

**Readfield Board of Assessors  
Meeting Agenda  
October 29, 2018, Readfield Town Office**

Meeting starts: 6:00 PM  
Meeting ends (unless extended) at 6:30 PM

**Pledge of Allegiance**

**Regular Meeting Items - 30 min.**

- Approve prior meeting minutes
  - Consider any abatements and/or supplemental tax assessments
  - Other business
- 

**Readfield Select Board  
Meeting Agenda  
October 29, 2018, Readfield Town Office**

Meeting starts: 6:30 PM  
Meeting ends (unless extended) at 8:00 PM

**Pledge of Allegiance**

**Regular Meeting Items - 10 min.**

- 19-040 - Minutes: Select Board meeting minutes of October 15, 2018.
- 19-041 - Warrants: #18-19(FY19).

**Communications - 25 min.**

Select Board communications. - 5 min.

Town Staff reports - 5 min.

Boards, Committees, Commissions & Departments - 5 min.

- Library Board minutes of September 5, 2018

Public Communication - Members of the public may address the Select Board. - 10 min.

**Old Business - 30 min.**

19-020 - Consider recommendations and take any appropriate action on the petition for rezoning in the Mill Stream area. - 20 min.

19-037 - Conduct a second reading of new and revised cemetery Policies and Regulations- 10 min.

**New Business - 15 min.**

19-042 - Consider a first-draft Budget and Warrant Schedule - 10 min.

19-043 - Consider a schedule of upcoming meetings, holidays, and town office closures - 5 min.

**Future Agenda Items - 5 min.**

**Adjournment**

# **ASSESSOR'S MEETING**

**Affidavit Correct Local Government Record  
(5 M.R.S.A § 95-B)**

City/Town of \_\_\_\_\_.

Now comes \_\_\_\_\_, who, being duly sworn, deposes and say as follows: (NAME)

1. I am the \_\_\_\_\_ of the City/Town of \_\_\_\_\_.  
(POSITION)

2. I am responsible for the preparation of \_\_\_\_\_, which is a local  
(NAME OF RECORD)  
government record within the scope of 5 M.R.S.A § 95 et seq.

3. On or about \_\_\_\_\_ I prepared a \_\_\_\_\_, and it has come to my  
(DATE) (RECORD)  
attention that said record contains an error/omission, specifically:

\_\_\_\_\_  
\_\_\_\_\_  
(IDENTIFY THE ERROR/OMISSION & BRIEFLY EXPLAIN HOW IT OCCURRED)

4. The record should property state \_\_\_\_\_.  
(STATE CORRECT INFORMATION)

5. I make this affidavit in order to correct the error or omission identified above.

Date: \_\_\_\_\_  
\_\_\_\_\_  
(SIGNATURE)  
\_\_\_\_\_  
(PRINTED NAME)

STATE OF MAINE  
\_\_\_\_\_, ss  
(COUNTY)

Personally appeared before me the above-named \_\_\_\_\_, who swore that the facts recited in the foregoing affidavit are true of his/her own knowledge or were stated to be on information and belief he/she has such information and believes it to be true and reliable: and who executed the same in my presence.

Date: \_\_\_\_\_  
\_\_\_\_\_  
(NOTARY PUBLIC/ATTORNEY)

MY COMMISSION EXPIRES: \_\_\_\_\_  
\_\_\_\_\_  
(PRINTED NAME)

## 5 §95-B. LOCAL GOVERNMENT RECORDS

The following provisions apply to local government records. [1995, c. 148, §10 (NEW) .]

**1. Omissions or errors corrected.** When omissions or errors exist in local government records, those records must be corrected under oath by the person who was responsible for those local government records, whether or not that person remains in office.

A. If an original town meeting warrant is lost or destroyed, the return may be made or amended on a copy of it. [1995, c. 148, §10 (NEW) .]

[ 1995, c. 148, §10 (NEW) .]

**2. Safe or vault for preservation.** Each local government shall provide a fireproof safe or vault for the preservation of all records that must be retained permanently but are not required for business purposes. The official having responsibility for those records shall deposit them in the safe or vault where those records must be kept except when required for use. Beginning in 2002, each local government shall respond to a survey distributed biennially by the State Archivist requesting:

A. A description of the fireproof safe or vault required by this section; [2001, c. 704, §1 (NEW) .]

B. A statement of the adequacy of the safe or vault for the preservation of records that must be retained permanently; and [2001, c. 704, §1 (NEW) .]

C. A plan, if any, for the establishment or enhancement of a safe or vault to comply with the requirements of this section. [2001, c. 704, §1 (NEW) .]

The State Archivist shall report the results of the survey, with recommendations, to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and over state and local government matters.

[ 2001, c. 704, §1 (AMD) .]

**2-A. Retention of archival records currently in digital form.** Beginning in 2002, each local government shall respond to a survey distributed biennially by the State Archivist requesting:

A. A description of the provisions currently in place for the preservation of records that must be retained permanently and are currently maintained in digital form; [2001, c. 704, §2 (NEW) .]

B. A statement of the adequacy of those provisions for the preservation of records that must be retained permanently; and [2001, c. 704, §2 (NEW) .]

C. A plan, if any, for the establishment or enhancement of those provisions to ensure the permanent retention of and access to these records. [2001, c. 704, §2 (NEW) .]

The State Archivist shall report the results of the survey, with recommendations, to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and over state and local government matters.

[ 2001, c. 704, §2 (NEW) .]

**3. Attestation.** The records of a local government official may be attested by volume. Each document is sufficiently attested when the volume in which it is recorded bears the attestation with the written signature of the official.

[ 1995, c. 148, §10 (NEW) .]

**4. Delivery to successor in office.** Local government officials shall deliver the records of their office to their successors in office upon the expiration of the officials' terms.

[ 1995, c. 148, §10 (NEW) .]

**5. Records available for public use.** Each local government official shall make records available for public use under that official's supervision at reasonable times unless the use of the records is otherwise restricted by law.

[ 1995, c. 148, §10 (NEW) .]

**6. Protection of records.** Local government officials shall carefully protect and preserve the records of their office from deterioration, mutilation, loss or destruction.

[ 1995, c. 148, §10 (NEW) .]

**7. Disposition of records.** Records may not be destroyed or otherwise disposed of by any local government official, except as provided by the Archives Advisory Board. Records that have been determined by the board to possess sufficient archival value must be preserved by the municipality or deposited with the State Archivist.

[ 1995, c. 148, §10 (NEW) .]

**8. Regulations of Archives Advisory Board.** Each local government official shall comply with the standards, procedures and regulations issued by the Archives Advisory Board.

[ 1995, c. 148, §10 (NEW) .]

SECTION HISTORY

1995, c. 148, §10 (NEW). 1997, c. 636, §8 (AMD). 2001, c. 704, §§1,2 (AMD) .

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**ASSESSORS' CERTIFICATION OF ASSESSMENT**

WE HEREBY CERTIFY, that the pages herein, numbered from \_\_\_\_\_ to \_\_\_\_\_ inclusive, contain a list and valuation of Estates, Real and Personal, liable to be taxed in the Municipality of \_\_\_\_\_ for State, County, District, and Municipal Taxes for the fiscal year \_\_\_\_\_ to \_\_\_\_\_ as they existed on the first day of April 2013.  
mm/dd/yy mm/dd/yy

IN WITNESS THEREOF, we have hereunto set our hands at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
municipality

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Municipal Assessor(s)

**MUNICIPAL TAX ASSESSMENT WARRANT**

State of Maine Municipality \_\_\_\_\_ County \_\_\_\_\_  
To \_\_\_\_\_, Tax Collector

In the name of the State of Maine, you are hereby required to collect of each person named in the list herewith committed to you the amount set down on said list as payable by that person.

**Assessments:**

- 1. County Tax \$ \_\_\_\_\_
- 2. Municipal Appropriation \$ \_\_\_\_\_
- 3. TIF Financing Plan Amount \$ \_\_\_\_\_
- 4. Local Education Appropriation \$ \_\_\_\_\_
- 5. Overlay Not to Exceed 5% of "Net To Be Raised" \$ \_\_\_\_\_
- 6. **Total Assessments** \$ \_\_\_\_\_

**Deductions:**

- 7. State Municipal Revenue Sharing \$ \_\_\_\_\_
- 8. Homestead Reimbursement \$ \_\_\_\_\_
- 9. BETE Reimbursement \$ \_\_\_\_\_
- 10. Other Revenue \$ \_\_\_\_\_
- 11. **Total Deductions** \$ \_\_\_\_\_
- 12. **Net Assessment for Commitment** \$ \_\_\_\_\_

(line 6 minus line 11)

You are to pay to \_\_\_\_\_, the Municipal Treasurer, or to any successor in office, the taxes herewith committed, paying on the last day of each month all money collected by you, and you are to complete and make an account of your collections of the whole sum on or before \_\_\_\_\_.  
mm/dd/yy

In case of the neglect of any person to pay the sum required by said list until after \_\_\_\_\_;  
mm/dd/yy  
you will add interest to so much thereof as remains unpaid at the rate of \_\_\_\_\_ percent per annum, commencing \_\_\_\_\_ to the time of payment, and collect the same with the tax remaining unpaid.  
mm/dd/yy

Given under our hands, as provided by a legal vote of the Municipality and Warrants received pursuant to the Laws of the State of Maine, this \_\_\_\_\_.  
mm/dd/yy

\_\_\_\_\_  
Assessor(s) of: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### CERTIFICATE OF COMMITMENT

To \_\_\_\_\_, the Collector of the Municipality of \_\_\_\_\_, aforesaid.

Herewith are committed to you true lists of the assessments of the Estates of the persons wherein named; you are to levy and collect the same, of each one their respective amount, therein set down, of the sum total of \$ \_\_\_\_\_ (being the amount of the lists contained herein), according to the tenor of the foregoing warrant.

Given under our hands this \_\_\_\_\_.  
mm/dd/yy

\_\_\_\_\_  
Assessor(s) of: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complete in Duplicate. File original with Tax Collector. File copy in Valuation Book

**CERTIFICATE OF ASSESSMENT TO BE RETURNED TO MUNICIPAL TREASURER  
STATE OF MAINE**

County of \_\_\_\_\_, ss.

We hereby certify, that we have assessed a tax on the estate, real and personal, liable to be taxed in the Municipality of \_\_\_\_\_ for the fiscal year

\_\_\_\_\_ to \_\_\_\_\_, at \_\_\_\_\_ mills on the dollar, on a total  
mm/dd/yy    mm/dd/yy

taxable valuation of \$ \_\_\_\_\_.

**Assessments:**

- |   |          |                 |
|---|----------|-----------------|
| 1. County Tax                                     | \$ _____ |                 |
| 2. Municipal Appropriation                        | \$ _____ |                 |
| 3. TIF Financing Plan Amount                      | \$ _____ |                 |
| 4. Local Education Appropriation                  | \$ _____ |                 |
| 5. Overlay Not to Exceed 5% of "Net To Be Raised" | \$ _____ |                 |
| <b>6. Total Assessments</b>                       |          | <b>\$ _____</b> |

**Deductions:**

- |   |          |                 |
|---|----------|-----------------|
| 7. State Municipal Revenue Sharing              | \$ _____ |                 |
| 8. Homestead Reimbursement                      | \$ _____ |                 |
| 9. BETE Reimbursement                           | \$ _____ |                 |
| 10. Other Revenue                               | \$ _____ |                 |
| <b>11. Total Deductions</b>                     |          | <b>\$ _____</b> |
| <b>12. <u>Net Assessment for Commitment</u></b> |          | <b>\$ _____</b> |

(line 6 minus line 11)

Lists of all the same we have committed to \_\_\_\_\_, Tax Collector of said Municipality, with warrants in due form of law for collecting and paying the same to \_\_\_\_\_, Municipal Treasurer of said Municipality, or the successor in office, on or before such date, or dates, as provided by legal vote of the Municipality and warrants received pursuant to the laws of the State of Maine. (Title 36 MRSA, section 712)

Given under our hands this \_\_\_\_\_.  
mm/dd/yy

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Municipal Assessor(s)



# **REGULAR MEETING**

- **MINUTES**
- **WARRANTS**

**Readfield Select Board**  
**Regular Meeting Minutes – October 15, 2018 – Unapproved**

**Select Board Members Present:** John Parent, Christine Sammons, and Kathryn Woodsum

**Excused Absence:** Bruce Bourgoine and Dennis Price

**Others Attending:** Eric Dyer (Town Manager), Kristin Parks (Board Secretary), William Starrett (Channel 7), Grace Keene, Charles Bergman, Pamela Osborn, Deb Doten, Jeffrey Carlson, Anna Carll (Cemetery Sexton)

**Regular Meeting of Readfield Select Board**

Mrs. Sammons called the Select Board meeting to order at 6:34 pm.

- **19-033 – Minutes: Select Board meeting minutes of September 10, 2018**
  - **Motion** made by Mrs. Woodsum to approve the Select Board meeting minutes of September 10, 2018 as presented, **second** by Mr. Parent. **Vote** 3-0 in favor.
- **19-034 – Warrants #12-17 (FY19)**
  - Mrs. Woodsum reviewed Warrants #12, 12A, 12B, 13, 14, 14A, 14B and 15
  - Mr. Parent reviewed Warrants #16, 16A, 16B and 17 (FY19)
  - **Motion** made by Mrs. Woodsum to approve Warrants #16, 16A, 16B and 17 (FY19) in the amount of \$329,642.57, **second** by Mrs. Sammons. **Vote** 3-0 in favor.

**Communications**

- **Select Board Communications**
  - Mrs. Woodsum: Road Stripping and Transfer Station are looking amazing.
  - Mrs. Sammons: Truck or Treat at Union Meeting House parking lot from 5:00-7:30pm on October 31<sup>st</sup>. Need volunteers to fill their trunks. No parking on Church Road, parking at ball fields or town office.
  - Mrs. Sammons: Veterans Day Celebration is on Saturday, November 10<sup>th</sup> starting at 10:00am at the Readfield Corner Cemetery and down to the Town Office. Third Main will be there again. Lunch will be served at the Readfield United Methodist Church in Kents Hill at noon.
- **Town Staff Reports**
  - Mr. Dyer went over the Town Manager report dated October 15, 2018.
  - Mr. Dyer went over the September 2018 Treasurers Report.
- **Boards, Committees, Commissions & Departments**
  - Age Friendly Committee meeting of July 11, 2018
  - Cemetery Committee minutes of June 20 and July 11, 2018
  - Library Board minutes of July 24, 2018
  - Trails Committee minutes of July 24, 2018
  - Cobbossee Watershed District minutes of September 11, 2018
  - Thank you for submitting your minutes*
- **Public Communications - Members of the public may address the Select Board on any topic**
  - None

**Readfield Select Board**  
**Regular Meeting Minutes – October 15, 2018 – *Unapproved***

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**Appointments, Reappointments and Resignations:**

- **19-025 – Consider the appointment of Charles “Ed” Bergman to the Planning Board**
  - Charles “Ed” Bergman was present for his appointment and gave a brief introduction.
  - **Motion** made by Mrs. Woodsum to appoint Charles “Ed” Bergman to the Planning Board for a term starting tonight and ending June 30, 2023. **Second** by Mr. Parent. **Vote** 3-0 in favor.
  
- **19-035– Consider the appointment of Clifford Buuck to the Readfield Enterprise Committee**
  - Clifford Buuck did not need to be present for this appointment.
  - **Motion** made by Mr. Parent to appoint Clifford Buuck to the Readfield Enterprise Committee for a term starting tonight and ending June 30, 2021. **Second** by Mrs. Woodsum. **Vote** 3-0 in favor.
  
- **19-036– Consider the appointment of Jeffrey Carlson to the Rec Committee**
  - Jeffrey Carlson was present for his appointment and gave a brief introduction.
  - **Motion** made by Mrs. Woodsum to appoint Jeffrey Carlson to the Recreation Committee for a term starting tonight and ending June 30, 2021. **Second** by Mr. Parent. **Vote** 3-0 in favor.

**Old Business**

- **19-031 – Consider a Loan Agreement and other documents relating to borrowing for the Maranacook Lake Outlet Dam project**
  - Mr. Dyer went over the final loan documents of the General Obligation Bond for the Maranacook Lake Outlet Dam project in the amount of \$160,000.00.
  - **Motion** made by Mrs. Woodsum to authorize the town manager to sign the necessary documents and affix the appropriate seals along with the town clerk signing the required documents, **Second** by Mr. Parent. **Vote** 3-0 in favor.

**New Business:**

- **19-037 – Consider a first reading of new and revised cemetery Policies and Regulations**
  - Anna Carll gave a brief introduction of the new Town of Readfield Cemetery Policies handbook that the Cemetery Committee has worked extremely hard on to make an easier format for anyone to read.
  - Mrs. Woodsum suggested having a caption on where the location of the stone is on the cover.
  - Mr. Parent asked if there was any property owned by the town abutting the cemeteries that are full to expand more if needed.
  - Deb Doten spoke that the committee spent a lot of time on focusing on the laws and regulations.
  - Discussion on “Green Burials” cemetery in the future.
  - Discussion on grave decorations and if lights are allowed or not allowed.
  - Select Board agrees for cemetery committee to go ahead and complete for a second reading.

**Readfield Select Board**  
**Regular Meeting Minutes – October 15, 2018 – Unapproved**

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- **19-038 – Consider bids for the Holder tractor/sidewalk machine**
  - Received 2 bids for the Holder Tractor. One from Matt Scruton in the amount of \$10,557.55 and the other from Barry Moses in the amount of \$5,678.90. Suggested by Town Manager to go with the highest bidder, Matt Scruton. A \$5,000.00 reserve was set. A date and time will be set up for pick up and payment.
  - **Motion** made by Mrs. Woodsum to award the bid to Matt Scruton of Rochester, NH for the amount of \$10,557.55, **Second** by Mr. Parent. **Vote** 3-0 in favor.
  
- **19-039 – Initiate the process for the Town Manager annual review**
  - Mr. Bourgoine will be getting in touch with the Select Board. Will be the same process as last year. Have a timeline of middle of November.

**Motion** made by Mrs. Woodsum to adjourn the meeting at 7:37 pm, **second** by Mr. Parent. **Vote** 3-0 in favor.

*Minutes submitted by Kristin Parks, Board Secretary*

DRAFT

**RESERVED**

# **COMMUNICATIONS**

- **SELECT BOARD**
- **STAFF REPORTS**
- **BOARDS & COMMITTEES**
- **PUBLIC COMMUNICATIONS**

## READFIELD COMMUNITY LIBRARY BOARD MEETING

September 5, 2018

The meeting was called to order at 6:35 by Chair, Deb Peale.

Present were: Deb Peale, Jen Henderson, Brenda Lake, Sonya Clark, Pam Mitchell, Jan Tarbuck, Donna Witherill, Pat Clark, Betty Peterson, and Maureen Kinder, Librarian.

**Secretary's Report:** The minutes of the July meeting were approved.

**Treasurer's Report:** Sonya Clark presented the July and August financial report. The Treasurer's Report was approved.

**Librarian's Report:**

Maureen also presented a July/August Report:

- MSLN bandwidth upgrade & wireless router: Maureen will look into options in September.
- Printer: Old printer is now working well.

Programs

- Cribbage Club: This is an ongoing program.
- Summer Reading Program: This program was completed on August 29. 57 Children signed up and 80 logs were handed in for a total of 240 hours of reading. Feedback was positive regarding the change from tracking the number of books read to tracking time spent reading.
- July Book Club: Selections were two plays by George Bernard Shaw, "Pygmalion" and "Saint Joan". Participation was low due to summer being a busy time. August book club was cancelled.
- Rock Talk: This was a fascinating event and Maureen recommended we hold this again.
- Children's Hour at the Beach: Pat Clark continued with the Children's Hour during August down at the town beach. Thank you, Pat, for leading this event. Several parents requested that we continue with Children's Hour at the library. We will continue it on Thursday mornings.
- Chewonki's "Fur, Feathers & Feet": This was an excellent event with 57 attendees.

September Events:

- Author talk, Tuesday, September 11; Paul Doiron at Giles Hall, 7 pm
- Cribbage Club, Wednesday Sept. 5 and Wednesday, Sept. 19.
- September Book Club, Wednesday, Sept. 27: "Bury Your Dead" by Louise Penny

October Events:

- Cribbage Club
- "Guess the weight of the pumpkin" contest. Jan will donate a pumpkin.
- Halloween, Wednesday, Oct. 31.

Librarian's Report was approved.

**Old Business:**

- **Book Sale Review:** Very successful book sale. Some suggestions were made for next year. Jen has volunteered to organize the books for next year's sale.
- **Volunteers: administration and management:** Maureen feels we should have an application for volunteers to complete. She will make one and present it to us next month.
- **Little free Library update and maintenance:** This has been installed at the Readfield Elementary School. We will advertise that it is up and running.
- **Library interior facelift:** Deb has been painting and cleaning up the upstairs rooms. She will continue to do this and will send an email out to the Trustees when she will be at the Library so we can help if we are available.

**New Business:**

- **Friends update:** We have decided that we could use new chairs and window treatments and will relay this to the Friends.
- **Programs:** We should all be thinking about programs for the library.
- **Halloween:** Halloween is on Wednesday and we will be open. Brenda and Betty have offered to bring in candy and we will also use some of our book prize gifts for Trick or Treaters
- **Christmas Tree Lighting:** This event will take place on Friday, Nov. 30 at 6:00; rain date is Sunday, Dec. 2 at 4:00. We may need new lights. It was suggested we get cheaper ones.
- **Guidelines for accepting book donations:** Jen is overseeing this project. Maureen plans to draft an outline for book donations.
- **Book Retreat potluck:** This will be held on Thursday, September 20 at 6:00 at Deb Peale's home.
- **Volunteer Appreciation Night:** This event will be held on Wednesday, October 17 from 6:30 to 7:30. Will discuss it more at October's meeting.
- **Maureen's Vacation:** Maureen will be taking vacation from October 19 through October 27.

Next meeting will be held on Wednesday, October 3 at 6:30 pm at the Library.

The meeting was adjourned at 8:20.

Respectfully submitted,

Betty Peterson



# OLD BUSINESS

## PETITION FILING/VALIDATION RECORD

Date Validation: August 8, 2018

Persons Filing petitions they circulated: Gerald Spillman, Deborah Elwell, Phillip Durgin, Robert Harris, Jamie Mangin, Elliot Sandler, Florence Drake, Leah Hayes, Erin Towns, Jerry Bley, and Aaron Neily.

Petition Language:

***To the Municipal Officers of the Town of Readfield, Maine***

***We, the undersigned registered voters of the Town of Readfield qualified to vote in all town affairs, hereby request that you place the following article before the voters for their consideration at a secret ballot referendum:***

***To see if the Town will vote to amend the Land Use Map adopted at the Sept. 28-29, 2011***

***Changing only Map 120 Lot 11, Lot 12, Lot 13, Lot 14, Lot 16, Lot 17, Lot 18***

***From: Rural Residential Resource Protected***

***To: Rural Resource Protected***

**# of Pages Submitted: 28 pages of signatures with a total of 188 signatures that have been verified as Readfield registered voters. Which is more than the total number of signatures needed. (146 needed)**

Certified to Municipal Officers as Sufficient by:  Date: 8/8/18

Robb L. Lint, Town Clerk

**TOWN OF READFIELD PLANNING BOARD  
RECOMMENDATION  
IN THE MATTER OF**

<b>Robert Bittar</b>	)	<b>Request for Change of Zoning</b>
<b>Map 120</b>	)	<b>Findings of Fact and Recommendation</b>
<b>Lots 11, 12, 13, 14, 16, 17, 18</b>		

Pursuant to the provisions of the *Readfield Land Use Ordinance* (last amended: June 12, 2018), the Planning Board has considered the application of ROBERT BITTAR including its supportive data, public hearing testimony, and other related materials contained in the record, and makes the following Findings of Fact and Recommendation:

1. BACKGROUND

In 2014 and 2015, the Planning Board considered applications filed by Robert Bittar and issued various Notices of Decision approving, with conditions, the reconstruction and expansion of a non-conforming single family structure at 26 Mill Stream Road.

On July 7, 2017, Robert and Helen Bittar filed an application with the Town proposing a change in zoning of Lots 11, 12, 13, 14, 16, 17 and 18 of Map 120, from "Rural Residential" to "Village" in order to allow consideration of the operation of a music/arts/event venue ("music venue") constructed by Mr. Bittar at 26 Mill Stream Road, referred to in various documents as the "Readfield Country Club" and the "Maine Music and Art Coalition". Following a public hearing, Mr. Bittar withdrew this application.

On April 24, 2018, Mr. Bittar filed an application with the Town for a change of use at 26 Mill Stream Road from "single family dwelling" to "community center, club" in order to allow consideration of the operation of the music venue described above. The Planning Board unanimously denied the application in a decision dated June 27, 2018, finding that the proposed use, located in the Rural Residential District, was not consistent with the definition of "community center, club" in the Readfield Land Use Ordinance (LUO).

## 2. APPLICATION SUMMARY

On July 10, 2018, Robert Bittar submitted an application with the Town proposing a change in zoning of Lots 11-14 and 16-18 of Map 120, from Rural Residential to Rural. Mr. Bittar was seeking the change in order to allow consideration of the operation of the music venue described above.

## 3. APPLICATION REVIEW PROCESS

The Planning Board conducted an initial completeness review of the application for a proposed zoning change on August 8, 2018. A public hearing was held on September 5, 2018 and was continued on October 3, 2018<sup>1</sup> at which the Planning Board was seeking comment concerning the zoning change proposal. Oral and written comments were received from approximately 25 interested parties; some in support of Mr. Bittar's proposal, others in opposition.

The Planning Board fully considered Mr. Bittar's proposal including his written application and subsequently submitted written material, and his presentations and comments made at the time of the Planning Board's application completeness review and at the public hearing held on September 5 and October 3, 2018. The Board also considered all oral and written comments from interested parties including Readfield residents, residents of other towns, abutting property owners, and the owners of Lots 11, 12, 14, 16, and 18.

Planning Board members individually reviewed the application, public hearing comments and other relevant information in the record. The Board collectively deliberated on this matter following the close of the public hearing on October 3, 2018.

## 4. RELEVANT STANDARDS AND CRITERIA

Article 1 Section 8 of the LUO establishes that a zoning change proposal constitutes an amendment to the LUO. Such a proposal may be initiated in one of 4 ways, in this case by "an individual, through a request to the Planning Board and subsequent favorable majority vote of the Planning Board" (Article 1 Section 8.A.3). An amendment can also be initiated through submission of a written voter petition to the Town (Article 1 Section

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<sup>1</sup>Continuation of the hearing was originally scheduled for Tuesday, September 25, 2018. In order to correct a procedural flaw related to the public hearing notice, the hearing was actually held on October 3, 2018.

8.A.4). In addition to the Planning Board application, Mr. Bittar also submitted such a petition to the Select Board.

The LUO provides that any amendment must be consistent with the Town of Readfield Comprehensive Plan<sup>2</sup> (Article 1 Section 8.B.1). The LUO requires that a hearing will be held within 30 days of a properly initiated amendment proposal, and that "within 20 days of the public hearing the Planning Board shall make a written recommendation regarding the proposed amendment prior to any action on the amendment by the Town" (Article 1 Section 8.B.3).

## 5. RECOMMENDATION

The Planning Board voted unanimously (5-0) to recommend that the proposal by Mr. Bittar to change the zoning of Lots 11-14 and 16-18 of Map 120 from Rural Residential to Rural not be approved, finding that the proposed zoning change is inconsistent with existing uses and surrounding zoning, and with Readfield's Comprehensive Plan. The Board further voted to recommend to the Select Board that the zoning change proposal not be approved for submission to the voters.

## 6. DISCUSSION

Lots 11-14 and 16-18 are currently zoned Rural Residential, with portions of some of the lots also in Resource Protection and Stream Protection. Mr. Bittar's proposal would change the zoning of these 7 lots from Rural Residential to Rural.

The Rural Residential District<sup>3</sup> is restrictive in terms of allowed uses, prohibiting most non-residential uses with some allowances for certain institutional, outdoor/resource-based, and infrastructure uses. The Rural District is the least restrictive zone in Readfield, allowing a wide range of land uses including many types of commercial, industrial, institutional, outdoor/resource-based, and infrastructure uses not allowed in the Rural Residential zone. Areas adjacent to, and in the general area of the 7 lots proposed for the zoning change are residential, zoned either Rural Residential or Village Residential.

Planning Board members expressed concern that the types of uses allowed in the Rural District are not compatible with surrounding, existing residential uses. It was noted that the residential nature of the area results in the setting of a very high bar for a zoning

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<sup>2</sup> The Town of Readfield Comprehensive Plan was adopted on June 11, 2009.

<sup>3</sup> The terms "zone" and "district" are used interchangeably in this document.

change. Further, a Rural designation of the lots in question was found to be inconsistent with Readfield's overall zoning approach. Concern was expressed that the zoning change proposed could permanently affect the character of the area, and the implications of the change are potentially much broader than just the operation of Mr. Bittar's proposed music venue. Portions of the lots in question are also within Resource Protection and Stream Protection Zones, further limiting their suitability for development.

The Board reviewed certain provisions of the Readfield Comprehensive Plan that have relevance to the pending zoning change proposal, including the following goals and policies:

- Encourage orderly growth and development in appropriate areas of the community, while protecting the rural character, making efficient use of public services and preventing development sprawl. (Part II, Future Land Use Plan, Goal).
- Assure that new commercial and industrial uses are well designed, do not negatively impact the environment or neighboring properties, do not overtax roads, and other public facilities and services and are harmonious with the visual environment. (Part II, Future Land Use Plan, Goal,).
- Direct projected growth to areas most suitable for development and that possess relatively few severe or significant natural resource constraints. (Part II, Future Land Use Plan, Policy A.1)
- Protect residential neighborhoods and existing commercial areas from potentially incompatible commercial and industrial uses. (Part II, Future Land Use Plan, Policy A.6)
- Allow for new commercial, service and clean light industrial growth in designated areas to diversify the Town's tax base, promote local job opportunities and make important services available for local citizens. The scale of new uses should be in keeping with existing community character. (Chapter 3, Local Economy, Goal)
- Direct industrial, commercial (excluding home occupations) and retail land uses to village or commercial/industrial areas and away from incompatible land uses. (Chapter 3, Local Economy, Policy 3.1)
- Protect the safety, character and traffic bearing capacity of the town's transportation systems. (Chapter 6, Transportation, Goal)
- Protect the quality and quantity of the town's natural resources and landscape including shorelands, lakes streams, wetlands, floodplains, ground waters, soils, steep slopes, forests, agriculture, critical habitats, open space lands, scenic views and other significant natural resources and rural landscapes. (Chapter 9, Land and Water Resources, Goal).

Planning Board Recommendation  
Bittar Application for Zoning Change  
Map 120 Lots 11-14 and 16-18  
October 2018

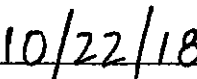
In each instance, the goal or policy does not support, and is inconsistent with, the proposed zoning change of Lots 11-14 and 16-18 of Map 120 from Rural Residential to Rural.

The Board acknowledged concerns presented by a number of abutting and area property owners, including that the proposed change in zoning: is not compatible with the existing residential use of the area, would potentially have a negative effect on property values, would negatively impact existing roads in the affected area, and could potentially change the character of the area through the introduction of a wide range of land uses. Also, 5 of the 7 lots proposed for rezoning are not owned by Mr. Bittar. The 3 separate property owners of these 5 lots all conveyed in writing their opposition to the change of zoning proposal.

Interested parties speaking in support of Mr. Bittar's proposal cited the benefits of a new music venue operating in Readfield, and the opportunity for economic growth and revitalization.

Accordingly, the Planning Board hereby recommends that the zoning change proposal not be approved, and that the Select Board not approve the zoning change for submission to the voters.


  
\_\_\_\_\_  
Paula M. Clark, Chair  
Readfield Planning Board

  
\_\_\_\_\_  
Date

Stephen E.F. Langsdorf  
slangsdorf@preti.com  
Direct Dial: 207.623.5300

**M E M O R A N D U M**

**TO:** Town of Readfield Select Board

**FROM:** Stephen E.F. Langsdorf, Town Attorney 

**DATE:** October 26, 2018

**RE:** **Spot zoning issues related to proposed rezoning of Mill Stream Road**

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This memorandum evaluates potential spot zoning issues related to a proposal by Robert Bittar to rezone certain property along Mill Stream Road from a Rural Residential District to a Rural District.

**Factual Background**

Mr. Bittar owns property at 216 Mill Stream Road, which is located in the Rural Residential District. Since earlier this year, Mr. Bittar has made three attempts to obtain a permit for an event center to be located in a timber-frame barn on his property.

Initially, Mr. Bittar proposed a zoning change that would extend the Village District to include his property and other adjacent parcels located along Mill Stream Road. Mr. Bittar subsequently withdrew that proposal last spring. In his second attempt, Mr. Bittar sought to change the use of his property from a single family home to a community center/club, which is a use permitted in the Rural Residential District with Planning Board approval. However, the Planning Board denied that request in June.

On July 10, 2018, Mr. Bittar sought to rezone his property and several other adjacent parcels on Mill Stream Road from Rural Residential to Rural by filing an application with the Planning Board and submitting a petition to the Select Board. The Rural District would permit significantly more commercial activities than are currently allowed in the Rural Residential District. Mr. Bittar's proposal would affect seven (7) parcels, including: 120-011, 120-012, 120-013, 120-014, 120-016, 120-017, and 120-018 (collectively, the "Property"). Two of these parcels (120-014 and 120-018) are also within the Resource Protection District, and one of the lots (120-014) contains a dam (Factory Square Dam) that has been identified as an historic site. Several of the other affected parcels also contain cellar holes, waterworks, and other potentially significant structures. Pursuant to the Land Use Ordinance ("LUO") the Planning Board held a public hearing and recommended against the zoning request on October 18, 2018.



## Analysis

Mr. Bittar's proposal to rezone the Property from Rural Residential to Rural would constitute illegal spot zoning because it primarily benefits his own property and is in conflict with provisions of the Town of Readfield's comprehensive plan (the "Plan").

Under Maine law, any municipal zoning ordinance must "be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body." 30-A M.R.S.A. § 4352(2). "Spot zoning" refers to any zoning ordinance that is designed to specifically benefit a particular parcel or group of parcels of land. Not all spot zoning is illegal; the fact that a zoning change benefits only a particular property or group of properties is not determinative. Rather, to constitute illegal spot zoning, an ordinance (1) must pertain to a single parcel or limited area, ordinarily for the benefit of a particular owner or interested party, and (2) must be inconsistent with the municipality's comprehensive plan. See *City of Old Town v. Dimoulas*, 2002 ME 133, ¶ 20. The rezoning is evaluated based on all the allowed uses in the new proposed zone, not just the particular use that the applicant intends for his property.

First, Mr. Bittar's proposal to rezone the Property from Rural Residential to Rural clearly is designed to benefit his parcel of land. Second, the change in zoning would conflict with the Plan in several ways. First and foremost, the proposal would allow for significantly greater commercial activity in a low-density residential area where such commercial activities are currently "severely limited." As described in the Plan, the Rural Residential District serves "primarily low-density residential housing" and "severely limits commercial activities that are not related to natural resource use." Plan at p. 17. In contrast, the Rural District designation is intended to "preserve existing rural development patterns of mixed, lower density land use" and applies to areas that are "already developed to some extent." Plan at p. 18. The Plan specifically notes that "small-scale commercial and industrial uses," among many other uses, are allowed in the Rural District. The comparison chart attached as Exhibit A illustrates the commercial uses (as well as industrial and institutional uses) that would potentially be allowed if the Property were rezoned from Rural Residential to Rural. They are significantly more intrusive than what is currently allowed, including restaurants/bars, hotels, recycling operations, sludge spreading, trucking distribution terminals, hospitals, kennels and municipal waste handling facilities.

Moreover, the proposed change conflicts with one of the overarching goals of the Plan, which is to "[e]ncourage orderly growth and development in appropriate areas of the community while protecting the rural character, making efficient use of public services and preventing development sprawl." Plan at p. 11. The goal further seeks to "[a]ssure that new commercial and industrial uses are well designed, do not negatively impact the environment or neighboring properties, do not overtax roads, and other public facilities and services and are harmonious with the visual environment." To implement that goal, the Plan specifically directs the Town to "protect residential neighborhoods and existing commercial areas from potentially incompatible commercial and industrial uses," and to direct incompatible uses to "areas where they will have little impact or require that they be designed to be compatible with existing uses." Plan at p. 12, General Policy A.6.

The Plan's policy of protecting residential neighborhoods from potentially incompatible commercial and industrial uses is echoed in the section of the Plan addressing the local economy.

Here, while the Plan establishes a goal of allowing for new commercial growth in designated areas, the Plan emphasizes that the “scale of new uses should be in keeping with existing community character.” Plan at p. 48. To implement that goal, the Plan instructs the Town to “[d]irect industrial, commercial (excluding home occupations) and retail land uses to village or commercial/industrial area and away from incompatible land uses.” *Id.*

In this case, the proposed rezoning of the Property from Rural Residential to Rural conflicts with the above goals and policies because the proposal, rather than directing potentially incompatible commercial uses to a different area, would rezone the Property to so as to expressly permit potentially incompatible commercial uses. Consequently, because the proposal to rezone the Property from Rural Residential to Rural conflicts with the Comprehensive Plan, it is my opinion that the rezoning would constitute illegal spot zoning.

### Process

The Select Board may choose to take no further action and vote to not put this petition question out for a vote. Although there is an absolute right to circulate petitions, there is no right for citizens to have their petitioned articles brought to vote. Several Maine cases have upheld the concept that petitions may be reasonably refused, even where the municipality in question has no charter limiting the broad petition authority otherwise available under 30-A M.R.S.A. § 2522.<sup>1</sup> For example, municipal officers’ decisions to refuse petitions have been upheld where the petition requested an illegal action (see *LaFleur, Atty. Gen. v. Frost*, 146 Me. 270, 290 (1951)), would cause a contract to be breached (see *Dunston v. Town of York*, 590 A.2d 526 (Me. 1991)), or sought a revote of a recently taken legislative action (see *Inhabitants of the Town of Vassalboro v. Denico, et. al.*, Sup. Ct. Kenn. Cty., Dkt. No. 89-517 (Feb. 23, 1990)). The municipal officers cannot be compelled to accept a petition that they have, in their inherent discretion, reasonably refused. *Dunston*, supra at 528. “To eliminate any discretion on the part of the town's officials simply because a petition with sufficient signatures is presented, regardless of the incomprehensible, illegal, or unenforceable nature of the language sought to be added to the warrant, would invite chaos into town government.” *Palesky v. Town of Topsham*, 1994 Me. Super. LEXIS 334, at 7-8 (Aug. 25, 1994). See also, *Brunswick Citizens for Collaborative Government, et al. v. Town of Brunswick*, Sup. Ct. Cumb. Cty., Docket No. AP-17-0006, (August 17, 2017), (Brunswick Town Council decision to deny a public hearing and right for a petition to be on a ballot upheld because it was in violation of its Charter).

SEFL:ryp

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<sup>1</sup> Title 30-A M.R.S.A. § 2521(4) recognizes that if a petition is *unreasonably* refused, a notary public may call a town meeting on the petitioned article. The inference, then, is that no meeting is necessary if a petition is *reasonably* refused.

**Table of Changes in Use for Proposed Zoning Amendment**

USES	ZONING	
	Rural Proposed	Rural Residential Current
<b>RESIDENTIAL—including driveways</b>		
Multi-Family Dwelling	N	P
Mobile Homes	C	N
<b>COMMERCIAL</b>		
Principal and Accessory Structures	P	N
Restaurants/Bars	P	N
Recreation	P	N
Auto Sales/Repair Body Shop	P	N
Hotel/Motel	P	N
Indoor Theater	P	N
Office: Business Professional/Medical	P	N
Printing/Photography	P	N
Redemption Centers	P	N
Retail Fuel Distributor (Petroleum Prod.)	P	N
Retail Business	P	N
Veterinary Hospital	P	N
Service Business	P	N
Wholesale Business	P	N
Junkyard/Automobile Graveyard/Automobile Recycling	P	N
<b>INDUSTRIAL</b>		
Accessory Structure	P	N
Recycling Operation	P	N
Sludge Spreading	P	N
Terminal for Bulk Oil & Gas	P	N
Trucking, including Distribution Terminal	P	N
Warehousing and Storage	P	N
<b>INSTITUTIONAL</b>		
Civic/Convention Center	P	N
Nursing Home	P	N
Hospital/Medical Care	P	N
Museum/Library	P	N
<b>OUTDOOR, RESOURCE-BASED USES</b>		
Campground	P <sup>4</sup>	N
Kennels	P	N
<b>INFRASTRUCTURE</b>		
Communications Tower	P	N
Municipal Waste Handling Facility	P	N

**Key to Table of Uses**

**C** = Use requires review and permit from Code Enforcement Officer (CEO) and/or Local Plumbing Inspector (LPI).

**P** = Use requires site review from Planning Board, and requires a permit from the CEO and LPI upon Planning Board approval.

**N** = Prohibited Use

**Note 3** = Structures for Commercial and Industrial uses allowed in the Village, Village Residential, Rural, Shoreland Residential, Stream Protection, and Resource Protection Districts shall not be greater than 5,000 square feet in total floor area.

**Note 4** = Except when area is zoned Resource Protection due to floodplain criteria, in which case a permit is required from the Planning Board.

## **Town of Readfield Cemetery Policies**

Approved by the Cemetery Committee 9/19/2018

### **1. Overview of the Readfield Cemeteries**

- a. The Town of Readfield is responsible for the administration and maintenance of seven cemeteries. Cemeteries with space available for burials are Kents Hill, Readfield Corner and East Readfield cemeteries. The Huntoon, Case, Whittier, and Dudley Plains cemeteries are closed to new burials.
- b. The intent of the Cemetery Policies is twofold. The first intent is to manage, protect and improve all cemetery properties in the Town of Readfield. The second intent is to assure the respectful preservation of the natural beauty and the historical significance of the cemetery grounds.
- c. All burials shall be in accordance with Maine State law.

### **2. Organization**

- a. The Readfield Select Board and Town Manager, and/or their designees, are responsible for the overall administration of the cemeteries.
- b. The Town Manager hires and supervises the Cemetery Sexton who oversees cemetery maintenance and record management. The Sexton is responsible for maintaining accurate records including cemetery maps, interment records, lot deeds and burial rights. The Sexton works together with the Finance Officer concerning perpetual care funds, individual endowments, and fiscal records.
- c. The Cemetery Committee is appointed by the Select Board and is advisory on all matters concerning the cemeteries.

### **3. Perpetual Care**

The definition of perpetual care along with the Town of Readfield's responsibilities to assure perpetual care are defined in the Readfield Cemetery Ordinance passed at the Annual Town Meeting on June 12, 2018. (Include a link for the Ordinance here)

#### **Individual Endowment Funds**

a. Lot Owners are welcome to create Individual Endowment Funds for the purpose of preservation and care of lots. To accomplish this, the lot owner must create a legal document which specifies the following:

- 1) Name and address of the individual for whom benefit services will be delivered.
- 2) The Town of Readfield as the trustee.
- 3) The name and address of the payor.
- 4) The services that will be provided by the payee.

- 5) A statement that a full refund of the principal of the funds placed in a trust must be made by the payee upon written request of the payer or payer's personal representative.
- 6) A statement that the interest will not be refunded in the event of a request to refund the principal.
- 7) Lot number and cemetery.

b. The Individual Endowment Fund document and its funding will be given to the Town of Readfield's Financial Officer. The sum will be entered into the Trust Fund Accounts for the Town of Readfield and will be deposited into a banking institution.

c. When the deposit is accepted, the Town of Readfield is responsible to keep and perform the agreement as it is written for that specific personal/family trust.

d. There are nine Individual Endowment Trusts that the Town of Readfield has responsibility to provide maintenance and repair, annual flowers at Memorial Day, and general preservation and maintenance. Individual Family Endowment Trusts will be reviewed annually by the Sexton and Cemetery Committee in April and November. In April, tasks that are required by the Individual Endowment Funds will be scheduled. In November, Individual Endowment Trusts will be reviewed, tasks determined will be scheduled for the following fiscal year, and if necessary an appropriate amount of money will be allocated from the Individual Endowment Trusts to the annual Town budget.

#### **4. Grounds Maintenance**

- a. Each cemetery is mowed and trimmed during the spring, summer and fall seasons as required.
- b. Improvements such as gates, fencing, shrubs, fall cleanup and posting of signs will be included in grounds maintenance.
- c. Maintaining Veterans' graves will be the responsibility of the Town of Readfield. This includes keeping the flat grave marker free of grass and debris as well as keeping the burial place free of fallen trees, branches, vines and weeds. Annually, on the observed Memorial Day, the graves of Veterans will be decorated with an American flag and flag holder. These flags will be removed following Veterans' Day. Any flag that is damaged during this period of time will be replaced by the Town of Readfield.

#### **5. Volunteerism**

- a. Volunteers are welcome in the Readfield cemeteries under the supervision of the Sexton. There are many projects including historical stone preservation, landscaping and cemetery clean up. Anyone who is interested in volunteering, or who may have ideas for a future project is encouraged to contact the Sexton at the Readfield Town Office.
- b. Readfield cemeteries are rich with history and historical preservation is a priority. Many old stones in the cemeteries do require restoration and cleaning. In order to restore and preserve these stones, volunteers who are trained in appropriate cleaning and restoration techniques may work under the supervision of the Sexton.

## **Cemetery Regulations**

### **1. Sale of Lots**

- a. Anyone may purchase a lot in the Readfield cemeteries.
- b. To purchase a cemetery lot, interested parties must contact the Sexton, or designee, to make arrangements concerning (a) the details of the purchase including cemetery availability and (b) a visit to the cemetery to view the available lots.
- c. A lot will assure space for one full body burial or the cremains of two people.
- d. Purchase of more than four Lots must be approved by the Sexton.
- e. Upon the purchase of a lot(s) a Certificate of Burial Rights and a deed will be issued.
- f. The lot will be paid in full at the time of purchase. In cases of hardship, special arrangements may be made with the Town Manager.
- g. The sale or transfer of a lot by the lot owner is allowed upon written notification to the Town Clerk or Sexton. This notification must include the new owner's name, address, written evidence of the transfer, and other pertinent contact information.
- h. The purchase price for cemetery lots is determined by the Select Board with consideration of recommendations given by the Cemetery Committee.
- i. The purchase price per lot is currently \$400 and includes perpetual care. This amount may be amended by the Select Board from time to time.

### **2. Interments**

- a. The Town of Readfield will make every effort to accommodate interment plans. It is important that lot owners and those making arrangements for interments make plans according to the Town of Readfield's seasonal restrictions. In general, Readfield cemeteries are closed to interments during winter and early spring.
- b. Disposition permits will be filed as required by state law, 22 MRSA §2843.
- c. All interments for full burials shall be handled by a licensed funeral director.
- d. No burial, full or cremains, shall be made without the knowledge of the Sexton.
- e. Lots in all cemeteries available for sale are graded to be at level surface. Lot owners are not permitted to change this grade.

- f. In order to assure that the level surface of each lot is maintained, it is expected that a vault or a minimum grave liner be used for all full burials.
- g. The Town of Readfield has no liability for any damage to a casket or urn during an interment.

### **3. Disinterments**

- a. All disinterment must follow Maine State Law.  
<http://legislature.maine.gov/legis/statutes/22/title22sec2843.html>
- b. The Town Of Readfield has no liability for any damage to a casket or urn during a disinterment.

### **4. Grave Markers & Monuments**

- a. The placement of all monuments and grave markers will be set under the direction of the Sexton.
- b. The length of the family monuments shall not exceed 60% of the lot.
- c. All monument foundations shall be set flush with the ground.
- d. All grave sites will be identified with a marker.

### **5. Rules for all Town of Readfield Cemeteries: (Effective ??, 2018)**

The Town of Readfield clearly understands that the care and decoration of grave lots is a complex and sensitive subject. Care has been taken with the following rules to assure public and employee safety, equipment maintenance, and care of the environment. Keeping the cemeteries beautiful and well maintained for future generations has been carefully considered.

- a. The cemeteries are open for visitation from sunrise to sundown.
- b. Cemeteries are gated from December through April or at the discretion of the Sexton. Foot traffic is allowed all year.
- c. Visitors are asked to maintain a peaceful, respectful atmosphere.
- d. Any person who willingly causes damage or vandalism in a Readfield cemetery is subject to criminal prosecution under state law and shall be required to pay for damages.
- e. Lots or grave sites will not be partially or fully enclosed by a fence, rail, hedge, tree or shrub.
- f. Grave decorations which will obstruct general maintenance procedures are not permitted. This includes, but is not limited to toys, metal design, ornaments, chairs, glass items, crushed stones, and/or similar articles. If these items are placed, the Town of Readfield reserves the right to remove them
- g. The Sexton will remove all floral arrangements (real and artificial), receptacles, decorations, weeds, trees, shrubs and plants of any kind from the cemetery when they become unsightly, dangerous, and/or diseased.

- h. Firearms will not be allowed in the cemeteries except for military funerals and at official celebrations.
- i. Off road vehicles, snowmobiles, and ATV's are prohibited in cemeteries.
- j. Vehicles should not exceed a speed limit of 10 mph.
- k. Parking must not obstruct egress to cemetery roads or entrances.
- l. Recreational dog walking is not allowed in the cemeteries.
- m. The picking of any flowers, wild or cultivated, or injury to shrub, tree or plant is prohibited.
- n. The marring of any monument, stone or structure in any cemetery is prohibited.



# NEW BUSINESS

## 2019-2020 (FY 20) BUDGET & WARRANT PROCESS SCHEDULE\*

Date	Task	Meeting Time
10/29/18	Select Board Meeting - Budget process review	6:30 PM
11/01/18	Budget process memo sent to Depts., Boards, & Committees - To include PY & YTD #s	N/A
11/13/18	Select Board Meeting - Board goals & warrant discussion	6:30 PM
11/29/18	Budget Committee Meeting - Organizational meeting and budget goals	6:30 PM
12/28/18	Preliminary Dept., Board & Committee budget #s & goals due	N/A
01/03/19	Budget Committee Meeting - Departments I	6:30 PM
01/07/19	Select Board Meeting - First Budget Draft	6:30 PM
01/17/19	Budget Committee Meeting - Departments II	6:30 PM
02/05/19	Select Board Meeting - Second Budget Draft	6:30 PM
02/12/19	Budget Committee Meeting - Departments III (Tuesday as opposed to Thursday meeting)	6:30 PM
02/28/19	<b>Joint Select Board and Budget Committee Meeting - Capital Investment Plan Review</b>	6:30 PM
03/01/19	100 days before vote - Nomination Papers available (actually 102 days as the 3th is a Sunday)	N/A
03/04/19	Select Board Meeting - Third Budget Draft	6:30 PM
03/06/19	School Committee meeting with Select Boards - school budget THIS IS A GUESS AT THIS POINT	6:30 PM
03/08/19	Deadline for warrant article and ordinance submissions	N/A
03/12/19	Budget Committee Meeting - Budget review (Tuesday as opposed to Thursday meeting)	6:30 PM
03/18/19	Select Board Meeting - Budget & Warrant Review	6:30 PM
03/29/19	Deadline for legal review of the proposed warrant	N/A
03/28/19	<b>Joint Budget Committee &amp; Select Board Meeting - Public Budget Meeting</b>	6:30 PM
04/12/19	60 days before voting - Nomination papers & Referendum questions due	3:30 PM
04/22/19	Select Board Meeting - Final budget & Warrant review and approval	6:30 PM
04/26/19	Draft annotated Warrant due	N/A
05/02/19	Budget Committee Meeting - Final budget review and approval	6:30 PM
05/16/19	<b>Joint Budget Committee &amp; Select Board Meeting - Public Budget Meeting / Hearing</b>	6:30 PM
05/31/19	10 days before voting - Last day to hold referendum question hearings (actually 11, as 6/1 is a Saturday)	N/A
06/04/19	7 days before voting - Town Meeting Warrant posted (absolute deadline)	N/A
06/11/19	<b>Town Meeting - State Primary</b>	8:00 AM

This border indicates statutory deadlines

### Notes:

**Involvement** - Although not addressed directly it is expected that the Town Manager, Finance Officer, and Residents of the Town of Readfield will have ongoing roles in nearly all aspects of the budget process.

**Select Board Attendance** - Joint meetings and regular Select Board meetings will have full Select Board attendance any budget meetings may have three or more members of the Select Board in attendance.

**Public Budget Meetings** - These meetings are intended to provide opportunity for extensive public comment, feedback, and recommendations on the draft budget and budget process in conjunction with budget presentations.

**Departments I** - Includes the following: **General Government** (Administration, Insurance, Office Equipment, Assessing, Code Enforcement, Boundaries, Grant writing / Planning, Heating Assistance), **Maintenance, Boards & Commissions** (Appeals Board, Conservation Commission, Planning Board), **Buildings** (Fire Station, Giles Hall, Library, Building Maintenance)

**Departments II** - Includes the following: **Community Services** (Animal Control, Kennebec Land Trust, Library, Public Access TV, Street Lights, Town Farm), **Protection** (Fire Department, Ambulance, Water Holes, Dispatching, Personal Protection Gear Replacement), **Cemeteries** (Cemeteries), **Regional Assessments** (Cobbossee Watershed, Kennebec County, KVCOG, First Park, Debt Service)

**Departments III** - Includes the following: **Recreation** (Beach, Recreation, Heritage Days, Open Space, Trails, Community Park), **Roads & Drainage** (Roads & Drainage), **Capital Improvements** (Admin Technology, Fire Station Addition, Gile Hall, Ball Field, Library, Transfer Station, Maranacook Lake Dam), **Solid Waste** (Transfer Station, Backhoe), **Unclassified** (Non-profits, Snowmobiling, Enterprise Fund, Revaluation, General Assistance)

\* As Amended 10/256/2018

# RSU #38 2018 – 2019 SCHOOL CALENDAR

2018

2019

AUGUST						
S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	W	W	F1	F2	31	

JANUARY						
S	M	T	W	T	F	S
		H	2	3	4	5
6	7	8	9	10	11	12
13	14	15	LS	17	18	19
20	H	22	23	24	25	26
27	28	29	LS	31		

SEPTEMBER						
S	M	T	W	T	F	S
						1
2	H	4	5	6	7	8
9	10	11	12	13	*	15
16	17	18	LS	20	21	22
23	24	25	LS	27	28	29
30						

FEBRUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	*	7	8	9
10	11	12	LS	14	15	16
17	H	V	V	V	V	23
24	25	26	LS	28		

OCTOBER						
S	M	T	W	T	F	S
	1	2	3	4	W	6
7	H	9	10	11	12	13
14	15	16	17	18	*	20
21	22	23	LS	25	26	27
28	29	30	LS			

MARCH						
S	M	T	W	T	F	S
					1	2
3	4	5	LS	7	8	9
10	11	12	13	14	W	16
17	18	19	LS	21	22	23
24	25	26	LS	28	29	30
31						

NOVEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	LS	8	9	10
11	H	13	14	15	16	17
18	19	20	WI	H	V	24
25	26	27	LS	29	30	

APRIL						
S	M	T	W	T	F	S
		1	2	3	*	5
6	7	8	9	10	11	WI
12	13	14	15	16	17	18
19	H	V	V	V	V	20
21	22	23	LS	25	26	27
28	29	30				

DECEMBER						
S	M	T	W	T	F	S
						1
2	3	4	5	*	7	8
9	10	11	LS	13	14	15
16	17	18	19	20	21	22
23	V	H	V	V	V	29
30	V					

MAY						
S	M	T	W	T	F	S
					LS	2
3	4	5	6	*	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

High School Late Start Days (classes begin at 9:00 a.m.)		
Sept. 19	Jan. 16	April 24
Sept. 26	Jan. 30	May 1
Oct. 24	Feb. 13	May 15
Oct. 31	Feb. 27	May 22
Nov. 7	Mar. 6	June 5
Nov. 28	Mar. 20	
Dec. 12	Mar. 27	

JUNE						
S	M	T	W	T	F	S
						1
2	3	4	LS	6	7	G
9	10	11	12	13	L	15
16	Δ	18	19	20	21	22
23	24	25	26	27	28	29
30						

### H - SCHOOL HOLIDAYS (State/Federal)

- September 3 - Labor Day
- October 8 - Columbus Day
- November 11 - Veterans' Day
- November 12 - Veterans' Day Observed
- November 22 - Thanksgiving Day
- December 25 - Christmas Day
- January 1 - New Year's Day
- January 21 - Martin Luther King, Jr. Day
- February 18 - Presidents' Day
- April 15 - Patriots' Day
- May 27 - Memorial Day
- W Staff In-Service (no school students)
- F1 First student day, Grades Pre-K - 6, 9, 12
- F2 First student day, Grades 7, 8, 10, 11
- G Graduation
- WI In-Service Comp Day (no school students)
- \* Designated Early Release Day (see below)
- LS Gr. 9-12 Late Start Day (classes begin at 9:00)
- V Vacation
- L Last Student Day (if 5 emergency days used)
- Δ Flex Day
  
- Aug. 27, 28 Professional Days
- Aug. 29 1<sup>st</sup> Student Day, grades Pre-K - 6, 9, 12
- Aug. 30 1<sup>st</sup> Student Day, grades 7, 8, 10, 11
- Oct. 5 Professional Day
- Nov. 21 In-service Comp Day (no school)
- Nov. 22-23 Thanksgiving Break
- Dec. 24-Jan. 1 Winter Break
- Feb. 18-22 February Break
- March 15 Professional Day
- April 12 In-service Comp Day (no school)
- April 15-19 Spring Break
- June 8 Graduation
- June 14 Last student day (if 5 emer. days used)
- June 17 Last staff day (if 5 emer. days are used)

182 teacher days; 175 student days  
Calendar includes 5 emergency days

Designated Early Release Days (student dismissal at 11:30 a.m.; content to be determined by Professional Development Committee and A-Team; final approval by RSU Board)

September 14	February 6
October 19	April 4
December 6	May 7

### Trimester Dates

	K-5	Middle School
T1	Aug. 29 – Nov. 9	Aug. 29 – Nov. 30
T2	Nov. 13 – March 1	Dec. 2 – March 14
T3	March 4 – June 14	March 18 – June 14

(Days between T2 and T3 may change due to storm days.)

Approved by RSU 38 Board: 03/21/18

Upcoming Holiday and Closure Calendar

Town of Readfield

November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20		22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23		25	26	27	28	29
							30						

January							February							March							April						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2						1	2							
6	7	8	9	10	11	12	3	4	5	6	7	8	9	3	4	5	6	7	8	9		1	2	3	4	5	6
13	14	15	16	17	18	19	10	11	12	13	14	15	16	10	11	12	13	14	15	16	7	8	9	10	11	12	13
20	21	22	23	24	25	26	17	18	19	20	21	22	23	17	18	19	20	21	22	23	14	15	16	17	18	19	20
27	28	29	30	31			24	25	26	27	28			24	25	26	27	28	29	30	21	22	23	24	25	26	27
																					28	29	30				
May							June							July							August						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4						1		1	2	3	4	5	6					1	2	3	
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31
							30																				
September							October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
							1	1	2	3	4	5						1	2								
1	2	3	4	5	6	7	6	7	8	9	10	11	12	3	4	5	6	7	8	9	1	2	3	4	5	6	7
8	9	10	11	12	13	14	13	14	15	16	17	18	19	10	11	12	13	14	15	16	8	9	10	11	12	13	14
15	16	17	18	19	20	21	20	21	22	23	24	25	26	17	18	19	20	21	22	23	15	16	17	18	19	20	21
22	23	24	25	26	27	28	27	28	29	30	31			24	25	26		28	29	30	22	23		25	26	27	28
29	30																			29	30						

**Legend**



Federal & State Holidays - Town Offices and Transfer Station closed\*



Closed half-day - employees use vacation time



Closed full-day - employees use vacation time



\* The Transfer Station is open the day after Thanksgiving (Friday), but closed the Saturday after Thanksgiving

**Schedule**

11/12/18	Veterans Day
11/21/18	Day before Thanksgiving - Half-day 8-12 for all employees, vacation time for remainder
11/22/18	Thanksgiving
11/23/18	Day after Thanksgiving
12/24/18	Christmas Eve - Closed for full-day, vacation time for full-day
12/25/18	Christmas Day
12/31/18	New Year's Eve - Half-day 8-12 for all employees, vacation time for remainder
1/1/19	New Year's Day
1/21/19	Martin Luther King, Jr. Day
2/18/19	Presidents Day
4/15/19	Patriots Day
5/27/19	Memorial Day
7/4/19	Independence Day
9/2/19	Labor Day
10/14/19	Colombus Day
11/11/19	Veterans Day
11/27/19	Day before Thanksgiving - Half-day 8-12 for all employees
11/28/19	Thanksgiving
11/29/19	Day after Thanksgiving
12/24/19	Christmas Eve - Half-day 8-12 for all employees, vacation time for remainder
12/25/19	Christmas Day
12/31/19	New Year's Eve - Half-day 8-12 for all employees, vacation time for remainder

## **Future Agenda Items - Proposed DRAFT**

### Potential Future Meeting / Workshop Items:

Update of fees and fee schedule - mid-term  
County Officials and State Delegation Meetings - long-term  
Appeals process and appeals matrix review - long-term  
Contingency Policy discussion - long-term  
Personal Property Taxes - long-term  
Student engineering work at the Giles Rd. Bridge - long-term

### Ongoing Goals:

- Review, revise, draft governance documents as needed
- Finalize a solar energy plan for town facilities
- Town buildings planning focused on the Library and Fire Station
- Cannabis considerations
- Consider annualizing Heritage Days
- Set direction regarding Parks and Recreation
- Consider a local food/farms ordinance

**FYI**