

**ANNUAL
TOWN MEETING
MONDAY MARCH 18, 2024**

STATE OF MAINE

PENOBSCOT, SS

**TO: SUSIE PRIEST, RESIDENT OF THE TOWN OF LOWELL, COUNTY OF
PENOBSCOT, AND STATE OF MAINE.**

GREETINGS.

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Lowell, in said County, qualified to vote in Town affairs, to meet at the Lowell Town Office in the Town of Lowell, County of Penobscot, State of Maine, on Friday, the 15th of March, 2024 A.D. at 10 o'clock a.m. in the morning, then and there to act upon articles numbered ONE (1) and TWO (2) as set out below, polls open at 10 a.m. and close at 6 p.m., and to notify and warn the voters to meet at the Lowell Town Office on Monday the 18th day of March 2024 A.D. at 6:00 o'clock in the evening to act upon articles number three (3) through (23).

Article 1. To choose a moderator to preside at said meeting. **Elizabeth Bickford was elected**

(To follow Maine Moderators Rules for said meeting)

Article 2. Town Officers: To elect all necessary Town Officers as are required by law, by secret ballot. The polls for voting on **Articles 1 and 2** will open at 10 a.m. and will close at 6 p.m.

-Third Selectman: **Three-year term. Kirk Fogg was elected**

-Budget Committee: Two, two-year terms. **Lori Moura and Mike Garfield were elected**

-Planning Board: three, five-year terms. **Lorri Bond was elected**

-School Committee: two, three-year terms Peggy Banks and Bonnie Hill were elected

Article 3. Overdrafts: To see if the Town will vote to ratify overdrafts occurring in Town Operations for fiscal year 2024.

It was moved and seconded to approve the article as written.

Article 4. To see if the Town will vote to authorize the Municipal Officers to spend an amount not to exceed 3/12 of the approved budgeted amount in each category of the FY 2024 annual budget during the period February 1, 2025, until the Annual Town meeting in March 2025.

It was moved and seconded to approve the article as written.

Article 5. Prepayment of Taxes: Vote to authorize the Tax Collector or the Treasurer to accept prepayment of taxes, not yet committed, pursuant to 36 M.R.S. §506 **It was moved and seconded to approve the article as written.**

Article 6. Tax-acquired Property: To see if the Town will vote to require the selectmen to provide the former owner(s) of tax-acquired property, or if deceased his/her/their heirs/devisees/personal representative 30 days to repurchase the property for a price equal to all outstanding taxes, interest, fees, and costs; if the former owner does not repurchase the property the selectmen may sell the property through the sale process in 36 MRS § 943-C, provided that if the former owner does not timely request that process or the board is unable to list or sell the property as required by § 943-C(3), the board may sell the property through a competitive sealed bid process in which a notice advertising sale of the property shall be published at least twice in a newspaper of general circulation in the county. For sales to someone other than the former owner(s), excess sale proceeds, as defined in 36 MRS § 943-C, shall be returned to the former owner.

It was moved and seconded to approve the article as written.

Article 7. To see if the Town shall vote to accept the categories of funds listed below provided by the Maine State Legislature or other organizations.

It was moved and seconded to approve the article as written.

- | | | |
|------------------------------------|---|--|
| 1. Municipal Revenue Sharing | 2. Local Road Assistance Program (LRAP) | 3. State Aid to Education (including pass-through funds and property tax relief) |
| 4. Snowmobile Registration Monies | 5. Tree Growth Tax Reimbursement | 6. Civil Emergency Funds |
| 7. Emergency Management Assistance | 8. General Assistance Reimbursement | 9. Homestead Exemption Funds |
| 10. Veteran's Exemption Fund | 11. State Grants, or other funds. | 12. U.S. Federal Funds |

Article 8. Unexpended Operational Balances: To see if the Town will vote to carry forward any unexpended FY 2024 municipal budget operational balances, from the specific line items below, for the same purpose in the FY 2025 operational budget:

It was moved and seconded to approve the article as written.

- | | | |
|------------------------|---------------------|----------------------------|
| 1. Fire Department | 2. Education | 3. Winter Roads |
| 4. Photocopier Reserve | 5. Building Reserve | 6. Roads & Bridges Reserve |

Article 9. Surplus: In accordance with ADM 26, approved March 15, 2010, the Board of Selectmen are authorized to appropriate money from surplus for tax relief and stability of the municipal tax rate. The amount used for this purpose shall not reduce the available surplus balance below \$250,000.

It was moved and seconded to approve the article as written.

Article 10. To fix compensation paid to Town Officials and Employees.

It was moved and seconded to approve the article as written.

1 st Selectman \$3,732	2 nd Selectman \$3,732	3 rd Selectman \$3,732
Town Clerk \$17,000		Registrar of Voters \$1,600

Treasurer \$3,600 /Payroll fees \$2,000 Tax Collector \$11,950

Road Commissioner \$600
Animal Control Officer \$800

Code Enforcement Officer
\$5,865

Custodian \$5,330

General Assistance Officer
\$500.

Local Health Officer \$100

Article

11. General Government: To see if the Town will vote to raise and appropriate the sum of \$123,273 for General Government.

It was moved and seconded to approve the article as written.

Article 12. Operation of the Town Office: To see if the Town will vote to raise and appropriate the sum of \$44,124 for the Operation of the Town Office, and appropriate up to \$10,000 from surplus for unanticipated emergency expenses as needed.

A motion was made and seconded to amend this article to raise 34,124 and appropriate up to \$10,000 from surplus. It was moved and seconded to approve the article as amended.

Article 13. Public Safety: To see if the Town will vote to raise and appropriate the sum of \$18,200 for Public Safety. **It was moved and seconded to approve the article as written.**

Article 14. Public Works: To see if the Town will vote to raise and appropriate the sum of \$184,950 for Public Works, and appropriate up to \$5,000 from surplus for junkyard cleanup if/as needed. **A motion was made and seconded to amend this article to raise 179,950 and appropriate up to \$5,000 from surplus. It was moved and seconded to approve the article as amended.**

Article 15. Sanitation: To see if the Town will vote to raise and appropriate the sum of \$50,000 for the Burlington –Lowell Transfer Station operations and maintenance.

It was moved and seconded to approve the article as written.

Article 16. Special Assessments: To see if the Town will vote to raise and appropriate the sum of \$109,110.99 to pay County Tax.

It was moved and seconded to approve the article as written.

Article 17. Debt Service: To see if the Town will vote to raise and appropriate the sum of \$40,894.00 for the Municipal Building loan.

It was moved and seconded to approve the article as written.

Article 18. General Assistance: To authorize the Selectmen to appropriate funds, as needed, for General Assistance from Surplus.

It was moved and seconded to approve the article as written.

Article 19. Interest: To authorize the Tax Collector to charge interest on Real Estate and Personal Property Taxes not paid by January 31, 2025. Interest begins February 1, 2025, at 5% annually and will accrue daily thereafter.

It was moved and seconded to approve the article as written.

Article 20. Discount: To see if the Town will vote, pursuant to Title 36 section 505 Paragraph 5 of M.R.S.A., to allow 2% discount on all taxes, Real and Personal if paid in full within 30 days of commitment.

It was moved and seconded to approve the article as written.

Article 21. Reserve Account Management: To see if the Town will authorize the Board of Selectmen to pay for normal maintenance or repair work, as required, from the established, designated reserve accounts.

It was moved and seconded to approve the article as written.

Article 22. Authorization for Disposal of Municipal Personal Property: To see if the town will vote to authorize the municipal officers to dispose of town-owned personal property with a value not exceeding the amount of \$1000, under such terms and conditions as they deem advisable.

It was moved and seconded to approve the article as written.

Article 23. Fire Department Contract: To see if the Town will vote to raise and appropriate and expend from the Fire Department Contract Account and expend from the Fire Department Reserve account the below sums for the contractual agreement with the Howland Fire Department.

Howland Fire Department Contract (raise and appropriate): \$.178,806.32

Recommended:

(Expend from Fire Department Reserve Account): \$18,091.58

(Appropriate from the Fire Department Reserve Bank account): \$68,000

(Raise the remainder of): \$92,714.74.

It was moved and seconded to approve the article as written.

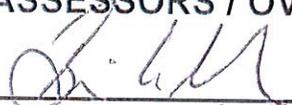
Article 24. Municipal Reimbursement/Medical Care of Stray or Companion Animals: To see if the Town will vote to allow the selectmen to establish an Animal Control Officer (ACO) Reserve fund to meet current state-mandated animal welfare laws as referred to in Title 7 M.R.S. Sec. 3948(2) which obligates a municipality's Law enforcement officers and animal control officers to take a stray animal to its owner, if known, or, if the owner is unknown, shall ensure that any injured companion animal that is at large or in a public way is given proper medical attention. Title 7 M.R.S. Sec. 3945 requires all municipalities to keep in a separate account all fees (except for the \$1 recording fee pursuant to sec. 3942) and court fines to be used "for the salaries and costs of animal control, enforcement of licensing laws, care of stray animals that are injured or abandoned, and the support of one or more approved animal shelters. The law requires not only that the municipality seek medical attention for the stray animal, but that they must also pay for it. Currently, there is no state fund to reimburse towns for medical attention. Further to help offset any cost would be to establish an ACO Donation fund as part of the ACO reserve fund.

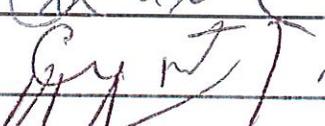
A motion was made and seconded to amend the article to raise and appropriate 2000 dollars. It was moved and seconded to approve the article as amended.

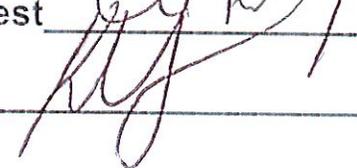
Moderator Elizabeth Bickford later realized that this amendment could not be amended to add the 2000 dollars, she called clerk Lisa Woodward and informed her this article as amended and voted on is void.

A motion was made and seconded to adjourn at 6:58 PM

SELECTMEN / ASSESSORS / OVERSEERS OF THE POOR

Brian Moura  _____

Charles Priest  _____

Kirk Fogg  _____

TOWN OF LOWELL, MAINE

A TRUE COPY: 

LISA WOODWARD, CLERK

TOWN OF LOWELL WARRANT ARTICLES
FOR TOWN MEETING
ARTICLES PURSUANT TO 20-A M.R.S.A. SECTION 1485
OFFICIAL RESULTS

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

Betty Bickford elected moderator 3 to 0

ARTICLE 2 To see what sum the school administrative unit will be authorized to expend for
REGULAR INSTRUCTION. **Recommend \$527,600.00**

A motion was made by Chuck and seconded by Kerry voted 4 to 0 passed

ARTICLE 3 To see what sum the school administrative unit will be authorized to expend for
SPECIAL EDUCATION. **Recommend \$85,000.00**

A motion was made by Chuck and seconded by Kerry. Voted 3 to 0 passed

ARTICLE 4 To see what sum the school administrative unit will be authorized to expend for
CAREER AND TECHNICAL EDUCATION. **Recommend \$2700.00**

A motion was made by Chuck and seconded by Kerry. Voted 3 to 0 passed

ARTICLE 5 To see what sum the school administrative unit will be authorized to expend for
SYSTEM ADMINISTRATION. **Recommend \$27,982.00**

A motion was made by Chuck and seconded by Kerry voted 3 to 0 passed

ARTICLE 6 To see what sum the school administrative unit will be authorized to expend for
TRANSPORTATION AND BUSES. **Recommend \$48,838.30**

A motion was made by Chuck and seconded by Kerry. Voted 3 to 0 passed

ARTICLE 7 To see what sum the municipality will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and to see what sum the municipality will raise as the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688. **Recommend \$397,310.34**

A motion was made by Chuck and seconded by Kerry. Voted 3 to 0 passed

"Explanation: The school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars."

ARTICLE 8 Shall Lowell raise and appropriate **\$230,490.11** in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$230,490.11** as required to fund the budget recommended by the school committee?

The school committee recommends **\$230,490.11** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$230,490.11**

(NOTE: Requires written ballot)

A motion was made by Chuck and seconded by Kerry voted by written ballot 4 Yes 0 No passed

"Explanation: The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Lowell School Department budget for educational programs."

ARTICLE 9 Shall the regional Northern Penobscot Tech Region III Career and Technical Education operating budget as approved by the cooperative board for the year beginning July 1, 2024, through June 30, 2025, be approved in the amount of \$2,295,316.07 and shall Lowell raise \$2,694.38 as its debt service local share of Northern Penobscot Tech Region III?

A motion was made by Chuck and seconded by Kerry. Voted 5 to 0 Passed

ARTICLE 10 Shall the Northern Penobscot Tech Region III approve a budget for Adult Education in the amount of \$43,900.00 for the year beginning July 1, 2024 through June 30, 2025 with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well-being of its Adult Education program, and shall Lowell raise \$251.87 as its local share of the Adult Education budget for the Career and Technical Education Region?

A motion was made by Chuck and seconded by Kerry. Voted 5 to 0 Passed

ARTICLE 11 Shall the Cooperative Board of the Northern Penobscot Career and Technical Education Region III be authorized to expend funds in the **Capital Reserve Account** for the purpose that such reserve account was created and, in an amount, not to exceed the lesser of \$197,442.38 or the balance of such reserve account for the year beginning July 1, 2024 through June 30, 2025?

The School Committee recommends a "Yes" vote.

A motion was made by Chuck and seconded by Kerry. Voted 5 to 0 Passed

ARTICLE 12 Shall Lowell be authorized to expend such additional sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated.

The School Committee recommends a "Yes" vote.

A motion was made by Chuck and seconded by Kerry. Voted 5 to 0 Passed

ARTICLE 13 To see what sum Lowell will authorize the School Committee to expend for the fiscal year beginning July 1, 2024 and ending June 30, 2025 from the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools. **Recommend \$692,120.30**

A motion was made by Chuck and seconded by Kerry. Voted 4 to 0 Passed

Motion made and seconded to adjourn at 6:25 pm

OFFICIAL RESULTS
TOWN OF LOWELL, MAINE
JUNE 25, 2024

21 Yes 11 No Referendum Article 1: Shall the Town vote to authorize the Select board to complete the establishment of and entry into the Central Maine Highlands Fire and EMS District #1 (the "District"), a regional fire district under Title 30-A, Chapter 164 of the Maine Revised Statutes with the towns of Enfield, Maxfield, Howland, Burlington, Passadumkeag and Edinburg, as well as Seboeis Plantation and Penobscot County and such other municipalities and municipal entities as the named municipalities may deem appropriate?

26 Yes 6 No Article 2. Lowell Comprehensive Plan: To see if the Town will vote to adopt the (Lowell) Comprehensive Plan, as approved by the Maine State Department of Agriculture, Conservation & Forestry, Bureau of Resource Information & Land Use Planning (DACF). This is the first/original documented Comprehensive Plan for the Town of Lowell. Narrative: The Comprehensive Plan ("Comp Plan") was written by the town's Planning Board, as supported by the Eastern Maine Development Corporation (EMDC) and is based directly upon Lowell taxpayer input compiled from a community-wide survey conducted March through October of 2022. The draft plan was then subject to a public review and comment period from 1/9/24 through 2/9/24. The Maine State DACF reviewed and approved the plan on 3/21/24, having found the plan to be fully compliant with all State standards. Adoption of the Comprehensive Plan will provide Lowell's elected and appointed municipal leaders with a clear vision to guide them in their decisions, action, and budgetary forecasting, thus supporting the future stability and measured development of the Town, as based upon the direct input of the town's legislative body. Additionally, adoption of the plan will make the Town eligible for a wider spectrum of grant opportunities, from private entities as well as higher tier governmental organizations which require such plans to exist, prior to application. It is intended that the plan will be reviewed for potential updates or adjustments, at minimum every 10 years after initial adoption.

23 Yes 8 No 1 Blank Article 3. Lowell Land Use Ordinance: To see if the Town will vote to adopt the (Lowell) Land Use Ordinance, as revised (last revision 2002). Narrative: The Land Use Ordinance has been revised to include permissions for the construction of Additional Dwelling Units (ADU's), in accordance with 30-A MRSA, Section 4364-B. All building permit applications filed for ADU's shall be reviewed by the Code Enforcement Officer for compliance with Maine statute, prior to issuance. No other substantive updates are included in this revision.

24 Yes 8 No Article 4. Lowell Shoreland Zoning Ordinance: To see if the Town will vote to adopt the (Lowell) Shoreland Zoning Ordinance, as updated (last update 2021).

Narrative: The Shoreland Zoning Ordinance has been updated to include language promulgated by recently published Maine State guidance (Board of Environmental Protection/BEP). These updates have been reviewed by the members of the Town Planning Board and the Town Code Enforcement Officer; no significant points of concern were identified.

18 Yes 14 No Article 5. Lowell Commercial and Residential Solar Energy Systems Ordinance: To see if the Town will vote to adopt the (Lowell) Commercial and Residential Solar Energy Systems Ordinance (also to be known by shorter title as the Lowell Solar Ordinance).

Narrative: The Lowell Solar Ordinance is based on a template provided by a neighboring Town which recently adopted a similar ordinance and has been tailored by the Lowell Board of Selectmen and the Lowell Planning Board to factor for Lowell-specific characteristics and interests. Adoption of the Solar Ordinance does NOT prohibit the installation of solar energy systems within the confines of Lowell. The primary intent of the ordinance is to protect the long-term interests of Lowell, over the entire lifecycle of solar energy system installations, by ensuring installer/owner compliance from "cradle to grave", be it either commercial or residential. The key principles of this ordinance are two-fold; 1. Any solar energy systems installed in Lowell shall comply with all aspects of the proposed ordinance, as well as all applicable State and Federal statutes associated with the technology, and 2. The owners of such systems are solely responsible for all efforts and costs associated with the proper and environmentally regulated disposal of solar energy systems/components at the end of useful technological life. The Burlington-Lowell Transfer station will not accept any components associated with solar energy systems, be they commercial or residential.

29 Yes 3 No Article 6: Repeal of All Lowell Municipal Fire Department Ordinance(s) and Policies: To see if the Town will vote to repeal and archive the original 2010 Fire Department Ordinance and the 2015 Amended Lowell Fire and Rescue Department Ordinance.

Narrative: The Lowell Planning Board has engaged a long-term effort to review, update and evaluate all existing ordinances for the town of Lowell. Resultant to Town vote on November 10, 2022, the Lowell Volunteer Fire Department (VFD) was dissolved, and our Town's fire and EMS coverage is now addressed by contract with a nearby local provider. The Planning Board has concluded that the 2010 and 2015 ordinances, and any/all derivative policies of the previous VFD are no longer necessary and should be repealed and archived.

15 Yes 17 No Article 7. Municipal Reimbursement/Medical Care of Stray or Companion Animals: To see if the Town will vote to raise and appropriate the sum of \$2000 for the establishment of a Medical Care of Stray or Companion Animals

TOWN OF LOWELL, MAINE

A TRUE COPY.



LISA WOODWARD, CLERK

Official results
SPECIAL TOWN MEETING
Tuesday August 13, 2024
6:30 PM

STATE OF MAINE

PENOBSCOT

SS

5 residents were in attendance

ARTICLE 1. TO CHOOSE A MODERATOR TO PRESIDE AT SAID MEETING. Elizabeth Bickford was nominated and seconded to be the moderator. No other nominations were made. Elizabeth was voted in by written ballot 3 to 0.

(TO FOLLOW MAINE MODERATORS RULES FOR SAID MEETING)

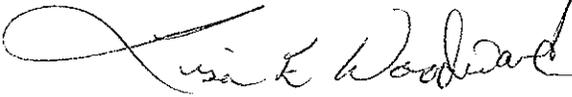
ARTICLE 2. SHALL THE TOWN AUTHORIZE THE CLOSING OF THE FIRE DEPARTMENT BANK ACCOUNT AND TRANSFER ITS BALANCE TO THE GENERAL ACCOUNT. A motion was made and seconded to except the article as written. 5 to 0. Article passed.

RECOMMENDED: PASS AS WRITTEN.

ARTICLE 3. TO SEE IF THE TOWN WILL VOTE TO AUTHORIZE THE BOARD OF SELECTMEN ON BEHALF OF THE TOWN TO ENTER INTO A MULTI-YEAR CONTRACT FOR THE PLOWING AND SANDING OF THE BURLINGTON/LOWELL TRANSFER STATION. THIS CONTRACT WILL BE BETWEEN THE CONTRACTOR AND BURLINGTON/LOWELL TRANSFER STATION AND ENTERED INTO BY THE BURLINGTON/LOWELL TRANSFER STATION BOARD OF DIRECTORS. A motion was made and seconded to except the article as written. 5 to 0 Article passed

A motion was made and seconded to adjourn the meeting at 6:47pm

RECOMMENDED: PASS AS WRITTEN.


Clerk