TENTATIVE AGENDA THURSDAY, JULY 13, 2017

3:30 P.M.

EXECUTIVE SESSION IN THE TOWN MANAGER'S OFFICE REGULAR MEETING WILL BEGIN AT 4:30 P.M. IN COUNCIL CHAMBERS

'This is a fragrance free building. Please help us to accommodate our co-workers and clients who are chemically sensitive to fragrances and other scented products. Thank you for not wearing perfume, aftershave, scented hand lotion, fragranced hair products, and or similar products.'

- 1. Roll Call
- 2. ORDER #184-2017 Executive Session to Discuss an Economic Development Matter per 1 M.R.S.A. §405(6)(C)
- 3. Pledge of Allegiance
- 4. Adjustments to the Agenda
- 5. Approval of the Minutes for the June 22, 2017 Regular Town Council Meeting
- 6. Special Presentations: a.) Fred Michaud Scenic Byway b.) Jamie Brundrett Katahdin Area Chamber of Commerce
- 7. RESOLVE #10-2017 Proclamation Honoring Michael Clark who Obtained the Rank of Eagle Scout on June 3, 2017
- 8. RESOLVE #11-2017 Proclamation Honoring Ethan Sennett Who Obtained the Rank of Eagle Scout on June 5, 2017
- 9. Town Manager's Report
- 10. ORDER #185-2017 Execution of the Warrant for June 29, 2017
- 11. ORDER #186-2017 Execution of the Warrant for July 6, 2017
- 12. ORDER #187-2017 Execution of the Warrant for July 13, 2017
- 13. ORDER #188-2017 Approval of a Full-Page Ad in the Maine Basketball Hall of Fame Magazine
- 14. ORDER #189-2017 Award of Paving Bid to B&B Paving from Hermon, Maine
- 15. ORDER #190-2017 Approval for the Town Manager to Sign the Necessary Paperwork for the Airport Improvement Grant
- 16. ORDER #191-2017 Replacement of the Gasoline Tank at Public Works
- 17. ORDER #192-2017 Sale of Property Located at 252 Aroostook Avenue
- 18. ORDER #193-2017 Approval of Agreement with the Town of East Millinocket to Provide Recreation Services to the Town of Millinocket
- 19. ORDER #194-2017 Extension of the Library Lease
- 20. Reports and Communications:
 - a. Warrant Committee for the July 27, 2017 Council Meeting will be Councilor Stratton and Councilor Clark
 - b. Chair's Committees Reports
 - c. Two Minute Public Comment
- 21. Adjournment:

PROVIDING FOR:	Executive Se	ession to Di	iscuss an E	conomic Dev	elopment M	latter
(1M.R.S.A. §405 (6)	(C))				_	

IT IS ORDERED that the Millinocket Town Council meet in Executive Session to discuss an Economic Development matter. (1M.R.S.A. §405 (6) (C))

	Passed by the Town Council				
Attest:					

June 22, 2017

The Millinocket Town Council was brought to order for the Special Town Council Meeting in Council Chambers at 4:30 p.m. by Chair Madore.

Roll Call:

Town Council Members Present:

Clark

Pelletier

Madore (Chair)

Pray

McEwen

Stratton

Also present: Town Manager Harold Davis, Public Works Director Ralph Soucier, Deputy Clerk Diana M. Campbell, Deputy Fire Chief Tom Malcolm, Police/Fire Chief Steve Kenyon, GA/Personnel Director Lori Santerre, Recreation Director Jody Nelson, Town Treasurer Mary Alice Cullen, Waste Water Director Jim Charette, Superintendent of Schools Frank Boynton, and 12 public.

Pledge of Allegiance

Adjustments to the Agenda: added Order #177-2017 to the end of the Agenda

Approval of the Minutes for the June 8, 2017 Regular Meeting and the June 15, 2017 Special Meeting.

Motion- Stratton

Second- McEwen

Vote 6-0

Special Presentations:

- a) Fred Michaud- Scenic Byway- Lot 160
- b) John Raymond- ATV Trail Connections

PUBLIC HEARING FO RTHE FISCAL 2018 MUNICIPAL, WASTEWATER AND SCHOOL BUDGETS

A straw poll vote by the Town Council favored the orders to be read as written in their entirety.

ORDER #131-2017 REVISITED-AMENDED

IT IS ORDERED that \$1,461,264 is hereby raised and appropriated and the Officers are authorized to spend said amount for the General Administration Departments of Millinocket as listed below for the Fiscal Year 2018. General Administration

General Government	\$150,161
Tax Collector	63,120
Elections & Registrations	8,250
Town Clerk	40,601
Assessing	32,851
Municipal Building	73,020
Audit	18,115
Legal Services	90,000
Administration	62,870
Human Resources	23,837
Fringe	<u>898,439</u>
	\$1,461,264
	Tax Collector Elections & Registrations Town Clerk Assessing Municipal Building Audit Legal Services Administration Human Resources

Motion on the original order-Pelletier, Second-Clark, Vote 5-1 Opposed-Pelletier Motion to reconsider revisiting order #131-2017-Pelletier, Second-Stratton, Vote 5-1 OPPOSED-Clark Councilor Pelletier motion to amend Order #131-2017 #300 Fringe line reduction to reflect \$898,439 Second-Stratton, Vote 5-1 OPPOSED-Clark

ORDER #132-2017 IT IS ORDERED that \$201,701 is hereby raised and appropriated and the Officers are authorized to spend said amount for the Community & Economic Development Departments of Millinocket as listed below for the Fiscal Year 2018.

Community and Economic Development

114 Planning Code/Enforcement

25,201

115	Economic De			25,000
213	Enforcement	Officials		1,500
702	KARE (Kata	hdin Area Recovery & E	(xp) <u>1</u>	50,000
			\$2	201,701
Motion	n- Clark	Second- Stratton	Vote 6-	-0

ORDER #133-2017 - AMENDED

IT IS ORDERED that \$1,413,056 is hereby raised and appropriated and the Officers are authorized to spend said amount for the Public Safety and Protection Departments of Millinocket as listed below for the Fiscal Year 2018.

<u>Publi</u>	c Safety and Protection	
201	Police	\$397,277 *
202	DARE	4,500
203	Fire	31,660*
204	Ambulance	164,687*
205	Fire and Ambulance General	259,563*
206	Community Services	461,915
209	Insurances	93,302
214	Dog Constable	13,144
		\$1,413,056*

Motion- McEwen

Second- Clark

Madore Motion to amend Reductions:

- *LINE 0201 REDUCE BY \$51,557
- *LINE 0205- REDUCE BY \$35,805
- *LINE 0203- REDUCE BY \$2,500
- *LINE 0204- INCREASE BY \$17,500

Councilor Pray asks for explanation.

Chair Madore states he would like to eliminate the proposed additional patrolman to the police department, eliminate the proposed additional EMT to the fire department, eliminate the proposed additional training, and increase the overtime line #0204 back to the original amount.

Pray moves to consider each item separately to keep an EMT

Pelletier seconds motion to amend

Line 0201* Chair Madore motion to reduce by \$51,557, second Stratton 4-2 (McEwen & Clark opposed)

Line 0205* Chair Madore motion to reduce by \$35,085, second Pelletier 4-2 (Pray & Clark opposed)

-Mary Alice Cullen suggests the decision is deferred until a conversation can be had with the Chief to find out when the department will be back to a full compliment since there has been an employee out for a long period of time.

Vote on Amended Order 133-2017 with reductions of \$84,632 bringing the total of the order down to \$1,413,056.)

Motion- Madore

Second- Pelletier

Vote 4-2 OPPOSED- Pelletier/Pray

ORDER #134-2017 IT IS ORDERED that \$1,245,462 is hereby raised and appropriated and the Officers are authorized to spend said amount for the Public Works Departments of Millinocket as listed below for the Fiscal Year 2018. Public Works

402	Public Works Ad	ministration	\$ 64,267
403	Public Works Ga	rage	25,650
407	Public Works Ro	ads	649,398
409	Transfer Site		337,663
902	Cemetery		30,825
1101	Airport		137,659
			\$1,245,462
Motion	n-Stratton S	econd-Prav	Vote 6-0

ORDER #135-2017 IT IS ORDERED that \$254,893 is hereby raised and appropriated and the Officers are authorized to spend said amount for the Community and Recreation Services Departments of Millinocket as listed below for the Fiscal Year 2018.

Community and Recreation Services

 501
 Library
 \$30,000

 815
 General Assistance Aid
 26,800

 1002
 Recreation
 114,007

 1009
 Snowmobile Trail Grant
 84,086

 \$254,803

\$254,893

Motion- Pray

Second-Stratton

Vote 5-1 OPPOSED-Clark

ORDER #136-2017 IT IS ORDERED that \$202,896 is hereby raised and appropriated and the Officers are authorized to spend said amount for the Debt Services and Interest Department of Millinocket as listed below for the Fiscal Year 2018.

Debt and Interest

700 Debt and Interest

\$202,896

Motion-Madore

Second-McEwen

Vote 6-0

ORDER #137-2017 IT IS ORDERED that \$970,120 is hereby raised and appropriated and the Officers are authorized to spend said amount for the Capital Improvements Departments of Millinocket as listed below for the Fiscal Year 2018. Capital Expenditures

1300 C

Capital Improvements

\$318,000

1301 Spc

Special Capital Improvements

652,120 \$970,120

Motion-Pelletier

Second-McEwen

Vote 5-1 OPPOSED-Clark

ORDER #138-2017 Anticipated Revenues and Transfers

IT IS ORDERED that overall anticipated Revenues and Transfers, as attached in the Municipal Revenue Detail Report, in the estimated amount of \$3,452,421 is approved and the

Officers are authorized to spend for FY2018.

Motion-Clark

Second-McEwen

Vote 6-0

ORDER #139-2017 Transfer of Funds from Designated Dog Fee Revenue Reserve Account for the Care of Animals.

IT IS ORDERED that \$5,155 be transferred from the Designated Dog Fee Revenue Reserve Account into the General Fund Budget for FY2018 to provide for eligible costs in the care of animals.

NOTE: These funds are already included in the Order authorizing Anticipated Revenues and Transfers. This Order is offered because the funds will be taken from a Designated Reserve Account, which requires specific Town Council approval.

Motion- McEwen

Second-Stratton

Vote 6-0

ORDER #140-2017 Transfer of Funds from Assigned Fund Balance Account for Heavy Equipment IT IS ORDERED that \$200,000 be transferred from the Heavy Equipment Assigned Fund Balance into the General Fund Budget for FY2018 to provide for eligible costs in the Capital Budget.

NOTE: These funds are already included in the Order authorizing Anticipated Revenues and Transfers. This Order is offered because the funds will be taken from an Assigned Fund Balance Account, which requires specific Town Council approval.

Motion-Stratton

Second- Clark

Vote 6-0

ORDER #141-2017 County Tax

IT IS ORDERED that \$219,570 is hereby raised and appropriated and to authorize the Officers to spend for County Tax Assessment for FY2018.

ORDER #142-2017 Acceptance of State of Maine Funds

IT IS ORDERED that the Town of Millinocket, Town Finance Director and Town Treasurer is authorized to accept, and such acceptance is deemed to have been appropriated revenues and/ or subsidies for the ensuing fiscal year, such funds as Municipal Revenue Sharing Funds, Local Road Assistance Program, General Purpose Aid to Education, Civil Emergency Funds, Snowmobile Registration Money, Tree Growth Reimbursement, General Assistance Reimbursement, Veteran Exemption Reimbursement, Homestead Act Reimbursement, State and Federal Grants in Aid, and other State of Maine Funds as are available at a future date and to authorize the Officers to spend said sums.

(These monies are currently anticipated in the above revenue order and allows the Town to accept these monies for use with FY 17 proposed budget. Acceptance of any new monies will be authorized only by Council Order.)

Motion- Madore

Second- Pray

Vote 6-0

Order #143-2017 PROVIDING FOR: A Written Policy Concerning Disbursement of State Fees.

WHEREAS, Title 30-A, Section 5603 requires that the Treasurer disburse money only on the authority of a warrant signed and voted on by a majority of the Council; and

WHEREAS, Chapter 29-A of the Administrative Code provides for warrant review and approval; and

WHEREAS, the Town collects certain fees for the State of Maine; and

WHEREAS, the Council is not able to meet weekly to review, sign and vote on warrants for fees due to the State of Maine; and

WHEREAS, Chapter 29-A of the Administrative Code does not address the need to remit state fees on a weekly basis; and

WHEREAS, Title 30-A Section 5603.3 provides that the Council may adopt a written policy to permit the disbursement of state fees when a disbursement warrant has been signed by one or more designated municipal officers.

NO THEREFORE, IT IS ORDERED that the following written adopted concerning the disbursement of state fees:

1. The Treasurer shall prepare a warrant weekly to disburse state fees;

2. The weekly warrant for fees shall be reviewed and approved by the Finance Director;

- 3. Upon approval of the weekly warrant for state fees by the Finance Director, any member of the Ad-Hoc Warrant Subcommittee established pursuant to Chapter 29-A of the Administrative Code may review and approve the weekly warrant for state fees and document his or her approval by signing the warrant.
- 4. The Treasurer is authorized to disburse state fees each week upon presentation of a warrant for that purpose which has been approved by the Finance Director and signed by any member of the Ad Hoc Warrant Subcommittee.
- 5. Any error in any weekly warrant for state fees shall be corrected by the Treasurer on the next weekly warrant for state fees after discovery of the error.
- 6. Warrants for state fees approved pursuant to this policy are not subject to review and approval pursuant to Chapter 20-A of the Administrative Code.
- 7. This policy shall be reviewed and voted on annually by the Council.

Motion-Pelletier

Second- Clark

Vote 6-0

Councilor Pray moved to bypass reading order in its entirety.

Second- Clark

ORDER #144-2017 Disbursement of Employees Wages and Benefits

WHEREAS, the Town Treasurer may disburse money only on the authority of a warrant voted and signed by a majority of the Council; and

WHEREAS, the Council signs warrants on a bi-weekly basis; and

WHEREAS, employees are paid on a weekly basis,

NOW THEREFORE IT IS ORDERED, pursuant to Title 30-A section 5603.2.A.1., that the Town Treasurer is authorized to disburse wages and withholding required by law on the authority of a warrant signed by the Town Manager.

Motion-Clark

Second- Pray

Vote 9-0

ORDER #145-2017 Payment of Property Taxes for Multiple Years

We, the Municipal Officers of the Town of Millinocket upon request of the Tax Collector and Town Treasurer of said Town, hereby authorize and direct said Tax Collector and Town Treasurer pursuant to Title 36, MRSA, Section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no

such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

Motion- McEwen

Second-Stratton

Vote 6-0

ORDER #146-2017 Wastewater Department Anticipated Revenues and Transfers

IT IS ORDERED that the overall anticipated Revenues and Transfers, as listed below in the estimated amount of \$995,110 is approved for FY2018 for the Wastewater Department.

	11	
1400	Fees	\$975,920
1401	Interest/30 Day Notice	7,000
1402	Investment Interest	1,600
1403	Lien Costs Revenue	2,000
1413	Transfer from Fund Balance	8,590
		\$995,110

Motion-Stratton

Second- Pray

Vote 5-1 OPPOSED- Clark

Councilor Clark clarifies the revised budget reflects a \$100/quarter billing minimum amount raised from \$80/quarter.

ORDER #147-2017 Wastewater Department Operations

IT IS ORDERED that \$981,217 is hereby appropriated for Wastewater Operations

Expenditures for FY2018 for the departments listed below.

2100	Administration	\$56,150
2200	Protection (Insurance)	21,212
2300	Fringe Benefits	107,191
2400	Operations of Plant	209,659
2500	Pump Stations	55,500
2600	Collection	40,500
2700	Debt Service	202,415
2800	Capital Expenses	288,590
		\$981,217

Motion- Pray

Second- McEwen

Vote 6-0

ORDER #148-2017 Payment of Sewer Bills for Multiple Bills

We, the Municipal Officers of the Town of Millinocket upon request of the Tax Collector

Town Treasurer of said Town, hereby authorize and direct said Tax Collector and

Town Treasurer to credit sewer payments to accounts in the same manner as real estate payments; and

WHEREAS, real estate tax payments are allocated to the oldest outstanding tax bill; and

WHEREAS, the statutory reference in section 104-16 of the Sewer Ordinance has not been updated to reflect repeal of Title 30 MRSA and enactment of Title 30-A;

NOW THEREFORE, IT IS ORDERED AS FOLLOWS:

The Tax Collector and Town Treasurer are hereby directed to credit payments for sewer

system use charges in chronological order beginning with the oldest unpaid sewer system use charge, provided however, that no such payment may be applied to any charge for which an abatement application or appeal is pending unless approved in writing by the sewer fee payer.

IT IS FURTHER ORDERED THAT sewage system rates, fees or user charges not paid within

90 days of when due shall be collected in accordance with Chapter 104, Section 104-16

of the Millinocket Code and Title 30-A MRSA Section 3406.

Motion- Madore

Second-Pelletier

Vote 6-0

Councilor Pray moved to bypass reading the order in its entirety. Second-Pelletier

Line Item Articles for Approval of the Millinocket School Department Budget 2017-2018

ORDER #149-2017 PROVIDING FOR: Appropriation for System Administration (School)

IT IS ORDERED that \$872,148 is hereby raised and appropriated for School System Administration for Fiscal 2018.

Recommended: \$872,148

Motion- Clark

Second-McEwen

Vote 5-1 OPPOSED- Pelletier

ORDER #150-2017 PROVIDING FOR: Appropriation for School Administration

IT IS ORDERED that \$333,709 is hereby raised and appropriated for School Administration for Fiscal 2018.

Recommended: \$333,706

Motion- McEwen

Second-Stratton

Vote 5-1 OPPOSED- Pelletier

ORDER #151-2017 PROVIDING FOR: Appropriation for Regular Instruction

IT IS ORDERED that \$ 1,806,072 is hereby raised and appropriated for Regular Instruction for Fiscal 2018

Recommended: \$1,806,072

Motion-Stratton

Second- McEwen

Vote 5-1 OPPOSED- Pelletier

ORDER #152-2017 PROVIDING FOR: Appropriation for Special Education

IT IS ORDERED that \$ 732,649 is hereby raised and appropriated for Special Education for Fiscal 2018.

Recommended: \$732,649

Motion- Pray

Second-Clark

Vote 6-0

ORDER #153-2017 PROVIDING FOR: Appropriation for Student and Staff Support

IT IS ORDERED that 386,978 is hereby raised and appropriated for Student and Staff Support for Fiscal 2018.

Recommended: \$386,978

Motion₀ Madore

Second-Stratton

Vote 5-1 OPPOSED-Pelletier

ORDER #154-2017 PROVIDING FOR: Appropriation for Other Instruction

IT IS ORDERED that \$ 216,009 is hereby raised and appropriated for Other Instruction for Fiscal 2018.

Recommended: \$216,009

Motion-Pelletier

Second- Clark

Vote 6-0

ORDER #155-2017 PROVIDING FOR: Appropriation for Career and Technical Education

IT IS ORDERED that \$ 333,840 is hereby raised and appropriated for Career and Technical Education for Fiscal 2018.

Recommended: \$333,840

Motion-Clark

Second-McEwen

Vote 6-0

ORDER #156-2017 PROVIDING FOR: Appropriation for Facilities Maintenance

IT IS ORDERED that \$880,887 is hereby raised and appropriated for Facilities Maintenance for Fiscal 2018.

Recommended: \$880,887

Motion- McEwen

Second-Stratton

Vote 5-1 OPPOSED-Pelletier

ORDER #157-2017 PROVIDING FOR: Appropriation for Transportation and Busses

IT IS ORDERED that \$ 252,913 is hereby raised and appropriated for Transportation and Busses for Fiscal 2018.

Recommended: \$252.913

Motion-Stratton

Second-Madore

Vote 6-0

ORDER #158-2017 PROVIDING FOR: Appropriation for Debt Services and Other Commitments

IT IS ORDERED that \$ 460,112 is hereby raised and appropriated for Debt Services and Other Commitments for Fiscal 2018.

Recommended: \$460,112

Motion- Pray

Second-Stratton

Vote 6-0

ORDER #159-2017 PROVIDING FOR: Appropriation for All Other Expenditures

IT IS ORDERED that \$20,398 is hereby raised and appropriated for All Other Expenditures for Fiscal 2018.

Recommended: \$20,398

Motion- Madore

Second- McEwen

Vote 5-1 OPPOSED-Pelletier

ORDER #160-2017 IT IS ORDERED that \$4,625,726 be appropriated for the total cost of funding public education from prekindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$1,604,530 be raised as the municipality's contribution to the total cost of funding public education from prekindergarten to grade 12 as described in the Essential Programs, and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

The School Committee Recommends \$1,604,530

Explanation: The Municipality's contribution to the total cost of funding public education from prekindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

Motion-Pelletier

Second-Stratton

Vote 5-1 OPPOSED-Pelletier

ORDER #161-2017 IT IS ORDERED that \$ 460,112 be raised and appropriated for the annual payments on debt service previously approved by the municipality's legislative body for non-state-funded school construction projects, on-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the municipality's contribution to the total cost of funding public education from prekindergarten to grade 12.

The School Committee Recommends \$460,112

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.

Motion-Pelletier

Second-Clark

Vote 6-0

Article for Additional Local Funds requires approval by a majority of the entire school committee membership and approval by a majority of the entire council membership.

ORDER #162-2017 IT IS ORDERED that \$740,116 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$\$67,680 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$740,116 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by

\$67,680: The EPS formula does not reflect the actual cost of funding education in rural areas where education may cost more because of its smaller size as compared to larger city schools. Therefore, monies will provide revenues to fully fund programs and operate schools, as well as, contractual obligations, areas excluded under EPS such as 504 programs, extra and co-curricular activities, capital improvements and repairs, etc.

Explanation: The additional local funds are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from prekindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the Town's budget for educational programs.

Motion-Clark

Second-McEwen

Vote 5-1 OPPOSED-Pelletier

ORDER #163-2017 IT IS ORDERED that the School Committee be authorized to expend

\$ 6,295,712 for the fiscal year beginning July 1, 2017 and ending June 30, 2018 from the municipality's contribution to the total cost of funding public education from prekindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

The School Committee Recommends \$6,295,712

Motion- McEwen

Second-Stratton

Vote 5-1 OPPOSED-Pelletier

ORDER #164-2017 IT IS ORDERED that the municipality/district/unit will raise and to appropriate \$ 15,000 in additional local dollars in support of the food service program.

The School Committee Recommends \$15,000

Motion-Stratton

Second- Pray

Vote 6-0

ORDER #165-2017 IT IS ORDERED that \$5,398 be appropriated for Adult Education and that \$5,398 be raised as the local share; with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

The School Committee recommends a "Yes" vote.

Motion-Pray

Second-McEwen

Vote 6-0

ORDER #166-2017 IT IS ORDERED that the Regional Vocational Operating Budget, as approved by the Cooperative Board, for the period July 1, 2017 through June 30, 2018 be approved in the amount of \$1,874,772 (Millinocket's share is \$333,840) with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well-being of the vocational programs

The School Committee recommends a Yes vote

Motion-Madore

Second- McEwen

Vote 6-0

ORDER #167-2017 IT IS ORDERED that the Regional Vocational Adult Education Operating Budget, as approved by the Cooperative Board for the period July 1, 2017 through June 30, 2018, be approved in the amount of \$93,316 (Millinocket's share is \$5,398), with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well-being of the Adult Education vocation programs.

The School Committee recommends a "Yes" vote

Motion-Pelletier

Second-Stratton

Vote 6-0

Councilor Clark clarifies for procedural purposes for the separation of the vocational budget lines.

ORDER #168-2017 PROVIDING FOR: Acceptance of State, Federal, or Other Sources of Funds

IT IS ORDERED that the Town of Millinocket Town Treasurer is authorized to accept and expend grants, including carryover amounts, from State, Federal or other Sources for the interest of education. Special dedicated revenue budget amounts to be in addition to the amounts appropriated and raised in the general budget \$6,295,712 and the clearing account budget. Amount unknown but estimated to be \$1,550.00. Sources include: Title 1-A, Title II-A, PreK, Local Entitlement, TIF 4, and others. (Some of these monies are now included in the new EPS funding model adopted in 2005 by the Maine State Legislature.

The School Committee Recommends a "Yes" vote.

Motion- Clark

Second- McEwen

Vote 6-0

ORDER #169-2017 PROVIDING FOR: Acceptance of Enterprise and Agency Funds

IT IS ORDERED that the Town of Millinocket Town Treasurer is authorized to accept and expend enterprise and agency funds, including any carryover funds, on behalf of the following: with any amounts to be expended in the clearing account budget in addition to amounts appropriated and raised for the general education budget \$6,295,712 and the special revenue budget \$1,550,000.

Amount unknown but estimated to be \$475,000. Sources include: Millinocket School Lunch Program, and any others. (Some of these monies are now included in the new EPS funding model adopted in 2005 by the Maine State Legislature).

The School Committee Recommends a "Yes" vote.

BE IT ORDERED, THAT In addition to the amount approved for the total school budget for next fiscal year, the school committee is authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, including the foreign student tuition program and the dual diploma program, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated.

Motion- McEwen

Second-Stratton

Vote 6-0

Chair Madore brought to order the Regular Town Council Meeting in Council Chambers at 6:55pm with the exception of a five (5) minute recess reconvening at 7:00 pm.

Old Business

ORDER #120-2017- Brought back from table (06-15-2017 meeting)

ORDER #120-2017 PROVIDING FOR: Approval of an Application for a Victualer's License for Katahdin Cabins Bakery

IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Michael Mohoff, 181 Medway Road

d/b/a

Katahdin Cabins Bakery, 181 Medway Road

Motion-Pelletier

Second-Pray

Vote -

Chair Madore motion to Table Order #120-2017 indefinitely.

Second- McEwen

Vote 5-1 OPPOSED-Pelletier

TOWN MANAGER'S REPORT:

- *Update on Town Council Meetings held in Council Chambers at 4:30pm, dates as follows
- a) July 13, 2017
- b) July 27, 2017
- *provided a listing of upcoming events posted by the Chamber of Commerce
- *The Millinocket Library conducted a free to the public presentation on how to prevent Diabetes on June 19th at 3:00pm
- *a meeting with Mike Osborne, representative of Our Katahdin, as well as two members, Chair Madore, Councilor Pelletier, and the Town Manager was held at a luncheon with a potential business looking to locate at the former mill site.
- *informed a business owner whom inquired about Millinocket's standing with cannabis sales, Jack Sargent of the Cannabis Shack out of Portland Maine, that the Council will meet and discuss this on the June 22, 2017 Town Council meeting.
- *Explained the brush pile at the Transfer site has become an issue and actions to take care of the situation are underway
- *Informed that KARÉ will meet to award grants on July 12th, 2017 in East Millinocket at 6:00pm. *Attached memo from the Town's Assessor for clarification on information pertaining to lot 160.

New Business

ORDER #170-2017 PROVIDING FOR: Execution of the Warrant for June 15, 2017

IT IS ORDERED that the Warrant for June 15, 2017 in the amount of \$7922.25 is hereby approved.

Motion -Clark

Second -McEwen

Vote 6-0

ORDER #171-2017 PROVIDING FOR: Execution of the Warrant for June 22, 2017

IT IS ORDERED that the Warrant for June 22, 2017 in the amount of \$68,437.63 is hereby approved.

Motion- Madore

Second-Stratton

Vote 6-0

ORDER #172-2017 PROVIDING FOR: Approval of an Application for a Victualer's License for Mai York

IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Mai York, 4 Cedar Street, East Millinocket

d/b/a

Mai Take-Out, Main Street, East Millinocket

Motion-Stratton

Second- Clark

Vote 6-0

ORDER #173-2017 PROVIDING FOR: Authorization for the Town Manager to execute and file all the necessary paperwork and deeds to complete the sale of a tax acquired property.

IT IS ORDERED that the Town Manager be granted authorization to execute and file all the necessary paperwork, including signing a Municipal Release Deed to complete the sale of a tax acquired property located on 18 Lincoln Street, Map U04-Lot 141, Millinocket, Maine to Jeff Rush, 24 Lincoln Street, Millinocket, Maine.

IT IS FURTHER ORDERED that the Tax Collector and/or Treasurer be authorized to abate all remaining taxes, sewer fees, and other expenses on the above mentioned property.

All C & D waste will be handled in accordance with the Special Requirements for Sale of Property.

Any tenant remaining in the property shall be the responsibility of the bidder to evict or manage.

One bid was received for this property which has a total amount owed of \$3,442.20.

Jeff Rush

\$3,500.00

NOTE: The lot number on the previous order to sell this property was incorrect.

Motion- Pray

Second- McEwen

Vote 6-0

ORDER #174-2017 PROVIDING FOR: Authorization for the Town Manager to execute and file all the necessary paperwork and deeds to complete the sale of a tax acquired property.

IT IS ORDERED that the Town Manager be granted authorization to execute and file all the necessary paperwork, including signing a Municipal Release Deed to complete the sale of a tax acquired property on 189 Pamola Park, Map U11-Lot 035, Millinocket, Maine, to Janet Theriault, 259 Alder Street, Millinocket, Maine.

IT IS FURTHER ORDERED that the Tax Collector and/or Treasurer be authorized to abate all remaining taxes, sewer fees, and other expenses on the above mentioned property.

All C & D waste will be handled in accordance with the Special Requirements for the Sale of Property.

Any tenant remaining in the property shall be the responsibility of the bidder to evict or manage.

NOTE: This property was previously awarded to Ms. Theriault but it had the wrong Map and Lot number was incorrectly placed on it.

Motion-Pelletier

Second- McEwen

Vote 6-0

ODER #175-2017- AMENDED PROVIDING FOR: Placement of a banner by the Katahdin Area Arts Festival. IT IS ORDERED that the Millinocket Town Council grants permission to the Katahdin Area Arts Festival to place a banner in the Town of Millinocket upon the approval of the Town Manager.

Councilor Pray motion to amend order, Councilor Clark second the amendment, amendment passes 6-0

Order passed as amended 6-0

*Town Manager reports that Emera will not allow the use of their poles for a banner per requested prior location.

ORDER #176-2017 PROVIDING FOR: Road closures for July 4th activities.

IT IS ORDERED that the Millinocket Town Council approves the closing of the following streets and locations:

1. Monday July 3rd – Close and remove vehicles from the Bandstand parking lot at 6:00 a.m. and keep closed until Tuesday July 4th at 10:00 p.m.

2. Tuesday July 4th - Close Penobscot Avenue from Central Street to Katahdin Avenue at 9:00 a.m. for the July

4th parade which will start at 10:30 a.m.

3. Close Poplar Street between Penobscot Avenue and Katahdin Avenue at 6:00 a.m. and throughout the day for activities at Veteran's Park until the conclusion of the events at 10:00 p.m.

Motion-Stratton

Second- Pray Vote 6-0

ORDER #177-2017 PROVIDING FOR: Approval of an Application for a Victualer's License for Steven Golieb IT IS ORDERED that the attached application for a Victualer's License is hereby approved for: Steven Golieb, 57 Penobscot Avenue, Millinocket

d/b/a

Edible Wilds LLC, 57 Penobscot Avenue, Millinocket

(Clerk's Note: Mr. Golieb submitted a temporary 90 Day approval inspection report from the State of Maine Health Inspection, pending the 90 day period with adjusted requirements, will a State of Maine Department of Human Services Food Vender's License be generated. Refer to pages 3 & 4 on attached said report)

Motion-Pray

Second- McEwen

Vote 5-1 OPPOSED-Clark

Reports and Communications:

- a. Warrant Committee for the July 13, 2017 Council Meeting will be Councilors Pelletier and Councilor McEwen
- b. Chair's Committee Reports
 - -no infrastructure meeting held prior week,
 - -reschedule date for Economic Development Committee will be July 6, 2017 at 5:00pm
 - -Approved date for School Budget Election to be held on Tuesday, July 11, 2017

Motion- Pray Second- Pelletier Vote 6-0

- c. Two Minute Public Comment
- d. Adjournment: Motion to adjourn at 7:25 p.m. Stratton Second Pelletier Vote 6-0

RESOLVE #10-2017

A PROCLAMATION HONORING MICHAEL CLARK WHO OBTAINED THE RANK OF EAGLE SCOUT ON JUNE 3, 2017

WHEREAS, the mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices over their lifetime by instilling in them the values of the Scout Oath and Law; and,

WHEREAS, the designation of Eagle Scout is the highest achievement in the Boy Scouting program; and,

WHEREAS, Michael Clark, a member of Boy Scout Troop 58, has completed the requirements, and was examined by the Eagle Scout Board of Review and was found worthy of the rank of Eagle Scout on June 3, 2017; and,

WHEREAS, the Boy Scouts of America encourage the Eagle Scout candidates to complete worthy projects to improve their neighborhoods and their communities; and,

WHEREAS, for his project, Michael built 2 benches, landscaped and painted the lines at the outdoor Stearns basketball court;

does hereby recognize, honor, and congratulate Michael Clark for his outstanding accomplishment of obtaining NOW THEREFORE, BE IT RESOLVED, that the Millinocket Town Council, in Council assembled on July 13, 2017, Eagle Scout status in Boy Scout Troop 58.

A PROCLAMATION HONORING ETHAN SENNETT WHO OBTAINED THE RANK OF EAGLE SCOUT ON JUNE 5, 2017

WHEREAS, the mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices over their lifetime by instilling in them the values of the Scout Oath and Law; and,

WHEREAS, the designation of Eagle Scout is the highest achievement in the Boy Scouting program; and,

WHEREAS, Ethan Sennett, a member of Boy Scout Troop 58, has completed the requirements, and was examined by the Eagle Scout Board of Review and was found worthy of the rank of Eagle Scout on June 5, 2017; and

WHEREAS, the Boy Scouts of America encourage the Eagle Scout candidates to complete worthy projects to improve their neighborhoods and their communities; and,

WHEREAS, Ethan's project was a handicap bathroom installation at the Nazarene Church in Millinocket.

does hereby, recognize, honor, and congratulate Ethan Sennett for his outstanding accomplishment of obtaining NOW THEREFORE, BE IT RESOLVED, that the Millinocket Town Council, in Council assembled on July 13, 2017, Eagle Scout status in Boy Scout Troop 58.

TOWN OF MILLINOCKET

John Davis, Town Manager
197 Penobscot Avenue, Millinocket, Maine 04462
Telephone 207-723-7000 FAX 207-723-7002
Web Site: www.millinocket.org

Town Manager's Report July 13, 2017

- 1. Next Regular Council Meetings to be held in Council Chambers.
 - **A.** July 27, 2017
 - B. August 10, 2017
- 2. Art Festival I am sorry to report that I received a call from Jim Phelps and he informed me that the art festival that was scheduled to take place in Millinocket later this summer has been cancelled. Although the event received plenty of media coverage, Mr. Phelps believes that he started advertising too late and many of the artists that attend this type of an event are already booked in other parts of the state. If things go according to plan, Jim would like to hold the event in Millinocket next year on August 28th.
- 3. Fourth of July Celebration On Sunday, July 2nd, the Chairman and I played in the Corn Hole Tournament. The event featured 40 teams and large crowd of spectators. I will leave the honor of telling you how we made out to the Chairman. The parade on the Fourth was nice and despite the threat of rain, was well attended.
- 4. Public-Private Partnership Signing The signing of the agreement took place as scheduled on the Fourth of July immediately following the parade. The entire Council and Our Katahdin Board were present as were many people from the public. After the signing the American Flag was raised as some local musicians sang the National Anthem.
- 5. Cannabis Shack I am not clear just where we left off with this. I have been in touch with Jack Sargent recently and he said he is still interested in locating in Millinocket.

TOWN OF MILLINOCKET

John Davis, Town Manager 197 Penobscot Avenue, Millinocket, Maine 04462 Telephone 207-723-7000 FAX 207-723-7002 Web Site: www.millinocket.org

- 6. State Budget After a 72- hour state government shutdown, the \$7.1 billion budget was adopted and signed into law on Tuesday, July 4th. Listed below are a few highlights that will concern municipalities:
 - Revenue Sharing The budget does not permanently reduce to 2% the amount of state sales and income tax revenue. State law is still on course to restore revenue sharing to 5% by FY 2020.
 - General Assistance The budget excludes proposed changes to the GA program that would have made the assistance provided to certain non-US citizens ineligible for state reimbursement.
 - Homestead Exemption For the April 1, 2017 property tax year, the value of the Homestead Exemption is \$20,000, with the state reimbursing 50% of the lost property tax revenue instead of 62.5%. Beginning in 2018 the state reimbursement for lost property tax revenue will increase to 62.5%.
 - **Surcharge** The 3% surcharge on taxable income that exceeds \$200,000 was repealed.
 - **General Purpose Aid** An additional \$162 million was appropriated.
- 7. Bowling Alley The project is coming along well and should be completed by the end of this week or early next week.
- 8. Brush Pile I believe that everyone has had privy to the email with the attached pictures that the Public Works Director sent to us last week. Throwing metal, rocks, and garbage into the brush pile is a significant problem and I look forward to Council discussion and comments from the public as to what measures we can take to prevent this practice from continuing.

TOWN OF MILLINOCKET

John Davis, Town Manager 197 Penobscot Avenue, Millinocket, Maine 04462 Telephone 207-723-7000 FAX 207-723-7002 Web Site: www.millinocket.org

- 9. State funding for education The extra funding for education allotted in the state budget will not have an effect on the Town's mil rate. The Superintendent had already allowed for this in the school budget in anticipation of receiving additional monies.
- 10. Delahanty Softball Field I have attached a copy of Steve Jamieson's plan for the remodeling of the Delahanty Softball Field. Please look it over and we can discuss it at Thursday's Council meeting. I have spoken with Rec Director, Jody Nelson, and the project has her support.
- 11. Opening of new businesses At least three new businesses have opened in Millinocket in the last month or so. I have been to Matt Polstein's place on Main Street and up to Mike Bragdon's store on Balsam Drive. I am planning to stop in Steve Golieb's place (Turn the Page) and I am looking forward to the business opening at the former Wilson Jewelry building across from the Town Office.

Manager

From:

Jack Jax <thecannabisshack@yahoo.com>

Sent:

Saturday, July 01, 2017 6:57 AM

To:

Manager

Subject:

Re: moratorium on marijuana

Hi john I have not personally spoken with anyone at Our Katahdin. However Justin Walsh one of the people we are working with, I believe has spoke with some of the people on the board. We are just waiting to see where the town council stands. We are still interested.

Thank you:

Jack

On Friday, June 30, 2017 8:21 AM, Manager <

> wrote:

Hi Jack.

Sorry for the delay in getting back to you. Are you still interested in locating in Millinocket? If so, I will discuss this in further detail with the Council and get a clear direction. Have you talked to anyone form Our Katahdin about locating on the former mill site?

John

From: Jack Jax [hallender of the late of Sent: Friday, June 16, 2017 8:48 AM

To: Manager

Subject: Re: moratorium on marijuana

Thank you John, We will be hoping for a great outcome. it would be nice to help build the economy there.

On Friday, June 16, 2017 6:42 AM, Manager <

Hi Jack.

Just dropping you a line to let you know I have not forgotten about you. The Council will be meeting on June 22nd and discussing this issue, and as soon as I have some direction I will get back to you. Thanks for thinking about Millinocket as a place to locate your business.

John

From: Jack Jax [History | Jack Jax [History | Jack Jax | History | History | Jack Jax | History | History | Jack Jax | History | H

Sent: Tuesday, June 13, 2017 10:24 PM

To: Manager

Subject: Re: moratorium on marijuana

Reasons for moving have nothing to do with the city of Portland or Cumberland County. Here are a few of the reasons / ideas. The Our Katahdin we would like to work with. We are both also artist The wife is a graduate of Parsons School Design Manhattan NY. (a real artist). I am a retired Mill Wright. 3o yes I can build / fabricate about anything. as far as The Cannabis Shack the demographics are through the state there really is no one place that is better then another. however a good majority of our clientele are north of the Capital. we will be supplying store through out the state with

Millinocket as our main hub / kitchen. on a personal note: I have a lot of grandchildren that have ATV's and nowhere to ride them down here. I proposed this to our investor, and as ironic as it is, he graduated from High School in Millinocket. Somethings are just meant to be . I hope we can all work together. thank you: Jack Sargent The Cannabis Shack
On Tuesday, June 13, 2017 7:16 AM, Manager < > wrote:
Hi Jack,
Is there a specific reason why you are leaving Portland?
John Davis Millinocket Town Manager
From: Jack Jax [Instruction in the second of the second o
This Jack Sargent I am one of the owners of The Cannabis Shack. We are looking at noving out of Portland, and wondering where the town of Millinocket stands on the marijuana industry and a moratorium. Thank you for your time. Jack
Virus-free.

Maine Legislature Approves Biennial Budget with No New Taxes

AUGUSTA - The biennial budget was approved by the Legislature and signed on July 4. The budget, which requires 2/3 majority support, passed by a vote of 35-0 in the Senate and 147-2 in the House.

Reaching an agreement on comprehensive budget proposals always includes a significant amount of compromise, but the real winners of this budget are clear: our students and small businesses.

Senate Republicans are proud to say that for the first time ever, we will meet our obligation to fully-fund education, and that the additional funding is targeted to better serve our students through meaningful education reform.

Thanks to Maine's healthy economy, we were able to reach this milestone WITHOUT the new job-killing surtax. From the very beginning, we knew that by making our students a priority, this could be accomplished within existing resources.

The budget also includes back pay for all essential and non-essential State employees impacted by the three-day government shut down, and:

- A full repeal of the job-killing surtax on Maine's small businesses, which was a top
 priority for legislative Republicans
- An additional \$162 million in education funding, achieving the 55 percent state contribution threshold for the first time
- Education reforms to put more resources into the classroom, particularly in rural Maine
- Property tax relief measures, including the restoration of the Homestead Exemption for all home owners
- Additional resources to serve Maine residents with disabilities

Maine Senate President Michael Thibodeau said, "From the very beginning, Senate Republicans have advocated for living within our means, raising no new taxes and repealing the new job-killing surtax. While the process wasn't ideal, the finished product accomplishes all of those goals while also implementing meaningful education reforms that will pay dividends for years to come."

Maine Department of Agriculture, Conservation & Forestry Offers Business Planning Course for Farmers

The Maine Department of Agriculture, Conservation & Forestry - Maine Farms for the Future Program and Jed Beach of FarmSmart Business Services will offer NxLevel Tilling the Soil of Opportunity, a six session course to help Maine farmers take their businesses to the next level, in November. The six session course will help farmers update business goals, determine which crops to grow, evaluate markets, improve management skills, and more.

For more information, <u>click here</u> or contact Jed Beach at <u>jed@farmsmartmaine.com</u>, or call 207-370-9238.

\$18 Million in Unclaimed Property Returned to Mainers

The Office of the Treasurer, with the help of legislative offices, has shattered all records, returning just over \$18 million in unclaimed property to Mainers in FY 2017. The previous record, set last year, was \$16.1 million.

Every year, financial property is turned over to the Treasury by Maine businesses as a result of incorrect addresses, misspelled names and dormant accounts.

At present, the Treasurer's unclaimed property database includes more than \$232 million. Fortunately, these properties can be claimed by the rightful owners through the Treasurer's office at any time by going to www.maine.gov/upsearch, where you can search and file a claim.

Statewide Bond Referendum Approved by Voters

On June 13, voters approved a statewide bond issue on the Special Referendum Election, with 63,468 voters supporting the measure and 39,549 voters opposing the measure.

The question asked: "Do you favor a \$50,000,000 bond issue to provide \$45,000,000 in funds for investment in research, development and commercialization in the State to be used for infrastructure, equipment and technology upgrades that enable organizations to gain and hold market share, to increase revenues and to expand employment or preserve jobs for Maine people, to be awarded through a competitive process to Maine-based public and private entities, leveraging other funds in a one-to-one ratio and \$5,000,000 in funds to create jobs and economic growth by lending to or investing in small businesses with the potential for significant growth and strong job creation?"

For more information, click here.

Maine Senate Majority Office | (207) 287-1505 | Website

STAY CONNECTED:







Maine Senate Republicans, 3 State House Station, Augusta, ME 04333

SafeUnsubscribe™ manager@millinocket.org

Forward this email | Update Profile | About our service provider

Sent by krysta.west@legislature.maine.gov in collaboration with



Try it free today



Virus-free. www.avg.com

Manager

From:

Senator Paul Davis <staff@senaterepublicans-maine.ccsend.com> on behalf of Senator

Paul Davis < krysta.west@legislature.maine.gov>

Sent:

Friday, July 07, 2017 8:05 AM

To:

manager@millinocket.org

Subject:

State News Update From Senator Paul Davis





Dear Friends:

It is a great honor to have the opportunity to serve the people of Senate District 4 in the 128th Legislature. If you have a question or comment about what is happening at the State House, I would like to hear from you. Please use the information provided above to contact me, or email me at sendavis@myottmail.com.

Sincerely,

Paul Davis

Senator Paul Davis represents Senate District 4 which includes all municipalities in Piscataquis County, the towns of Athens, Brighton Plantation, Cambridge, Detroit, Harmony, Hartland, Palmyra, Ripley, and St. Albans in Somerset County, and the towns of Alton, Bradford, Charleston, Dexter, Garland, and Lagrange in Penobscot County.

State News Updates

Manager

From:

EBulletin-owner@imail.memun.org on behalf of Kate Dufour

<EBulletin@imail.memun.org>

Sent:

Wednesday, July 05, 2017 3:21 PM

To:

ebulletin@imail.memun.org

Subject:

RE: Budget Update - Adopted & Signed - Homestead Exemption Clarification

Good afternoon all,

I have received several questions regarding the changes to the Homestead Exemption program included in the recently enacted General Fund budget.

To clarify, for the April 1, 2017 property tax year, the value of the Homestead Exemption is \$20,000, with the state reimbursing municipalities for 50% of the lost property tax revenue.

For property tax years beginning on or after April 1, 2018 the value of the exemption remains at \$20,000, but state reimbursement for the lost property tax revenue increases to 62.5%.

I hope this clarification is helpful.

Kate

From: Kate Dufour

Sent: Wednesday, July 05, 2017 9:14 AM

To: 'ebulletin@imail.memun.org' <ebulletin@imail.memun.org>

Subject: Budget Update - Adopted & Signed

To:

Municipal Officials

From:

Kate Dufour

Date:

Wednesday, July 5, 2017

Re:

State Budget – Adopted & Signed

After four failed attempts, a 72-hour state government shutdown, and the convention of four Committee of Conferences tasked with drafting a compromise budget, the FY 2018-19 biennial General Fund budget was finally adopted by two-thirds of both the members of the House and Senate and signed into law by Governor LePage on Tuesday, July 4.

With respect to municipal government, what was negotiated out of the budget is just as important as the initiatives included in the two year funding package. With respect to the issues of greatest concern to municipal officials, the following measures <u>were not enacted</u> as part of the final compromise budget bill.

• Revenue Sharing. The budget <u>does not</u> permanently reduce to 2% the amount of state sales and income tax revenue distributed to municipalities through the revenue sharing program. State law is still on course to restore revenue sharing to 5% of state sales and income tax revenue in FY 2020.

- General Assistance. The budget <u>excludes</u> proposed changes to the General Assistance program, which would have made the assistance provided to certain non-U.S. citizens ineligible for state reimbursement.
- TANF, SNAP, SSI. The budget <u>excludes</u> the Governor's proposed program eligibility limits (e.g., reduced lifetime limits, ineligibility standards based on felony drug convictions or U.S. citizenship, etc.) for Temporary Assistance to Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) and Supplemental Security Income (SSI).
- **BETR to BETE.** The budget <u>excludes</u> the Governor's proposal to convert the taxable property currently enrolled in the Business Equipment Reimbursement Program (BETR) to tax exempt status by transferring its enrollment into the Business Equipment Tax Exemption Program (BETE).
- Two-way Telecommunications Taxing Authority. The budget <u>excludes</u> the Governor's proposal to shift taxing authority over two-way telecommunication property from the state to the municipalities.
- Lodging Tax. Also excluded from the budget is an increase in the lodging tax rate from the current 9% to 10.5%.

Several municipally relevant initiatives were enacted as part of the budget, including:

- Retroactive Reduction in Homestead Exemption Reimbursement (April 1, 2017). Under existing law, both the value of the Homestead Exemption provided to all qualifying Maine resident homeowners and the amount of state reimbursement for the lost property tax revenue was increased on April 1, 2017. The value of the exemption increased from \$15,000 to \$20,000 and the state reimbursement from 50% to 62.5%. Despite the fact that some municipalities have already committed taxes according to state statutes, as enacted, the amount of state reimbursement provided to municipalities is retroactively decreased from 62.5% to 50% for the \$20,000 exemption made available to Maine homeowners on April 1, 2017. The Homestead Exemption reimbursement rate for FY 2018 and subsequent fiscal years increases to 62.5%.
- 3% Surcharge Repealed. As enacted by the voters of Maine at the November 8, 2016 referendum election, as of January 1, 2017 a 3% surcharge has been assessed on the portion of taxable income that exceeds \$200,000, with the generated surcharge dedicated to support K-12 classroom expenses. The budget repeals the citizen-initiated school funding law.
- \$162 million Increase in GPA. The budget appropriates an additional \$162 million (\$48 million in FY 2018 and \$114 million in FY 2019) for K-12 education over the biennium. With one exception, the budget also stipulates that for fiscal years 2018 and 2019, 50% of all unanticipated K-12 funding must be returned to the contributing school district's member municipalities for the express purpose of reducing the property tax assessment for public education. The exception to the 50% property tax relief requirement pertains only in FY 18 and to school budgets approved by the voters that have earmarked unanticipated state funding for increased expenditures for school purposes. In that case, the use of unanticipated state funding is permitted as approved by the school district voters.

- Redefining 55% of K-12 Education. The budget amends the calculation of the state's share percentage of the total cost of funding K-12 public education to include roughly \$130 million in unfunded actuarial liabilities of the Maine Public Employees Retirement System attributable to teachers.
- Education Policy Changes State Funding for School Administration. The budget amends the formula that previously included funding for 50% of the costs of system administration in the calculation of the state's share of K-12 education. As enacted, between FY 18 and FY 20 the state share of administrative costs will be calculated on a per pupil basis, with an incrementally increasing portion of those state revenues targeted for regionalized administrative services. In FY 21 and subsequent fiscal years, only school administrative units that have established regionalized administrative services or are identified as high-performing, efficient school administrative units will be eligible for the system administration allocation.
- Study of Conserved Lands. The budget directs the Legislature's Agriculture, Conservation and Forestry Committee to study how land owned by nonprofit conservation organizations impact municipalities, the economy and general public. Specifically, the Committee is charged with reviewing the: (1) extent to which landowners make property tax payments, including payments in lieu of taxes, to municipalities; (2) economic impacts of land conservation efforts, including impacts on Maine's tourist industry; (3) community benefits associated with conserved property; and (4) any other issues the Committee determines is relevant to the study. The Committee is directed to hold at three least meetings and to report out its findings no later than February 15, 2018.
- County Assessment for Jails. Existing law allows the property tax assessment for county jail operations to increase from one year to the next by either 3% or the county's appropriate "LD 1" growth limitation factor, whichever percentage increase is less. The budget amends the property tax assessment increase limit to the "LD 1" limit or 4%, whichever is less.
- County Jail Operations. The adopted budget provides the Department of Corrections with the authority to inspect, review and take custody of county records related to the funding and operations of county jails. The Department is further directed to submit to the Appropriations Committee and the Criminal Justice and Public Safety (CJPS) Committee plans to restructure the funding and operations of county jails and correctional facilities and prisoner population and capacity. The CJPS Committee is authorized to report out legislation in 2018 implementing the Department's recommendations.
- Local Government Efficiency Fund. The Committee's recommendation reduces the appropriation for the Fund for the Efficient Delivery of Local and Regional Services from the proposed \$10 million over the biennium to \$3 million in FY 18 only.
- Fund for the Efficient Delivery of Educational Services. The adopted budget appropriates \$10 million over the biennium for the Fund for the Efficient Delivery of Educational Services.

Next Steps. Although the budget is enacted, the Legislature will reconvene sometime next week to complete its work. The items that remain on the Legislature's agenda include roughly 40 bond proposals, initiatives parked on the Appropriation's Table waiting funding before being finally enacted, and the Governor's vetoes, if any.

Manager

From:

Ralph T. Soucier <publicworks@millinocket.org>

Sent:

Friday, July 07, 2017 11:44 AM

To:

'Manager'

Subject:

RE: Brush Pile at the Transfer Site

I thought about that before, but they hide the stuff under the brush they bring in.

One other solution would be to keep the gate closed and have them come in the Compactor Gate and build a road over to the brush area. That way they have to drive by the check station building so we can look the stuff over, but the public would not like that because they can't haul stuff any time they want.

Thanks for the support on this issue. I think if we talk about it and put an article in the paper it might help.

Thanks.

Ralph T. Soucier Millinocket Public Works Director 20 Cedar Street Millinocket, Maine 04462 Tel. (207)723-7030 Cell: (207)-731-9905

From: Manager [a www.poesarc.ecoepates a 1884.6] Sent: Friday, July 07, 2017 10:48 AM

To: 'Ralph T. Soucier'

Subject: RE: Brush Pile at the Transfer Site

From: Ralph T. Soucier [1982, September 2016 | III | III |]

Sent: Friday, July 07, 2017 8:18 AM

To: Harold Davis

Subject: FW: Brush Pile at the Transfer Site

I have been trying to get someone to come and grind the pile, but keep getting contamination in it after hours. I tried to close the gate after hours to prevent this but the residents call me and complain after one day that it is closed and want to know why. I had Arrow Tree Service from Dover here last week to try to chip it but they gave up after a day because the chipper knives got destroyed by contamination in the pile.

This is a couple of pictures I took this morning, so it was done last night as I check the pile before going home each night. As you can see a METAL fence, and WOODEN fence with nails in it are present, along with some trash that got thrown off with it! We are getting large stumps with gravel and rocks in them that we can't do anything with.

Can we put an article in the paper to inform the public of this issue? It is a shame that people abuse such a good service the Town provides and the people that use it right suffer for it because we may have to stop providing

the service to the public. By state law the Town only needs to provide a Municipal Solid Waste Trash and Recycle facility. I have talked to several other Towns and they had to stop this similar service because of the same thing.

I will put another sign up to read "Tree Limbs Only" No Lumber, Metal, or Trash.

Thanks,

Ralph T. Soucier
Millinocket Public Works Director
20 Cedar Street
Millinocket, Maine 04462
Tel. (207)723-7030 Cell: (207)-731-9905

Sent: Friday, July 07, 2017 7:36 AM

To: Ralph T. Soucier

Subject:

Virus-free.

Millinocket School Department FY18 Budget Revenue

Statement Code: FY18 Rev

	Actual FY16	Current FY17	Proposed FY18	Difference	Notes
:count Number / Description	7/1/2015 - 6/30/2016	7/1/2016 - 6/30/2017	7/1/2017 - 6/30/2018	7/1/2017 - 6/30/2018	7/1/2017 - 6/30/2018
00-0000-0000-412110-000 Local EPS Assessment	(1,614,452.00)	(1,547,812.00)	(1,604,530.00)	(56,718.00)	
00-0000-0000-412120-000 Local Debt Service	(461,372.00)	(460,759.00)	(460,112.00)	647.00	
00-0000-0000-412130-000 Local Additional Appropriation	(673,670.00)	(697,798.00)	(745,514.00)	(47,716.00)	
Notes: Includes \$5,398 for Adult Ed					
00-0000-0000-412150-000 Local Appropriation - School Lunch	(20,000.00)	(15,000.00)	(15,000.00)	0.00	
00-0000-0000-413320-000 Tuition - International Program	(200,000.00)	(200,000.00)	(125,000.00)	75,000.00	
00-0000-0000-413930-000 Tuition - EUT	(76,683.45)	(80,000.00)	(56,634.00)	23,366.00	
00-0000-0000-413940-000 EUT - Elem Special Ed	(10,214.72)	(4,346.00)	(4,346.00)	0.00	
00-0000-0000-413960-000 EUT - Sec Special Ed	(3,907.94)	(3,454.00)	(3,454.00)	0.00	
00-0000-0000-414000-000 Transportation - EUT	(42,875.00)	(42,875.00)	(42,875.00)	0.00	
00-0000-0000-417010-000 Athletic Receipts	(9,352.84)	(9,000.00)	(9,000.00)	0.00	
00-0000-0000-417020-000 Recreation Department Receipts	(12,000.00)	(12,000.00)	(12,000.00)	0.00	
00-0000-0000-419100-000 Building Rental	(7,200.00)	(7,200.00)	(7,200.00)	0.00	
00-0000-0000-419820-000 E-rate Reimbursement	(13,128.31)	(7,000.00)	(7,000.00)	0.00	
00-0000-0000-419910-000 Miscellaneous Receipts	(22,559.38)	(9,000.00)	(15,000.00)	(6,000.00)	
00-0000-0000-431110-000 State EPS Allocation	(2,920,898.25)	(3,099,208.00)	(3,188,047.00)	(88,839.00)	
Notes: Includes \$116,850 for System Administration and \$50,000 for Additional Funding					
IND TOTAL	\$(6,088,313.89)	\$(6,195,452.00)	\$(6,295,712.00)	\$(100,260.00)	

(1860 W W)

Manager

From:

stephen jamieson <s-jamieson1@hotmail.com>

Sent:

Monday, July 10, 2017 7:14 AM

To:

manager@millinocket.org

Subject:

Delahanty Softball Field Proposal

Attachments:

Delahanty Softball Field - Proposal.pptx

Mgr. Davis,

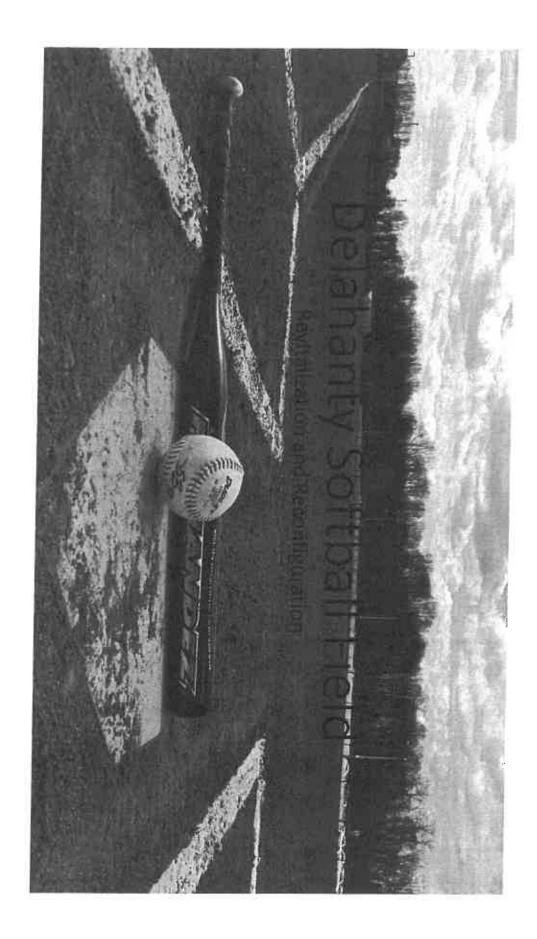
Please find the attached proposal you requested during the discussion we had before the holiday regarding Delahanty Softball Field. The short, eight slide PowerPoint provides a quick look into what I'd like to accomplish with the project, if approved. The costs are rough estimates. They may vary either way when it actually comes down to crunching numbers, but I feel they're fair. As I mentioned in our brief meeting, I'm currently back at work aboard ship, but am available via e-mail if you or anyone on the Council have any questions. Please don't hesitate to ask, and I'll provide the most accurate information I can at the time. I'm scheduled to arrive back in Millinocket August 7, and can be available should an additional meeting be desired. I very much appreciate your help with this matter and your willingness to present the initial information to the Council in my absence. Thank you.

Regards,

Stephen M Jamieson

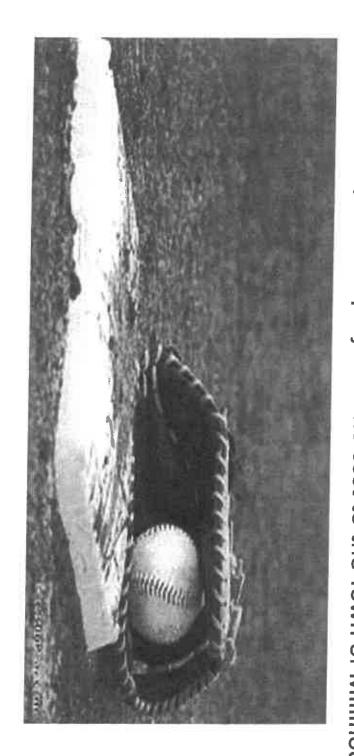


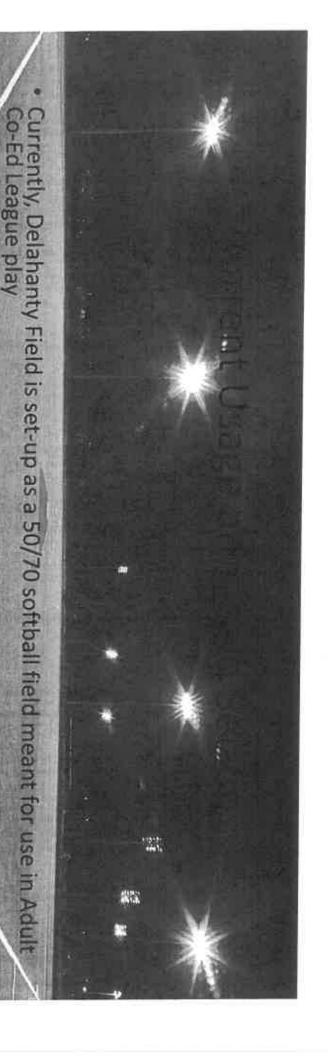
Virus-free.



Purpose

- To create an accurate practice environment and a Game-Ready alternate playing field for Varsity, Middle School, and Lassie League Softball as well as Little League Baseball
- Perform fundraising, request donations of materials, and recruit local volunteers to complete this project at no cost to the Town of Millinocket





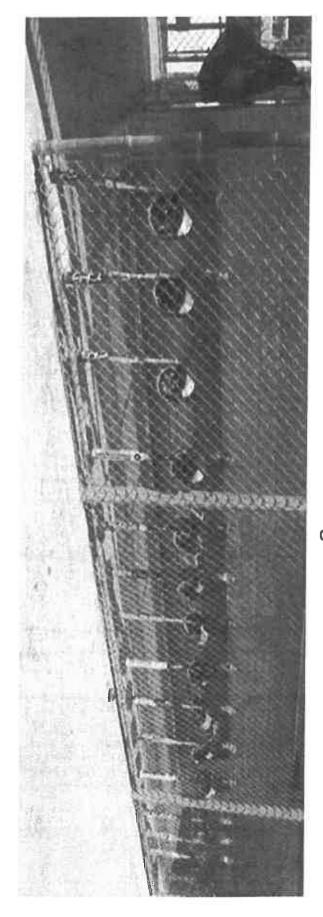
With the inception of the Millinocket Middle School Softball Team, there have been several instances in which they lost games to Varsity rescheduling due to strict MPA regular season deadlines

Due to this fact, the field is inaccurate for youth levels and not compatible for game-play by the Maine Principals Association (MPA)

This means that the pitching distance is 50 feet from the rubber to home plate and the baselines are 70 feet

Proposed Changes

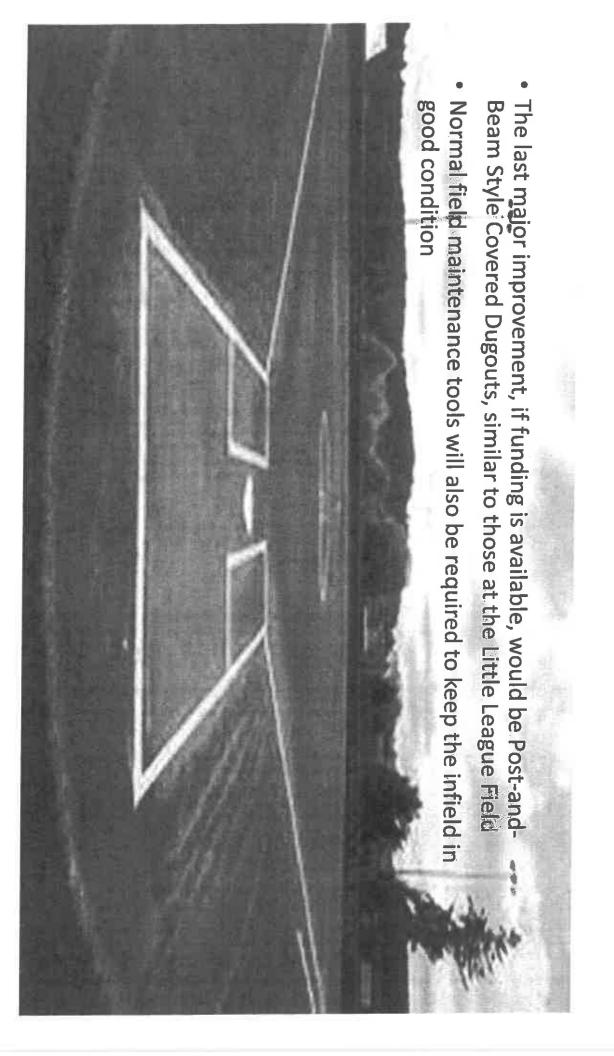
- To convert the infield to a multi-use set-up
- distance along with two new Pitching Rubber anchors, one at the current 50 foot location and an additional at the 43 foot mark for youth levels This would require the installation of three additional base anchors at the 60 foot
- 50/70 for the Summer Adult Co-Ed Softball League These changes would allow for the bases and pitching rubber to be placed at youth distances of 43/60 for their spring seasons and be relocated to the original



Additional Facility Improvements

- Depending on the amount of funds my group can raise, we would ultimately like to have Delahanty Field Game-Ready to meet MPA guidelines
- Beginning in 2018, the NCAA is requiring a safety fence at a minimum height of 6 feet between the playing field and the athletes in the dugout areas. I can only assume that lower levels of play will follow suit, and will incorporate this into the project
- We would also repair and/or replace the existing decking in the dugout area on the first base line, and repair the handrails around the backstop to increase the safety of all. We would also cut back any brush that interferes with these areas
- The addition of a portable pitcher's mound would make the field available for Little League Baseball games if requested or for the inception of a 50/70 Intermediate League

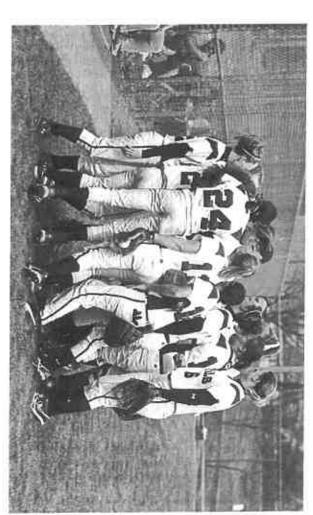




Rough Estimates of Potential Costs

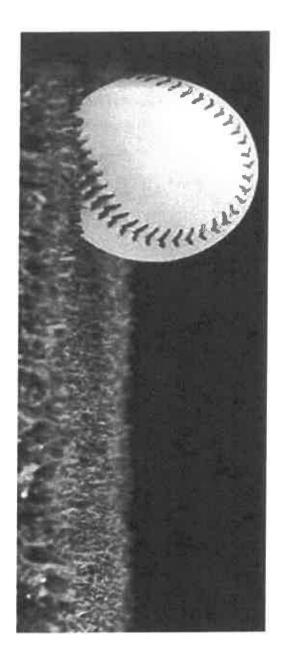
- Estimated cost of new bases & anchors, and materials to repair/replace decking and handrails for safety
- \$2500 \$3000
- Estimated cost of materials for Post-and Beam Style Dugouts
- \$3000 \$4000





Conclusion

- Wallace M Delahanty was my grandfather. He dedicated his life to the youth of the Katahdin Region. I would like to keep his memorial in good condition and available for all youth ball players in the region, as he would have wanted
- By making the proposed changes to the field dimensions and additional facility improvements, Delahanty Field would be made available and accurate to approximately 225 youth ball players and coaches (based on 2017 registration numbers), yet still available for local Co-Ed leagues and tournaments, with minimal preparation



ORDER #185-2017

PROVIDING FOR: Execution of the Warrant for June 29, 2017	
IT IS ORDERED that the Warrant for June 29, 2017 in the amount of \$approved.	is hereby
Passed by the Town Council	
Attest:	

PROVIDING FOR: Execution of the Warrant for July 6, 2017	
IT IS ORDERED that the Warrant for July 6, 2017 in the amount of \$approved.	is hereby
Passed by the Town Council	
Attests	

ORDER #187-2017

PROVIDING FOR: Execution of the Warrant for July 13, 2017	
IT IS ORDERED that the Warrant for July 13, 2017 in the amount of \$approved.	is hereby
Passed by the Town Council	
Attest:	

PROVIDING FOR: Approval of a full-page	e ad in the in the Maine Basketball Hall of
Fame magazine.	

IT IS ORDERED that the Millinocket Town Council authorizes expenditures in the amount of \$300.00 for a full-page ad in the Maine Basketball Hall of Fame magazine to honor Terry Carr, who helped the Stearns High School Minutemen win the 1963 New England championship before going on and enjoying a successful career at the University of Maine. Terry is slated to be inducted into the Hall of Fame Class of 2017.

NOTE: Citizens of Millinocket that were inducted into the 2014 Maine Hall of Fame include players Jon MacDonald and Steve Pound, Coach George Wentworth, and referee Jim DiFrederico.

	PASSED BY THE COUNCIL:
ATTEST:	

BANGOR DAILY NEWS

(http://bangordailynews.com/)

Parady, Cimbollek, Spurling among 19 new Maine Basketball Hall of Famers (https://bangordailynews.com/2017/01/25/sports/cimbollek-paradis-spurling-walker-nagle-among-19-new-maine-basketball-hall-of-famers/)



BDN File

Mary "Kissy" Walker (left) has been selected for induction into the Maine Basketball Hall of Fame.

By Ernie Clark (https://bangordailynews.com/author/ernie-clark/), BDN Staff

Posted Jan. 25, 2017, at 10:30 a.m.

BANGOR, Maine — Paul Cook didn't expect to play Division I college basketball when he picked up the sport as a youngster in the tiny coastal town of Lubec.

But a 5-inch growth spurt after his eighth-grade year to 6-foot-4 helped spark an 1,800-point high school career, followed by a valuable year of prep school that propelled Cook to live out his Division I dream at the University of Maine.

He traces much of that success to his Down East roots.

"I started playing around the time I was [in] third or fourth grade," said Cook, owner of a , Bangor-based real estate, investment management and brokerage business.



"I fell in love with basketball immediately and just had an enormous amount of support from the people in Lubec and the people of Washington County, and it drove me to become better because it was such a passion for me," he said.

Cook, 55, is among 19 former coaches and players who will be part of the fourth induction class of the Maine Basketball Hall of Fame.

The Class of 2017 will be inducted Sunday, Aug. 20, at the Cross Insurance Center. A news conference announcing the honorees was held Wednesday morning at the center.

"This is more of an eclectic group than we've had in the past," said Tony Hamlin, chair of the Hall of Fame's selection committee. "We're kind of blending toward getting into the modern era, which is after 1980."

Joining Cook in the Hall of Fame Class of 2017 are **Terry Carr**, who helped Stearns High School of Millinocket to the 1963 New England championship before going on to play at UMaine; **Bob Cimbollek**, who established 11 records while playing at Husson College before embarking on a long career in both officiating and coaching, the latter effort producing five state championships and six Eastern Maine crowns; and **Diane Nagle**, who helped Houlton High School win four consecutive Eastern Maine championships as well as back-to-back state titles in 1985 and 1986 before going on to UMaine.

Also to be inducted are the late Bernard "Bunny" Parady, a coach and administrator in the Mount Desert Island region whose teams totaled 23 tournament appearances, seven regional titles and four state championships in 26 years; Kissy Walker, the former Cony of Augusta and UMaine guard who has coached the Husson University women's basketball team to more than 425 victories in 26 years; Terry Spurling, who led Ellsworth High School to back-to-back state titles and the 1954 New England championship and went on to play at UMaine before coaching at Aroostook Central Institute of Mars Hill and Houlton High School; and Wally Russell, the Penquis Valley of Milo and UMaine point guard who twice led the Black Bears in assists before going on to compile more than 200 victories as a high school coach in Milo and Guilford.

Other honorees include longtime former University of Southern Maine women's basketball coach Gary Fifield, whose teams won 660 games and three national championships; former USM star Tim Bonsant, who went on to coach his alma mater, Erskine Academy of South China, to the 2004 Class B state title; former UMaine at Farmington standout Cameron Brown, the 1978 NCAA Division III scoring leader; and former Gorham High School and University of New Hampshire women's basketball star Kelly Butterfield, who later played professionally in Ireland and Australia.

Also to be honored are former York girls basketball coach **Rick Clark**, who led his teams to 509 victories, four state championships and six regional titles; **Derek Counts**, who scored more than 2,000 points at Oak Grove-Coburn School in Vassalboro and more than 1,000 points at the University of New Hampshire; and Lewiston's **Dick Giroux**, who scored 1,510 points and grabbed 964 rebounds for Husson College from 1967 to 1970.

The Hall of Fame lineup also includes **Derrick Hodge**, a two-time All-Maine performer at Morse High School of Bath who went on to score 1,206 points at UMaine; **Cathy Iaconeta**, the diminutive point guard who starred at Portland High School who went on to earn all-conference honors at UMaine, where she captained the Black Bears to a 23-7 record and an NIT berth in 1990; **Tom Maines**, who amassed 369 victories during a 30-year coaching career that included three consecutive state championships while at Morse of Bath during the late-1980s; and **Jim Stephenson**, who set the UMaine record for points in a game with 54 in 1969 and also holds the school mark for career scoring average (22.7 ppg).

Set to be honored in the hall's "Legends" category are former Bangor coach Frederick "Red" Barry, legendary Jonesport-Beals guard Dwight Carver, longtime Augusta middle-school coach and sportswriter Gary Hawkins, Bath's Chick Marchetti, a southern Maine basketball official for more than 40 years; two-time first-team All-Maine guard Tom Pelletier of Fort Kent and Waterville-area broadcaster and sportswriter Bob Woodbury.

Teams to be recognized are the undefeated Class A state champion 1979 South Portland High School boys squad and the 1980 Westbrook High girls team, one of a string of four straight Class A state championship teams from that school.

Cook, whose graduating class at Lubec barely numbered 30, routinely put up that many points in a game for the Hornets. At one point as a senior in 1979, he averaged 33 points and 25

rebounds.

As that legend grew, Cook and the Hornets increasingly drew the attention of the broader basketball community.

"We would play at home to sold-out crowds, standing-room-only, and then we'd go to Washington Academy or wherever, and the same thing would happen," he said.

"That's what the essence of high school basketball is about. You look at Lubec High School, and it closed in 2010, but being there and playing basketball back when I did was a big deal. It was special to all of us, and I had great teammates and coaches to help me along."

Cook transitioned from the Class D high school ranks to the Division I college wars by playing postgraduate basketball at Maine Central Institute of Pittsfield, helping coach Terry Kenniston's club win the 1980 New England championship with a 26-1 record.

"The one year at MCI, I learned I could compete with kids that later on earned Division I scholarships — and a couple even tried out with the Boston Celtics," he said. "That I was able to be part of that starting unit and be successful gave me the confidence I needed to be successful in Division I."

Cook's early days at UMaine featured a unique introduction to big-time hoops.

"When I was a freshman at Maine, we played DePaul at the Bangor Auditorium, and we got in foul trouble early, so [coach] Skip [Chappelle] looked down the bench and called my name and asked me to go into the game," said Cook. "The two or three minutes that I was in the game, I remember that I couldn't feel my arms I was so nervous, so that kind of explains the difference between playing at Lubec High School and at the University of Maine.

"You got used to it after a while, but that was one of my first college games ever, and to step onto the court against [future NBA stars] Mark Aguirre and Terry Cummings was unreal. The basketball felt like a beach ball," he said.

Cook was a role player at UMaine, where his teammates included future NBA players Rick Carlisle and Jeff Cross and current Chicago Bulls assistant coach Jim Boylen.

He captained the team as a senior and averaged 6.7 rebounds per game during the 1983-84 season.

"My role was very defined by the coaching staff, what I was supposed to do and what I wasn't supposed to do," Cook said, "and I think as long as I stayed in that role, I was able to be successful."

https://bangordailynews.com/2017/01/25/sports/cimbollek-paradis-spurling-walker-nagle-among-19-new-maine-basketball-hall-of-famers/ (https://bangordailynews.com/2017/01/25/sports/cimbollek-paradis-spurling-walker-nagle-among-19-new-maine-basketball-hall-of-famers/) printed on January 26, 2017

Cross Insurance Center BANGOR, ME | AUGUST 21

Celebrating the history of Maine Basketball and those who have played a role in it









The Town of Millinocket wants to congratulate all the inductees to a 2014 Maine Basketball Hall of Fame for being recognized as outstanding athletes, coaches or officials for the sport of high school and college basketball.

The Town Millinocket is especially proud to have Players Jon MacDonald and Steve Pound, Coach George Wentworth and Refere Jim DiFrederico recognized and inducted into this inaugural ceremo Basketball in Maine and especially in Millinocket has been a tradition from generation to generation and a source of uplifting community spirit. Millinocket has always held these individuals in high regard at respect.

Congratulations and continued best wishes to the Maine Basketbal of Fame and its Inductees.

Town of Millinocket, Maine 197 Penobscot Avenue Millinocket, Maine 04462 (207) 723-7000 **PROVIDING FOR:** Award of paving bid to B&B Paving from Hermon, Maine.

IT IS ORDERED that the Millinocket Town Council award the FY 18 paving bid to B&B Paving from Hermon, Maine, at a cost of \$65.55/ton for streets and \$145.00/ton for sidewalks.

NOTE: A total of four bids were received:

1. B&B Paving – Hermon, Maine	Streets \$65.55/Ton	Sidewalks \$145.00/Ton
2. Queen City Paving – Hermon, Maine	\$67.95/Ton	\$185.00/Ton
3. Hopkins Paving – Hermon, Maine	\$66.00/Ton	\$90.00/Ton
4. SteelStone Industries – Houlton, Maine	\$86.80/Ton	\$170.00/Ton

PASSED BY	THE	COUNCIL:		_
------------------	-----	-----------------	--	---

AT	T	FS.	T٠	
~1	•			 -

Manager

From:

Ralph T. Soucier <publicworks@millinocket.org>

Sent:

Tuesday, July 11, 2017 7:47 AM

To:

Harold Davis

Cc:

Treasurer

Subject:

Street Paving Bid Results July 10, 2017

Attachments:

Paving Bid Results FY 2018.pdf

John, here are the (4) paving bids: Can we put this in an order to award B+B Paving the job for street paving this year?

They came in the lowest per ton. I think I will have room to add a couple more areas since the price is so low.

Thanks,

Ralph T. Sovcier
Millinocket Public Works Director
20 Cedar Street
Millinocket, Maine 04462
Tel. (207)723-7030 Cell: (207)-731-9905



Virus-free.

Míllinocket Public Works 20 Cedar Street Míllinocket, Maine 04462 (207) 723-7030

July 10, 2017

To: Harold Davis, Town Manager

From: Ralph Soucler, Public Works Director

RE: Paving Bid Results FY 2018

Paving Blds were opened Monday July 10, 2017 and four bid packages were received:

1. B&B Paving -Hermon, Maine	Streets Sidewalks \$65.55/Ton \$145.00/Ton
2. Queen City Paving – Hermon, Maine	\$67.95/Ton \$185.00/Ton
3. Hopkins Paving – Hermon, Maine	\$66.00/Ton \$ 90.00/Ton
4. SteelStone Industries – Houlton, Maine	\$86.80/Ton \$170.00/Ton

*Price includes Tack coat, Traffic control, Grinding Butt Joints, and ADA Compliant Sidewalks.

I recommend B+B Paving as they have paved for us before and have done an excellent job, at a low cost and timely manner to finish the job.

Thank you, Ralph Soucier



Town of Millinocket

Street Paving Bid Form June 26, 2017

Company Nan	B&BP	AVING,	INC.	· ·
Address:	61 Dave	e's Way		
Setting page.	Hermon	, ME O	1401	• · · · · · · · · · · · · · · · · · · ·
Contact Person	n: David V	/est, Pr	oject Manager	
Phone Number	848-709	9	1	
Price/Ton to pa	ave listed str	eets:	\$65.55/ton	
Price/Ton to p	ave listed sid	ewalks:	\$145/ton	
exceptions to th	e specificatio	ns are to	t or reject any or a be noted on your ovember 1, 2017.	Il bids submitted. Any bid sheet.
and ADA Com	pliant sidewa	alk wor	nck, traffic contro k with detector po by Millinocket Po	ol, grinding butt joints, ads and 12:1 slopes. ublic Works.
Exceptions:	n	a	1.00	
Andrews			· ·	
Name of the last				
			1	17

Town of Millinocket Street Paving List FY 2017_2018

1/2-3/4" Shim & 1" Overlay

Discription:	Estimated	Unit	Total:
	Quantity:	Price:	
Elm Street - from Katahdin to Somerset	1300'x34'	\$65.55	
		•	\$27,072.15
Prospect Street - Granite to Hemlock	1000'x34'	\$65.55	
		(1) (1)	\$20,779.35
Consider Assessment of Many Homosphire	1000'x32'	\$65.55	
Grande Avenue - from Mass to New Hampshire	TOO YOU		\$19,599.45
	- 7		ψ19,099.70
Juniper, Alder, Chestnut	75'x24'	\$65.55	
			\$ 1,114.35
Golf Course Entrance	6\$0' x 32'	\$65.55	
			\$12,716.70
			Ţj. 1011 Q

5 Roads Sub-Total: \$81,282.00

Unit

Sidewalks:	Pave 2"	9.5mn			Price: Total:
1 Granite	- from East	tland	to School	600'x5	
					\$5,365.00
2 Katahdi	n - from Ce	ntral	to Colby	175'x5	\$145.00
			1		\$1,595.00

2 Sidewalks Total: \$6,960.00

BID TOTAL: \$88,242.00

Town of Millinocket

Street Paving Bid Form June 26, 2017

Company Name	e: <u>Queen (</u>	ity Pavi	ra Lic	
Address:	P.O. Box	10209		
4	Hermon	Maine 1	14402	
Contact Person	: Randy	Gardner		
Phone Number:	(207) 2	99-8150		
Price/Ton to pa	ve listed stree	ts:	67.95 per ton	
Price/Ton to pa	ve listed sidev		85.00 perton	
	specifications	are to be no	ject any or all bids oted on your bid sl er 1, 2017.	
and ADA Comp	liant sidewall	work with	raffic control, gri a detector pads au illinocket Public	nd 12:1 slopes.
* '	96			
Exceptions: No	ne			-
	·			
	· ·			
				_
40		B	- 2	

Town of Millinocket Street Paving List FY 2017_2018

1/2-3/4" Shim & 1" Overlay

Discription:	Estimated Quantity:	Unit Price: Total:
Elm Street - from Katahdin to Somerset	1300'x34'	67.95 28,810.80
Prospect Street - Granite to Hemlock	1000'x34'	67.75 22,287.60
Grande Avenue - from Mass to New Hampshire	1000'x32'	67.95 20,928.60
Juniper,Alder,Chestnut	75'x24'	67.95 1,359,00
Golf Course Entrance	650' x 32'	67.95 13,725.90
		2
a r		Unit
Sidewalks: Pave 2" 9.5mm 1 Granite - from Eastland to School	600'x5'	Price: Total: 185.00 7,400,00
2 Katahdin - from Central to Colby	175'x5'	185.00 2,590.00

Town of Millinocket

Street Paving Bid Form June 26, 2017

Company Na	me: Hopkins	Landscaping LLC
Address:	PO BO	x 6179
€ .	Hermo	ME 04402
Contact Perso	on: Mich	el Hopkins
Phone Numb	er: (201)	573-1716
Price/Ton to 1	pave listed stree	s: \$ 66.00/ton
Price/Ton to	pave listed sidew	alks: \$ 90.00 / tow
The Town rese	erves the right to he specifications	accept or reject any or all bids submitted. Any are to be noted on your bid sheet. by November 1, 2017.
and ADA Cor	npliant sidewall	e: Tack, traffic control, grinding butt joints, work with detector pads and 12:1 slopes. done by Millinocket Public Works.
	=	
Exceptions:		
		1
·	·	
		W.

Town of Millinocket Street Paving List FY 2017_2018

1/2-3/4" Shim & 1" Overlay

Discription:	Estimated Quantity:	Unit Price: Total:
Elm Street - from Katahdin to Somerset	1300'x34'	lde. 00 28.050.00
Prospect Street - Granite to Hemiock	1000'x34'	106.00 21.450.00
Grande Avenue - from Mass to New Hampshire	1000'x32'	66.00 19.800°
Juniper, Aider, Chestnut	75'x24'	Ula 00 1.320,00
Golf Course Entrance	650' x 32'	66.00 13,200.00
		55
		a
Sidewalks: Pave 2" 9.5mm 1 Granite - from Eastland to School	600'x5'	Unit Price: Total: 90.60 3,330.00
2 Katahdin - from Central to Colby	175'x5'	QD.00 990.00

Town of Millinocket

Street Paving Bid Form June 26, 2017

			į	
Company Na	me: <u>. Steelst</u> e	ne Undu	strics	
Address:	P.D. Box	7410		
43	Houte	ME 1	14130	
Contact Person	on: Blake	M'Quadi	· .	
Phone Numb	er: <u>201-53</u>	2.2675		
Price/Ton to	pave listed stree	:s:	86.80	
Price/Ton to	pave listed sidev	alks:	70.00	
exceptions to	erves the right to the specifications pletion of work is	are to be not	ed on your bi	bids submitted. Any id sheet.
and ADA Cor	the price shall be mpliant sidewall sweeping will be	k work with	detector pad	grinding butt joints s and 12:1 slopes. die Works.
	<u>jį</u>			
Exceptions: _				
·,				
when				
-				*

Town of Millinocket Street Paving List FY 2017_2018

1/2-3/4" Shim & 1" Overlay

Discription:	ł	Estimated Quantity:	Unit Price:	Total:	
Elm Street - from Katahdin to Somerse	et	1300'x34'	86.80	411do4.00	
Prospect Street - Granite to Hemlock		1000'x34'	86.80	32116.00	
Grande Avenue - from Mass to New H	ampshire	1000'x32' ··	86.80	30380.00	
Juniper, Alder, Chestnut		75'x24'	86.80	1736.00	
Golf Course Entrance		650' x 32 '	86.80	19964.00	
	1				

Sidewalks:

Pave 2" 9.5mm

1 Granite - from Eastland to School

2 Katahdin - from Central to Colby

Unit

600'x5'

Price:

Total:

170.00 WHO

175'x5' 170.00/87

PROVIDING FOR: Approval for the Town Manager to sign the necessary paperwork for the Airport Improvement Grant.

IT IS ORDERED that the Millinocket Town Council authorizes the Town Manager to sign all the necessary paperwork to complete the execution of the Airport Improvement Program (AIP) Project No. 3-23-0030- O19-2017, at the Millinocket Municipal Airport in Millinocket, Maine.

	PASSED BY THE COUNCIL:	
ATTEST:		



Federal Aviation Administration New England Region Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont FAA ANE-600 1200 District Ave. Burlington, MA 01803

JUN 2 1 2017

Mr. Harold Davis Town Manager Town of Millinocket 197 Penobscot Avenue Millinocket, Maine 04462

Dear Mr. Davis:

We are enclosing the original and one copy of the Grant Offer for Airport Improvement Program (AIP) Project No. 3-23-0030-019-2017 at Millinocket Municipal Airport in Millinocket, Maine. This letter outlines expectations for success. Please read the conditions and assurances carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, prior to July 27, 2017, in order for the grant to be valid.
 - The date of the attorney's signature must be on or after the date of the sponsor's authorized representative's signature.
 - All signatures must be made with blue or black ink; Signature stamps will not be accepted.
- c. You or your representative may <u>not</u> make any modification to the text, terms or conditions of the grant offer.
- d. After you properly execute the grant agreement:
 - Return the executed Grant Offer Agreement marked "<u>Original</u>" to us (attn: Jean LoGiudice) by overnight mail or regular mail, so that we receive it <u>on or before 12:00 (noon) on FRI, July 28, 2017</u>.
 - Retain executed Grant Offer Agreement marked "Sponsor" for your records.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

The terms and conditions of this agreement require you to complete the project without undue delay. We will be monitoring your progress to ensure proper stewardship of these

Federal funds. We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress. Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status, which will affect your ability to receive future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 15 of each year this grant is open); and
- Performance Reports, which are due within 30 days of the end of a reporting period as follows:
 - 1. Non-construction project: Due annually at end of the Federal fiscal year.
 - 2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in <u>Federal awards</u> to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project(s) is completed and all costs are determined, we ask that you close the project without delay and submit the necessary final closeout documentation as required by your Airports Regional Office.

Luke Garrison, 781-238-7622, is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,

Mary It. Walsh

Manager, Airports Division

Enclosures

PROVIDING FOR: Replacement of the gasoline tank at Public Works.

IT IS ORDERED that the Millinocket Town accept the bid of David J. Beaumont to replace the gasoline tank at Public Works for a total cost of \$46,533.21. This price does not include the excavation of the old gas tank, backfill, removal and disposal of any contaminated soil, or paving of the affected areas.

NOTE: The following two bids were received for this project:

Gaftek -

\$112,500 for fuel system replacement.

\$9,000.00 for a new tank.

Total:

\$121,500

Beaumont Generator Inc:

\$46,533.21 - which includes the removal of the

10,000 gallon and the installation

of an aboveground 5,000 gallon tank.

PASSED	BY	THE	COUNCIL:	 	

ATTEST: ______

Manager

From:

Ralph T. Soucier <publicworks@millinocket.org>

Sent:

Wednesday, July 05, 2017 8:07 AM

To:

Harold Davis

Cc:

Treasurer

Subject:

PWD Underground Gas Tank

Attachments:

PWD Underground Gasoline Tank_Capital Project FY 2018.pdf

John, can we get an order for next council meeting to award the job of replacing our gasoline tank here at Public Works?

I have two estimates from licensed tank installers:

GafTek and Dave Beaumont which I recommend Dave Beaumont who came in with the lowest estimate of just under 50K. (see attached estimates.)

We have 50K in our 5-year capital plan FY 2018. If the total cost becomes higher than that, the other Departments that use this fuel could contribute if necessary.

I would like to get this process moving now so we can meet the DEP's deadline to get our existing underground tank removed.

Thanks,

Ralph T. Soucier
Millinocket Public Works Director
20 Cedar Street
Millinocket, Maine 04462
Tel. (207)723-7030 Cell: (207)-731-9905



Virus-free. www.avg.com





Deadline for Removal of Underground Oil Sterage Tanks

December 1, 2016

Ralph Soucy
Town of Millianeket
197 Penobsept Avenue
Millianeket, Maine, 04462

RF: Millinocket Public Works Department (Registration # 1900)

Dear Mr. Sougy,

We are contacting you because you own an underground all storage facility that includes one or more underground oil storage tanks (USTs) with a manufacturer's warranty that will expire in 2018. A list of the affected facilities and tanks is enclosed with this letter.

State law and the Department's Rules for Underground Oil Storage Pacilities (06-096 CMR 694 (5)(F)) require that underground oil storage tanks and associated piping (facility) be removed from service and properly abandoned when the manufacturer's warranty expires. For the purpose of implementing this requirement, the Department considers the date the tank was installed to be the start of the warranty period.

The rules include a provision for extending the life of a single walled tank by retroditting the tank with secondary containment.

The full text from the law and rule are enclosed at the end of this letter and may be found on the Department's website at the same and the law and th

The Department recommends that you contact a Maine Certified Underground Storage Tank Installer as soon as possible to begin making arrangements for temoval of your tank(s). Many CTIs, tank manufacturers and other industry professionals are reporting increasing dislays due to equipment and CTI availability. A link to a list of CTIs is here.

Instructions for UST facility removals including the removal profiferation form ("comoval notice") are located here.







If contaminated soft or groundwater is discovered during removal of your underground oil storage facility, you must notify the Department as soon as possible but no more than two (2) hours from discovery to be exempt from perfettles under Maine law. To report a release, call the Department's statewide spill reporting number at 1-800-482-0777.

Unless you plan to retrofit the tanks with secondary containment in accordance with the requirements in the Rules, the underground oil storage lank(s) must be permanently taken out of service no later than 30 years from the date of installation and must be preparly abandoned (removed) within 60 days thereafter.

Please contact me if you have any questions about this letter or need assistance. I can be reached by phone at (207) 287-7856, at the email address below or at the Department's letterhead mailing address in Augusta. Thank you for your attention to this important matter.

Sincerely,

Diana McLaughlin, Supervisor

Underground Oil Storage Tanks Unit

Petroleum Management Division

Bureau of Remediation and Waste Management

Enclosures

UST list

UST statute and Rules

.

Tanks requiring removal in 2018

MILLINOCKET TOWN OF 197 PENOBSCOT AVE MILLINOCKET, ME 04462-

Reg # 1900

MILLINOCKET PUBLIC WORKS DEPT

MILLINOCKET

5 CEDAR ST

Tank-Chamber # Size Product Status Date Tank Installed Tank leak detection
7-1 10000 Gallons Unleaded Gasoline Active 07/01/1988 Automatic Tank Gauge



160 Perry Road Bangor, ME 04401 Phone (207) 217-6515 - Fax (207) 217-6520

April 20, 2017 Quote #: 17-1115

TRANSMITTED VIA E-MAIL

Millinocket DPW
Millinocket, ME
Attn: Ralph Soucy

Subject:

Fuel System Replacement

Price:

\$ 112,500.00

5,000 Gallon AST (Add):

9,000.0

Ralph,

As per your request Gaftek LLC is pleased to provide you with our Lump Sum Proposal to provide the necessary labor, equipment, materials and supervision required to perform the following scope of work:

The Scope of Work of this proposal is as follows:

Dig Safe Survey

Mark site for Dig Safe Survey

Removal of Existing System

- Secure all permits necessary for project.
 - o All permit fees will be charged in addition to the Proposal Price.
- Isolate work area using temporary fencing.
- Remove existing tank, piping, dispenser, and Dispenser Island.
- Environmental Assessment

Furnish and Install New 4,000 Gallon Fireguard AST with Containment Dike

- Form and Pour 32' x 12' x 8" Thick Concrete Tank pad
- Set New 4,000 Gallon AST on Tank Pad
- Furnish and Install Tank Top Material
- Furnish and Install Omntec Sensors
- Form and Pour 8' x 3' Concrete Island for Dispenser
 - Set Dispenser Sump
- Furnish and Install Gasboy Atlas 1-Product 2-Hose Suction Pump w/



P.O. Box 352
Hathaway Road
East Millinocket, ME 04430

Job Estimate

207-74	6-5459	PHONE:	DATES JJ7/
Master Electrician • Petrolium Contractor • Gene	rator Sales & Service	JOB NAME/LOCATION	
To Your of Willwock	E # 1	Public Works Gr	15 Tank
Mullinocket Public U		1	replacement
103 Augl cont Alle			1
17/ 10003201/40	115	1.	
JOB DESCRIPTION:		is.	e k
remove 10,000 gal 1 including: Site	14 de Raisour	d gasoline	Vank
Including: Site	955555we	of clean To	ent Pek
DiziP.	·		
Supply and instr	11 5000 9	Al D.W. ABOU	reground
Tank including	0	in.	0
Concrete Slab	6 Set Tan	Kon	
3" Fill At grade le			
GASDOY Athas 1 Pm			th
5,5. PANSLS,			
PUIDO-MUZ DAW			tol System
to Control Fa			
1/2 Syction Prpria		5 + Solinoid Va	luc
All Associated &			
reuse existing 1			
đ	,		J
	=======================================		
Price does not inc	lude :		_
EXCAUATION of	DID GAS TO	ink and bac	ckfill
removal + dispos	11 stance	Contamuinate	d Soil
1-lottoping of off	exted Ale	45	
	7, 1		
		H II	
They (god		MATER $46,533$.21
		MATED	1R +
U	BY_	- JAVa Jul	Las Mary
		OF I	

		Town of Milli	nocket					
	Ē	IVE-YEAR CAPI	TAL PLAN					
		5.2.17						
	Year	Est Life	FY18	FY19	FY20	FY21	FY22	FY23
Public Works								
Road Construction, Major Capital Excluding Pa	ving							
Bridge Replacements - Review for Available Grant	Funds			The second secon	9-10 PERSON NO. 10			the second
Bridge Replacements - Review not Available Grant	Gel .	Visio			Same of the second		1.52 1.00	
	L		 		ļ <u></u>			
Heavy Equipment (Note A)			 	 				
Replace RPM Blower Attachment	2000	15	145,000					
Replace Plow Wheeler/Dump Truck (International								
#15)	2002	15		185,000	l			
17.0)								
	2002	15	 		180,000			
Replace Plow/Dump Truck (Internat'i #14)	2002	15	-	-	100,000			
			 	 		25,000		
Replace Equipment Trailer (Custom)	2001	20	 	ļ				
Replace Plow/Dump Truck (Sterling #11)	2006	15				180,000		
			1 - 1					
GMC 1-Ton Truck w/Plow Replacement	2009	10					40,000	
Replace John Deere 475 Tractor Mower	2001	10					10,000	
Replace John Deere 310 Backhoe	2002	20					85,000	
Replace Plow/Dump Truck (Sterling #12)	2006	_15					180,000	I SHOULD BE SHOU
ENDAMENT TO A STATE OF			And was to be			Objection.	U. Wall	
	T E	1155-45	1 '					
Buildings	Area		F0.000					
UST Gas Tank Replacement (DEP Issue)	Town Garag		50,000	4,000				
Overhead Door Replacement	Salt/Sand Sh		 	3,500				
Replace Storage Trailers	Recycle Blo Town Garag		Need guote	3,000				GE1
Widen Overhead Garage Doors	IOWN GOIS!	A CONTRACTOR	Nead drota		ল প্ৰাচ্ছৰ ছ	* * T()	#10 HEA	(SERIES
CONTROLLEGIO ASSESSADA				egi ia kulta			-	

5/2/201710:04 AM

PROVIDING FOR: Sale of property located at 252 Aroostook Avenue.

IT IS ORDERED that the Millinocket Town Council authorize the sale of a property located at 252 Aroostook Avenue (Movie Kingdom Lot) Map U05 Lot 161, to Robert Benjamin of Blackstone, MA, for the amount of \$5,000.

IT IS FURTHER ORDERED that the Town Manager is authorized to sign all the necessary paperwork to complete the sale of the property.

IT IS FURTHERED ORDERED that any costs that may be associated to finalize the sale of this property will be assumed by Mr. Benjamin.

NOTE: The Tax Assessor has set the value of this property at \$4,500.

	PASSED BY THE COUNCIL:
ATTEST:	

Two Ducks on an Island, LLC 180 Main St Blackstone, MA 01504-1539 508-883-1000 Office & 508-326-7000 Cellular

June 29, 2017

John Davis, Town Manager Town of Millinocket 197 Penobscot Ave Millinocket, ME 04462-1472

Dear Mr. Davis:

As you are aware | purchased the Tanous Building at 215 Penobscot Avenue last year to renovate and develop in the same manner as I did the Fruit Store at 158 Penobscot Ave which was completed and leased three years ago to Living Innovations Support Services, Inc. which presently has 48 employees.

The renovation plans at 215 Penobscot Ave are based on my conversations with potential tenants and their needs for employee and client parking in the back and a handicapped accessible entrance in the front. This project will depend on us acquiring the so-called Magic Kingdom Lot on Aroostook Avenue.

Therefore I hereby request and offer to purchase the Magic Kingdom Lot on Aroostook Avenue as is for the sum Five Thousand Dollars (\$5,000.00).

Very truly yours

Robert R. Benjamin

Managing Member

PROVIDING FOR: Approval of Agreement with the Town of East Millinocket to provide recreation services to the Town of Millinocket.

IT IS ORDERED that the Millinocket Town Council grants approval to enter into an Agreement with the Town of East Millinocket to provide management services for the Millinocket Recreation Department, with said agreement to be effective retroactive to July 1,2017, and remain in effect for a period of one (1) year, at a contracted cost of \$38,803.00.

	PASSED BY THE COUNCIL:	
ATTEST:		

RECREATION SERVICES AGREEMENT

THIS AGREEMENT, made as of the	_1st	day of	July	, 2017,
by and between the towns of MILLI	NOCKET	and EAST l	MILLING	OCKET, municipal
corporations organized and e	existing u	nder and by v	rirtue of N	Maine law,

WITNESSETH:

Recitals:

- 1. East Millinocket currently provides a recreation services program for its municipal residents and employs a full-time Recreation Department Director for that purpose.
- 2. Millinocket wishes to expand recreation services for its residents, in the most cost-effective and efficient manner.
- 3. For the purpose of expanding recreation program services available to their respective residents and to achieve a mutual cost savings, and in consideration of the respective payment obligation and undertakings set forth below, Millinocket and East Millinocket hereby agree as follows:

Agreement

1. <u>Services</u>. East Millinocket hereby agrees to provide the services of its Recreation Director (incumbent Jody Nelson) (hereinafter "Director"), together with the services of the Town of Medway's recreation staff employee as provided under a separate agreement between those parties as Assistant Recreation Director (hereinafter "Assistant"), to plan, implement, administer and oversee a program of recreation services in the Town of Millinocket, during the term of this Agreement. Subject to the additional specific provisions below, duties to be performed by the Director and Assistant shall include the

following:

Program design and planning
Program scheduling and record-keeping
Staff Training
Volunteer recruitment and training
Staff and volunteer oversight and supervision
Program fee collection and accounting
Joint purchasing

- 2. Effective Date and Term of Agreement: Renewal. Subject to prior approval by the parties' respective boards of selectmen and budget authorization by the two towns, this Agreement shall take effect July 1st, 2017 and shall remain in effect for a period of one (1) years thereafter. Either party may withdraw from the agreement at anytime with a given notice in writing at least (3) months in advance.
- 3. <u>Annual Fee.</u> For all services to be provided under this Agreement, Millinocket shall pay an annual fee to East Millinocket. The fee for the this year of this agreement is \$38,803.00 increased by the aggregate dollar increase, if any, in the salary and benefits of the Director and Assistant Director. The annual fee shall be paid in two equal installments, one each, on the semi-annual fee payments dates of September 15th and March 15th of each year. The annual fee shall be subject to review and amendment as provided in section 5 of this Agreement relating to annual review.
 - 4. <u>Annual Review.</u> Unless a notice of termination has been given as provided in section 2 above, the parties, by their respective recreation committees, shall meet in May and annually thereafter, for the purpose of reviewing operations under this Agreement and recommending any necessary changes hereto to their respective boards of selectman.

5. Operational Provisions.

- a. Office Equipment. Millinocket shall make its existing recreation office equipment available for use by East Millinocket at the Director's office in East Millinocket. Such equipment shall be used in connection with Millinocket recreation programs or common recreation programs of Millinocket, East Millinocket, and Medway. In the event it becomes necessary during the term of this Agreement (including extensions hereof) to replace any such equipment or other office equipment used for Millinocket or common recreation program purposes, Millinocket agrees to pay 59.1% of the cost of such replacements.
- b. Office Location and Schedule. All recreation programs to be provided under this Agreement shall be administered from the Director's existing recreation office in East Millinocket. The Director shall establish additional office hours in Millinocket, at a location agreeable to the parties, as needed.
- c. *Programs*. The Director shall meet with the Millinocket recreation advisory committee on a monthly basis to review program operations. The Director shall consult with the Millinocket recreation advisory committee prior to establishing or implementing new recreation programs in Millinocket. However, in the event of a disagreement, the Director shall have final authority with respect to design and implementation of new programs.
- d. Program Locations. All recreation programs to be provided to Millinocket under this Agreement shall be conducted on municipal property of the Town of Millinocket, and not on private property, unless special permission is given by Millinocket's recreation advisory committee. All recreation programs involving travel to locations outside of Millinocket must be approved in advance by the Millinocket recreation advisory committee.
- e. Program Fees. It is the parties' intention that recreation programs to be conducted in Millinocket, East Millinocket and Medway during the term of this Agreement (including extensions hereof) shall be open to residents of all three

municipalities, without payment of a fee. While this Agreement and a related agreement between East Millinocket and Medway shall both remain in effect, neither party shall charge any non-resident or additional program fee to residents of Millinocket, East Millinocket, or Medway participating in such programs. From time to time, special programs may be established that require payment of a fee to cover that program's special or additional cost. All such special program fees shall be collected by the Director and paid over to the municipality in which the programs concerned originates or is being conducted.

f. *Program Expenses*. All recreation programs expenses including recreation equipment purchases, athletic field maintenance, etc., except compensation and benefit expenses for the Director and Assistant, shall be billed to and paid directly by the municipality where the recreation program is conducted. When the recreation program concerned consists of a team activity with games in multiple municipalities, the municipalities where the "home" field for a team is located shall be responsible for payment of that team's program expenses.

In the event the Director determines that certain equipment or supplies (e.g. pool chemicals) may be purchased more conveniently or at a lower price in bulk, the Director may make such purchases and prorate the cost between the parties, based on their respective percentage utilization of the equipment or supplies concerned.

g. Staff and Volunteer Selection and Training. The Director, following the policies of the three communities will have authority to recruit, select, train, supervise and terminate all recreation program staff and volunteers. The Director shall develop written policies as needed for this purpose. Prior to beginning duties involving direct contact with recreation programs participant, all recreation staff and volunteers must successfully complete a criminal background check. Criminal background checks for this purpose shall be conducted by the police department of the municipality in which the staff member or volunteer resides. If a prospective staff member or volunteer resides outside of the area, the Police Department of the prospective town shall conduct the criminal background check. If a fee is charged for the background check the municipality which has requested the background check shall be responsible for paying the fee.

6. <u>Insurance and Indemnification</u>. During the term of this Agreement (including any extensions hereof), Millinocket and East Millinocket shall each maintain in force comprehensive general liability insurance in a minimum coverage amount of \$1 million per occurrence / annual aggregate combined single limit, to insure against all claims of any person for personal injury or property damage arising out of operation of recreation programs within that municipality. Each municipality shall defend, indemnify and hold harmless the other party to this Agreement against all such claims arising within the indemnifying municipality.

7. Legal Provisions.

- a. Choice of Law; Venue for Suits. This Agreement is made under and shall be construed and enforced in accordance with the laws of the State of Maine. No action between the parties to this Agreement to construe or enforce its terms shall be valid unless filed in the District or Superior Courts of Penobscot County, Maine, and otherwise shall be barred.
- b. No Waiver of Immunities. Except as expressly provided herein, nothing in this Agreement shall be deemed to waive or modify any immunity from judgment or suit, including limitations on damages, enjoyed by the respective parties under provisions of the Maine Tort Claims Act, 14 MRSA sec. 8101 et seq. or other provisions of law.
- c. No Private Benefit. Nothing in this Agreement shall be construed as creating any private right, benefit, claim or cause of action on the part of any private person or organization, it being the parties' intention that this Agreement is for the sole and exclusive benefit of the parties hereto.
- d. Status of Director and Assistant. Throughout the term of this Agreement (including extensions hereof), except as to the parties' respective indemnification obligations under section 7 above, the Director shall for all purposes be deemed to be

an employee of East Millinocket, which shall be solely responsible for selection, hiring, compensation, evaluation, promotion, disciplining, and termination of the Director. Throughout the term of this Agreement (including extensions hereof, the Assistant, insofar as performing recreation duties for Millinocket or East Millinocket under the supervision of the Director, shall be deemed to be an employee of the Town of Medway for administrative and compensation purposes, and to be under the supervision of the Director for the purpose of work assignments and oversight.

e. Status of Agreement. This Agreement shall be deemed to be a contractual agreement for the purchase and provision of municipal recreation services between the respective parties hereto. This Agreement shall not be deemed to constitute a joint exercise of powers agreement under 30-A MRSA sec. 2101 et seq. or to constitute a delegation of governmental powers between parties. Notwithstanding provisions in this Agreement regarding consultation for various purposes, East Millinocket, as the services provider, shall have final authority in the event of any dispute to determine all operational questions related to the provisions of services contemplated herein.

8. <u>Amendments</u>. This Agreement may be amended only in writing, approved by majority vote of each of the parties' respective town council and board of selectmen, and duly executed on their respective behalves.

WITNESS THE FOLLOWING SIGNATURES:

TOWN OF MILLINOCKET:

Witness

Michael Madore Chair, Town Council Duly Authorized

TOWN OF EAST MILLINOCKET:

Witness

Mark Scally

Chair, Board of Selectmen

Duly Authorized