

TOWN OF BROWNVILLE
2009 ANNUAL TOWN MEETING WARRANT

State of Maine
Piscataquis, s.s.

TO: Nicholas A. Clukey, a Constable in the Town of Brownville, in said County and State:

GREETINGS:

In the name of the State, you are hereby required to notify and warn inhabitants of the Town of Brownville, qualified to vote in Town affairs, to assemble at the Brownville Elementary School in said Town, Monday, March 16, 2009 at 11:45 in the morning to elect Town Officers, and again at 7:00 that evening to act on Article 3 to the end of the Warrant. Polls are to be opened 12:00 p.m. until 5:00 p.m.

Article 1. To elect a Moderator to preside at said meeting.

Article 2. To proceed with the voting, by secret ballot, as directed by statute, on the election of Town Officers for the ensuing year(s).

- Two Selectpersons who shall serve as Assessor and Overseer of the Poor (3 year term)
- One Director of M.S.A.D #41 (3 year term)
- Four Budget Committee Members (3 year terms)

Article 3. To choose three tellers to receive, sort, and count votes.

Article 4. To see if the voters will allow nonresidents to speak.

Article 5. To see if the Town will set a date when taxes shall be due and payable and to fix a rate of interest to be charged after that date; establish the interest rate to be paid by the Town on abated taxes for fiscal year 2009; and accept prepayment of taxes not yet due or assessed with no payment of interest thereon.

Selectpersons recommend that all real estate and personal property taxes shall be due and payable on or before September 15, 2009 with all taxes remaining unpaid after September 16, 2009 bearing interest at the rate of 0.750% per month or any part thereof not to exceed nine [9%] percent per year. Also, in accordance with the laws of the State of Maine, that the Town pay interest on abated taxes for fiscal year 2009 at 4.0% per year less than the rate of interest charged on taxes unpaid after September 16, 2009. Further, the Selectpersons recommend to accept prepayment of taxes not yet due or assessed with no payment of interest thereon.

Article 6. To see if the Town will vote to re-appropriate the following 2008 account balances:

<i>Administration Projects.....</i>	<i>\$3,994</i>	<i>Tourism Development.....</i>	<i>\$3,847</i>
<i>Comprehensive Plan.....</i>	<i>\$3,871</i>	<i>Police Special Projects.....</i>	<i>\$2,164</i>
<i>Animal Control.....</i>	<i>\$341</i>	<i>Highway Operations.....</i>	<i>\$4,709</i>
<i>FEMA Projects.....</i>	<i>\$5,176</i>	<i>Recreation Department.....</i>	<i>\$1,840</i>
<i>Recreation Fencing Project.....</i>	<i>\$1,466</i>	<i>Snack Shack.....</i>	<i>\$1,753</i>
<i>Pleasant Riverwalk.....</i>	<i>\$445</i>	<i>Brownville Days.....</i>	<i>\$3,999</i>
<i>Town Owned Property.....</i>	<i>\$54,471</i>	<i>Fire Lane Legal Project.....</i>	<i>\$3,447</i>
<i>Police Department Operations.....</i>	<i>\$2,212</i>	<i>Sled Dog Race.....</i>	<i>\$1,000</i>

Selectpersons and Budget Committee recommend passage of this article.

Article 7. To see if the Town will vote to ratify the following 2008 account overdrafts:

General Assistance..... \$329

Article 8. To see if the Town will vote to increase the property tax limit of \$247,925.66 established for the Town of Brownville by State law in the event that the municipal budget approved under the ensuing articles will result in a tax commitment that is greater than the property tax levy limit. **Selectpersons and Budget Committee recommend passage of this article.**

NOTE: The budget recommended by the Board of Selectpersons and Budget Committee would result in an estimated 2009 tax commitment of \$322,250.82, which is \$74,325.16 more than the property tax levy limit established by State statute. If the Town does not vote to increase the property tax levy limit, then the Town will need to approve at least \$75,000 less than the Board of Selectpersons and Budget Committee recommend to fund municipal services in 2009. In an effort to assist voters, the Board of Selectpersons and Budget Committee compiled the following list to identify potential decreases in their recommendations:

	<i>Amount of Decrease</i>	<i>Probable Impact of the Reduced Appropriation</i>
<u>Article # 9</u> Administration Operations	\$4,500	Reducing staffing levels, which will result in closing the Town Office to the public 1½ to 2 days per week
<u>Article #12</u> Police Operations	\$5,600	Eliminating one shift per week, which will result in having no coverage for 10 – 12 hours per week. Given current federal labor laws, this would mean that there would be no local response, either through patrol or on-call coverage, during this time. Emergency response would be provided by other regional or state law enforcement, neither of whom can commit to providing additional local patrol or presence when the Brownville Police Department does not schedule coverage.
<u>Article #14</u> Public Safety	\$19,500	Turning off the streetlights
<u>Article #15</u> Highway Operations	\$10,000	Reducing the funds available for winter maintenance of public roads. This would result in a shift from a policy of clearing the roads “as close to bare as possible” to one of “clearing the roads enough to be passable”.
	\$2,000	Eliminating winter maintenance of sidewalks
	\$10,000	Eliminating part-time Sanitation position and assigning full-time Public Works equipment operator to drive the garbage truck. This would result in making weekly garbage collection a secondary priority to other public works functions. Staffing levels would be reduced by 20%, to a level where the Town would no longer be able to offer stable, weekly curbside garbage collection. For example, routine public works responsibilities like snowstorms, flooding, and freeze ups would postpone curbside garbage collection to the following week.
Highway Reserves	\$2,500	Eliminating the maintenance of fire lanes in Brownville Junction

LIST CONTINUED ON NEXT PAGE

	<u>Amount of Decrease</u>	<u>Probable Impact of the Reduced Appropriation</u>
<u>Article #16</u>		
Sanitation Operations	\$20,000	Instituting a pay-per-bag system for charging residents for each bag of household garbage collected. This savings is based upon charging between \$1.00-\$1.50 per bag.
	\$12,000	Appropriating funds for the sanitation truck debt payment from Sanitation Reserves and using projected MRC Income to off-set the operational expenses for the Sanitation Department. This would result in not having funds available to pay for, or make a down payment on, a new truck when the current garbage truck needs to be replaced.
<u>Article #18</u>		
Recreation Programs	\$8,000	Eliminating Recreation Department Programs from October 1 st to March 31 st . This would result in maintaining summer programs, like baseball, softball, arts and crafts, facility maintenance, and supervised fun days at the playground. Town participation/coordination of all Fall and Winter activities like Halloween and Christmas events as well as all basketball programs would be eliminated.
	\$2,000	Eliminating the purchase of t-shirts and trophies for children that participate in Recreation Department programs (Basketball & Baseball)

Article 9. To see what sum of money the Town will vote to raise and appropriate for ADMINISTRATION DEPARTMENT OPERATIONS & CAPITAL RESERVE:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Operations	\$82,810	\$111,850	\$111,630
Capital Reserve	\$ 2,500	\$ 2,500	\$ 2,500

Selectpersons and Budget Committee recommend for 2009: **\$111,530.00 Operations**
\$ 2,500.00 Capital Reserve

Article 10. To see what sum of money the Town will vote to raise and appropriate for ASSESSING DEPARTMENT OPERATIONS:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	\$16,905	\$14,650	\$16,190

Selectpersons and Budget Committee recommend for 2009 **\$18,180.00**

Article 11. To see what sum of money the Town will vote to raise and appropriate for TOWN OFFICE OPERATIONS:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	-----	\$12,305	\$9,615

Selectpersons and Budget Committee recommend for 2009 **\$9,005.00**

Article 12. To see what sum of money the Town will vote to raise and appropriate for POLICE DEPARTMENT OPERATIONS & POLICE CRUISER RESERVE:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<i>Operations</i>	\$105,765	\$138,395	\$125,325
<i>Cruiser Reserve</i>	\$ 7,000	\$ 7,000	\$ 8,500

Selectpersons and Budget Committee recommend for 2009 \$129,165.00 Operations
\$ 8,500.00 Cruiser Reserve

Article 13. To see what sum of money the Town will vote to raise and appropriate for FIRE DEPARTMENT OPERATIONS & FIRE DEPARTMENT RESERVE:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<i>Operations</i>	\$7,850	\$9,335	\$7,015
<i>Fire Reserve</i>	\$ 0	\$ 0	\$ 0

Selectpersons and Budget Committee recommend for 2009 \$17,535.00 Operations
\$ 0.00 Fire Reserve

Article 14. To see what sum of money the Town will vote to raise and appropriate for PUBLIC SAFETY:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<i>Hydrant Rental</i>	\$60,940	\$60,940	\$60,940
<i>Street Lights</i>	19,500	19,700	20,600
<i>Public Safety</i>	2,815	3,742	3,775
<i>Ambulance Service</i>	5,000	5,000	5,000
<i>Animal Control</i>	<u>1,000</u>	<u>950</u>	<u>0</u>
	\$ 88,255	\$89,882	\$90,315

Selectpersons and Budget Committee recommend for 2009: \$92,565.00
Hydrant Rental \$64,000 *Public Safety* \$3,700 *Streetslights* \$19,500
Ambulance \$4,500 *Animal Control* \$865

NOTE: This proposed appropriation is based upon completed a planned project to identify and remove unnecessary or unwanted streetslights as well as reducing wattage of bulbs wherever possible. In order to keep all streetslights as they are, where they are, this amount would need to be increased \$900, for a total appropriation of \$93,465.

Article 15. To see what sum of money the Town will vote to raise and appropriate for PUBLIC WORKS DEPARTMENT OPERATIONS & HIGHWAY CAPITAL RESERVE:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<i>Operations</i>	\$133,735	\$165,602	\$186,660
<i>Highway Reserve</i>	\$15,850	\$15,850	\$15,850

Selectpersons and Budget Committee recommend for 2009 ... \$186,260.00 Operations
\$ 15,850.00 Equipment Reserve

Article 16. To see what sum of money the Town will vote to raise and appropriate for SANITATION DEPARTMENT OPERATIONS:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	\$51,225	\$42,138	\$58,230

Selectpersons and Budget Committee recommend for 2009: \$65,280.00

Article 17. To see if the Town will vote to authorize the Board of Selectpersons to use \$14,055 of funds received from Sanitation Department activities and MRC Income for the annual SANITATION TRUCK DEBT PAYMENT.

Selectpersons and Budget Committee recommend passage of this article.

Article 18. To see what sum of money the Town will vote to raise and appropriate for RECREATION DEPARTMENT OPERATIONS:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<i>Rec Programs</i>	\$21,520	\$26,570	\$26,365
<i>Decorations</i>	100	100	100
<i>Brownville Days</i>	2,000	1,500	1,000
<i>Riverwalk</i>	0	250	250
<i>Facilities Maintenance</i>	<u>0</u>	<u>695</u>	<u>475</u>
	\$23,620	\$29,115	\$28,640

Selectpersons and Budget Committee recommend for 2009 \$25,985.00

Rec Programs \$25,405 *Facilities* \$480 *Decorations* \$100

Article 19. To see what sum of money the Town will vote to raise and appropriate for MAINTENANCE OF CEMETERIES:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	\$3,200	\$5,600	\$4,760

Selectpersons and Budget Committee recommend for 2009: \$4,035.00

Article 20. To see what sum of money the Town will vote to raise and appropriate for GENERAL ASSISTANCE:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	\$2,000	\$1,700	\$2,600

Selectpersons and Budget Committee recommend for 2009: \$2,600.00

Article 21. To see what sum of money the Town will vote to raise and appropriate to donate to the BROWNVILLE PUBLIC LIBRARY:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	\$4,600	\$4,600	\$4,600

Selectpersons and Budget Committee recommend for 2009: \$4,600.00

Article 22. To see what sum of money the Town will vote to raise and appropriate for INSURANCES:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<i>Liability</i>	\$19,200	\$18,650	\$16,050
<i>Worker's Compensation</i>	0	14,200	14,350
<i>Unemployment</i>	<u>0</u>	<u>1,500</u>	<u>1,105</u>
	\$19,200	\$34,350	\$31,505

Selectpersons and Budget Committee recommend for 2009: \$30,165.00

Liability \$17,665 *Workers' Compensation* \$11,500

Unemployment \$1,000

Article 23. To see what sum of money the Town will vote to raise and appropriate for CAPITAL DEBT PAYMENTS:

<i>Appropriations:</i>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<i>Highway Truck Note</i>	\$20,500	\$20,500	\$19,200
<i>Backhoe Note</i>	\$0	\$4,055	\$4,055
<i>Town Office Note</i>	\$0	\$0	\$3,040
<i>2004 Paving Note</i>	<u>\$6,420</u>	<u>\$6,420</u>	<u>\$6,420</u>
Total	\$26,920	\$30,975	\$32,715

Selectpersons and Budget Committee recommend for 2009 \$32,440.00

<i>Highway Truck Note</i>	\$19,165	<i>Backhoe Note</i>	\$4,055
<i>Town Office Note</i>	\$3,030	<i>Paving Note</i>	\$6,190

Article 24. To see if the Town will vote to appropriate funds received from 2009-2010 URBAN RURAL INITIATIVE PROGRAM to reserve for Capital Highway Improvements.

Selectpersons and Budget Committee recommend passage of this article.

Article 25. To see if the Town will authorize the Board of Selectpersons to negotiate and enter into mutual aid agreements and contracts to provide for sanitation, plowing, fire, police services and other municipal services deemed to be in the best interest of the Town of Brownville.

Selectpersons recommend passage of this article.

Article 26. To see if the Town will vote to appropriate funds from Surplus to reduce the 2009 tax commitment.

Selectpersons and Budget Committee recommend for 2009 \$65,000.00

Article 27. To see if the Town will vote to authorize the Board of Selectpersons to appropriate money from the following projected revenue sources in order to reduce the 2009 General Commitment. *(The following are estimates.)*

<i>Excise Tax</i>	\$180,000	<i>Municipal Revenue Sharing</i>	\$166,000
<i>Homestead Exemption</i>	\$40,330	<i>Tree Growth Reimbursement</i>	\$20,000
<i>Miscellaneous Revenue</i>	\$18,500		

Selectpersons and Budget Committee recommend passage of this article.

Article 28. To see how the Town will vote to appropriate Snowmobile refunds for 2009.

Proposed: 50% to the Brownville Snowmobile Club and 50% to the Ebeeme Snowmobile Club for trail construction and maintenance.

Article 29. To see if the Town will vote to authorize Selectpersons to approve the use of earnings, grant funds, donations (of money, goods, and/or services), and the like within each respective department and to refund any overpayment of property taxes due to approved abatements out of the OVERLAY ACCOUNT;

Selectpersons and Budget Committee recommend passage of this article.

Article 30. To see if the town will vote to authorize the Selectpersons, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for *non-payment of taxes, non-payment of sewer rates, and non-payment of water user fees* thereon, on such terms as they deem advisable, after advertising for and receiving sealed bids thereon, and to execute Quitclaim Deeds on such property or act on anything thereon.

Article 31. To see if the Town will vote to authorize the Selectpersons to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to Title 23 M.S.R.A., § 2953.

Article 32. To see what sum of money, if any, the Town will vote to authorize the Selectpersons to borrow or appropriate from the Undesignated/Unrestricted Fund (Surplus) as they deem advisable to meet unanticipated emergencies that occur during fiscal year 2009.

Selectpersons and Budget Committee recommend for 2009:\$10,000.00

Article 33. To see if the Town will vote to authorize the Selectpersons to spend an amount that does not exceed 25% (3/12) of the budgeted amount in each category of the 2009 annual budget during the period of January 1, 2010 to the 2010 Annual Town Meeting.

Article 34. To see if the Town will authorize the Board of Selectpersons to sell or dispose of any town owned property, as it deems to be in the best interest of the Town, if the fair market value does not exceed \$15,000.

Article 35. To see if the Town will vote to approve the 2009 Water Department and Sewer Department operating budgets.

**Selectpersons recommend: \$200,153.00 Water Department
\$157,775.00 Sewer Department**

Article 36. Shall the Town (1) approve the purchase of a tank or pumper tanker truck for the Fire Department (the "Truck"); (2) appropriate a sum not to exceed One Hundred Twenty Thousand Dollars (\$120,000.00) to meet the costs of the Truck, including transaction costs and other expenses reasonably related thereto; (3) authorize the Town Treasurer and Chairman of the Board of Selectmen to issue general obligation securities of the Town (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed One Hundred Twenty Thousand Dollars (\$120,000.00); and (4) delegate to the Treasurer and Chairman the authority and discretion to fix the dates, maturities, interest rates, denominations, calls for redemption (with or without premium), forms, and other details of said securities, including execution and delivery of said securities on behalf of the Town, and to provide for the sale thereof?

FINANCIAL STATEMENT

Total Town Indebtedness:

A. Bonds outstanding and unpaid:	\$ 1,467,158.00
B. Bonds authorized and unissued:	\$ 0.00
C. Bonds to be issued if the article is approved:	\$ 120,000.00
Total	\$ 1,587,158.00

Costs: At an estimated maximum interest rate of 3.25% for a seven (7) year maturity, the estimated cost of this bond issue will be:

Principal:	\$120,000.00
Interest:	\$ 14,341.93
Total Debt Service:	\$134,341.93

Validity: The validity of the bonds and the voter's ratification of the bonds may not be affected by any errors in the above estimates, the ratification by the voters is nonetheless conclusive and the validity of the bonds is not affected by reason of the variance.

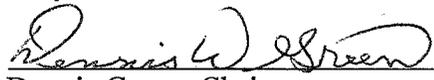

Sophia L. Wilson, Town Treasurer

Article 37. Shall the Ordinance entitled *Board of Assessment Review Ordinance* be enacted? *The full text of the proposed ordinance is attached to this warrant.*

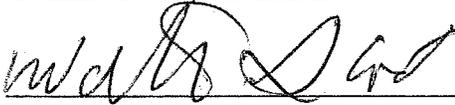
Article 38. To see what sum, if any, the Town will vote to raise and appropriate for REVALUATION FOLLOW-UP (These funds would be used to purchase of new tax maps and provide additional time for the Assessors' Agent to meet with taxpayers who have questions or appeals of their new valuation.)

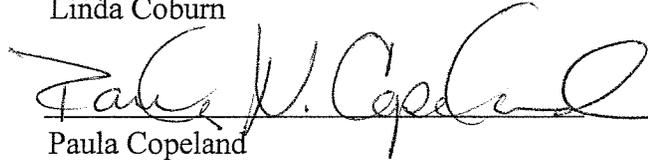
Selectpersons and Budget Committee recommend \$5,000.00

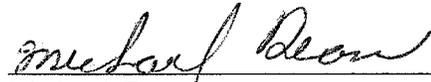
Notice is hereby given that the office of the Registrar of Voters in the Brownville Town Office (located at 586 Main Road in Brownville) will be open for the purpose of correcting the list of voters on Monday, March 16, 2009 from 8:00 a.m. to 4:00 p.m. Given under our hands this Twenty Fifth Day of February in the year 2009 AD.


Dennis Green, Chairman


Linda Coburn


Walter Cook

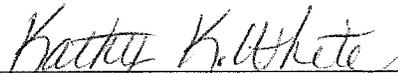

Paula Copeland


Michael Dean

Selectpersons, Town of Brownville

CLERK'S ATTESTATION

A true copy of the March 16, 2009 Annual Town Meeting,

Attest: 
Kathy K. White, Clerk
Town of Brownville

CONSTABLE'S RETURN

I certify that I have notified the voters of the Town of Brownville of the time and place of this Annual Town Meeting by posting an attested copy of the within Warrant at the Brownville Town Office, Brownville Post Office, and Brownville Junction Post Office; conspicuous places within the Town of Brownville at least seven days prior to said meeting.


Nicholas A. Clukey, Constable - Town of Brownville

3-3-09
Date

Board of Assessment Review Ordinance

Section 1. Establishment.

Pursuant to Title 30-A M.R.S.A. § 2526(6), a Board of Assessment Review is hereby established for the Town of Brownville, Maine.

Section 2. Composition; Qualifications; Terms; Vacancies

The Board shall consist of 3 members and 2 alternates who shall be appointed by the Municipal Officers and who shall be registered voters of the Town of Brownville. No Municipal Officer or Assessor may be a member. Members shall serve without compensation. Initially, one member shall be appointed for one year, one member for two years and one member for three years, and one of the alternates shall be appointed for one year and one alternate for two years. Thereafter, the term of each new member or alternate is three years or until their successor is appointed. Vacancies shall be filled within 30 days by appointment by the Municipal Officers for the unexpired term.

Section 3. Officers; Meetings; Quorum; Procedures

The Board shall annually elect from its membership a Chairman and a Secretary. The Chairman shall call meetings as necessary, shall preside at all meetings, and shall designate alternates to serve in place of members who are absent or disqualified. The Secretary shall maintain a record of all proceedings including all correspondence of the Board. All meetings and records shall be subject to the Maine Freedom of Access Act, 1 M.R.S.A. §§ 401 *et seq.*, except as otherwise authorized by law. A quorum necessary to conduct business shall consist of at least two members. The Board's procedure shall be governed by 30-A M.R.S.A. § 2691(3)(A)-(F), as may be amended.

Section 4. Powers and Duties

The Board shall hear and decide all appeals properly taken from the refusal of the Municipal Officers or Assessors to make such property tax abatements as are asked for. The Board may take such evidence and testimony as it deems necessary and may grant such abatements as it deems proper. If the Board fails to give written notice of its decision within 60 days of the date the appeal is filed, unless the appellant agrees in writing to further delay, the appeal shall be deemed denied. The Board's decisions may be appealed in accordance with 36 M.R.S.A. § 843.