oath of office to Mrs. Cooper. Mrs. Cooper then appointed Stuart Marckoon as Deputy Moderator. Mr. Marckoon swore his oath as Deputy Moderator to attorney Brian Thomas.**

Mr. Marckoon requested a motion to allow non-voters to speak at the discretion of the moderator. It was moved & 2nd to do so, and a hand vote in favor was unanimous.

Education Budget 2018-19

2. To see what sum the school administrative unit will be authorized to expend for Regular Instruction. **The School Committee & Budget Committee recommend \$1,465,831.71. It was moved and 2nd to approve with the recommended amount. Superintendent of Schools Katrina Kane gave a detailed overview of all the budgets. After very little discussion about the article, the vote to approve passed on a hand vote.**
 - K-2 Regular Elementary Instructional Services
 - 3-8 Regular Elementary Instructional Services
 - 9-12 Regular Secondary Program
 - Gifted and Talented Program
3. To see what sum the school administrative unit will be authorized to expend for Special Education. **The School Committee & Budget Committee recommend \$614,489.72. It was moved and 2nd to approve the recommended amount. There was a brief discussion about a school social worker with Superintendent Kane explaining that they were unable to hire a part time social worker during the current school year, and that line item is being replaced by other programs, including DARE. The vote to approve passed on a hand vote.**
 - K-12 Special Education Services
4. To see what sum the school administrative unit will be authorized to expend for Other Instruction. **The School Committee & Budget Committee recommend \$20,591.10. It was moved and 2nd to pass as recommended. The motion passed on a hand vote.**
 - Elementary Co-Curricular
 - Elementary Athletics
5. To see what sum the school administrative unit will be authorized to expend for Student and Staff Support. **The School Committee & Budget Committee recommend \$116,933.46. It was moved and 2nd to pass as recommended. School principal Dawn McPhail explained the health services program. The motion passed on a hand vote.**
 - Guidance
 - Health Services
 - Curriculum

- Instructional Staff Training
 - Library
 - Instructional Technology
 - Student Assessment
6. To see what sum the school administrative unit will be authorized to expend for System Administration. **The School Committee & Budget Committee recommend \$129,995.42. It was moved and 2nd to pass as recommended. The motion passed on a hand vote.**
- School Board
 - Office of the Superintendent
 - Business Services
7. To see what sum the school administrative unit will be authorized to expend for School Administration. **The School Committee & Budget Committee recommend \$152,182.52. It was moved and 2nd to pass as recommended. The motion passed on a hand vote.**
- Office of the Principal
8. To see what sum the school administrative unit will be authorized to expend for Transportation and Buses. **The School Committee & Budget Committee recommend \$143,624.00 It was moved and 2nd to pass as recommended. The motion passed on a hand vote.**
9. To see what sum the school administrative unit will be authorized to expend for Facilities Maintenance. **The School Committee & Budget Committee recommend \$177,521.31 It was moved and 2nd to pass as recommended. The motion passed on a hand vote.**
- Operations and Maintenance
 - Capital Renewal
10. To see what sum the school administrative unit will be authorized to expend for Debt Service. **The School Committee & Budget Committee recommend \$54,804.16 It was moved and 2nd to pass as recommended. School Committee Chair Brett Jones said this was for a loan taken out about 10-years ago and this would be the last year to pay back the loan. The motion passed on a hand vote.**
11. To see what sum the school administrative unit will be authorized to expend for All Other Expenditures. **The School Committee & Budget Committee recommend \$37,722.59. It was moved and 2nd to pass as recommended. Robert Christie asked why the budget was reduced. Principal McPhail said the current year budget included a freezer purchase which will not be needed in the next fiscal year. Mr. Christie asked whether there was a health component to the school nutrition program. Superintendent Kane said that is included in the Health Curriculum. The motion passed on a hand vote.**
- School Nutrition Program
12. To see what sum the municipality 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 (**The School Committee & Budget Committee recommend \$ 1,605,699.57**) and to see what sum the municipality will raise as the 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 in accordance with the Maine Revised Statutes, Title 20-A, section 15688. **The School Committee &**

Budget Committee recommend \$1,605,699.57. It was moved and 2nd to pass as recommended. Superintendent Kane in response to remarks that this was a confusing article explained that this is the amount needed to be raised to receive state funding. The motion passed on a hand vote of 31-0.

Explanation: The school administrative 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 is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

13. Shall the Town of Lamoine raise and appropriate **\$904,707.94** in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$904,707.94** as required to fund the budget recommended by the school committee?

The school committee and budget committee recommend **\$904,707.94** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$904,707.94** **It was moved and 2nd to pass as recommended. The motion passed on a hand vote of 31-0.**

Explanation: The additional local funds are those locally raised funds over and above the school administrative 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 and local amounts raised for the annual payment on non-state funded debt service that will help achieve the (municipality/district) budget for educational programs.

14. Shall the Town of Lamoine raise and appropriate **\$37,722.59** for local nutrition allocation purposes (the school lunch program)? **The School Committee & Budget Committee recommend \$37,722.59. It was moved and 2nd to pass as recommended. The motion passed on a hand vote.**

15. To see what sum the municipality will authorize the school committee to expend for the fiscal year beginning July 1, 2018 and ending June 30, 2019 from the school administrative 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. The School Committee and Budget Committee **Recommend: \$2,913,695.99. (Moderator's note, the incorrect fiscal year reference was corrected to reflect that this budget is for the 7/1/18 to 6/30/19 fiscal year.) It was moved and 2nd to pass as recommended. The motion passed on a hand vote of 31-0.**

16. To see if the Town will vote to amend the Building and Land Use Ordinance dated June 10, 2014 as follows: Replace Section 4-I-2 (Lot Standards and Structure Setback Table) with:

| Lot Standards & Structure Setback Table | Residential Zone (RZ) | Development Zone (DZ) | Rural & Agricultural Zone (RAZ) |
|---|-----------------------|-----------------------|---------------------------------|
| Minimum Lot Size (square feet) (per dwelling unit or principal structure ²) | 40,000 ¹ | 40,000 ¹ | 40,000 ¹ |
| Minimum Lot Public Road Frontage (ft)³ | 200 ⁴ | 200 ⁴ | 200 ⁴ |
| Minimum Front Yard Setback from the Centerline of a Public Road^{4,5} | 75 | 75 | 75 |
| Minimum Side & Rear Yard Setback from a Lot Line (ft) | | | |

| | | | |
|--|-----|-----------------|-----------------|
| Residential | 25 | 25 | 25 |
| Commercial -2000 sq ft or less | N/A | 25 ⁴ | 25 ⁴ |
| Large Commercial & Industrial | N/A | See Note 5 | See Note 5 |
| Maximum Lot Coverage including Driveways & Parking Lots | | | |
| Residential | 25% | 25% | 25% |
| Commercial/Industrial | N/A | 30% | 30% |
| Subdivision (See BLUO Section 12.H) | | | |
| Maximum Building Height (ft)⁶ | 35 | 35 | 35 |

¹ Lot sizes can be reduced to 22,000 square feet if the lot is connected to a public water and sewer system.

² Commercial and industrial usage (where allowed) requires 40,000 square feet of land for every 5,000 square feet of floor space or portion thereof in the building.

³ A dwelling unit or principal structure located within 200 feet of a Public Road and accessed from that road must have a minimum of 200 feet of frontage on that road.

⁴ Additional standards apply for subdivisions [see Sections 12(G) & 12(H)] and cluster housing [see Section 13 (B)].

⁵ For large commercial structures (over 2000 square feet of floor space) and industrial structures (where allowed) the setback will be at least 225 feet from the centerline of a Public Road, except that retail or service structures need only be set back at least 125 feet from the centerline of a Public Road. The setback from the side and rear adjoining lot lines will be at least 100 feet.

⁶ Auxiliary features of building and structures, such as chimneys, towers, ventilators, and spires may exceed the permitted maximum height of the structure, unless prohibited by other provisions of this ordinance.

It was moved and 2nd to approve the article. Planning Board chair John Holt provided a detailed explanation of the proposed amendment's intent. There were several questions about the road frontage requirement. The motion passed on a hand vote.

17. To see if the Town will vote to amend the Gravel Ordinance last amended on April 10, 2014 as follows:

Add the following two subparagraphs to Section 8.D.1.e:

1. Restoration of previously excavated areas proposed or required as part of Gravel Permit must be completed within one year of the date of permit issuance. Failure to complete Restoration within the one-year time frame shall be sufficient grounds for:
 - (a) revocation of an existing Gravel Permit; and/or
 - (b) denial of a subsequent Gravel Permit for the same parcel until such time as required Restoration is completed.
2. Restoration of a discontinued pit must be completed within one year of the date of discontinuance.

And amend Section 9 (Definitions) to define Discontinued Gravel Pit as follows:

The term 'Discontinued Gravel Pit' shall mean a Gravel Pit which is no longer permitted by the Lamoine Planning Board. A Gravel Pit may be designated as discontinued due to either expiration of or revocation of an existing permit. A permit may be revoked as set forth in Section 7.H or **Section 8.D.1.e.(1)**. A discontinued Gravel Pit shall be restored according to the provisions set forth in Section 8.D.

It was moved and 2nd to approve the article. Planning Board Chair John Holt provided a detailed explanation of the proposed amendment's intent. Discussion followed regarding restoration activities. Michael Jordan inquired whether the Planning Board had consulted with an attorney whether it would have the right to enforce a permit revocation. Mr. Holt said the board had not. There were several questions regarding restoration and revocation. Following the discussion, the measure passed on a hand vote. There being no further business, the special town meeting adjourned at 7:05 PM.

Respectfully submitted,

Stuart Marckoon, Deputy Town Clerk/Deputy Moderator