

Town of Benton
Warrant for the Annual Town Meeting
March 25, 2022 and March 26, 2022

Kennebec, S.S.

To: Brenda MacArthur, a resident of the Town of Benton, in the County of Kennebec and the State of Maine.

Greetings: In the name of the State of Maine you are required to notify and warn the voters of said Town of Benton, in said County, qualified by law to vote in town affairs, to meet at the Benton Town Office, in said Town on Friday, the 25th day of March, A.D. 2022 at 12:30 p.m. local time to elect a Moderator to preside at said meeting, and to vote by secret ballot to elect Town Officers for the ensuing year(s).

Polls are to be open from 1:00 p.m. to 6:00 p.m.

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

Article 2

To elect all town officers to be elected by written secret ballot as described in Section 38 to 52 inclusive of Chapter 5 of the Revised Statutes of 1930, together with Acts additional thereto and amendatory thereof, provisions of which were adopted by vote of the Town, Article 8, at the regular meeting held at the Benton Grange Hall on the 11th day of March, A.D. 1935.

And Saturday, the 26th of March, A.D. 2022 to meet at the Benton Grange Hall, in said Town, at 10:00 a.m. local time, to act on the following articles, to wit:

DEFINITION: ARPA Funds: Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government.

Article 3: To see if the Town will vote to raise and appropriate the sum of \$344,773 for the General Government Budget and to appropriate an additional \$14,555 from ARPA Funds, providing a total General Government Budget of \$359,328.

Select Board and Budget Committee Recommend: Yes

**General Government is for the operation of the Town Office services. Examples include, Vehicle Registration, Licenses, Assessing Services, Tax Maps, Tax and Fee Collection, Vital Statistics, Town Clerk Services, Audit Services, Code Enforcement, Appeals Board, Planning Board, Economic Development Committee, Elections, Legal Counsel Services, Maine Municipal Association and Mid-Maine Chamber of Commerce memberships.*

Article 4: To see if the Town will vote to appropriate the sum of \$51,578 for the Technology Budget from the following funding sources; ARPA Funds (\$16,510) and remaining from excise tax (\$35,058).

Select Board and Budget Committee Recommend: Yes

**Town Office software, hardware, website, internet, printer/copier lease, election equipment, and professional services.*

Article 5: To see if the Town will vote appropriate the sum of \$21,394 for the Facilities Budget from excise tax.

Select Board and Budget Committee Recommend: Yes

**Maintenance, utilities and mowing for Town Office, Salt Shed, Park, Pump Stations (Crummett St, Benton Ave, Andrea Ave)*

Article 6: To see if the Town will vote to raise and appropriate the sum of \$13,858 for the Insurance Budget and any additional needed to be taken from surplus.

Select Board and Budget Committee Recommend: Yes

**Funding for Worker's Compensation, Unemployment, Property & Casualty, Public Officials' Liability, Vehicle and General Liability Insurance and insurance deductible.*

Article 7: To see if the Town will vote to raise and appropriate the sum of \$19,520 for the Public Sewer Budget and to appropriate an additional \$41,300 from public sewer fees, \$27,900 from excise tax, providing a total Public Sewer Budget of \$88,720.

Select Board and Budget Committee Recommend: Yes

**Funding for public sewer expenses for Kennebec Sanitary Treatment District (KSTD), contract and sewer director wage and mileage allowance. 2022 maintenance plan from sustainability report engineering recommendations is proposed to be covered by ARPA Funds Warrant Articles 22 and 23 below.*

Article 8: To see if the Town will vote to raise and appropriate the sum of \$230,728 for Public Safety Budget and to appropriate an additional \$76,021 from excise tax, providing a total Public Safety Budget of \$306,749, with any additional required from surplus.

Select Board and Budget Committee Recommend: Yes

**Funding for Animal Control Officer, Waterville Humane Society, fire, rescue, dispatch and other health and safety expenses.*

Article 9: To see if the Town will vote to appropriate the sum of \$257,256 for Winter Road Maintenance Budget from excise tax

Select Board and Budget Committee Recommend: Yes

**Funding provides for the snow removal & ice control contract, salt, sand and liquid calcium for winter roads.*

Article 10: To see if the Town will vote to appropriate the sum of \$76,000 for Highway Maintenance Budget from funding sources; State Highway Aid with any excess from excise tax.

Select Board and Budget Committee Recommend: Yes

**Funding for 2022 Road Commissioner paving plan with approval by Select Board*

Article 11: To see if the Town will vote to appropriate the sum of \$170,500 for Roads Budget from excise tax

Select Board and Budget Committee Recommend: Yes

**Funding provides road commissioner compensation, general maintenance to existing roads, pothole repair, gravel replacements, culverts, ditching, and brush/tree cutting including the needs for brush/tree cutting. Funding for 2022 repair plan with approval by Select Board.*

Article 12: To see if the Town will vote to raise and appropriate the sum of \$145,000 for the Transfer Station Budget and any excess from surplus.

Select Board and Budget Committee Recommend: Yes

**Funding to allow residents of Benton to dispose of household trash and recycling at no fee.*

Article 13: To see if the Town will vote to raise and appropriate the sum of \$13,240 for the Cemetery Maintenance Budget, and to appropriate \$1,000 to come from interest on Cemetery Perpetual Care Fund and \$2,500 to come from Cemetery General Maintenance Fund, providing a total Cemetery Maintenance Budget of \$16,740.

Select Board and Budget Committee Recommend: Yes

**Funding provides for flags to honor graves of veterans, repair, mowing and maintenance of Town owned cemeteries.*

Article 14: To see if the Town will vote to appropriate the sum of \$3,500 for Alewife Festival, fish restoration and the Seabasticook Regional Land Trust non-profit donation from Alewife revenue.

Select Board and Budget Committee Recommend: Yes

Article 15: To see if the Town will vote to raise and appropriate the sum of \$1,000 for Library Fund to support our residents' use of area libraries.

Select Board and Budget Committee Recommend: Yes

**This article supports funding library memberships for Benton residents.*

Article 16: To see if the Town will vote to raise and appropriate the sum of \$16,000 for Police Athletic League (P.A.L.) membership.

**This article supports funding for 2022. Funds used for Benton residents. (\$12,000 request plus \$4,000 repairs that were done to the PAL fields in 2021, in addition to the \$14,000 approved in 2021).*

Select Board and Budget Committee Recommend: Yes

Article 17: To see if the Town will vote to appropriate the sum of \$5,250 for support of Fairfield Interfaith Food Pantry from ARFP Funds.

Select Board and Budget Committee Recommend: Yes

Article 18: To see if the Town will vote to appropriate the sum of \$1,000 for support of Mid-Maine Homeless Shelter from ARPA funds.

Select Board and Budget Committee Recommend: Yes

Article 19: To see if the Town will vote to raise and appropriate the sum of \$10,602 for support of non-profit organizations.

Select Board and Budget Committee make no recommendation.

**This article supports funding for the named non-profit organization: American Red Cross, Big Brothers and Big Sisters of Mid-Maine, Community Health and Counseling Services, Hospice Volunteer of Somerset County, Hospice Volunteers of Waterville Area, Kennebec Behavioral Health, KVCAP, Life flight Foundation, Maine Public Broadcasting Network, Sexual Assault Crisis & Support Center, Spectrum Generations, Waterville Area Soup Kitchen*

Article 20: To see if the Town will vote to raise and appropriate the sum of \$3,000 for scholarships for Benton students.

Select Board and Budget Committee make no recommendation.

Article 21: To see if the Town will vote to dissolve Poulin, Pillsbury and Sgt. Buker scholarships and replace with three \$1,000 scholarships for Benton students in the name of Town of Benton Scholarship.

Select Board and Budget Committee make no recommendation.

Article 22: To see if the Town will vote to appropriate \$15,000 from Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government for the following project: Manhole/Sewer Line Inspection and Repair project as identified in the Fiscal Sustainability Plan & Engineering Report drafted by Dirigo Engineering.

Select Board and Budget Committee Recommend: Yes

Article 23: To see if the Town will vote to appropriate \$30,000 from Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government for the following project: Manhole/Sewer Main Replacement project as identified in the Fiscal Sustainability Plan & Engineering Report drafted by Dirigo Engineering.

Select Board and Budget Committee Recommend: Yes

Article 24: To see if the Town will vote to appropriate \$25,000 from Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government for the following project: sewer design review for MSAD 49 New Elementary School Project Public Sewer connections access and final adjustments sustainability project related to continued Neck Road public sewer planning.

Select Board Recommend: Yes

Article 25: To see if the Town will vote to appropriate \$5,000 from Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government for the following project: River Road Railroad Water Main Crossing Project (PFAS Contamination) drafted by Dirigo Engineering to do test borings and provide the revised engineering report.

Select Board Recommend: Yes

Article 26: To see if the Town will vote in favor of approving modification of the General Government Ordinance, Section III, Sub-Section VII, GG-FB07, Interest Charge Authority, Town of Benton, Maine last revised June 2021, as follows:

“The Town authorizes the Select Board on behalf of the Town, to charge interest on taxes remaining unpaid after a certain date; also to set the date and rate of interest, not to exceed state maximum.”

Previous wording: “The Town authorizes the Select Board on behalf of the Town, to charge interest on taxes remaining unpaid after a certain date; also to set the date and rate of interest, not to exceed state maximum of 4.75.”

Select Board and Town Treasurer Recommend: Yes

Article 27: Shall an ordinance entitled “Public & Private Sewer Ordinance, Town of Benton“ dated March 26, 2022 be enacted?

This replaces the “Public and Private Sewers and Drains Ordinance”, enacted January 28, 1974.

Copies may be found at the Benton Town Office, on the Town of Benton website at: <https://www.bentonmaine.info/elections/events/1121>

Appendix B: Appendix B: Public & Private Sewer Ordinance, Town of Benton, Maine

Appendix C: Public and Private Sewers and Drains Ordinance

Select Board Recommend: Yes

Article 28: Shall an ordinance entitled “Land Use Ordinance, Town of Benton, Maine“, dated March 26, 2022 be enacted?

Copies may be found on the Town of Benton website at: <https://www.bentonmaine.info/elections/events/1121>

Appendix A: 2022 Modification to Land Use Ordinance, Section II: Definition’s and Section VII modifications include: Modification to Section II: Definitions; Modification to Section VII: Establishment of Districts, D. Table of Land Uses correction to title for Lot Coverage to read Maximum Lot Coverage; Overall spelling and grammar check to the document; Appendix A1: DRAFT Revised “Land Use Ordinance, Town of Benton, Maine” dated March 26, 2022, to be adopted as written.

Select Board and Planning Board Recommend: Yes

Article 29: To see what sum the Town will vote to pay the deputy moderator for services at the meeting at rate \$150.

Select Board Recommend: Yes

language for adoption as follows:

Appendix A: 2022 Modification to Section II: Definitions

Modification to Section II: Definitions

Agriculture Products Processing: Involves the biological, physical, mechanical, and biochemical manipulation of agricultural produce, in order too, preserve it for further use. It involves a series of operations taken to change agricultural products into a consumer-finish product.

Airport: A place from which aircraft operate that usually has paved runways and maintenance facilities and often serves as a terminal.

Amusement Facility/Commercial Recreation (outdoor): Any private, commercial premises which are maintained or operated primarily for the amusement, patronage, or recreation of the public, containing four (4) or more table sports, pinball machines, video games, or similar mechanical or electronic games, whether activated by coins, tokens, or discs, or whether activated through remote control by the management.

A location where recreation or entertainment is provided by means of rides, games, attractions, exhibits and events to be used by the public. (Consisting of more than one standalone ride.)

Business Materials, Retail Sales: A location and/or store where customers purchase materials used to construct houses and related structures. A merchant established for the retail sale of goods and or supplies.

Bulk Oil: A liquid petroleum product transported by various means and stored in tanks or containers having an individual fill capacity greater than 99 gallons.

Business: An occupation or trade and the purchase and sale of products or services to make a profit.

Cemetery: A burial ground, a graveyard.

Church, Synagogue: A building used for public religious worship.

Community Centers: A place where people from a particular community can meet for social, educational, or recreational activities.

Demolition: A business that operates or stores debris from the actions of destruction of a building, other structures or equipment.

Essential Facility/Services: Gas Electrical or communication structures such as steam, fuel, power or water transmission or distribution lines, telephone cables, poles, and related equipment, pipelines, sewage lines, and associated storage equipment. Such systems may include poles, wires, drains, conduits, fire alarms, hydrants, visual and audible signals and similar accessories. The term does not include wireless communication towers, power substations and accessory buildings.

Extractive Industry: Defined as a process that involves different activities that lead to the extraction of raw materials from the earth (such as oil, metals, mineral and aggregates) processing and utilization by consumers.

Fire Station: A facility where fire engines and other equipment of a fire department are housed.

Forestry: The practice of planting, managing, and caring for forests.

Gas / Petroleum Terminal: Liquefied natural gas terminal is a structure for liquefied natural gas to store. It can comprise special tanks, ships or even building structures. Port infrastructures and pipelines are also a part of LNG terminals.

Golf Course: The grounds where a game of golf is played, or an area of land laid out for golf with a series of 9 or 18 holes, each including tees, fairways and putting greens.

Government Office: A site/building where elected, hired or appointed officials perform the tasks of governing.

Group Home: A home where a small number of unrelated people in need of care, support or supervision live together.

Hospice: A home service providing care for the sick or terminally ill.

Indoor Theater: A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.

Library: A building or room containing collections of books, periodicals, and sometimes films and recorded music for people to read, borrow, or refer to.

Museum: A building in which objects of historical, scientific, artistic or cultural interest are stored and exhibited.

Offices: A room, set of rooms, or building used as a place for commercial, professional, or bureaucratic work.

Parish House: A building used by religious leaders/organizations for the purpose of housing or activities related to the religious organization.

Police Station: The office or headquarters of a local police force.

Primitive Outdoor Recreation: Any leisure time activity conducted having a quality or style that offers an extremely basic level of comfort, conveniences or efficiencies.

Printing: The production of books, newspapers, or other printed material.

Profession: A specified activity as one's main paid occupation rather than as a pastime.

Public Utility Facility / Structures: See Utilities and Utility facilities.

Publishing: The occupation, business, or activity of preparing and issuing books, journals, and other material for sale.

Recreational Facility: A public or privately owned commercial enterprise designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, or the viewing thereof., excluding boat launching facilities.

Recycling Operations: An area / building to recover, separate, collect and reprocess waste materials for sale or reuse other than fuel for the solid waste disposal facility.

Sawmill: A site in which logs are sawed into lumber by machine, a mill or factory where logs are sawed to make boards.

Schools: An institution for education or instruction where any branch or branches of knowledge is imparted. Knowledge is imparted by teaching courses of study which are sufficient to qualify the education requirements of the institution, or state compulsory education requirements

Public Schools are a publicly tax-payer funded and usually non-profit,

Private / Parochial Schools are usually privately funded and can be for profit.

Commercial School are trade focused by design and are usually profit-oriented.

Examples include nursery, dancing, music, correspondence, driving, beauty, business schools.

Storage: The use of structures and/or areas for the purpose of providing space for secure storage of household or business goods, including freight terminals, and moving and transfer companies, as well as that portion of structures established for long-term storage of inventory or business-related items. "Self-storage" or "mini-warehouse" uses in which all spaces are available to the public for rent or lease shall be classified as "business services".

Trucking: A structure or land used for the temporary storage and maintenance of motor transport carriers and/or equipment of the business. Truck terminals may also be used for the temporary storage of goods awaiting transfer, or the wholesale distribution by means of motor carrier transportation.

Warehousing: The use of structures for the purpose of providing space for secure storage of household or business goods, including freight terminals, and moving and transfer companies, as well as that portion of structures established for long-term storage of inventory or business-related items. "Self-storage" or "mini-warehouse" uses in which spaces are available to the public for rent or lease shall be classified as "business services".

Warehousing functions are a wide range of activities, which are associated with the physical distribution of goods from the end of the production line to the final consumers. These activities include purchasing of goods, inventory management of new or reusable items, storage, materials handling, protective packing, and transportation.

Waste, Disposal Waste, and Scrap Storage / Processing Facility: A business in which the principal activity is the storage or processing for reuse, waste or scrap materials including, but not limited to, glass, plastic, metal, tires, white goods, wood waste, or chemical compounds.

Wholesale Business: Distribution of goods in bulk to other businesses that repackage them in smaller quantities for sale directly to consumers. Wholesale actions/activities are one step in the supply chain that starts with a supplier of raw materials and ends with a sale to an end user.

Section VII: Establishment of Districts, D Table of Land Users in each of the following:

- Village and Growth Districts
- Rural District
- Industrial District

Correction to title for Lot Coverage will read Minimum Lot Coverage/Maximum Lot Coverage

Overall spelling and grammar check to the entire document.

**For Informational Purposes, these articles were moved to the
General Government Ordinance in March, 2021**

GG-FB01

To see if the Town will vote to authorize the Select Board on behalf of the Town, to spend an amount not to exceed the quarterly (25%) budget amount in each budget category of the previous years' annual budget during the first quarter of the current budget year.

GG-FB02

To see if the Town will vote to authorize the Select Board on behalf of the Town, to take any overdrafts incurred in the ensuing year, up to 5% of last year's budget by account, from surplus.

GG-FB03

To see if the Town will vote to authorize the Select Board on behalf of the Town, to sell and dispose of any real estate acquired by the town through non-payment of taxes thereon, subject to the advertising of same for three consecutive days in a local paper, on terms such as they deem advisable and to execute quitclaim deeds for such property; except, the Select Board may allow the immediate previous owners or heirs (one generation) to recover such property on the payment of all taxes and assessments including personal property taxes and sewer assessments past due plus interest and costs.

GG-FB04

To see if the Town will vote to authorize the Tax Collector on behalf of the Town, to receive payment of taxes prior to the Tax Commitment.

GG-FB05

To see if the Town will vote to authorize the Select Board on behalf of the Town, to raise and appropriate to pay for tax abatement and any interest due thereon.

GG-FB06

To see if the Town will vote to authorize the Select Board on behalf of the Town, to pay interest on abatements for overpayment of taxes at the rate of 4.75% per annum, or lowest legal rate, after April 1 of the current year.

GG-FB07

To see if the Town will vote to authorize the Select Board on behalf of the Town, to charge interest on taxes remaining unpaid after a certain date; also to set the date and rate of interest, not to exceed state maximum of 4.75%.

GG-FB08

To see if the Town will vote to authorize the Select Board on behalf of the Town, to apply all taxes or fees paid to the oldest outstanding real estate taxes, personal property taxes, or sewer fees owed by that taxpayer.

GG-FB09

To see if the Town will vote to authorize the Select Board on behalf of the Town, to authorize the payment of mileage expenses at the current federal rate. The approved staff to receive reimbursement for this expense are: Town Clerk, Office Personnel, Select Board, Treasurer, Planning Board, Road Commissioner, LPI/CEO, Assessor.

GG-FB10

To see if the Town will vote to authorize the Select Board on behalf of the Town, to pay for labor performed on the highways and bridges by contractors, trucks, and equipment at the State of Maine laborer's wage per hour.

GG-FB11

To see if the Town will vote to authorize the Select Board on behalf of the Town, to accept any and all donations for the support of the poor.

GG-FB12

To see if the Town will vote to authorize the Select Board on behalf of the Town, to accept any and all grant funds and donations which do not require Town funding commitment beyond TIF and Capital Funds.

GG-FB13

To see if the Town will vote to authorize the Select Board on behalf of the Town, to enter into multi-year contracts including but not limited to, support the disposal of solid waste and recyclables, winter road maintenance, highway maintenance, road maintenance, public sewer maintenance, and technology.

GG-FB14

To see if the Town will vote to authorize the Select Board on behalf of the Town, to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to 23 M.R.S.A. sec 2953.

GG-FB15

To see if the Town will vote to authorize the Select Board on behalf of the Town, to accept any Trust Funds presented for the perpetual care of the cemetery lots within the Town.

GG-FB16

To see if the Town will vote to authorize the Select Board on behalf of the Town, to authorize the Selectmen under Maine Statutes, Chapter 12, Section 6131 and amendments thereto, to promulgate such regulations compatible with the General Laws of the State, to govern the time when and the manner in which river herring shall be taken therein.

GG-FB17

To see if the Town will vote to authorize the Select Board on behalf of the Town, to authorize the Selectmen to sell surplus river herring for one or more years or take any action relative to the same.

GG-FB18

To see if the Town will vote to authorize the Select Board on behalf of the Town, to endorse the Alewife Festival, authorize the Treasurer to receive donations for this purpose and appropriate such donations for use of the Alewife Festival Committee, upon proper disbursement warrants by the Select Board.