

WARRANT FOR 2009 ANNUAL TOWN MEETING

To: Melanie Hardy, a resident of the Town of Oakfield

GREETINGS:

In the Name of the State of Maine you are hereby requested to notify the inhabitants of Oakfield, qualified to vote in Town affairs to meet at the Community Center, at the 250 Oakfield Smyrna Road, on Monday, March 23, 2009 at 7:00 p.m. to act on the following articles to wit:

Article 1

To choose a moderator to preside at said meeting.

Article 2

To see if the Town will vote to authorize the Board of Selectmen to borrow in anticipation of taxes.

Article 3

To see if the Town will vote to authorize the Board of Selectmen in its discretion to dispose of surplus or non-usable supplies, equipment or material by public sale or bid.

Article 4

To see if the Town will vote to authorize the Board of Selectmen to enter into contracts.

Article 5

To see if the Town will vote to authorize the Board of Selectmen to appoint members of Town advisory bodies, and to hire and set salaries, in compliance within state law and within the budgeted amount.

Article 6

To see if the Town will vote to authorize the Board of Selectmen on behalf of the Town to convey any tax acquired property to the principal owner or taxpayer from whom it was acquired upon payment to the town of an amount equal to the amount owed which includes interest and costs they owed upon said property. The taxes shall be computed as though the town has not taken the property and as though the property has been assessed to the prior owner until the time of repurchase. The Selectmen may offer the property for sale through sealed bids to the highest bidder. Notice of such property sale will be advertised for three consecutive weeks before the last day that bids may be received in the local paper having a circulation in the Town of Oakfield once a week. All such offers shall be made with the rights of the Selectmen to reject any and all bids. If no bids are received for at least seventy-five (75) percent of the assessed value offered for sale, then the Selectmen shall reject all bids. If the property is offered for sale again the Selectmen may accept any amounts therefore in their discretion. The Selectmen may in their discretion retain for the Town any tax-acquired property, which they feel would be beneficial to the Town to be used for municipal purposes.

Article 7

To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to apply for, accept and expend Federal and State grant funds during fiscal year 2009.

Article 8

To see if the Town will vote to authorize the Selectmen to spend an amount not to exceed 3/12 of the budgeted amount in each category of the 2009 budget during the period from January 1, 2010 to the March Annual Town Meeting.

Article 9

To see if the Town will vote to have taxes due and payable on November 1st, 2009, with interest at the rate of 9 percent per annum.

Article 10

To see if the Town will vote to set the interest rate paid by the town on paid abated taxes at 4.5 percent per annum pursuant to 36 M.R.S.A. 506-A.

Article 11

To see if the Town will vote to accept any and all funds raised through various fund raising activities and donations received by the Oakfield Committees and to allow the various Oakfield Committees to expend same.

Article 12

To see if the town will ratify and confirm action taken by Selectmen on overdrafts in the Auditor's report in the 2009 Annual Report.

Article 13

To see if the Town will vote to raise and appropriate \$148,170.00 for the Administrative Account.

Selectmen & Budget Committee Recommend: Yes

Article 14

To see if the Town will vote to raise and appropriate \$58,300.00 for the Volunteer Fire Department Account.

Selectmen & Budget Committee Recommend: Yes

Article 15

To see if the Town will vote to raise and appropriate \$134,866.00 for Public Works Account.

Selectmen & Budget Committee Recommend: Yes

Article 16

To see if the Town will vote to raise and appropriate \$54,050.00 for the Transfer Station Account.

Selectmen & Budget Committee Recommend: Yes

Article 17

To see if the Town will vote to raise and appropriate \$29,635.00 for General Administration Account.

Selectmen & Budget Committee Recommend: Yes

Article 18

To see if the Town will vote to raise and appropriate \$3,000.00 for General Assistance Account.

Selectmen & Budget Committee Recommend: Yes

Article 19

To see if the Town will vote to raise and appropriate \$18,000.00 for Community Center Account.

Selectmen & Budget Committee Recommend: Yes

Article 20

To see if the Town will vote to raise and appropriate 7,250.00 for Intergovernmental Account. (Sludge Site)

Selectmen & Budget Committee Recommend: Yes

4005 - Photocopies	\$	143.00	\$	140.00
4025 - Plumbing Permits	\$	634.00	\$	550.00
4030 - Building Permits	\$	-	\$	-
4060 - Hall Rental	\$	2,345.00	\$	2,000.00
4100 - Tax Interest	\$	7,332.00	\$	6,500.00
4110 - Lien Fees	\$	4,372.00	\$	3,500.00
4115 - Bank Interest	\$	4,886.00	\$	4,500.00
4125 - Boat Excise	\$	698.00	\$	500.00
4130 - Auto Excise	\$	100,091.00	\$	90,000.00
4135 - MV Agent Fee	\$	2,760.00	\$	2,500.00
RV Fees	\$	388.00	\$	375.00
4140 - Dog License Fees	\$	360.00	\$	350.00
4141 - Clerk Fee	\$	624.00	\$	500.00
4240 - Tipping Fees	\$	26,353.00	\$	26,500.00
4245 - Recycling	\$	1,897.00	\$	1,000.00
4285 - Donations				
4325 - Comm.Ctr Donations	\$	1,514.00	\$	1,500.00
4290 - Gas Tax Reimbursement	\$	1,680.00	\$	1,800.00
Tax Increment Financing Reimbursement			\$	12,000.00
	<u>sub-total</u>	\$ 156,101.00	\$	154,240.00
 <u>Intergovernmental</u>				
4258 - Dyer Brook (Fire)	\$	12,500.00	\$	12,500.00
Smyrna (Fire)	\$	12,500.00	\$	12,500.00
Merrill (Fire)	\$	12,500.00	\$	12,500.00
Dyer Brook (Snow Plow)	\$	3,200.00	\$	3,200.00
Aroostook County (Fire)	\$	600.00	\$	600.00
State of Maine (Comp. Plan)	\$	-	\$	-
Swimming Lessons (Smyrna, Merrill, Dyer Brook)	\$	1,575.00	\$	1,575.00
Sludge Site (Smyrna, Merrill, Dyer Brook)	\$	1,575.00	\$	1,575.00
	<u>sub-total</u>	\$ 44,450.00	\$	44,450.00
 <u>State Revenues</u>				
4155 - URIP (Roads)	\$	28,768.00	\$	28,768.00
4160 - St. Revenue Sharing	\$	70,000.00	\$	80,000.00
4276 - Homestead Reimb.	\$	23,000.00	\$	25,000.00
4320 - Snowmobile Refund	\$	500.00	\$	500.00
Veteran Exemption Reimb.	\$	300.00	\$	300.00
Tree Growth Reimb.	\$	20,000.00	\$	13,500.00
General Assistance	\$	1,500.00	\$	1,500.00
	<u>sub-total</u>	\$ 144,068.00	\$	149,568.00
 <u>Non-Recurring Revenue</u>				
Land Sales	\$	-	\$	-
Undesignated Fund Balance				
Liquidation of Cert. of Deposit (FF Suppression)				
 <u>TOTAL REVENUES</u>	 <u>\$</u>	 <u>321,619.00</u>	 <u>\$</u>	 <u>325,258.00</u>

Article 25

To see if the town will vote to establish reserve funds for the specific capital designated uses pursuant to 30 MRSA 5801-5802.

<u>Capital Reserve Fund Name</u>	<u>Dollar Amount</u>	<u>Proposed Action</u>
Revaluation Reserve Acct	\$28,953	See Article 29
Ministerial (School)	\$13,920	None
Cemetery Capital Reserve	\$9,672	Appropriate Balance of Funds for survey of existing land
Highway Equipment Reserve	\$37,558	Appropriate \$7500 for FY 09 for repairs to existing public works equipment
Community Center	\$22,631	None
<u>Total Capital Reserve Funds</u>	<u>\$112,734</u>	

Article 26

To see if the town will vote to authorize the Board of Selectmen to utilize the Maine Department of Transportation Funds (U.R.I.P) for road projects as they deem in the best interest of the town.

Article 27

To see if the town will vote to accept 36 MRSA section 944 - Waiver of Foreclosure and to allow the Board of Selectmen to utilize this acceptance in the best interests of the town and to allow this article permanent status until further rescinded.

Article 28

To see if the town will vote to increase the solid waste charge from the current .07 cents to .08 cents and change to be effective April 1, 2009.

Article 29

To see if the town will vote to allow the Selectmen to enter into a Reimbursement contract and to accept/expend funds with First Wind of Newton, Massachusetts for the purposes of hiring attorneys, consultants, and other specialized individual (s) for the purposes of reviewing the application and/or impact of the proposed wind farm.

Article 30

To see if the town will vote to transfer and raise and appropriate \$68,000 dollars for a town-wide revaluation.

Article 31

To see if the Town will vote to increase the property tax levy limit of \$40,000 established for Oakfield by State Law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than the property tax levy limit.

Article 32

To see if the town will vote to authorize the Selectmen to add one (1) additional streetlight on Pleasant Street for the purposes of Public Safety.

Article 33

To see if the town will vote to raise and appropriate \$1,700.00 dollars for electricity power for the 2008/2009 town holiday outdoor lights.

Article 34

To see if the town will vote to raise and appropriate \$3,000 dollars for the swimming lesson program. (Please note the town receives monies from Dyer Brook, Merrill and Smyrna for their portion of the costs)

Article 35

To see if the vote to DESIGNATE A MUNICIPAL TAX INCREMENT FINANCING DISTRICT TO BE KNOWN AS THE "TOWN OF OAKFIELD WIND PROJECT MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT" AND ADOPT THE DEVELOPMENT PROGRAM FOR THE DISTRICT AS PRESENTED TO THE TOWN MEETING, SUCH DESIGNATION AND ADOPTION TO BE PURSUANT TO THE FOLLOWING FINDINGS, TERMS, AND PROVISIONS?

WHEREAS, THE TOWN OF OAKFIELD (THE "TOWN") IS AUTHORIZED PURSUANT TO CHAPTER 206 OF TITLE 30-A OF THE MAINE REVISED STATUTES, AS AMENDED, TO DESIGNATE SPECIFIED AREAS WITHIN THE TOWN AS A MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT (THE "DISTRICT") AND TO ADOPT A DEVELOPMENT PROGRAM FOR THE DISTRICT (THE "DEVELOPMENT PROGRAM"); AND

WHEREAS, EVERGREEN WIND POWER II LLC HAS PROPOSED TO CONSTRUCT A PORTION OF A COMMERCIAL WIND FARM PROJECT, CONSISTING OF THIRTY-THREE 1.5 MW GENERATING TURBINES AND ASSOCIATED IMPROVEMENTS AND FACILITIES (THE "PROJECT"), WITHIN THE TOWN OF OAKFIELD AND HAS REQUESTED DESIGNATION OF THE DISTRICT TO ASSIST DEVELOPMENT OF THE PROJECT; AND

WHEREAS, THE PROJECT IS ANTICIPATED TO RESULT IN APPROXIMATELY \$104 MILLION OF NEW TAXABLE DEVELOPMENT WITHIN THE TOWN; AND

WHEREAS, THE PROJECT WILL PROVIDE BENEFITS TO THE TOWN THROUGH THE TOWN'S PORTION OF THE PROPOSED DEVELOPMENT PROGRAM; AND

WHEREAS, THE PROJECT WILL IMPROVE AND BROADEN THE TAX BASE OF THE TOWN, AND WILL HELP IMPROVE THE ECONOMY OF THE STATE OF MAINE; AND

WHEREAS, THE TOWN DESIRES TO DESIGNATE THE DISTRICT AS THE "TOWN OF OAKFIELD WIND PROJECT MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT", AND TO ADOPT A DEVELOPMENT PROGRAM FOR THE DISTRICT; AND

WHEREAS, IT IS EXPECTED THAT APPROVAL WILL BE SOUGHT AND OBTAINED FROM THE MAINE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, APPROVING THE DESIGNATION OF THE DISTRICT AND ADOPTION OF THE DEVELOPMENT PROGRAM FOR THE DISTRICT; AND

WHEREAS, THE TOWN HAS HELD A PUBLIC HEARING ON THE QUESTION OF ESTABLISHING THE DISTRICT IN ACCORDANCE WITH THE REQUIREMENTS OF 30-A M.R.S.A. § 5226, UPON AT LEAST TEN (10) DAYS PRIOR NOTICE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE TOWN;

NOW, THEREFORE, BE IT HEREBY VOTED BY THE TOWN:

SECTION 1. THE TOWN HEREBY FINDS AND DETERMINES THAT:

A. AT LEAST TWENTY-FIVE PERCENT (25%), BY AREA, OF THE REAL PROPERTY WITHIN THE DISTRICT, AS HEREINAFTER DESIGNATED, IS SUITABLE FOR COMMERCIAL SITES AS DEFINED IN 30-A M.R.S.A. § 5223; AND

B. THE TOTAL AREA OF THE DISTRICT DOES NOT EXCEED TWO PERCENT (2%) OF THE TOTAL ACREAGE OF THE TOWN, AND THE TOTAL AREA OF ALL DEVELOPMENT DISTRICTS WITHIN THE TOWN (INCLUDING THE DISTRICT) DOES NOT EXCEED FIVE PERCENT (5%) OF THE TOTAL ACREAGE OF THE TOWN; AND

C. THE ORIGINAL ASSESSED VALUE OF THE PROPOSED DISTRICT PLUS THE ORIGINAL ASSESSED VALUE OF ALL EXISTING TAX INCREMENT FINANCING DISTRICTS WITHIN THE TOWN AS OF APRIL 1, 2007 DOES NOT EXCEED FIVE PERCENT (5%) OF THE TOTAL VALUE OF EQUALIZED TAXABLE PROPERTY WITHIN THE TOWN AS OF APRIL 1, 2007; AND

D. THE AGGREGATE VALUE OF MUNICIPAL GENERAL OBLIGATION INDEBTEDNESS FINANCED BY THE PROCEEDS FROM TAX INCREMENT FINANCING WITHIN AROOSTOOK COUNTY, INCLUDING THE PROPOSED DISTRICT, DOES NOT EXCEED \$50 MILLION, AS ADJUSTED IN ACCORDANCE WITH 30-A MRSA SEC. 5223(3)(D); AND

E. THE DESIGNATION OF THE DISTRICT AND PURSUIT OF THE DEVELOPMENT PROGRAM WILL GENERATE SUBSTANTIAL ECONOMIC BENEFITS FOR THE TOWN AND ITS RESIDENTS, INCLUDING EMPLOYMENT OPPORTUNITIES, BROADENED AND IMPROVED TAX BASE AND ECONOMIC STIMULUS, AND THEREFORE THE DISTRICT WILL CONTRIBUTE TO THE ECONOMIC GROWTH AND WELL-BEING OF THE MUNICIPALITY.

SECTION 2. PURSUANT TO CHAPTER 206 OF TITLE 30-A OF THE MAINE REVISED STATUTES, AS AMENDED, THE TOWN HEREBY DESIGNATES A MUNICIPAL TAX INCREMENT FINANCING DISTRICT TO BE KNOWN AS THE "TOWN OF OAKFIELD WIND PROJECT MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT" DESIGNATED AND DESCRIBED AS MORE PARTICULARLY SET FORTH IN THE DEVELOPMENT PROGRAM FOR SUCH DISTRICT PRESENTED TO TOWN MEETING IN THE FORM ATTACHED HERETO AND SUCH DEVELOPMENT PROGRAM IS HEREBY INCORPORATED BY REFERENCE INTO THIS VOTE AS THE DEVELOPMENT PROGRAM FOR THE DISTRICT.

SECTION 3. PURSUANT TO THE PROVISIONS OF 30-A M.R.S.A. § 5227, THE PERCENTAGE OF CAPTURED ASSESSED VALUE TO BE RETAINED IN ACCORDANCE WITH THE DEVELOPMENT PROGRAM IS TO BE ESTABLISHED AS SET FORTH IN THE DEVELOPMENT PROGRAM.

SECTION 4. THE BOARD OF SELECTMEN OR THEIR DULY-APPOINTED REPRESENTATIVE, ARE HEREBY AUTHORIZED, EMPOWERED AND DIRECTED TO SUBMIT THE PROPOSED DESIGNATION OF THE DISTRICT AND THE PROPOSED DEVELOPMENT PROGRAM FOR THE DISTRICT TO THE STATE OF MAINE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR REVIEW AND APPROVAL PURSUANT TO THE REQUIREMENTS OF 30-A M.R.S.A. § 5226.

SECTION 5. THE BOARD OF SELECTMEN OR THEIR DULY-APPOINTED REPRESENTATIVE, ARE HEREBY AUTHORIZED AND EMPOWERED, FROM TIME TO TIME, TO MAKE SUCH REVISIONS TO THE DEVELOPMENT PROGRAM FOR THE DISTRICT AS THE BOARD OF SELECTMEN OR THEIR DULY-APPOINTED REPRESENTATIVE DEEM REASONABLY NECESSARY OR CONVENIENT IN ORDER TO FACILITATE THE PROCESS FOR REVIEW AND APPROVAL OF THE DISTRICT BY THE DEPARTMENT OF

ECONOMIC AND COMMUNITY DEVELOPMENT, OR FOR ANY OTHER REASON, SO LONG AS SUCH REVISIONS ARE NOT INCONSISTENT WITH THESE RESOLUTIONS AND THE BASIC STRUCTURE AND INTENT OF THE DEVELOPMENT PROGRAM.

SECTION 6. THE FOREGOING DESIGNATION OF THE DISTRICT AND THE ADOPTION OF THE DEVELOPMENT PROGRAM FOR THE DISTRICT SHALL AUTOMATICALLY BECOME FINAL AND SHALL TAKE FULL FORCE AND EFFECT UPON RECEIPT BY THE TOWN OF APPROVAL OF THE DESIGNATION OF THE DISTRICT AND ADOPTION OF THE DEVELOPMENT PROGRAM BY THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, WITHOUT REQUIREMENTS OF FURTHER ACTION BY THE TOWN, THE BOARD OF SELECTMEN, OR ANY OTHER PARTY.

SECTION 7. THE BOARD OF SELECTMEN BE AND HEREBY ARE AUTHORIZED AND DIRECTED TO NEGOTIATE AND ENTER INTO THE CREDIT ENHANCEMENT AGREEMENT CONTEMPLATED BY THE DEVELOPMENT PROGRAM WITH EVERGREEN WIND POWER II LLC IN THE NAME OF AND ON BEHALF OF THE TOWN, SUCH AGREEMENT TO BE IN SUCH FORM AND TO CONTAIN SUCH TERMS AND PROVISIONS, NOT INCONSISTENT WITH THE DEVELOPMENT PROGRAM, AS THE BOARD OF SELECTMEN MAY APPROVE, SUCH APPROVAL TO BE CONCLUSIVELY EVIDENCED BY HIS/HER/THEIR EXECUTION THEREOF AND FINAL APPROVAL IS SUBJECT TO TOWN MEETING APPROVAL.

Lewis Swallow

Cathy Briggs

James Sholler

Willis Green

Linwood Hersey

Pursuant to the within warrant, I have notified the voters of the Town of Oakfield, Maine qualified as therein expressed, to meet at the time and place and for the purpose therein named, by posting attested copies this day of the within warrant at the Community Center, Bulletin Board at the Municipal Office Building, Oakfield Post Office, and at the local grocery store the same being conspicuous public places in said Town.

Melanie Hardy
Resident of Oakfield, ME

I attest that this is a true copy,

Dale Morris, Town Clerk