

The Town Clerk opened the meeting at 7:45 a.m. on Friday, April 4, 2025 by welcoming the crowd and reading the greeting, and the return on the warrant. One Hundred Twenty-four (124) residents were checked in on the incoming voter list, on Saturday, April 5, 2025, to discuss, learn and vote on the warrant articles.

In Attendance:

Jessica Landberg (Town Clerk), Devin Garneau (Deputy Clerk), Kimberly Garneau (Deputy Treasurer), Bill Schneider (Moderator), Jerry Douglass (Town Manager), Rob Tripp (Fire Chief), Calvin Beaumier (Road Commissioner, George Theborge (Town Planner).

Representing the Select Board: Joesph Roy (Chair), Josh Klein-Golden (Vice-Chair), Heather Roy, Joe Tomm, Deborah Oliver.

Representing the Budget Committee: Milton Simon (Chair), Jill Gastonguay (Vice-Chair), Allan Purinton, Neil Berry, Jane Rice, John Talbot, Marc Derr, Phyllis Brannon, Donna Church.

To: Kimberly Garneau, a resident of the Town of Durham, Androscoggin County, 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 Durham in said county and state, qualified by law to vote in Town affairs, to assemble at the Durham Eureka Community Center, 606 Hallowell Road, Durham, Maine on Friday, April 4, 2025 at 7:45 a.m., then and there to act upon Article 1 and by secret ballot on Article 2 as set out below. Polls will be open from 8:00 a.m. to 8:00 p.m. Further, to notify and warn said inhabitants to assemble at Durham Community School on Saturday, April 5, 2025, at 9:00 a.m., then and there to act upon Articles 3 through 31 as set out to wit:

Article 1. To choose a moderator to preside at said meeting.
Nominations were made, and ballots were cast for Catherine Curtis to be elected as our moderator for said meeting.

Catherine Curtis came forward and the oath was administered by the Town Clerk.

Article 2. To elect all municipal officers, budget committee members, and school committee members are required to be elected.

Catherine Curtis then opened the polls at 8:00 a.m. Saturday, April 4, 2025.

Catherine Curtis deputized William Schneider to be the deputy moderator for the open town meeting.

The Town Clerk administered the oath to William Schneider as the moderator for the open town meeting.

The Moderator requests if the Town has any objections to adopting the Maine Moderator's Manual Rule of Procedure, the seventh edition, as the rules of order for this meeting.

Article 3. To see if the town will allow non-residents, who have information pertaining to any following articles, to speak when recognized.

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

Article 4 To see if the Town of Durham will vote to raise and appropriate an amount not to exceed one-and-a-half times the 2024 Durham Municipal Budget for any budget articles **not** approved in this warrant.

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

OPERATING BUDGET ARTICLES

Note that all requested amounts to be raised and appropriated below are for an eighteen-month period Running from January 1, 2025, to June 30, 2026. This period is referred to as “Fiscal Year 2026” and “FY26” in these warrant articles.

Article 5 To see if the Town will vote to raise and appropriate **\$1,143,060** for General Government.

	FY24 Appr	FY26 Req
Administration	\$ 473,656	\$ 808,250
Assessing	22,800	32,700
Information Technology	47,000	108,600
Planning and Code Enforcement	124,300	193,510

Select Board recommends \$1,143,060.
Budget Committee recommends \$1,065,375.

Motion to accept the Select Board’s recommended amount of \$1,143,060.

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

Motion to amend to accept the Budget Committee’s recommended amount of \$1,065,375.

M: Neil Berry
S: Allan Purinton

A hand count was requested.

Results: 45- Yays
63- Nays

Amended Motion Fails

Article 6 To see if the Town will vote to raise and appropriate \$1,055,920 for Public Safety.

	<u>FY24 APPR</u>	<u>FY26 Req</u>
Fire Department	\$ 603,845	\$ 1,026,920
Animal Control	18,650	29,000

Select Board and Budget Committee recommend \$1,055,920.

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

Article 7 To see if the Town will vote to raise and appropriate \$2,880,550 for Public Works.

	<u>FY24 Appr</u>	<u>FY26 Req</u>
Public Works	\$ 1,454,228	\$ 2,102,500
Municipal Buildings & Grounds	22,235	52,250
Tags	2,000	3,000
Bulky Waste Day	12,000	32,800

Select Board and Budget Committee recommend \$2,880,550.

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

Article 8 To see if the Town will vote to raise and appropriate \$1,000 for Community Services.

	<u>FY24 Appr</u>	<u>FY26 Req</u>
General Assistance	\$ 600	\$ 1,000
Outside Organizations	\$ 16,100	\$ 0

Select Board and Budget Committee recommend \$1,000.

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

Article 9 To see if the Town will vote to raise and appropriate \$805,318 for Debit Service.

	<u>FY24 Appr</u>	<u>FY24 Req</u>
Debit Service	\$ 780,349	\$ 805,318

Select Board and Budget Committee recommend \$805,318.

M: Joe Roy
S: Josh Klein-Golden
Vote Carries

ADDITIONS TO RESERVES ARTICLES

Article 10 To see if the Town will vote to raise and appropriate \$270,000 for the Fire Department Capital Reserve, an existing non-lapsing capital reserve fund from which the Select Board may expend for the designated purpose of the reserve.

Select Board and Budget Committee recommend \$270,000.

M: Joe Roy
S: Josh Klein-Golden
Vote Carries

Article 11 To see if the Town will vote to raise and appropriate **\$305,500** for the **Public Works Capital Reserve**, an existing non-lapsing capital reserve fund from which the Select Board may expend for the designated purpose of the reserve.

Select Board and Budget Committee recommend \$305,500.

M: Joe Roy

S: Josh Klein-Golden

Vote Carries

Article 12 To see if the Town will vote to raise and appropriate **\$15,000** for the **Municipal Buildings Capital Reserve**, an existing non-lapsing capital reserve fund from which the Select Board may expend for the designated purpose of the reserve.

Select Board and Budget Committee recommend \$15,000.

M: Joe Roy

S: Josh Klein-Golden

Vote Carries

Article 13 To see if the Town will vote to raise and appropriate **\$3,152** for the Grants Matching Reserve, an existing non-lapsing capital reserve fund from which the Select Board may expend for the designated purpose of the reserve.

Select Board and Budget Committee recommend \$3,152.

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

Article 14 To see if the Town will vote to reduce the amounts authorized to be raised in taxes in the previous warrant articles by **\$3,651,770** based on estimates for non-tax municipal revenues.

	<u>FY24 Est</u>	<u>FY26 Est</u>
Excise Taxes	\$ 1,100,000	\$ 1,721,000
Licenses, Permits, and Fees	75,400	129,100
Intergovernmental Revenue	1,013,074	1,270,300
Charges for Services	172,000	279,370
Other Revenues	65,000	252,000

M: Joe Roy
S: Josh Klein-Golden

Vote Carries

Article 15 To see if the Town will authorize the Select Board to appropriate up to **\$740,000** from the General Fund’s existing fund balance to reduce the amounts authorized to be raised in taxes in the previous warrant articles.

Select Board and Budget Committee recommend Approval.

M: Joe Roy

S: Josh Klein-Golden

Vote Carries

APPROPRIATIONS FROM RESERVES

Article 16 To see if the Town will vote to consolidate the Telecommunications Reserve and Eureka Center Capital Reserve with the Municipal Buildings Capital Reserve and to revise the stated purpose of the reserve as follows:

The Municipal Buildings Reserve shall be used to pay for acquisitions, construction, or improvements of municipal buildings and grounds, including equipment, furniture, information technology, and other necessary items to furnish and equip them. Unexpended balances of the reserve shall not lapse at the end of the fiscal year but shall, instead, carry forward from year to year.

M: Joe Roy

S: Josh Klein-Golden

V: Carries

Article 17 To see if the Town will vote to rename the Emergency Reserve as the Contingency Reserve and to establish the stated purpose of the reserve as follows:

The Contingency Reserve shall be used to pay for unplanned, unbudgeted, or underbudgeted expenditures if they arise during the fiscal year. Unexpended balances of the reserve shall not lapse at the end of the fiscal year but shall instead carry forward from year to year.

M: Joe Roy

S: Josh Klein-Golden

V: Carries

Count Requested from the floor

59 - YES

38 - NO

Article 18 To see if the town will vote to transfer \$33,047 from the Municipal Buildings Capital Reserve to the Contingency Reserve to bring the Contingency Reserve balance to \$50,000.

Count Requested from the floor

53 - YES

45 - NO

M: Joe Roy

S: Josh Klein-Golden

V: Carries

ORDINANCE WARRANT ARTICLES

Article 19 Shall amendments to the Land Use Ordinance as set forth in the document "Town of Durham, Land Use Ordinance as Adopted at Town Meeting, April 6, 2024, Proposed Revisions for Town Meeting, April 5, 2025, PART 1 – DRAFT AMENDMENTS TO THE RESOURCE PROTECTION DISTRICT TO MATCH THE LATEST STATE DATA & GIVE RELIEF FOR BUILDINGS IN THE RP DISTRICT (Article 2 & Zoning Map)" be enacted?

Information Note: The proposed amendments remove areas previously designated as Beginning with Habitat 6+ natural resource values and to grant relief to landowners with existing buildings in Resource Protection.

M: Allan Purinton

S: Joe Tomm

V: Carries

Article 20 Shall amendments to the Land Use Ordinance as set forth in the document "Town of Durham, Land Use Ordinance as Adopted at Town Meeting, April 6, 2024, Proposed Revisions for Town Meeting, April 5, 2025, PART 2 – DRAFT AMENDMENTS TO APPLY CONTRACT ZONING TO ANY LARGE BATTERY ENERGY STORAGE OR SOLAR ENERGY SYSTEM & ENACT BESS STANDARDS (LUO Articles 2, 3, 5, & 19)" be enacted?

Information Note: The proposed amendments require contract zoning approval for large-scale energy projects and enact safety and other performance standards to apply to commercial and industrial scale battery energy storage systems.

M: Joe Roy

S: Allan Purinton

V: Carries

Article 21 Shall amendments to the Land Use Ordinance as set forth in the document "Town of Durham, Land Use Ordinance as Adopted at Town Meeting, April 6, 2024, Proposed Revisions for Town Meeting, April 5, 2025, PART 4 – DRAFT AMENDMENTS TO REVISE THE PROCESS AND STANDARDS FOR PROJECTS INVOLVING HISTORIC PROPERTIES (LUO Articles 5, 12, & 19)" be enacted?

Information Note: The proposed amendments remove the Southwest Bend Historic District as a separately designated district and give the Historic Commission authority to review on an advisory basis all permits submitted for exterior changes to or demolition of historic structures throughout town.

M: Joe Tomm

S: Josh Klein-Golden

Vote Carries

BUSINESS ARTICLES

Article 22 To see if the Town will vote to authorize the Select Board to accept a deed from the Durham Cemetery Association for the cemetery property described in a deed from said Association recorded in the Androscoggin County Registry of Deeds at Book 7532, Page 346 and depicted on the Town's tax maps as Map 006, Lot CEM, and to take all other actions necessary to assume contracts and other responsibilities related to care and management of said cemetery.

M: Joe Roy

S: Josh Klein-Golden

Vote Carries

Article 23 To see if the Town will vote to change the Annual Town Meeting from the first Saturday in April to the second Saturday in June starting with June 13, 2026.

Motion to combine Articles 23-31 as one vote.

M: Josh Klein-Golden

S: Joe Tomm

Vote Carries

Motion to approve Articles 23-31.

M: Joe Roy

S: Joe Tomm

Vote Carries

Article 24 To see if the Town will vote to authorize the Select Board to seek, accept and disburse grant funds from private, state or federal agencies, for the purpose so designated in each specific grant.

Article 25 To see what action the Town will take in regard to fixing interest on delinquent taxes and establishing a date for interest to start. Interest shall begin to accrue on all unpaid taxes forty-five days after the date taxes are committed. The interest rate on delinquent taxes shall be the maximum allowable by State Law.

Article 26 To see if the Town will vote to authorize the Select Board to dispose of town owned property which they determine is no longer needed or usable by the town, on such terms as they deem advisable.

Article 27 To see if the Town will vote to authorize the Select Board, on behalf of the Town, to sell and/or dispose of any property acquired by tax liens in their discretion as permitted by law, and to allow the Select Board to authorize the Treasurer to waive automatic lien foreclosures when it is in the best interest of the Town.

Article 28 To see if the Town will vote to set the interest rate to be paid by the Town on overpayment of abated taxes at 2% pursuant to 36 MRS § 506-A.

Article 29 To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet due or assessed, and to pay interest thereon at an interest rate of 0% pursuant to 36 MRS § 506.

Article 30 To see if the Town will authorize the Select Board to resolve any disputes with parties having an interest adverse to that of the Town which do not involve the expenditure of public funds or where there are sufficient funds in budgeted accounts to allow payment of any claim which is to be settled.

Article 31 To see if the Town will authorize the Select Board to move up to 5% of budget lines that have unexpended appropriations to other budget lines, as they deem necessary, to avoid individual budget lines being over-expended.

Motion to Adjourn

M: Joe Roy

S: Joe Tomm

Time: 12:54 PM

Given under our hands this 25th day of March 2025 by the Durham Select Board:

Joseph Roy, Chair

Josh Klein-Golden, Vice Chair

Joseph Tomm

Heather Roy

Town of Durham

Annual Town Meeting Warrant
April 5, 2025

Deborah Oliver