TOWN WARRANT

To Gene Worcester, Police Chief of the Town of Holden, in the County of Penobscot:

Greetings:

In the name of the State of Maine you are hereby required to notify and warn the voters of the Town of Holden in said Penobscot County, qualified by law to vote in Town affairs, to meet at the Holden Municipal Building on Tuesday, June 11, 2013 at seven o'clock in the forenoon (7:00 a.m.), then and there to act on Articles 1 through 10 set out below:

And to notify and warn said voters to meet at the Holden Elementary School on Wednesday, June 12, 2013 at seven o'clock in the evening (7:00 p.m.), then and there to act on Article 11 through all of said Articles being set out as follows to wit:

ARTICLE 1. To choose a moderator to preside at said meeting.

ARTICLE 2. To elect all necessary Town Officials by secret ballot (Two Councilors, for three-year term; One School Administrative District 63 Director for three year terms).

ARTICLE 3. Shall the following amendment to the Town Charter be adopted?

ARTICLE II

TOWN COUNCIL

Sec. 2.07 - RECORD OF PROCEEDINGS; ORDINANCES; PUBLIC HEARING

The Town Council shall provide for keeping a record of its proceedings and shall determine its own rules of procedure and make lawful regulations for enforcing the same; records shall be retained and disposed of in accordance with State Law. The Council shall act by motion, ordinance, order or resolve. A motion, order or resolve is a procedural vehicle used at Council meetings to express the majority position of Council on routine matters on which the Council votes and which vote is recorded in the minutes of the meeting. An Ordinance is a rule or regulation adopted by the Council which obligates citizens and non citizens of Holden as stated in the ordinance, and all ordinances adopted by the Council shall be recorded in the Council minutes. All motions, ordinances, orders and resolves, except motions, orders or resolves making appropriations of money, shall be confined to one subject. All appropriation motions, orders or resolves shall be confined to the subject of appropriations. Every motion, ordinance, order, or resolve shall require on passage the affirmative vote of 3/5 of the members of the Council. The yeas and nays shall be taken on the passage of all motions, ordinances, orders, and resolves and entered on the record of the proceedings of the Council by the Secretary.

ARTICLE 4. Shall the following amendments to the Town Charter be adopted?

ARTICLE II

TOWN COUNCIL

Sec. 2.13 - ENUMERATION OF POWERS

Without limitations of the foregoing, the Council shall have the power to:

14. Create Reserve accounts, as defined by State Law.
NOTE: Moved from Section 8.13.

15. Appropriate up to and including $250,000.00 for a single capital improvement project.

ARTICLE 5. Shall the following amendments to the Town Charter be adopted?

ARTICLE III

TOWN MEETING

Sec. 3.02 - PURPOSE OF THE TOWN MEETING

1. Town Meeting is required for approval of the following:

(a) Annual Budget line items; General Government, Town Office Administration, Economic Development, ~~Public Safety~~, Fire Department, Police Department, Public Works, ~~Municipal Properties,~~ Sanitation~~, Health and Welfare, Debt Service~~ and other line items established by the Council.

~~(b) Any appropriation of one dollar or more in addition to or supplementary to the annual budget appropriation.~~

(b)~~(c)~~ The issuance of bonds or notes in any amount allowed by law. ~~, up to and including, those in excess of 2% of the most recent State Valuation amount.~~ This section does not apply to bonds or notes issued by the Council in accordance with Section 2.13(9) and 2.13(15).

~~(d) Funding of a reserve account.~~

(c)~~(e)~~ Transact other town business presented to it by warrant article.

(d)~~(f)~~ Make, alter, and repeal ordinances pertaining to the Comprehensive Plan, and Zoning Ordinance Changes, except Conditional Zoning, Road Acceptance, State Mandated Changes, and Subdivision Matters. See Section 2.13(5).

(e) The Town Council shall submit any motion appropriating more than $250,000.00 for a single capital improvement, and any motion authorizing general obligation bonds or notes for capital improvements in excess of 2% of the most recent State Valuation amount, to the voters at a regular or special Town Meeting. NOTE: Replaces Section 10.03.

(f) Any expenditures from a reserve account exceeding 2% in the aggregate, of the most recent State Valuation amount. NOTE: Moved from Section 8.13

(g) Transfer of funds from one reserve account to another. NOTE: Moved from Section 8.13.

The above appropriations shall become effective only after approval at a Town Meeting by the vote of a majority of those voting on the article at such meeting.

2. The Town Meeting Shall:

(a) Not increase the amount of any appropriation above the amount recommended by the Council or Budget Review Committee. The greater of the two recommendations shall be the ceiling.

(b) Not make any appropriation not recommended by the Council or Budget Review Committee. ~~except for appropriations under Section 3.02(1)(b).~~

(c) Not increase the amount of any Bond Issue above the amount recommended by the Council.

ARTICLE 6. Shall the following amendment to the Town Charter be adopted?

ARTICLE IV

TOWN MANAGER

Sec. 4.05 - POWERS AND DUTIES OF TOWN MANAGER

9. To prepare a personnel policy and job descriptions as required, to be proposed to the Council, and the Council may~~, by ordinance,~~ adopt them with or without amendment.

ARTICLE 7. Shall the following amendment to the Town Charter be adopted?

ARTICLE VI

SCHOOL ADMINISTRATIVE DISTRICT 63 BOARD OF DIRECTORS

Sec. 6.01 – NUMBER, ELECTION AND TERM

Town of Holden representation on the School Administrative District 63 Board of Directors shall consist of ~~7~~ four (4) members, each of whom shall be nominated and elected by the registered voters of the entire Town.

Note: At the time the Charter Review Committee recommended changes to this document the School District was still using SAD #63 in lieu of RSU #63. All reference to SAD #63 contained herein is synonymous with RSU #63.

ARTICLE 8. Shall the following amendments to the Town Charter be adopted?

ARTICLE VIII

BUDGET

Sec. 8.02 - PREPARATION AND SUBMISSION OF THE BUDGET

The Town Manager, at a time to be determined by the Town Council, shall submit to the Council and Budget Review Committee a proposed budget and an explanatory budget message. The budget shall contain:

1. The proposed budget shall be itemized by departments and kinds of expenditures, in such a manner as to present to taxpayers a simple and clear accounting of budget estimates. Note: Moved from Section 8.05

~~1.~~ 2. A statement of the financial condition of the Town that shall be submitted to the Council for the purpose of preparing the proposed Town budget. ~~in time to be included in the published Town budget~~.

~~2.~~ 3. An itemized statement of appropriations recommended for current expenses, and for permanent improvements, with comparative statements in parallel columns of estimated expenditures for the next preceding fiscal year. An increase or decrease in any item shall be indicated.

~~3.~~ 4. An itemized statement of estimated revenue from all sources, other than taxation, and ~~a statement of taxes required,~~ comparative figures from the current year and the ~~next~~ preceding year.

~~4.~~ 5. Such other information as may be required by the Town Council.

The proposed budget prepared by the Manager shall be reviewed by the Town Council and Budget Review Committee. The Town Council and the Budget Review Committee shall each prepare ~~a recommended~~ budget recommendations. The ~~recommended budgets~~ budget recommendations shall be published and the Town Council shall fix the time and place for holding a public hearing on the budgets recommendations and shall give a public notice of such hearing in accordance with Section 2.07. After the public hearing ~~T~~ the Council and Budget Review Committee shall then review the ~~budgets~~ budget recommendations and ~~recommend~~ present them, with or without change, to the annual Town Meeting.

~~Sec. 8.05 - BUDGET SUMMARY~~

~~At the beginning of the budget there shall appear a summary, which need not be itemized further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax. The budget shall be itemized by departments and kinds of expenditures, in such a manner as to present to taxpayers a simple and clear accounting of budget estimates.~~ NOTE: The last sentence moved to Section 8.02.1.

~~Sec. 8.06 - DEPARTMENTAL EXPENDITURES~~

~~The budget for all departments shall include all proposed expenditures. The Town Meeting shall make a gross appropriation for each department for the ensuing fiscal year. The gross appropriation for each department shall not be exceeded. All budgets shall be considered to be line item budgets and monies shall not be transferred from one department to another except as provided in Section 8.08.~~

~~Sec. 8.07 – WORK PROGRAM; ALLOTMENTS~~

~~Before the beginning of the budget year, the head of each office, department or agency, shall submit to the Town Manager when required by him/her, a work program for the year, which program shall show the requested allotments of appropriations for such office, department or agency, for the entire budget year. The Town Manager shall review the requested allotments of the work program of the office, department or agency concerned, and may revise, alter or change such allotments before approving the same.~~

Sec. ~~8.08~~ 8.05 - TRANSFERS OF APPROPRIATIONS

Sec. ~~8.09~~ 8.06 - INTERIM EXPENDITURES

Sec. ~~8.10~~ 8.07 - LAPSE OF APPROPRIATIONS

Sec. ~~8.11~~ 8.08 - PAYMENTS AND OBLIGATIONS PROHIBITED

No payment shall be made or obligation incurred against any allotment or appropriations except in accordance with appropriations duly made and unless the Manager or his/her designees first certifies that there is sufficient unencumbered balance in such allotment or appropriation and that sufficient funds there from are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation, and he/she shall also be liable to the Town for an amount so paid. However, except where prohibited by law, nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided such action is made or approved by ~~ordinance.~~ motion, order, or resolve.

Sec. ~~8.12~~ 8.09 – CAPITAL PROGRAM

The Manager shall prepare and submit to the Town Council a ~~5 year~~ long range capital program at the time of submission of the proposed annual budget. The capital program shall include:

2. A list of all capital improvements which are proposed for the ~~5 fiscal years next ensuing~~, long range capital program with supporting information as to the necessity for each improvement.

~~Sec. 8.13 – RESERVE ACCOUNTS~~
~~Reserve accounts, as defined by State Law, may be established by the Town Council.~~ NOTE:

Moved to Section 2.13.15.~~Town Meeting approval is required for the following:~~

~~1.~~ ~~Funding of a reserve account.~~

~~2.~~ ~~Any expenditures from a reserve account exceeding 2% in the aggregate, of the most recent State Valuation amount.~~ NOTE: Moved to Section 3.02.1 (f).

3. ~~Transfer of funds from one reserve account to another.~~ NOTE: Moved to Section 3.02.1 (g).

ARTICLE 9. Shall the following amendment to the Town Charter be adopted?

ARTICLE VIII

BUDGET

Sec. ~~8.14~~ 8.10 - BUDGET REVIEW COMMITTEE

Each year at the beginning of the budget preparation process, the Council shall appoint at least ~~12~~ nine (9) members of the public who are residents of the Town of Holden to act as a Budget Review Committee. The Budget Review Committee shall review the expenditures budget proposed by the Town Manager and the Council and hold at least one joint meeting with the Council. Each Town Meeting warrant article pertaining to the budget lines referred to in Section 3.02.1(a) shall indicate an amount recommended by the Budget Review Committee.

ARTICLE 10. Shall the following amendments to the Town Charter be adopted?

ARTICLE X

INITIATIVE, REFERENDUM AND RECALL

~~Sec. 10.03 ORDINANCES SUBMITTED TO POPULAR VOTE~~

~~The Town Council shall submit any ordinance appropriating $250,000.00 or more for a single capital improvement, and any ordinance authorizing general obligation bonds or notes for capital improvements in excess of 2% of the most recent State Valuation amount, to the voters at a regular or special Town Meeting.~~ Note: Moved to Section 3.02.1(e).

Sec. ~~10.04~~ 10.03 - RECALL

ARTICLE XI

GENERAL PROVISIONS

Sec. 11.01 - ELECTED OFFICERS TERMS

The term of any elected officer shall begin immediately upon taking the oath of office. Any officer shall serve for his/her prescribed term or until his/her successor is elected and qualified. If a person is elected to fill a vacancy in office, his/her term shall begin immediately upon taking the oath of office and shall continue until the end of the prescribed term of the person who vacated said position.

Note: The polls for voting on Article 2 through 10 will be open from 7:00 a.m. until 8:00 p.m. on Tuesday June 11, 2013.

A person who is not registered as a voter may not vote in any election.

ARTICLE 11. To see what sum the Town will vote to raise and appropriate for the support of GENERAL GOVERNMENT.

Account Name	Town Council Recommends	Budget Committee Recommends
Elected Officials	$ 10,465	$ 10,465
Assessing	26,200	26,200
Elections	1,900	1,900
Old Town Hall	2,100	2,100
Professional Services	45,100	45,100
Health and Welfare	96,530	96,530
Reserve Funds	114,000	114,000
Contingency	15,000	15,000
Total General Government	$ 311,295	$ 311,295

ARTICLE 12. To see what sum the Town will vote to raise and appropriate for the support of TOWN OFFICE ADMINISTRATION.

Account Name	Town Council Recommends	Budget Committee Recommends
Town Manager	$ 88,500	$ 88,500
Administration	242,870	242,870
Total Office Administration	$ 331,370	$ 331,370

ARTICLE 13. To see what sum the Town will vote to raise and appropriate for the support of ECONOMIC DEVELOPMENT.

Account Name	Town Council Recommends	Budget Committee Recommends
Director	$ 74,660	$ 74,660
Planning Board	4,600	4,600
Conservation Commission	750	750
Economic Development	6,015	6,015
Code Enforcement	2,700	2,700
DeBeck Park	1,400	1,400
Total Economic Development	$ 90,125	$ 90,125

ARTICLE 14. To see what sum the Town will vote to raise and appropriate for the support of FIRE DEPARTMENT.

Account Name	Town Council Recommends	Budget Committee Recommends
Fire Department	**$ 462,770**	**$ 462,770**
Total Fire Department	**$ 462,770**	**$ 462,770**

ARTICLE 15. To see what sum the Town will vote to raise and appropriate for the support of POLICE DEPARTMENT.

Account Name	Town Council Recommends	Budget Committee Recommends
Animal Control	**$ 7,900**	**$ 7,900**
Police Department	**359,925**	**359,925**
Total Police Department	**$ 367,825**	**$ 367,825**

ARTICLE 16. To see what sum the Town will vote to raise and appropriate for the support of PUBLIC WORKS.

Account Name	Town Council Recommends	Budget Committee Recommends
Public Works	**$ 469,810**	**$ 469,810**
Cemeteries	**15,400**	**15,400**
Veteran's Memorial	**400**	**400**
Trail Systems	**1,200**	**1,200**
Miscellaneous (Road Improvements)	**202,410**	**202,410**
Total Public Works	**$ 689,220**	**$ 689,220**

ARTICLE 17. To see what sum the Town will vote to raise and appropriate for the support of SANITATION.

Account Name	Town Council Recommends	Budget Committee Recommends
Sanitation	**$ 136,700**	**$ 136,700**

ARTICLE 18. To see if the Town will vote to exceed the property tax levy limit established for the Town under 30-A M. R. S. § 5721-A in the event that the municipal budget approved under

the preceding articles will result in a property tax levy that is greater than the property tax levy limit.

Note: § 5721-A (7) requires that the vote on the foregoing article must be by a written ballot.

ARTICLE 19. To see if the Town will vote to authorize the Town Council to make transfers and disbursements from Undesignated Fund Balance, Reserve Funds, Trust Funds, Special Revenue Funds and Capital Improvement Funds for the purpose of local matching funds and other municipal purposes as voted by 3/5 of the members of the Council.

ARTICLE 20. To see if the Town will vote to appropriate One Hundred Thousand Dollars ($100,000.00) from Undesignated Fund Balance or from General Obligation borrowing for technical assistance for the I-395/Route 9 connector project and authorize the Town Council, by the affirmative vote of 3/5 of the members of the Council, to expend the funds as they deem appropriate for this purpose.

Given under our hands on this 20TH day of MAY, 2013.

Robert Harvey, Chairman

Paul Amoroso, Vice Chairman

John Bryant, Councilor

David R. Black, Councilor

Ralph McLeod, Councilor

A TRUE COPY ATTEST:
Gene Worcester, Police Officer