

2023 Annual Town Meeting Minutes

Town Clerk Nancy Gove read the greeting at 8:00 a.m. after swearing in the ballot clerks for the municipal election.

To Tammy Lamphere, a resident of the Town of Mercer, in the County of Somerset, 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 Mercer in said county and state, qualified to vote in town affairs, to meet at the **Mercer Community Center** in said Town on **Friday, the 3rd day of March, 2023**, at eight o'clock in the forenoon then and there to act upon Article 1 and by secret ballot on Articles 2 and 3 as set out below, the polling hours therefor to be from 8:00 a.m. until 8:00 p.m. and to reconvene on **Saturday, the 4th day of March, 2023**, at five thirty o'clock in the afternoon (**5:30 p.m.**) then and there to act upon Articles 4 through 41, said articles being the following:

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

A motion was made and seconded to elect Nancy Gilman as moderator of this meeting. No other nominations were announced. Nancy Gilman was elected as moderator with 3 secret ballot votes. Nancy Gilman was sworn in as moderator. Moderator Gilman then declared the polls open. At 8:00 p.m., Moderator Gilman declared the polls closed. The meeting was recessed until Saturday, March 4th at 5:30 p.m.

ARTICLE 2: To elect three (3) Selectpersons, Assessors, and Overseers of the Poor all for one-year terms, one (1) Trustee of Shaw Library for a five-year term, one (1) Budget Committee member for a three-year term and one (1) Planning Board member for a three-year term.

The following candidates were elected into office: Ricky Parlin – 1st Selectperson, Assessor and Overseer of the Poor with 170 votes; Gary Mosher – 2nd Selectperson, Assessor and Overseer of the Poor with 161 votes; Mary Burr – 3rd Selectperson, Assessor and Overseer of the Poor with 126 votes; Gaylene Williams – Trustee of Shaw Library with 190 votes; Joan Nunnally – Planning Board with 111 votes; and Brian Breton – Budget Committee with 172 votes.

ARTICLE 3: Shall an Ordinance entitled “Town of Mercer, Maine Solar Energy Systems Ordinance” be enacted?

This was voted by referendum ballot with 148 Yes votes and 50 No votes. Article passes.

At 5:30 p.m. on Saturday, March 4 Town Clerk Nancy Gove reconvened town meeting, read the greeting, announced the votes cast on Friday, March 3 municipal election and swore in the duly deputized deputy moderator, Ernest “Ernie” Hilton to preside over the open town meeting. Ernie began with Article 4, asking for a motion.

ARTICLE 4: Shall an Ordinance entitled “Town of Mercer Appeals Board Ordinance” be enacted?

A motion was made and seconded to approve Article 4 as written.

Resident Denis Culley made a motion to reconsider Article 3. Yolanda Violette seconded. Denis gave the moderator and the Town Clerk a copy of the Maine Moderator’s Manual Rules of Procedure in an effort to state the legality of his motion. Mr Culley indicated that he voted in the affirmative of Article 3 and was willing to take an oath to this effect. Moderator Hilton asked if the person who seconded the vote also voted in the affirmative; she did not. Jerry Redlevske indicated that he voted in the affirmative and then he seconded Mr. Culley’s motion. Mr. Culley indicated that although he supports the solar ordinance, he was concerned about two things: the first being the application fee and the second that the ordinance included home solar arrays. The Moderator allowed some discussion on the matter. Town Clerk Gove was uncomfortable moving forward with the motion to reconsider as the vote was taken on

the day prior by referendum ballot and the two-part warrant was very clear as to what business would be conducted on each day. Moderator Hilton ruled the motion out of order.

Moderator Hilton asked for a motion to adopt the Maine Moderator's Manual 6th Edition. A motion was made and seconded. Motion passes.

Back to Article 4. Discussion: residents questioned why an Appeals Board Ordinance was necessary. It was explained that it defined the roles and duties of the board and provided clear procedures for hearing appeal matters. A question was asked why the Selectboard had the right to remove an Appeals Board member and not the recall ordinance. Town Clerk Gove explained that Appeals Board members were appointed, therefore the Recall Ordinance wouldn't apply. Motion passes.

ARTICLE 5: To see if the Town will vote (by secret Australian ballot) to increase the property tax levy limit established for Mercer by state law, in the event that the municipal budget approved under the following articles results in a tax commitment greater than that limit.

A motion was made and seconded. The Tax Levy limit for this year is \$59,263. A written ballot vote declared 48 yes votes, 9 no votes. Article passes.

ARTICLE 6: To see if the Town will vote to authorize the Municipal Officers to spend any amount not to exceed 3/12th of the current annual budget during the period from January 1st of the following year to the date of that year's annual town meeting.

A motion was made and seconded. Motion passes.

ARTICLE 7: To see if the Town will vote to charge and collect interest of 8% on all taxes assessed in 2023 that are unpaid 30 days after the date of commitment.

Select Board recommends the maximum allowed by state law, 8%

Budget Committee recommends 8%

A motion was made to lower the interest rate to 5%. Motion was seconded. A motion was made to amend the motion on the floor to 8%. Motion was seconded. Motion carried. Moderator called for a vote on the motion as amended which was to set the rate at 8%. Motion passes.

ARTICLE 8: To see if the town will vote to raise and appropriate **\$123,738 for wages and benefits of all Town Officers.**

Requested

1 st Selectperson	6,000	Addressing Officer	500
2 nd Selectperson	6,000	Code Enforcement	3,000
3 rd Selectperson	6,000	Cemetery Sexton	<u>500</u>
Clerk, TC, Treasurer	39,600	Sub-total	101,531
Deputy Ck, TC, TR	22,329	SS & Medicare	7,899
Deputy Ck, TC	7,548	Health Insurance	<u>14,308</u>
Trans Sta Attendant	8,054	Total	123,738
Animal Control Officer	2,000		

Select Board recommends \$123,738 from Taxes

Budget Committee recommends \$123,738, vote 4-0-1

A motion was made and seconded to approve as read. Motion passes.

ARTICLE 9: To see if the Town will vote to raise and appropriate **\$89,343 for Administration - Town Office, Mercer Community Center** plus expend any revenues and donations generated by the

community center; any unexpended balances in the Administration budget and the Community Center revenue accounts to be placed in the Community Center Reserve Fund.

Audit	\$ 6,000
Dues/Subscription	\$ 2,206
Operating Costs	\$24,600
Trio new modules	\$ 2,475
Trio software renewal	\$12,309
Contract Services	\$ 4,500
Insurance-Gen Liability, P&C, Pub Officials, WC/Unemployment	\$12,553
Utilities	<u>\$24,700</u>
Total	<u>\$89,343</u>

NOTE: Insurance savings is \$6,627 this year.

Select Board recommends \$89,343 from Taxes

Budget Committee recommends \$89,343, vote 4-0-1

A motion was made and seconded to approve as read. Discussion: What was contract services? Town Clerk Gove indicated that it was for mowing and janitorial services. Motion passes.

ARTICLE 10: To see if the Town will vote to appropriate from Surplus **\$8,000 for Contingency**. All use of funds to be reported in the 2023 annual report.

Note: No expenditures in 2022

Select Board recommends \$8,000 from Surplus

Budget Committee recommends \$8,000, vote 4-0-1

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 11: To see if the Town will vote to raise and appropriate **\$9,170 for Assessing**; any remaining balance to be placed in the Assessing Revaluation Fund.

Select Board recommends \$9,170 from Taxes

Budget Committee recommends \$9,170, vote 4-0-1

A motion was made and seconded to approve as written. Discussion: questions about the revaluation were asked. Residents were informed that these questions should be raised when we get to the Revaluation article. Motion passes.

ARTICLE 12: To see if the Town will vote to raise and appropriate **\$500 for the Planning Board**.

Select Board recommends \$500 from Taxes

Budget Committee recommends \$500, vote 4-0-1

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 13: To see if the Town will vote to raise and appropriate **\$1,830 for the Animal Shelter and ACO expenses**.

Select Board recommends \$1,830 from Taxes

Budget Committee recommends \$1,830, vote 4-0-1

A motion was made and seconded to approve as written. Discussion: resident asked if the ACO would be reimbursed for purchasing equipment and kennels. Animal Control Officer Tammy Lamphere indicated that she was reimbursed for purchasing the kennel but some of the other equipment she purchased for her own use as well. Motion passes.

ARTICLE 14: To see if the Town will vote to appropriate from Surplus **\$500 for Health Officer, Code Enforcement Officer and Local Plumbing Inspector training**.

Select Board recommends \$500 from Surplus

Budget Committee recommends \$500, vote 4-0-1

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 15: To see if the Town will vote to appropriate from Surplus **\$3,600 for Cemetery Maintenance**.

Select Board recommends \$3,600 from Surplus

Budget Committee recommends \$3,600, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes.

ARTICLE 16: To see if the Town will vote to raise and appropriate **\$425 to supplement the three town scholarship awards.**

Select Board recommends \$425 from Taxes (\$200/high school; \$25/elementary award)
Budget Committee recommends \$425, vote 4-0-1
A motion was made and seconded to approve as written. Discussion: a resident inquired if we gave out the full award last year? Answer was yes. Motion passes.

ARTICLE 17: To see if the Town will vote to raise and appropriate **\$70,650 for Public Safety – Fire (year 3 of our 3-year contract), Traffic and Street lights.**

Select Board recommends \$70,650 from Taxes
Budget Committee recommends \$70,650, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes.

ARTICLE 18: To see if the Town will vote to raise and appropriate **\$4,500 for Public Safety - Mercer Rescue;** any unexpended balance to be placed in the Mercer Rescue Fund.

Select Board recommends \$4,500 from Taxes
Budget Committee recommends \$4,500, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes.

ARTICLE 19: To see if the Town will vote to raise and appropriate **\$119,250 for Public Works - Summer Roads.**

Select Board recommends \$119,250 from Taxes
Budget Committee recommends \$119,250, vote 4-1
A motion was made and seconded to approve as written. Discussion: why the increase over last year? Because we don't have 7 Lakes grant funding again this year. The concern over culverts on East Sandy River Road were discussed and why we weren't putting money away was of concern. The cost to replace them is estimated to be between \$350K - \$750K; the town can't save enough funds to ever be able to afford them so alternatives measures need to be considered. Why aren't we putting money into paving our paved roads. We tried to get town meeting approval to go out to bond to pave our roads but it was defeated. Paving costs are extremely high right now, quote to do 2,050 feet came in at \$76K. It was suggested that the town develop a long-term road plan. Motion passes.

ARTICLE 20: To see if the Town will vote to raise and appropriate **\$223,750 for Public Works - Winter Road Maintenance (year 1 of 2-year contract extension) and Sand/Salt Shed (\$58,750 from Taxes, \$165,000 from Excise Taxes).**

Select Board recommends \$223,750 (\$58,750 from Taxes; \$165,000 from Excise)
Budget Committee recommends \$223,750, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes

ARTICLE 21: To see if the Town will vote to appropriate from Surplus **\$750 for various Youth Leagues.**

Select Board recommends \$750 from Surplus
Budget Committee recommends \$750, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes

ARTICLE 22: To see if the Town will vote to raise and appropriate **\$39,835 for Solid Waste Disposal, Recycling and Blue Bag purchase (\$25,835 from Taxes, \$14,000 from Transfer Station revenues).**

Select Board recommends \$39,835 (\$25,835 from Taxes; \$14,000 from TS revenues)
Budget Committee recommends \$39,835, Vote 4-0-1
A motion was made and seconded to approve as written. Motion passes

ARTICLE 23: To see if the Town will vote to authorize the Select Board to enter into a long-term contract with Waste Management Disposal Service of Maine, Inc to allow residents of the Town of Mercer to use the newly expanded disposal facility in Norridgewock when it becomes operational, to discontinue use of

the Mercer Transfer Station on East Sandy River Road and to apply to DEP to close said Transfer Station.

Select Board recommends Yes

Budget Committee recommends Yes

A motion was made and seconded to approve as written. Discussion: Robert Burr, Chair of the Budget Committee spoke to this article. If we stay at our current Transfer Station, the town will need to invest in a new retaining wall, estimated to cost \$20K. Eliminating the weight of Waste Management trucks and roll offs crossing the failing culverts may delay failure of culverts. Costs to use the back gate are estimated to be around \$16K. Use of a dump sticker will be required. Charging for specialty wastes such as tires, tvs, computers etc were mentioned. Waste Management's back gate would be available Wednesday through Saturday. Town Office hours noted as an inconvenience should we charge for specialty wastes. Residents who didn't want to drive to Norridgewock could hire curbside pickup if they wanted to. Motion passes.

ARTICLE 24: To see if the Town will vote to re-establish **Mercer Shaw Library** as a department of the town and to acquire any property, assets, outstanding debts or other financial obligations from the library.

Select Board recommends Yes

Budget Committee recommends Yes

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 25: Shall an Ordinance entitled "Ordinance Establishing the Board of Trustees of the Shaw Library, Mercer, Maine" be enacted?

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 26: To see if the Town will vote to raise and appropriate **\$10,997 for Mercer Shaw Library (\$1,672 from Taxes, \$9,325 from Shaw Library Funds).**

Select Board recommends \$10,997 (\$1,672 from Taxes, \$9,325 from Library)

Budget Committee recommends \$10,997, vote 4-0-1

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 27: To see if the Town will vote to appropriate from Surplus **\$1,000 for Charity, 50% of this budget to be spent in the Town of Mercer.**

Select Board recommends \$1,000 from Surplus

Budget Committee recommends \$1,000, vote 4-0-1

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 28: To see if the Town will vote to appropriate from Surplus **\$2,000 for General Assistance.**

Select Board recommends \$2,000 from Surplus

Budget Committee recommends \$2,000, vote 4-0-1

A motion was made and seconded to approve as written. Motion passes.

ARTICLE 29: To see if the Town will vote to raise and appropriate **\$2,500 for Mercer Historical Society.**

Select Board recommends \$2,500 from Taxes

Budget Committee recommends \$2,500, vote 3-1-1

A motion was made and seconded to approve as written. Discussion: why the increase? Necessary repairs and maintenance of the building were noted. Motion passes.

ARTICLE 30: To see if the Town will vote to raise and appropriate **\$2,500 for Mercer Meeting House.**

Select Board recommends \$2,500 from Taxes

Budget Committee recommends \$2,500, vote 3-1-1

A motion was made and seconded to approve as written. Discussion: why the increase? Maintenance of the building. Motion passes.

ARTICLE 31: To see if the Town will vote to raise and appropriate **\$3,500 for North Pond Association.**

Select Board recommends \$3,500 from Taxes

Budget Committee recommends \$3,500, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes.

ARTICLE 32: To see if the Town will vote to raise and appropriate **\$2,000 for 7 Lakes Youth Conservation Corp.**

Select Board recommends \$2,000 from Taxes
Budget Committee recommends \$2,000, vote 4-0-1
A motion was made and seconded to approve as written. Discussion: who are they and why are we funding them. Anthony Wilson was supposed to be at the meeting tonight to discuss the youth corp. The youth will be stacking rocks to limit the amount of phosphorous coming into the pond. Motion passes

ARTICLE 33: To see if the Town will vote to raise and appropriate **\$10,000 for Legal Expense Reserve Fund.**

Select Board recommends \$10,000 from Taxes
Budget Committee recommends \$10,000, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes.

ARTICLE 34: To see if the Town will vote to appropriate **\$34,000 to fund the 2023-2024 Revaluation contract with RJD Appraisal (\$24,000 from Surplus, \$10,000 from Revaluation Fund).**

NOTE: Total contract amount is \$85,000 to be paid in 5 equal installments.
Select Board recommends \$34,000 (\$24,000 from Surplus; \$10,000 from Reval Fund)
Budget Committee recommends \$34,000, vote 4-0-1
A motion was made and seconded to approve as written. Discussion: Is personal property included in the revaluation? No. How many payments will be made next year? Three. Funding will partially come from Revaluation Fund. Motion passes.

ARTICLE 35: To see if the Town will vote to appropriate from Surplus **\$6,000 for digitizing the Tax Maps.**

Select Board recommends \$6,000 from Surplus
Budget Committee recommends \$6,000, vote 4-0-1
A motion was made and seconded to approve as written. Discussion: Why digitize? Sacket & Brake doesn't work with mylars anymore. Will they be available online? Yes. Motion passes.

ARTICLE 36: To see if the Town will vote to raise and appropriate for **Capital Improvement Projects \$2,000 for the Mercer Road Maintenance Fund.**

Select Board recommends \$2,000 from Taxes
Budget Committee recommends \$2,000, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes.

ARTICLE 37: To see if the Town will vote to appropriate **\$20,000 from Surplus for Capital Improvement Projects to replace the culvert over Indian Stream on Elm Street.**

Select Board recommends \$20,000 from Surplus
Budget Committee recommends \$20,000, vote 4-0-1
A motion was made and seconded to approve as written. Motion passes.

ARTICLE 38: To see if the Town will vote to raise and appropriate for **Capital Improvement Projects \$20,000 for Ditching and Berm Removal.**

Select Board recommends \$20,000 from Taxes
Budget Committee recommends \$20,000, vote 4-0-1
A motion was made and seconded to approve as written. Discussion: Why double this year? December storm caused a lot of damage. We've applied for disaster relief from FEMA/EMMA and are waiting to hear back from them. Once snow is gone, we can assess damage and use funds from ditching and summer roads to cover necessary repairs. Motion passes

ARTICLE 39: To see if the town will vote to appropriate for **Capital Improvement Projects \$76,000 to complete a section of Beech Hill Road (\$46,236 from Surplus; \$29,764 from LRAP).**

Select Board recommends \$76,000 (\$46,236 from Surplus, \$29,764 from 2022 LRAP)

Budget Committee recommends \$76,000, vote 4-0-1

A motion was made and seconded to approve as written. Discussion: What section of Beech Hill Road? From airport down about 2,050'. Motion passes.

ARTICLE 40: To see if the town will vote to raise and appropriate for **Capital Improvement Projects \$55,000 (\$15,000 from Taxes; \$40,000 from the MCC Maintenance Fund) to repair/replace the roof over the gym and kitchen areas of the Mercer Community Center.**

Select Board recommends \$55,000 (\$15,000 from taxes; \$40,000 from the MCC Maintenance Fund)

Budget Committee recommends \$55,000, vote 4-0-1

A motion was made and seconded to approve as written. Discussion: Why did we use MCC Maintenance funds last year? Federal grant funds (ARPA) were offered for two purposes last year, either for broadband or for the roof. Voters approved the roof. ARPA funds didn't cover cost of roof, balance came from MCC Maintenance Fund (this fund is considered a restricted fund for purposes such as this). Motion passes.

ARTICLE 41: To see if the Town will vote to accept and expend any or all donations received from the public, any state, federal, or other governmental agency funds not explicitly allowable by state law, and all grants received in accordance with the intended purpose of the donation, grant or other funds as they are received.

A motion was made and seconded to approve as written. Motion passes.

Respectfully submitted:

Nancy J. Gove, Town Clerk

Attested to be a True Copy.

Nancy J. Gove, Town Clerk