

2021 Annual Town Warrant

STATE OF MAINE
Kennebec, S.S.

To: Robin Patterson, 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 Saturday, the 27th day of March, A.D. 2021 at 8:00 a.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) and to vote by secret ballot on Articles 3-45. Polls are to be open from 1:00 p.m. to 6:00 p.m.

The following articles will be presented for review and public discussion at a Public Hearing on the following dates via Zoom conference call only.

- Articles 3 – 41 on, March 10, 2021 at 6:00 p.m. EST via conference call
- Articles 42 – 45 on, March 11, 2021 at 6:00 p.m. EST via conference call

Conference call connection information and materials supporting the articles are provided on Town Website at <https://www.bentonmaine.info/> Refer to Home Page and section noted 2021 Annual Town Meeting Written Secret Ballot Information.

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 and Road Commissioner for the ensuing year(s): One Select Person for a three-year term One Road Commissioner for a one-year term
Article 3	To see if the Town will vote to raise and appropriate the sum of \$336,028 for the General Government Budget. Select Board and Budget Committee Recommend: Yes <i>*General Government is for the operation of the Town Office services. Examples include, Vehicle Registration, Licenses, Assessing Services, Tax and Fee Collection, Vital Statistics, Town Clerk Services, Audit Services, Code Enforcement, Appeals Board, Planning Board, Economic Development Committee, Elections, and Legal Counsel Services.</i>
Article 4	To see if the Town will vote to raise and appropriate the sum of \$44,164 for the Technology Budget. Select Board and Budget Committee Recommend: Yes <i>*Town Office software, hardware, website, internet, printer/copier lease, election equipment, and professional services.</i>
Article 5	To see if the Town will vote to raise and appropriate the sum of \$21,231 for the Facilities Budget Select Board and Budget Committee Recommend: Yes <i>*Maintenance, utilities and mowing for Town Office, Salt Shed, Park, Pump Stations (Crummett St, Benton Ave, Andrea Ave)</i>
Article 6	To see if the Town will vote to raise and appropriate the sum of \$18,154 for the Insurance Budget plus any additional needed to be taken from the general government accounts Select Board and Budget Committee Recommend: Yes <i>*Funding for Worker's Compensation, Unemployment, Property & Casualty, Public Officials' Liability, Vehicle and General Liability Insurance and insurance deductible.</i>
Article 7	To see if the Town will vote to raise and appropriate the sum of \$61,704 for the Public Sewer Budget. Select Board and Budget Committee Recommend: Yes <i>*Funding for public sewer expenses for Kennebec Sanitary Treatment District (KSTD) including maintenance request from KSTD Appointee.</i>
Article 8	To see if the Town will vote to raise and appropriate the sum of \$300,754 for Public Safety Budget Select Board and Budget Committee Recommend: Yes <i>*Funding for Animal Control Officer, Waterville Humane Society, fire, rescue, dispatch and other health and safety expenses.</i>
Article 9	To see if the Town will vote to raise and appropriate the sum of \$205,234 for Winter Road Maintenance Budget from excise tax Select Board and Budget Committee Recommend: Yes <i>*Funding provides for the snow removal & ice control contract, salt, sand and liquid calcium for winter roads.</i>
Article 10	To see if the Town will vote to raise and appropriate the sum of \$76,273 for Highway Maintenance Budget from excise tax and State Highway Aid Select Board and Budget Committee Recommend: Yes <i>*Funding for 2021 paving on East Benton Road and Willis Road.</i>
Article 11	To see if the Town will vote to raise and appropriate the sum of \$51,300 for Roads Budget from excise tax Select Board and Budget Committee Recommend: Yes <i>*Funding provides road commissioner compensation, general maintenance to existing roads, pot hole repair, gravel replacements, culverts, ditching, and brush/tree cutting including the needs for brush/tree cutting for the Pines Road</i>
Article 12	To see if the Town will vote to raise and appropriate the sum of \$91,996 for the Transfer Station Budget and any excess from surplus. Select Board and Budget Committee Recommend: Yes <i>*Funding to allow residents of Benton to dispose of household trash and recycling at no fee.</i>
Article 13	To see if the Town will vote to raise and appropriate the sum of \$16,740 for the Cemetery Maintenance Budget. Select Board and Budget Committee Recommend: Yes <i>*Funding provides for flags to honor graves of veterans, repair, mowing and maintenance of Town owned cemeteries.</i>

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Article 14	To see if the Town will vote to raise and appropriate the sum of \$2,000 for Library Fund to support our residents' use of area libraries. Select Board and Budget Committee Recommend: Yes <i>*This article supports funding library memberships for Benton residents.</i>
Article 15	To see if the Town will vote to raise and appropriate the sum of \$14,000 for Police Athletic League (P.A.L.) membership. Select Board and Budget Committee Recommend: Yes <i>*This article supports funding for 2021. Funds used for Benton residents. Additional information provided on page 6 of this document.</i>
Article 16	To see if the Town will vote to raise and appropriate the sum of \$14,000 for Police Athletic League (P.A.L.) membership. Select Board Recommends: Yes Budget Committee Recommends: No <i>*This article supports funding for 2020. Funds used for Benton residents. Additional information provided on page 6 of this document.</i>
Article 17	To see if the Town will vote to raise and appropriate the sum of \$5,200 for support of Fairfield Interfaith Food Pantry. Select Board and Budget Committee Recommend: Yes
Article 18	To see if the Town will vote to raise and appropriate the sum of \$1,000 for support of Mid-Maine Homeless Shelter. Select Board and Budget Committee Recommend: Yes
Article 19	To see if the Town will vote to raise and appropriate the sum of \$19,611 for support of non-profit organizations. <i>*This article supports funding for the named non-profit organization: Alford Youth & Community Center, Family Violence Project, Kennebec Behavioral Health, KVCAP, Hospice Volunteers of Waterville Area, Sexual Assault Crisis & Support Center, American Red Cross, Sebasticook Regional Land Trust, Hospice Volunteers of Somerset County, Big Brothers and Big Sisters of Mid-Maine, Maine Public Broadcasting Network, Community Health and Counseling Services</i> Select Board and Budget Committee make no recommendation.
Article 20	To see if the Town will vote to raise and appropriate the sum of \$2,950 for scholarship. <i>*This article supports funding for the named scholarship for Poulin Trust Scholarship (\$2,000), Pillsbury Trust Scholarship (\$200), Sgt. Brian L. Buker Memorial Scholarship (\$750)</i> Select Board and Budget Committee make no recommendation.
Article 21	To see what sum the Town will vote to pay the deputy moderator for services at the meeting at rate \$150. Select Board and Budget Committee Recommend: Yes
ARTICLES OF AUTHORIZATION	
Article 22	To see if the Town will vote to increase the property tax levy established for the Town by State law in the event the approved municipal budget results in a property tax commitment that is higher than the State's limit. Select Board and Budget Committee Recommend: Yes
Article 23	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. Select Board and Budget Committee Recommend: Yes
Article 24	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. Select Board and Budget Committee Recommend: Yes
Article 25	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. Select Board and Budget Committee Recommend: Yes
Article 26	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. Select Board and Budget Committee Recommend: Yes
Article 27	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. Select Board and Budget Committee Recommend: Yes
Article 28	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. Select Board and Budget Committee Recommend: Yes
Article 29	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%. Select Board and Budget Committee Recommend: Yes
Article 30	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. Select Board and Budget Committee Recommend: Yes
Article 31	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,

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	Treasurer, Planning Board, Road Commissioner, LP/CEO, Assessor. Select Board and Budget Committee Recommend: Yes
Article 32	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. Select Board and Budget Committee Recommend: Yes
Article 33	To see if the Town will vote to authorize the Select Board on behalf of the Town, to hire qualified persons or firms to keep the Town maps and property valuations updated as of April 1, cost to be taken from general government accounts. Select Board and Budget Committee Recommend: Yes
Article 34	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. Select Board and Budget Committee Recommend: Yes
Article 35	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. Select Board and Budget Committee Recommend: Yes
Article 36	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. Select Board and Budget Committee Recommend: Yes
Article 37	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. Select Board and Budget Committee Recommend: Yes
Article 38	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. Select Board and Budget Committee Recommend: Yes
Article 39	To see if the Town will vote to authorize the Select Board on behalf of the Town, to authorize the Selectman 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. Select Board and Budget Committee Recommend: Yes
Article 40	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. Select Board and Budget Committee Recommend: Yes
Article 41	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. Select Board and Budget Committee Recommend: Yes
	LOCAL ORDINANCE ADOPTION
Article 42	To see if the Town will vote in favor of approving the creation of "General Government Ordinance". The ordinance will be used to organize Town ordinances related to administrative, operational, finance and budget related ordinances adopted by the Town until modified or removed by the Town. Organization, overall description of the ordinance purpose statement and numbering to be developed by the Select Board. Select Board Recommends: Yes <i>Postponed last year and provided in the Annual Report. Language approved by Town legal counsel for adoption.</i>
Article 43	To see if the Town will vote in favor of approving for inclusion in the General Government Ordinance language to direct political activity in the Town. Select Board Recommends: Yes <i>Postponed last year and provided in the Annual Report. Ordinance language provided for review on page 5 of this document. Language approved by Town legal counsel for adoption.</i>
Article 44	To see if the Town will vote in favor of approving for inclusion in the General Government Ordinance language to direct the board membership in the Town. Select Board Recommends: Yes <i>Postponed last year and provided in the Annual Report. Ordinance language provided for review on page 5 of this document. Language approved by Town legal counsel for adoption.</i>
Article 45	To see if the Town will vote in favor of approving for inclusion in the General Government Ordinance language to address conflict of interest guidelines. Select Board Recommends: Yes <i>Postponed last year and provided in the Annual Report. Ordinance language provided for review on page 5 and 6 of this document. Language approved by Town legal counsel for adoption.</i>

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The following provides the specific language which will be in the ordinance for Articles 42, 43 and 44 and additional supporting detail for Articles 14 & 15:

Article 43. To see if the Town will vote in favor of approving for inclusion in the General Government Ordinance language to direct political activity in the Town. Language approved by Town legal counsel for adoption as follows:

Political Activity

Employees may seek or accept nomination or election to any office in the Town government while employed by the Town, provided that no person may hold elective office while employed by the Town. Therefore, any employee elected to any Benton Town Office shall resign from employment prior to taking office.

Town employees shall not circulate petitions or campaign literature for elective Town officials, or be in any way involved with soliciting or receiving subscriptions, contributions, or political service from any person for any political purpose pertaining to the Town government. This rule is not to be construed to prevent Town employees from becoming, or continuing to be, members of any political organization, from attending political meetings, from expressing their views on political matters, or from voting with complete freedom in any local, state or national election.

Select Board Recommends: Yes

Article 44. To see if the Town will vote in favor of approving for inclusion in the General Government Ordinance language to direct town board membership in the Town. Language proposed for adoption as follows:

Town Board Membership

A person serving on a Town board may not hold another office which is "incompatible" with the position. Two offices are "incompatible" if the duties of each are so inconsistent or conflicting that one person holding both would not be able to perform the duties of each with undivided loyalty. Additionally, Town board membership may not contain members which are immediate family, or individuals residing in the member's household. No Selectperson may simultaneously be an employee of the Town or hold any other position, the compensation of which is paid for by the Town.

Select Board Recommends: Yes

Article 45. To see if the Town will vote in favor of approving for inclusion in the General Government Ordinance language to address conflict of interest guidelines. Language approved by Town legal counsel for adoption as follows:

Conflict of Interest

- A. Deliberation and vote prohibited. No elected official shall, in such capacity, participate in the deliberation or vote, or otherwise take part in the decision-making process, on any agenda item before his or her collective body in which he or she or a member of his or her immediate family has a financial or special interest, other than an interest held by the public generally.
- B. Disclosure of conflict. Any elected official who believes that he or she or a member of his or her immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her collective body shall disclose the nature and extent of such interest, and the Town Clerk or his or her designee shall make a record of such disclosure. Such disclosure shall be made no later than the date of the first meeting at which the agenda item concerned is to be taken up for consideration, recommendation, discussion or vote and at which the elected official is present. Additionally, any person who believes that any elected official, or a member of such elected official's immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her collective body shall disclose the nature and extent of such interest, and the Clerk or his or her designee shall make a record of such disclosure.
- C. Determination of conflict. Once the issue of conflict has been raised relative to any elected official and disclosure has been made as provided above, such individual's fellow board members or commission members shall review the facts as disclosed to them and shall vote on whether or not such individual has a financial or special interest with respect to the agenda item concerned. All conflict of interest questions relating to a particular agenda item shall be resolved prior to any consideration of the item concerned, and each elected official or commission member present shall be entitled to vote on all conflict of interest questions, except those questions pertaining to that individual elected official's alleged conflict of interest.

(1) All votes of conflict of interest questions shall be recorded. A majority vote shall determine the question.

(2) Upon determination that a conflict of interest in fact exists, the elected official shall be excused from participating in discussion, deliberation or vote on the relevant agenda item.

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(3) In the event that a majority of the board or commission concerned shall require disclosure of further information not immediately available or shall require confirmation of the information disclosed, consideration of the relevant agenda item shall be postponed to an appropriate time.

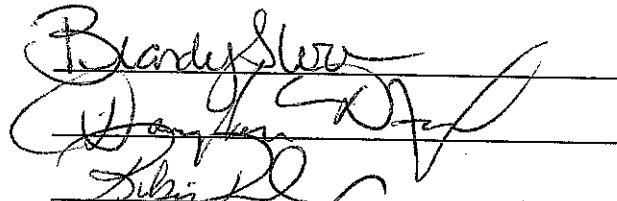
- D. Avoidance of appearance of conflict. To avoid the appearance of a violation of this section, once any individual elected official is determined to have a conflict of interest in respect to any agenda item and once all conflict of interest questions relating to the agenda item concerned have been determined as provided in Subsection C above, said individual shall immediately remove himself or herself from the meeting room. He or she shall not return to his or her regular seat as a member of the body until deliberation and action on the item is completed. If the item has not been finally resolved when the conflict of interest is first determined, said individual shall not be present for any subsequent action on the agenda item. Nothing herein shall require an elected official to remove himself or herself for any item contained on a consent agenda on which there is no deliberation, the individual's conflict has been determined by the other members, and the right to abstain from voting on the item has been granted.
- E. Personal interest. Nothing herein shall be construed to prohibit any elected official from representing his or her own personal interest by appearing before his or her collective body on any such agenda item.
- F. Abstention; exercising the right to abstain.
Any elected official who believes that he or she or a member of his or her immediate family has a special or financial interest, other than an interest held by the public generally, in any agenda item before his or her collective body may, after disclosure of the nature and extent of such interest, publicly state his or her intent to abstain from participation in the deliberation or vote, or otherwise taking part in the decision-making process on the agenda item. However, the collective board may by motion and vote determine that there is no conflict and that the elected official shall not be permitted to abstain from participating and voting on the agenda item.

Select Board Recommends: Yes

Article 15 & 16:

The Police Athletic League (P.A.L.) has served the S.A.D. #49 communities of Albion, Benton, Clinton and Fairfield since 1957. The organization provides access for all area youth to a multitude of activities including: t-ball; baseball; softball; football; basketball; field hockey; and soccer, as well as the Summer Program and various other special activities throughout the year. All funding for P.A.L. comes from the annual budget contributions from each of the 4 affiliated towns, program registration fees, and periodic fundraisers. The organization offers partial to full scholarships for all S.A.D. #49 families who need them, and no one will ever be turned away due to their inability to pay. We keep our registration fees low due to the funding we receive from each town, combined the volunteer efforts of our Board of Directors and Coaches.

Dated: _____



MUNICIPAL OFFICERS

A true copy of the warrant,

Attest:

Benton Town Clerk

RETURN OF THE WARRANT

Benton, Maine March 3, 2021

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said town, in the County of Kennebec and State of Maine, qualified by law to vote in Town affairs, to assemble at said time and place, and for the purposes therein named, by posting up on the 1st day of March 2021, being at least seven days before the meeting, one attested copy of said warrant at the Town Office, on the Town website (www.bentonmaine.info), in the annual town report, mailed to Benton residents, Dixon's Country Market, Monitor of Maine, and EUR-OK Auto, all being public and conspicuous places in the Town of Benton, Maine.

Robin Patterson
Resident of Benton

**TOWN OF BENTON
TOWN MEETING ELECTION RESULTS
MARCH 27, 2021**

I, Richard Lawrence, Jr., Moderator of the Town of Benton, hereby certify that ballots cast at the annual Town Meeting Election held on March 27, 2021 were counted and tabulated as follows:

Selectperson: See Attachment A

 Douglas Dixon 63 votes

 Write-In 18 votes

 Blank 28 votes

Road Commissioner: See Attachment A

Article #	Yes Count	No Count	Blank Count
Article 3:	76	30	3
Article 4:	72	36	1
Article 5:	76	30	3
Article 6:	78	28	3
Article 7:	74	33	2
Article 8:	79	28	2
Article 9:	89	17	3
Article 10:	88	19	2
Article 11:	90	18	1
Article 12:	86	20	3
Article 13:	91	16	2
Article 14:	87	21	1
Article 15:	68	41	0
Article 16:	52	57	0
Article 17:	90	18	1
Article 18:	83	24	2
Article 19:	49	55	5

TOWN OF BENTON
TOWN MEETING ELECTION RESULTS
MARCH 27, 2021

Article 20:	75	32	2
Article 21:	73	32	4
Article 22:	60	45	4
Article 23:	83	24	2
Article 24:	84	23	2
Article 25:	92	15	2
Article 26:	95	12	2
Article 27:	85	21	3
Article 28:	93	13	3
Article 29:	90	17	2
Article 30:	99	8	2
Article 31:	85	23	1
Article 32:	99	9	1
Article 33:	92	14	3
Article 34:	99	7	3
Article 35:	97	9	3
Article 36:	92	15	2
Article 37:	99	8	2
Article 38:	103	4	2
Article 39:	97	10	2
Article 40:	98	9	2
Article 41:	91	16	2
Article 42:	77	28	4
Article 43:	76	28	5
Article 44:	76	29	4
Article 45:	82	23	4

TOWN OF BENTON
TOWN MEETING ELECTION RESULTS
MARCH 27, 2021

March 27, 2021

A handwritten signature in cursive script, appearing to read "Richard Lawrence, Jr.", is written over a horizontal line.

Richard Lawrence, Jr, Moderator