

**SPECIAL TOWN MEETING MINUTES**  
**Saturday, November 19th, 2011 at 9 a.m. at the Island Hall, Chebeague Island, Maine**

**TO:** Peggie Jones, a resident of the Town of Chebeague Island, in the County of Cumberland and State of Maine,

**GREETING:**

**In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Chebeague Island in the County of Cumberland, State of Maine, qualified by law to vote in town affairs, to meet at the Chebeague Island Community Hall, 247 South Road, Chebeague Island, Maine on Saturday, the 19th day of November, 2011 at 9 o'clock in the morning, then and there to act upon the following Articles, numbered 1 through 13. All documents referenced in this Warrant are available upon request from the Town Office, online at <http://www.townofchebeagueisland.org/>, and at the Chebeague Island Library:**

Meeting called to order at 9:08AM

Number of voting residents in attendance: Ninety-five (95)

**Article 1:** To choose a moderator to preside at said meeting.

David Hill: Nominated Peter Rice for Moderator.  
Nancy Hill: Second  
Vote: Unanimous.

**Article 2:** Shall said meeting allow persons who are not voters in the Town of Chebeague Island to participate in the meeting?

Nancy Hill: Motion to allow persons who are not voters to participate in the meeting.  
Maggie Vaughan: Second.  
Motion on Article 2 passes unanimously.

**Article 3:** Shall said meeting allow candidates for the Board of Selectmen who may be nominated under the following Article 4 to make short statements (not to exceed five minutes each) in support of their candidacy?

Cheryl Buxbaum: Motion to allow candidates for the Board of Selectmen who may be nominated under the following Article 4 to make short statements.  
Vail Traina: Second.  
Motion on Article #3 passes unanimously.

**Article 4:** To elect by written ballot one selectman to serve on the Board of Selectmen to complete the term of three years vacated on 10/26/2011 by resignation and ending at the annual town meeting of 2013.

*Explanation: The Board of Selectmen voted to accept a letter of resignation from Mark Dyer presented at the special selectmen's meeting held on 10/26/2011. The Board is required to fill this vacancy under chapter 11, Article 11 Section 108(E) of the Chebeague Island Code of Ordinances at an election held within 60 days of the vacancy.*

Donna Damon: Nominated Mary Holt for the Board of Selectmen.

Leila Bisharat: Second.

Jennifer Hamilton: Nominated Maggie Vaughan for the Board of Selectmen.

Cheryl Stevens: Second.

John Ash: Motion to close nominations.

David Hill: Second.

Vote: Unanimous.

Mary Holt accepted the nomination.

Maggie Vaughan declined.

Votes: Mary Holt – Seventy-eight (78)

Donna Damon – Three (3)

Blank – Three (3)

Abstention – One (1)

Donna Damon: Request to move Article 13 up and hold discussion and vote at this point.

No Opposition from the assembly.

**Article 13:** Shall the Town of Chebeague Island vote to adopt the Town Seal designed by Martha Hamilton as the official seal of the Town of Chebeague Island in the form attached as Exhibit F?

Donna Damon: Motion to adopt the Town Seal designed by Martha Hamilton.

Peter Carleton: Second.

Motion on Article #13 passes unanimously.

**Article 5:** To see if the Town will vote to authorize the Board of Selectmen to enter into a multi-year contract with chebeague.net, Inc. and appropriate \$25,000 from the Undesignated Fund to fulfill the contract's financial obligation and ensure long-term Internet services for the citizens, organizations, and Town of Chebeague Island. The Contract is attached as Exhibit A.

*Explanation: The undesignated fund balance is estimated at \$219,649. Passing this article would decrease this balance to \$194,649 which is 7.8% of operating budget as defined in the selectmen's policy and is outside the 8%-15% range*

Cheryl Buxbaum: Motion to authorize the Board of Selectmen to enter into a multi-year contract with Chebeague.net.

Nancy Hill: Second.

Ruth Houghton: Motion to move the question.

Nancy Hill: Second.

Vote: Motion passes with fifteen (15) opposed.

Vote: Motion to pass Article 5: Passes with thirteen (13) opposed.

**Article 6:** Shall an ordinance entitled 'Firearms Ordinance' be enacted as presented in Exhibit B?

*Explanation: The purpose of the Firearms Ordinance is to promote public safety and protect life and property from improper use of firearms as defined in 17-A M.R.S.A. §2(12-A).*

Vail Traina; Motion to accept Firearms Ordinance.

Cheryl Buxbaum; Second.

Motion on Article 6 passes with eleven (11) opposed.

**Article 7:** Shall the Town of Chebeague Island vote to repeal the current Solid Fuel Safety Ordinance adopted by reference from the Town of Cumberland, and to enact the amended Building Codes; Adoption and Enforcement Ordinance in the form attached as Exhibit C?

*Explanation: The purpose of the Building Codes; Adoption and Enforcement Ordinance is to protect life and property from hazards incident to improper construction, installation, modification, or use of structures and appliances. The ordinance has been amended to include regulation of solid fuel.*

David Hill: Motion to accept Building Codes; Adoption and Enforcement Ordinance.

Cheryl Buxbaum: Second

Motion on Article 7 passes with six (6) opposed.

**Article 8:** Shall the Town of Chebeague Island vote to repeal the current Dog Control Ordinance adopted by reference from the Town of Cumberland, and to enact a Dog Control Ordinance in the form attached as Exhibit D?

*Explanation: The purpose of the Dog Control Ordinance is to provide regulations in addition to those contained in Title 7 M.R.S.A. with respect to controlling dogs throughout the Town of Chebeague Island in the interest of the health, safety and general welfare of its residents, visitors, domestic and farm animals, and wildlife.*

Cheryl Buxbaum: Motion to accept Dog Control Ordinance.  
Donna Damon: Second.  
Motion on Article 8 passes unanimously.

**Article 9:** Shall the Town of Chebeague Island vote to repeal the current Swimming Pool Ordinance adopted by reference from the Town of Cumberland?

*Explanation: Given strong State oversight in this area, such an ordinance no longer seems to be necessary for the Town.*

David Hill: Motion to repeal current Swimming Pool Ordinance.  
Bob Earnest: Second.  
Motion on Article 9 passes unanimously.

**Article 10:** To see what sum the Town of Chebeague Island will authorize the Selectmen to expend from Grant Reserves (capital reserve fund 9040) for the purpose of meeting the Town's "matching" obligations for current and future grants during the remainder of Fiscal Year 2012?

*Explanation: A portion of the matching fund may be used to pay for the Town's 10% match of the FEMA Hazard Tree Dropping Project which had not been allocated previously. The remainder will be available to supplement and secure other grants if they arise.*

**Selectmen Recommend:** The Selectmen recommend \$20,000.

David Hill: Motion to approve Article 10 in the amount of \$20,000 (twenty-thousand) dollars.  
Bob Earnest: Second.  
Bob Earnest: Motion to call question.  
Nancy Hill: Second.  
Vote: Unanimous.  
Motion on Article 10 passes unanimously.

**Article 11:** To determine whether the Town of Chebeague Island will vote to accept the secret ballot process of voting as set forth in Title 30-A M.R.S.A., Section 2528 (attached as Exhibit E), for the election of all town officials required by Section 2525 to be elected by ballot, except the moderator, who shall continue to be elected as provided in Section 2524, subsection 2.

*Explanation: Adopting the secret ballot election and voting method means that the election of municipal officers, both selectman and school committee members, would be conducted by secret ballot at the voting polls rather than during the open town meeting. Eligible candidates would be required to file nomination papers at least 45 days prior to Election Day in order have their name printed on the ballot. One blank per vacancy will be provided on all ballots where voters may write in the name of any eligible person. The secret ballot method of voting also provides for absentee ballots to be made available 30 days prior to Election Day.*

*Timelines:*

- *At least 90 days before Annual Meeting: a change in voting method must be approved by the Town. This could be accomplished at this Special Town Meeting, 11/19/2011.*
- *At least 85 days before Annual Meeting: nomination papers must be made available at the Town Office.*
- *At least 45 days before Annual Meeting: nomination papers must be filed at the Town Office.*
- *At least 30 days before Annual Meeting: absentee ballots must be made available at the Town Office.*

Maggie Vaughan: Motion to accept Secret Ballot process of voting for the Town of Chebeague Island.

John Ash: Second.

Motion passes with twenty-five (25) opposed.

**Article 12:** To see if the Town of Chebeague Island will adopt the Saturday prior to the State of Maine Election Day (typically the second Tuesday in June) as the date each year for the Annual Town Meeting and to adjourn to the following Tuesday to hold a secret ballot election for municipal officers.

*Explanation: If Article 11 passes then this article sets a regular date for a two-part Town Meeting that meets the requirements of 30-A M.R.S.A. § 2528(3)(A). If Article 11 passes but this article does not then the Board of Selectmen must set the dates for both parts of the town meeting. If Article 11 does not pass then this article will have no effect but must be taken up.*

*The moderator elected at the Annual Town Meeting will also officially preside over the secret ballot election of municipal officers.*

Mary Holt: Motion to adopt the Saturday prior State of Maine Election Day as the date each year for the Annual Town Meeting.

David Hill: Second.

Motion passed with twelve (12) opposed.

**Article 13:** Shall the Town of Chebeague Island vote to adopt the Town Seal designed by Martha Hamilton as the official seal of the Town of Chebeague Island in the form attached as Exhibit F?

*Explanation: The design by Martha Hamilton won a contest to create a town seal during transition, but has not been formally adopted as the official seal of the Town.*

Article 13 moved up prior to Article 5.

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SPECIAL TOWN MEETING MINUTES, NOVEMBER 19<sup>TH</sup>, 2011

Given to our hands, this ninetieth (19) day of November, 2011 at Chebeague Island, Maine.

Chebeague Island Board of Selectmen

\_\_\_\_\_  
David R. Hill, Chairman

\_\_\_\_\_  
Herb Maine

\_\_\_\_\_  
John Martin

\_\_\_\_\_  
Christopher Rich

A True Copy

Attest:

\_\_\_\_\_  
Town Clerk  
Town of Chebeague Island

\_\_\_\_\_  
Date

Respectfully submitted by Susan Campbell, Town Clerk