

STATE OF MAINE  
Warrant for the Special Hollis Town Meeting  
November 05, 2019

STATE OF MAINE

COUNTY OF YORK

To: Kaden Flynn, a Constable in the Town of Hollis,

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants in said Town of Hollis qualified to vote in town affairs to assemble at the Hollis Community Building, 35 Town Farm Road, in said Town of Hollis on Tuesday, the fifth day of November A.D. 2019 (November 05, 2019) at 6:45 a.m. in the forenoon to act on **Article 1**. The polls will then open at 7:00 a.m. (seven o'clock in the forenoon) and close at 8:00 p.m. (eight o'clock in the evening) to act on **Articles 2, 3 & 4** by secret ballot voting.

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

**Article 2:** To elect one Tax Collector to fill a term expiring in June of 2022.

**Article 3:** Shall the Town vote to amend the ordinance entitled "Hollis Zoning Ordinance" under "Article 1 Section 1.4 Non Conforming Uses and Structures, Section 1.4 2.2, 1.4.2.3 and 1.4.2.4" by changing the words "Planning Board" to "Code Enforcement Officer" and add "Section 1.4.2.5 : The Code Enforcement Officer reserves the right to refer an application to the Planning Board for review and decision."?

Planning Board recommends

**Article 4:** Shall the Town vote to amend the ordinance entitled "Hollis Finance Committee Ordinance 2019" as submitted by the Hollis Finance Committee?

Finance Committee recommends

Original Warrant signed 4<sup>th</sup> day of September of 2019,

Amended Warrant signed 9/18/2019 by a majority of the Hollis Select Board

  
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David McCubrey, Chairperson

  
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Rita B. Perron

  
\_\_\_\_\_  
John S. Rogala

Proposed Hollis Zoning Ordinance changes for November 5, 2019 and proposed Hollis Finance Committee Ordinances November 5, 2019 are attached to this document.

November 05, 2019 STM warrant amended 9/17/2019

## Proposed changes to Hollis Zoning Ordinance November 5, 2019

Changes are bolded, deleted items are in parenthesis.

Under Article 1, Section 1.4, Non-Conforming Uses and Structures:

Section 1.4.2.2: "Construction or enlargement for a foundation beneath the existing structure shall not be considered an expansion of the structure provided that the structure and new foundation are placed such that the setback requirement is met to the greatest practical extent as determined by the

~~Planning Board~~ **Code Enforcement Officer.**

Section 1.4.2.3: "A non-conforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the ~~Planning Board~~ **Code Enforcement Officer.**

Section 1.4.2.3 (continued); "In determining whether the building relocation meets the setback to the greatest practical extent, the ~~Planning Board~~ **Code Enforcement Officer** shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation."

Section 1.4.2.4: "Any non-conforming structure which is located less than the required setback and which is removed, or damaged or destroyed by more than fifty (50) percent of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within one (1) year of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the setback requirements to the greatest practical extent as determined by the ~~Planning Board~~ **Code Enforcement Officer** in accordance with the purposes of this Ordinance. In no case shall a structure be reconstructed or replaced so as to increase its non-conformity."

Section 1.4.2.4 (continued): "In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent, the ~~Planning Board~~ **Code Enforcement Officer** shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the physical condition and type of foundation present, if any."

**ADD:**

**Section 1.4.2.5: "The Code Enforcement Officer reserves the right to refer an application to the Planning Board for their review and decision."**



# Proposed changes to Finance Committee Ordinance November 5, 2019

Changes are bolded, deleted items are in parenthesis.

## Section 1. Purpose and Scope

The purpose of this Ordinance is to establish a Finance Committee (comprised of members who have a financial background) for the Town of Hollis. This Ordinance shall govern the committee's practices and procedures, except as otherwise provided by law, and shall be liberally construed so as to accomplish their purpose.

## Section 2. Members; Committee's duties

The Finance Committee shall consist of five (5) regular voting members. Three (3) members will be a quorum for the purpose of voting and/or conducting committee business. Workshops do not require a quorum as no business or vote will be conducted. The Finance Committee members shall be appointed by the Select Board.

(The Finance Committee members will be selected by a panel of Town residents who have financial backgrounds, and recommended to the Select Board for approval and appointment.)

A Finance Committee member must be a resident **and a registered voter** of the Town of Hollis. (a registered voter and will serve a (3) year term. Members will meet at the first opportunity after being appointed and thereafter at the beginning of the fiscal year to elect a Chairperson and Vice-Chairperson to serve for one year unless otherwise provided by law.) **Members will be appointed for a three (3) year term.** The Finance Committee Secretary will be hired and appointed by the Select Board.

The Chairperson shall preside at all committee meetings/workshops and shall have authority to rule on questions of evidence and procedure, to maintain order, to determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with this Ordinance or other laws to enable the committee to perform its duties and conduct its affairs.

The Chairperson shall set the agenda for each meeting, provide the agenda to the (Administrative Assistant to the Select Board) **Finance Committee Secretary** for posting to the Town website and as required by law, act as a liaison between the Select Board and the committee. It will be expected that the Chair or an appointed designee will attend the annual town meeting, special town meetings and will submit a written report of activities to the Select Board to be included in the Annual Town Report.

The **Finance** Committee Secretary shall maintain a permanent record of all committee meetings and all correspondence of the committee which shall be made a matter of public record except as otherwise provided by law. The Secretary shall be responsible for providing the Administrative Assistant to the Select Board a copy of all approved meeting minutes to be posted to the Town website, attain and copy all regular and special requested financial reports, file reports for historical reference, assemble the annual finance committee budget/capital books and complete other secretarial duties as needed.

The committee is an advisory committee to the Select Board. The responsibilities of the committee are as follows:



- 1) Annual Operating budget - The committee will (prepare) **review** the annual operating budget **for the Town** with input from **each** department head(s) and will (recommend or not recommend) **make recommendations** to the Select Board.
- 2) Annual Capital budget - The committee will review and make recommendations to the Select Board.
- 3) Warrant Articles - The committee will (prepare) **review Warrant Articles** (as they pertain to financial issues and) **pertaining to financial issues and** (make a recommendation) **recommend or not recommend** (on each concerning appropriation in the warrant for all Special Town Meetings.) **to the Select Board.**
- 4) Review of revenue and expenditures - The committee will make quarterly reviews of revenues & expenditures and present issues/questions to the Select Board.
- 5) Other- The committee shall review and make recommendations to the Select Board on supplemental appropriations, expenditures and investments of Town funds.

Authority & limitations - The State of Maine has instituted a Right to Know Law. The committee (as any taxpayer) has the authority to request any "public" information by the Maine Freedom of Access Act. The committee (as any taxpayer) must abide by the limitations of excluded records as defined by the Maine Freedom of Access Act.

### Section 3. Meetings

(Budgetary and capital plan timelines, financial reporting availability, and in general, financial issues necessitate the frequency of the finance committee meetings.)

**All meetings of the committee, except workshops, will be videotaped for public viewing. The Finance Committee shall meet at least once per fiscal year to elect a Chairperson and a Vice-Chairperson. Additional meetings shall be scheduled throughout the fiscal year as necessitated by budgetary and capital plan timelines, financial reporting availability, and other financial issues.**

Special meetings may be called at the discretion of the Select Board (,)and Chair of the Finance Committee upon the request of a majority of the committee members, provided that notice thereof shall be given to each member and to the Administrative Assistant to the Select Board at least 24 hours in advance.

Notice of all committee meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the committee except at a regularly called and noticed meeting provided a quorum consisting of a majority of the committee being present.

### Section 4. Hearings

Public hearings of the committee shall be called as required by law or on such other occasions, as a majority of the committee may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chairperson shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The committee may receive any oral or documentary evidence but

shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chairperson and without interruption, provided, however, that the Chairperson may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard.

## **Section 5. Participation and Voting**

Any action of the committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law. Majority is defined as a number of members constituting more than half of the total number of members present.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chairman for good cause shown.

Annual attendance at the meetings of this committee is expected to be no less than 75%. If a committee member does not attend the minimum of 75% of the meetings, the Chair of the Finance Committee shall bring the matter to the Select Board for review and vote. The committee members are appointed by the Select Board; removal from the committee can only be by majority vote of the Select Board.

## **Section 6. Decisions**

All decisions of the committee shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the committee permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefor. All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits offered to the Select Board, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law. The committee may reconsider any decision at the same meeting or at a subsequent meeting within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The committee may conduct additional hearings and receive additional evidence and testimony as provided herein. Any conflict or inconsistency between this Ordinance and any applicable law shall be resolved in favor of the law.

## **Section 7. Waivers; Amendments**



This Ordinance, or any provision thereof, may be waived on any occasion by a vote of the Hollis Select Board unless otherwise provided by law. This Ordinance may be amended at any time in writing by majority vote of the committee after notice and public hearing on the proposed amendment and approval by the Select Board.

(This Ordinance shall be reviewed by the committee on an annual basis.)

Adopted: \_\_\_\_\_, 2019

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David McCubrey, Select Board Chair

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Rita Perron, Select Board

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John Rogala, Select Board

A handwritten signature in black ink, appearing to be 'John Rogala', located in the bottom right corner of the page.