

**SECRET BALLOT ELECTION AND
TOWN MEETING WARRANT**

Saturday, March 2, 2013

To Bonnie Baker, resident of the Town of Embden, in the County of Somerset, State of Maine,

GREETING:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the town of Embden in said county and state, qualified by law to vote in town affairs, to meet at the Embden Town Office in said town on Saturday, the 2nd day of March, A.D. 2013, at seven and forty-five o'clock in the forenoon, then and there to act upon Article 1 and by secret ballot on Article 2 as set out below, the polling hours therefore to be from eight o'clock in the forenoon until twelve o'clock in the afternoon;

And, to notify and warn said inhabitants to meet at the Embden Community Center (formerly the Embden Elementary School) in said town on Saturday, the 2nd day of March, 2013 A.D., at one o'clock in the afternoon, then and there to act on Articles 3 through 46 as set out below, to wit:

Article 1. To elect a moderator to preside at said meeting and to vote by written ballot.

Article 2. To elect all municipal officers and school committee members as are require to be elected.

Nominated Candidates;

Selectman, three-year term: Charles Taylor
Town Clerk/Treasurer, one-year term: Bonnie Baker
Tax Collector, one-year term: Ruth Blake
Road Commissioner, one-year term: Michael Witham
Assessor, three-year term: Wayne McLaughlin
RSU #74 School Board Director, one-year term: Dwight Baron
RSU #74 School Board Director, three-year term:

Article 3. To see if the Inhabitants will accept the following tax assessment and collection related questions:

A. To see if the Inhabitants will authorize the Tax Collector and Treasurer to apply any property tax overpayment of less than \$20 to that person's next year's property taxes.

Selectmen recommend Yes.

B. To see if the Inhabitants will vote to charge the maximum rate of interest allowed by the State on all unpaid taxes beginning 30 days after commitment of said taxes or 30 days from the date of the tax bill(s) whichever is later (Rate being 7%).

Selectmen recommend Yes.

C. To see if the Inhabitants will vote to authorize citizens to pay their property taxes in two equal installments, the first one half of taxes assessed for the current year shall become due and payable in July 2013, the second one-half of taxes assessed for the current year shall become due and payable in November 2013 or what they will do related thereto

Selectmen recommend Yes.

D. To see if the Inhabitants will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.S.R.A. Section 506.

Selectmen recommend Yes.

E. If the Inhabitants accept the previous section, what, if any, interest shall the Inhabitants pay on these prepaid taxes? (If the Inhabitants vote to pay interest, the interest rate cannot be more than 8%.)

Selectmen recommend 0%

F. To see if the Inhabitants will vote to raise and appropriate from overlay to pay tax abatements and applicable interest granted during the fiscal year 2013.

Selectmen recommend Yes.

G. To see if the Inhabitants will vote to set the interest rate to be paid by the Town on abated taxes pursuant to 36 M.R.S.A Section 506-A.

Selectmen recommend Yes and a rate of 5%.

Article 4. To see if the Inhabitants will vote to authorize the municipal officers to make final determinations regarding the closing and opening of roads to winter maintenance pursuant to 23 M.S.R.A. Section 2953.

Selectmen recommend Yes.

Article 5. To see if the Inhabitants will authorize the Selectmen to procure a Tax Anticipation Note (TAN) for the purpose of paying municipal indebtedness; such note to be repaid during the current fiscal year from taxes paid during the municipal year.

Selectmen recommend Yes.

Article 6. To see if the Inhabitants will authorize the Municipal Officers to apply for, accept, and expend grant money available from the State of Maine, Federal Government, or other organizations for any public purpose when they deem it to be in the town's best interest and needed matching funds are available within the current budget.

Selectmen recommend Yes.

Article 7. To see if the Inhabitants will authorize the Municipal Officers to spend an amount not to exceed 3/12 of the budgeted amount of the previous annual budget during the period from January 1, 2014 to the Annual Town Meeting.

Selectmen recommend Yes.

Article 8. To see if the Inhabitants will authorize the Municipal Officers to sell and dispose of any tax acquired property by the following procedure; acquiring a fair market value on the property, set a minimum bid amount, and to place said property out to bid. Then to award the property on such terms as they deem to be in the best interest of the town and to execute Quit Claim Deeds for such property.

Selectmen recommend Yes.

Article 9. To see if the Inhabitants will vote to authorize the Municipal Officers to accept gifts of money, equipment, or other articles for the town. (All gifts to become property of the town)

Selectmen recommend Yes.

Article 10. To see if the Inhabitants will accept funds from, but not limited to, the following potential revenue sources:

- A. Municipal Revenue Sharing
- B. Local Road Assistance
- C. State Aid for Education
- D. Civil Emergency Funds
- E. Tree Growth Reimbursement
- F. Veteran's Exemption Reimbursement
- G. Homestead Exemption Reimbursement
- H. General Assistance Reimbursement

Selectmen recommend Yes.

Article 11. To see if the Inhabitants will vote to appropriate all of the money received from the State for snowmobile registrations to the Embden Travelers Snowmobile Club for the maintenance of their system of trails and bridges open in snow season to the public within the Town of Embden.

Selectmen recommend Yes.

Article 12. To see if the Town will vote to carry the following account balances forward into their respective accounts. (Account balances as of Dec. 31st, 2012):

<u>BALANCE FORWARD ACCOUNTS</u>	<u>2013 REQUEST</u>
Community Center	\$ 6,580
Capital Improvement Fund	\$ 107,475
Assessors Account	\$ 4,099
Tax Map Account	\$ 6,808
Planning Board Account	\$ 9,338
E-911 Account	\$ 2,482
Animal Control Account	\$ 2,365
Highways & Bridges (Summer Roads)	\$ 32,655
Recreation Account	\$ 9,408
Technology Account	\$ 6,159
Regulations & Manuals	\$ 3,746
 Recommended by the Board of Selectmen	 Total: \$191,115

Article 13. To see if the Inhabitants will vote to authorize the Municipal Officers to enter into a rental agreement with the Embden Community Club. This agreement shall be for the sole purpose of allowing the Embden Community Club to manage the daily operations of the Embden Community Center. Under this agreement, all revenues paid to the Town of Embden, shall be placed into the existing carried forward community center maintenance account that are to be used exclusively for building utilities and ancillary operating expenses, daily maintenance, and improvements for the Embden Community Center building.

All programming revenues or expenses shall be retained or paid by the Embden Community Club, as an individual entity, separate from the Town of Embden.

Municipal Officers, elected and appointed, recommend.

Article 14. To see if the Inhabitants will vote to raise and appropriate the sum of \$82,000 from taxation for compensation, applicable taxes, training, and other related expenses for the Municipal Officials or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 15. To see if the Inhabitants will vote to raise and appropriate the sum of \$10,000 from surplus for legal expenses or what they will do related thereto (If required, any additional funding to be from Surplus)

Municipal Officers, elected and appointed, recommend.

Article 16. To see if the Inhabitants will vote to raise and appropriate the sum of \$4,400 from surplus for membership, dues, etc. in civic organizations. (i.e., KVCOG, SEDC, MMA, MTCCA, MTCTA, MAAO, etc.)

Municipal Officers, elected and appointed, recommend.

Article 17. To see if the Inhabitants will vote to raise and appropriate the sum of \$12,000 from taxation for all insurance policies, (e.g.; worker's comp., building, equipment, etc.) or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 18. To see if the Inhabitants will vote to raise and appropriate the sum of \$8,000 from taxation for audit of the 2012 town books, expenses for holding Town Meeting(s), and for printing of the Annual Town Report or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 19. To see if the Inhabitants will vote to raise and appropriate the sum of \$1,950 from taxation for unanticipated expenses or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 20. To see if the Inhabitants will vote to raise and appropriate the sum of \$8,000 from taxation for the yearly repair and maintenance of all town owned buildings, structures, and property or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 21. To see if the Inhabitants will vote to raise and appropriate the sum of \$100,000 from surplus for the Capital Improvement Fund, for the purpose of capital improvement projects for any town owned buildings or structures or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 22. To see if the Inhabitants will vote to raise and appropriate the sum of \$45,000.00 from taxation for utilities (fuel, electricity, telephone, internet, mowing, trash removal, cleaning, etc.) or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 23. To see if the Inhabitants will vote to raise and appropriate the sum of \$8,000 from taxation for supplies and equipment used to run the operations of the town office or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 24. To see if the Inhabitants will vote to raise and appropriate the sum of \$5,000 from taxation for annual licensing and maintenance fees for the Municipal Software from Trio Software Company.

Municipal Officers, elected and appointed, recommend.

Article 25. To see if the Inhabitants will vote to combine the carried forward sum of \$3,746 from Regulations & Manuals with the carried forward sum of \$6,159 in the Technology Account for the purpose of creating an Information/Technology Account or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 26. To see if the Inhabitants will vote to raise and appropriate the sum of \$30,355 from surplus for compensation, applicable taxes, training, and other related expenses for Tax Assessment or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 27. To see if the Inhabitants will vote to raise and appropriate the sum of \$7,700 from taxation for the Tax Map Maintenance Account or what they will do related thereto (this amount includes \$4,500 for Embden's share of the Embden/New Portland town line marking)

Municipal Officers, elected and appointed, recommend.

Article 28. To see if the Inhabitants will vote to raise and appropriate the sum of \$8,250 from surplus for compensation, applicable taxes, training, and other related expenses for the Planning Board or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 29. To see if the Inhabitants will vote to raise and appropriate the sum of \$2,850 from surplus for compensation, applicable taxes, training, and other related expenses for the Appeals Board or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 30. To see if the Inhabitants will vote to raise and appropriate the sum of \$11,950 from excise, for compensation, applicable taxes, training, and other related expenses for Code Enforcement or what they will do related thereto

Municipal Officer, elected and appointed, recommend.

Article 31. To see if the Inhabitants will vote to raise and appropriate the sum of \$42,000 from taxation for contracted fire protection and authorize the Board of Selectmen to enter into a fire protection agreement with a fire protection provider or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 32. To see if the Inhabitants will vote to raise and appropriate the sum of \$12,000 from taxation for the annual rental of fire hydrants to the Madison Water District pursuant to 35-A M.S.R.A. Section 107 or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 33. To see if the Inhabitants will vote to raise and appropriate the sum of \$15,000 from taxation for emergency services to Anson-Madison-Starks (AMS) Ambulance Service or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 34. To see if the Inhabitants will vote to raise and appropriate the sum of \$2,000 from taxation for Town E911 signs and maintenance or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 35. To see if the Inhabitants will vote to raise and appropriate the sum of \$3,525 from surplus, for Animal Control or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 36. To see if the Inhabitants will vote to pay all Town hired labor and equipment at the prevailing State of Maine hourly rate or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 37. To see if the Inhabitants will permit the Municipal Officers and/or Road Commissioner to use URIP Block Grant money, within the dedicated account for improvements to Town maintained roads and/or bridges, not to exceed the year ending balance of \$56,293. Municipal Officers, elected and appointed, recommend.

Municipal Officers, elected and appointed, recommend.

Article 38. To see if the Inhabitants will vote to raise and appropriate the sum of \$200,000 for repair and maintenance of bridges, roads, and culverts, dedicated for use by the Road Commissioner, or what they will do related thereto

Municipal Officers, elected and appointed recommend \$125,000 from taxation and \$75,000 from excise.

Article 39. To see if the Inhabitants will vote to raise and appropriate the sum of \$224,000 for the winter roads contract or what they will do related thereto

Municipal Officers, elected and appointed recommend \$175,000 from taxation and \$49,000 from surplus.

Article 40. To see if the Inhabitants will vote to raise and appropriate the sum of \$40,000 from taxation for solid waste disposal to Waste Management, Inc. or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 41. To see if the Inhabitants will raise and appropriate \$2,000 from excise for the purpose of General Assistance administered by the town or what they will do related thereto (Any additional funds, if needed, to be withdrawn from Surplus)

Municipal Officers, elected and appointed, recommend.

Article 42. To see if the Inhabitants will raise and appropriate the recommended amount from surplus for the following Social Services and Charities or what they will do related thereto

A. Stewart Public Library	\$1000.00
B. Hospice	\$ 200.00
C. Senior Spectrum	\$ 800.00
D. Family Violence	\$ 500.00
E. Solon Food Cupboard	\$2000.00
F. Madison Food Cupboard	\$2000.00
G. Baker Mountain	\$ 500.00
H. American Red Cross	\$ 300.00
I. KVCAP	\$ 300.00
J. Sunset Cemetery	\$1000.00
K. Madison Public Library	\$ 500.00
L. Sexual Assault Crisis & Support Center	\$ 300.00
M. Maine Public Broadcasting System	\$ 100.00

Total: \$9,500.00

Article 43. To see if the Inhabitants will vote to raise and appropriate the sum of \$5,000 from surplus and appropriate the revenues collected in program fees for compensation, applicable taxes, program funding, and other related expenses for the Embden Recreation Department or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 44. To see if the Inhabitants will vote to raise and appropriate the sum of \$1,000 from taxation plus interest from the Mary Ann Burns trust fund for use, dedicated for maintenance of cemeteries within the town or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 45. To see if the Inhabitants will vote to raise and appropriate the sum of \$1,100 from surplus for compensation, and applicable taxes for the town's Emergency Management Department or what they will do related thereto

Municipal Officers, elected and appointed, recommend.

Article 46. To see if the Inhabitants will vote to increase the property tax levy limit established for the Town of Embden by State Law in the event that the municipal budget approved by the proposed articles will result in a tax commitment that is greater than that property tax levy limit.

Municipal Officers, elected and appointed, recommend.

Dated: February 4, 2013.

Charles Taylor

Wayne McLaughlin

Elizabeth Pratt

Municipal Officers

Rules of Town Meeting

All comments or questions will be directed to the Moderator. No one may speak until recognized by the moderator.

The article will be read in full and the recommendation of the Municipal Officers will be stated. An affirmative motion will be made by an identified voter. No negative motions, including a motion to pass over, will be accepted. Vote will be by a show of hands. The vote will be announced. Vote may be challenged by at least 7 voters.

Any decision by the moderator may be challenged. He may be overruled by a majority vote of the voters.

No smoking is allowed in the building.

General provisions for town meeting are contained in the MSRA Title 30.

GENERAL TOWN MEETING PROVISIONS

THE FOLLOWING PROVISIONS APPLY TO ALL TOWN MEETINGS:

1. **QUALIFIED VOTER:** Every voter in the town may vote in the election of all town officials and in all town affairs.
2. **MODERATOR ELECTED AND SWORN:** The clerk, or in the clerk's absence a selectman or constable, shall open the meeting by:
 - a. Calling for the election of a moderator by written ballot
 - b. Receiving and counting votes for moderator
 - c. Swearing in the moderator
3. **MODERATOR PRESIDES:** As soon as he has been elected and sworn, the moderator shall preside over and supervise the voting at the meeting and may appoint a deputy moderator to assist the moderator. If the moderator is absent or unable to carry out the duties, the clerk, or in the clerk's absence a selectman or constable, may call for the election of a deputy moderator to act in the absence of the moderator.
 - a. All persons shall be silent at the moderator's command. A person may not speak before the moderator recognizes that person. A person who is not a voter in the town may speak at the meeting only with the consent of 2/3 of the voters present.
 - i. If any person, after a command for order by the moderator, continues to act in a disorderly manner, the moderator may direct that person to leave the meeting. If the person refuses to leave, the moderator may have that person removed by a constable and confined until the meeting is adjourned.
 - b. When a vote declared by the moderator is immediately questioned by atleast 7 voters, the moderator shall make certain by polling the voters or by a method directed by the municipal legislative body.
4. **VOTES RECORDED BY THE CLERK:** The clerk shall accurately record the votes of the meeting.
5. **WRITTEN BALLOTS:** The clerk shall prepare the ballots. Ballots shall be of uniform size and color and must be blank except that 2 squares with "yes" by one and "no" by the other may be printed on them. The moderator shall ensure that each voter receives only one ballot for each vote taken.