



TENTATIVE AGENDA  
REGULAR TOWN COUNCIL MEETING in COUNCIL CHAMBERS and via Zoom.  
Thursday, October 28<sup>th</sup>, 2021  
**4:30 PM**

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. Pledge of Allegiance
3. Adjustments to the Agenda:
4. Approval of Minutes: October 14, 2021, Executive Session.
5. Special Presentations:     a) Laura Sanborn - County Commissioners ARPA Presentation  
  b) Ralph Soucier, Public Works Director - Side Walk Power Point
6. Ordinance #3-2021 – 2<sup>nd</sup> **Public Hearing** - Amendments and Updates to Chapter 75, General Assistance
7. Interim Town Manager's Report

**UNFINISHED BUSINESS:** n/a

**NEW BUSINESS:**

8. ORDER #267-2021 Approval of the Town Warrant for October 28, 2021
9. ORDER #268-2021 Approval of the Wastewater Warrant for October 28, 2021
10. ORDER #269-2021 Approval of Entertainment License Application (Highlands Tavern)
11. ORDER #270-2021 Approval of Liquor License Application (Highlands Tavern)
12. ORDER #271-2021 Date, Time, Place and Warden for the November 2, 2021, Referendum/Municipal Election
13. ORDER #272-2021 Absentee Ballot Processing for the November 2, 2021, Referendum/Municipal Election
14. ORDER #273-2021 Registrar Office Hours
15. ORDER #274-2021 Authorization of Amendment to 2020 DR Grant Agreement
16. ORDER #275-2021 Authorization for Ad Purchase – Stearns Performing Arts
17. ORDER #276-2021 Approval of Purchase – Power Load System
18. ORDER #277-2021 Authorization of Sale – 1990 Ford Econoline 350

19. ORDER #278-2021 Approval of Donation to Life Flight of Maine

20. ORDER #279-2021 Approval of Street Closures for Halloween Activity

21. Reports and Communications:

- a. Warrant Committee for November 8<sup>th</sup>, 2021, Organizational Meeting: Councilor McEwen and Councilor Pelletier
- b. Chair's Committees Reports
- c. Two Minute Public Comment

22. Adjournment:

Meetings are open to the public and the Town of Millinocket will require masks/face coverings to be regardless of vaccination status while in the Municipal Building. Public Comments and Zoom attendance requests can be emailed to the Town Manager Prior to the Meeting: [manager@millinocket.org](mailto:manager@millinocket.org) or call (207) 723-7000 Ext.5 to make special arrangements. The meeting is also streamed live for your convenience @ [townhallstreams.com](https://townhallstreams.com) and find the direct links on our website: [Millinocket.org](https://millinocket.org). We thank you for complying.  
**\*\*Stay Healthy, Stay Safe\*\***

## Citizen Guide to Town Council Meetings

This is an overview of information related to Council Meetings. We hope it is helpful to understanding the process. Thank you for participating in our local government. The town meeting is a place where the public is encouraged to participate. Below are common terms:

- **Order** - Item of business to be proposed (motioned) to council for discussion and vote.
- **Motion** - A Councilor proposal to the whole Council for discussion and vote. This could include an Order, an Amendment, or other. Any councilor can make a motion at any point in time during a Town Council meeting, regardless of whether it is on the agenda or not.
- **Second** - A "second" is used when a councilor supports an order to be discussed and voted upon. Without a "second" an order or motion does not get discussed or voted on.
- **Amendment** - A change to an original order, which can be motioned by a councilor and approved or voted down by the whole Council.
- **Minutes** - Summary of past meetings, including votes and discussion, that needs Council approval for officially entering the record.
- **Parliamentary Procedure**- This is the protocol used and questions go to the Council Chair. The Council follows Robert's Rules of Order. The Council adopted additional procedures at the initial session of a new term.
- **Warrant**- A list of articles for items the Council may act on, which usually comes in the form of approving expenditures.
- **Mill Rate** - Tax rate. The tax rate determines what is paid in property taxes. It is stated in "so many dollars per thousand dollars of valuation." Residential property owners may want to seek homestead exemptions or Veterans exemptions (for qualified veterans) to potentially lower their property tax rate, which may be done through the town's Tax Assessor.
- **Two Minute Public Comment** - Typically the last agenda item provides any member of the public an opportunity to express general concerns, thoughts or feedback publicly. The Council invites any and all people to speak. Questions directed at the Council or Manager will be answered at the following Council meeting; this part of the agenda is not interactive.
- **Executive Sessions** - These are private meetings held by the Council when certain matters must be kept confidential to protect other parties, as required by US and/or Maine law, Town Charter, or by contract. This could include personnel issues, legal issues, economic development issues or other. No action by the Council can be taken in Executive Session-- only in public Council meetings can any vote or decision be made by the Council.
- **To ask questions** or offer feedback during Town Meetings, the public may do so within the public comment period of each order on the agenda. Any Councilor motion will be open to both the Council and the Public for discussion.

The public is asked to be respectful and orderly. It is of the Council Chairman's discretion to determine whether a public comment is disrespectful or inappropriate in nature, at which point the Chairman may request the ceasing of comment or removal of the public member.

Millinocket publishes the draft agendas on the website and Facebook prior to meetings. If you have questions, you may ask the manager and/or a Town Councilor before the meeting. The town website is [www.millinocket.org](http://www.millinocket.org).

**HOW CAN I GET MORE INVOLVED?** Come up and speak or submit a written statement to the Council Chairman and/or Town Manager. The Town Council is always seeking public input to ensure all perspectives, beliefs and desires of the public are considered. Want to do more? Become an appointed member of a committee! The Town publishes these openings on the website, Facebook, and local newspaper. You may also request to serve on an existing subcommittee by filling out a form on the town website at:  
<https://millinocket.org/government/committees-and-boards/>.

October 14, 2021

The Executive Session was brought to order in Council Chambers and via Zoom at 7:18 pm by Chair Golieb.

Roll Call:

Town Council Members Present:

Golieb	Jackson
Bragdon- Zoom	Pray- Zoom
Pelletier- Zoom	McEwen- Zoom
Danforth	

Also in attendance: Interim Town Manager Angotti and 0 in Public.

- Entered Executive Session - @ 7:18pm.

Order #265-2021 PROVIDING FOR: Executive Session of the Town Council

IT IS ORDERED that the Millinocket Town Council enter into executive session pursuant to Title 1 M.R.S.A. § 405(6)(A) for discussion on Personnel Matters.

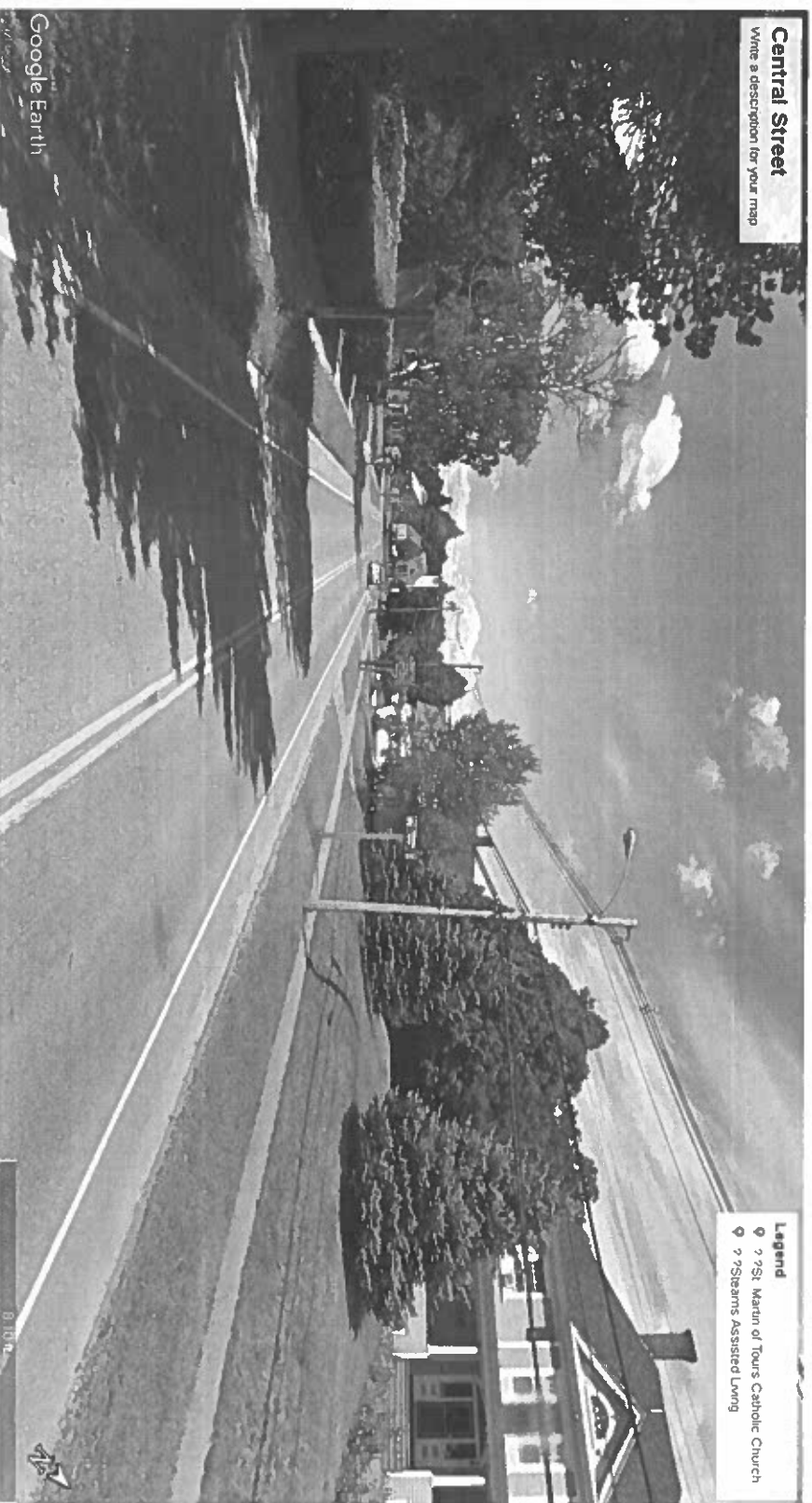
Motion – Danforth                      Second – Jackson                      Vote 7-0

Motion to Adjourn @ 7:56 pm –Danforth,

Second- McEwen

Vote 5-2 (Roll Call Vote-Pray/Pelletier-Opposed)

# MILLINOCKETT SIDEWALK AUDIT 2021



The objective of this audit data is to better understand the mechanics of sidewalk infrastructure and use this information to better allocate money towards improving sidewalk maintenance based over time.

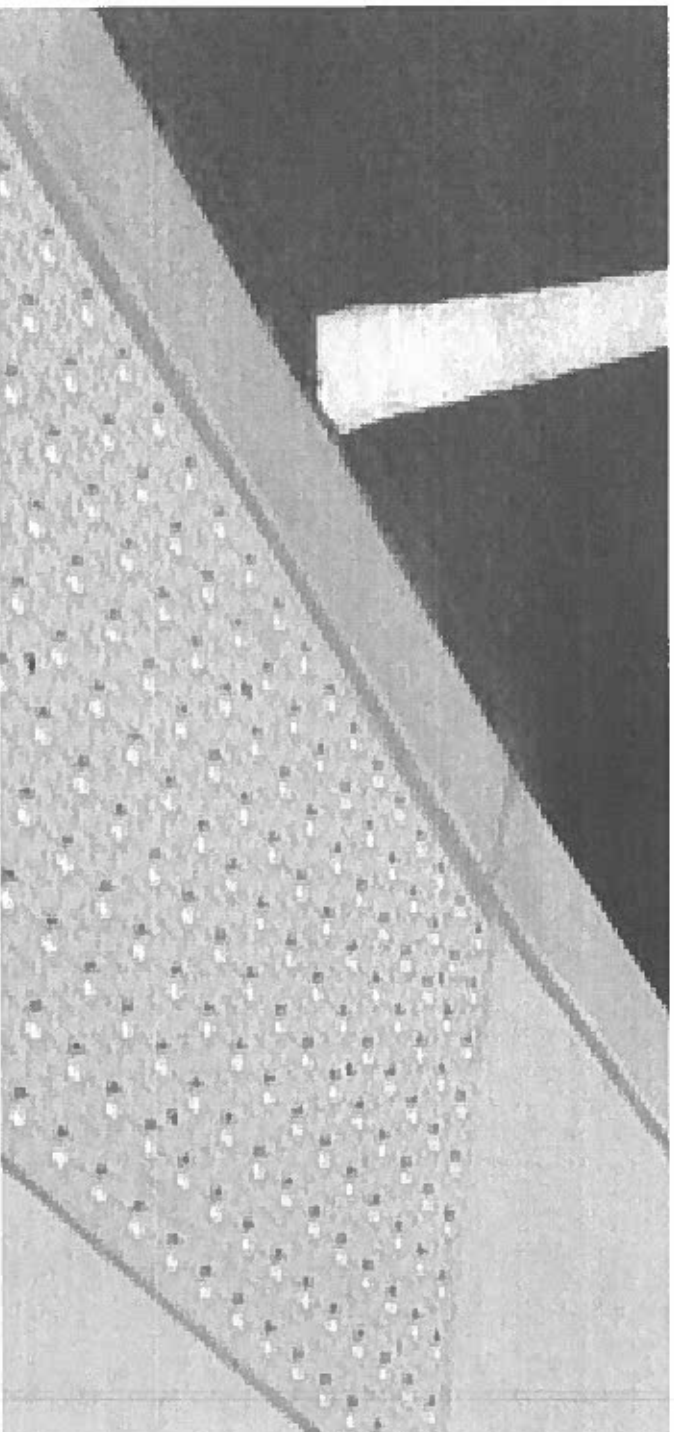
Priorities should be set at the downtown level and branch out onto the main collector roads as planned work is incorporated into the budget workshops for approval by the Town Council.

- Sidewalk calculations are then based on current hot mix asphalt and labor prices.

1. Measure length x width for square ft. divide by 9 to get square yards then multiply by .056 to get tonnage of asphalt needed to cover at 1" thickness. Minimum requirements are 2" thickness before compaction.
2. Multiply tonnage by \$175 for labor costs.
3. Curbing costs average between \$15-\$20 foot.



- Any new work or upgrades to sidewalks that use State or Federal money requires ADA Compliant Workmanship Standards. That means 1% slopes on curb ramps with detector warning plates installed at all road crossings and crosswalks which must have a flat landing before entering the crosswalk.










- The spreadsheet is a list of sidewalk inventory on Town Roads located in the area of Millinocket.
- The main thoroughfares have 2 sidewalks with curbing to collect proper drainage to the catch basins.
- There are many Town roads that do not have sidewalks and have been paved extra wide to what is called a “Reverse shoulder” to accommodate a pedestrian walk path.

Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct

ADA

<u>Street:</u>	<u>Sidewalks:</u>	<u>Length Ft.</u>	<u>Curb Cost:</u>	<u>DW Plate:</u>	<u>Mix Cost:</u>	<u>Tons Asphalt:</u>	<u>Total Cost:</u>	
<u>FOREST</u>	<u>1 North</u>	2350	N/A	\$9,600	\$25,589	146.2	<b>\$35,189</b>	Green 
<u>WESTWOOD</u>	<u>1 East</u>	200	N/A	\$2,400	\$2178	12.4	<b>\$4,578</b>	Green 
<u>WINTER</u>	<u>1 South</u>	700	N/A	\$2,400	\$7,622	43.55	<b>\$10,022</b>	Yellow 
<u>GROVE</u>	<u>1 West</u>	180	N/A	\$2,400	\$1,960	11.2	<b>\$4,360</b>	Red 
<u>COLONY</u>	<u>North&amp;South</u> <sup>2</sup>	1400	N/A	\$2,400	\$15,244	87.1	<b>\$17,644</b>	Red 
<u>ORCHARD</u>	<u>2 East&amp;West</u>	1200	N/A	\$6,000	\$13,067	74.7	<b>\$19,067</b>	Red 
<u>FIELD</u>	<u>1 North</u>	900	N/A	\$4,800	\$9,800	56.0	<b>\$14,600</b>	Green 

Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct

ADA

<u>Street:</u>	<u>Sidewalks:</u>	<u>Length Ft.</u>	<u>Curb Cost:</u>	<u>DW Plate:</u>	<u>Mix Cost:</u>	<u>Tons Asphalt:</u>	<u>Total Cost:</u>	
<u>OHIO</u>	<u>1 WEST</u>	2490	N/A	\$9,600	\$27,113	154.9	<b>\$36,713</b>	<div><div></div><div>Red</div></div>
<u>NEW YORK</u>	1 South	1250	N/A	\$0	\$13,611	77.8	<b>\$13,611</b>	<div><div></div><div>Red</div></div>
<u>COTTAGE</u>	1 East	740	N/A	\$9,600	\$8,058	46.0	<b>\$17,658</b>	<div><div></div><div>Yellow</div></div>
<u>MICHIGAN</u>	1 West	1100	N/A	\$4,800	\$11,978	68.4	<b>\$16,778</b>	<div><div></div><div>Yellow</div></div>
<u>VERMONT</u>	1 EAST	975	N/A	\$4,800	\$10,617	60.7	<b>\$15,417</b>	<div><div></div><div>Yellow</div></div>
<u>NEW HAMP</u>	1 East	1020	N/A	\$4,800	\$11,107	63.5	<b>\$15,907</b>	<div><div></div><div>Red</div></div>

Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct

ADA

Street:	Sidewalks:	Length Ft.	Curb Cost:	DW Plate:	Mix Cost:	Tons Asphalt:	Total Cost:	
CONNECTICUT	1 North	1300	N/A	\$12,000	\$14,156	80.9	\$26,156	Red <input checked="" type="radio"/>
NEW JERSEY	2 North&South	2586	N/A	\$0	\$28,159	160.9	\$28,159	Yellow <input type="radio"/>
RHODE ISLAND	1 East	900	N/A	\$4,800	\$9,800	56.0	\$14,600	Yellow <input type="radio"/>
DELAWARE	1 North	250	N/A	\$2,400	\$2,722	15.6	\$5,122	Yellow <input type="radio"/>
MIDDLE	Reverse Shoulder							
MASS	Reverse Shoulder							
GRANDE	Reverse Shoulder							
SUNSET	Reverse Shoulder							
ALPINE	Reverse Shoulder							
CANYON	Reverse Shoulder							
MINUTEMAN	Reverse Shoulder							
HERITAGE	Reverse Shoulder							
INDEPENDENCE	Reverse Shoulder							

Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct

ADA

Street:	Sidewalks:	Length Ft.	Curb Cost:	DW Plate:	Mix Cost:	Tons Asphalt:	Total Cost:	
<u>CENTRAL</u>	2 North & South	6200	\$54,000	\$16,800	\$67,511	385.8	\$138,311	<div><div></div><div>Green</div></div>
<u>HIGHLAND</u>	2 East & West	3500	N/A	\$12,000	\$38,111	217.8	\$46,300	<div><div></div><div>Red</div></div>
	Split							
<u>NORTH TERRACE</u>	1 West	350	N/A	\$4,800	\$3,811	21.8	\$8,611	<div><div></div><div>Yellow</div></div>
<u>EAST TERRACE</u>	1 East	550	N/A	\$2,400	\$5,989	34.2	\$8,389	<div><div></div><div>Yellow</div></div>
<u>MAINE AVE</u>	2 East & West	4500	N/A	\$9,600	\$49,000	280.0	\$58,600	<div><div></div><div>Red</div></div>
	Split							
<u>COLBY</u>	1 South	250	N/A	\$2,400	\$2,722	15.6	\$5,122	<div><div></div><div>Yellow</div></div>

# Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct  
ADA


<u>Street:</u>	<u>Sidewalks:</u>	<u>Length Ft.</u>	<u>Curb Cost:</u>	<u>DW Plate:</u>	<u>Mix Cost:</u>	<u>Tons Asphalt:</u>	<u>Total Cost:</u>	
<u>SCHOOL</u>	2 East & West	1500	N/A	\$4,800	\$16,333	93.3	<b>\$21,133</b>	Red
<u>BATES</u>	2 East & West	5200	\$104,000	\$14,400	\$56,622	323.6	<b>\$175,022</b>	Yellow
	Split							
KELLY LANE	Reverse Shoulder							
RUSH BLVD	Reverse Shoulder							
STATION ROAD	Reverse Shoulder							
<u>BOWDIN</u>	1 South Bates -DE	800	N/A	\$2,400	\$8,711	49.8	<b>\$11,111</b>	Red

Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct

ADA

<u>Street:</u>	<u>Sidewalks:</u>	<u>Length Ft.</u>	<u>Curb Cost:</u>	<u>DW Plate:</u>	<u>Mix Cost:</u>	<u>Tons Asphalt:</u>	<u>Total Cost:</u>
TAMARACK	Reverse Shoulder						
CEDAR	Reverse Shoulder						
ALDER	Reverse Shoulder						
BALSAME	Reverse Shoulder						
JUNIPER	Reverse Shoulder						
CHESTNUT	Reverse Shoulder						
WASSAU	Reverse Shoulder						
WALNUT	Reverse Shoulder						
CRESTVIEW	Reverse Shoulder						
GARDEN	Reverse Shoulder						
WASHINGTON	Reverse Shoulder						
HIGH	Reverse Shoulder						
EAST AVE	Reverse Shoulder						
JOURNAL	Reverse Shoulder						
SYCAMORE	1 West	200	\$4,000	\$2,400	\$2,178	12.4	\$8,578

Green



# Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct









## ADA

<u>Street:</u>	<u>Sidewalks:</u>	<u>Length Ft.</u>	<u>Curb Cost:</u>	<u>DW Plate:</u>	<u>Mix Cost:</u>	<u>Tons Asphalt:</u>	<u>Total Cost:</u>	
<u>MAPLE</u>	2 East & West	800	N/A	\$4,800	\$8,711	49.8	<b>\$13,511</b>	Yellow <input type="radio"/>
<u>EASTLAND</u>	2 East & West	2400	N/A	\$4,800	\$26,133	149.3	<b>\$30,933</b>	Yellow <input type="radio"/>
<u>GRANITE</u>	1 North	1800	N/A	\$6,000	\$19,600	112.0	<b>\$25,600</b>	Green <input checked="" type="radio"/>
<u>CHERRY</u>	1 North	400	N/A	\$2,400	\$4,356	24.9	<b>\$6,756</b>	Yellow <input type="radio"/>
<u>CONGRESS</u>	2 East & West Split	5000	\$10,000	\$12,000	\$54,444	311.1	<b>\$76,444</b>	Green <input checked="" type="radio"/> Yellow <input type="radio"/>
<u>STATE</u>	2 East & West	2500	N/A	\$7,200	\$27,222	155.6	<b>\$34,422</b>	Green <input checked="" type="radio"/>
<u>SUMMER</u>	1 North	200	N/A	\$2,400	\$2,178	12.4	<b>\$4,478</b>	Green <input checked="" type="radio"/>
<u>SPRUCE</u>	2 North & South Split	2000	\$36,000	\$12,000	\$21,778	124.4	<b>\$69,778</b>	Yellow <input type="radio"/> Yellow <input type="radio"/>

Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct







ADA

<u>Street:</u>	<u>Sidewalks:</u>	<u>Length</u>		<u>Curb Cost:</u>	<u>DW Plate:</u>	<u>Mix Cost:</u>	<u>Tons Asphalt:</u>	<u>Total Cost:</u>	
		<u>Ft.</u>							
<u>PINE</u>	2 North & South	400	N/A	\$4,800	\$4,356	24.9	\$9,156	Yellow	
<u>POPULAR</u>	2 North & South	3300	\$66,000	\$16,800	\$35,933	205.3	\$118,733	Green	
<u>BIRCH</u>	1 North	400	N/A	\$4,800	\$4,356	24.9	\$9,156	Yellow	
<u>AROOSTOOK - S</u>	2 East & West Split	2325	N/A	\$9,600	\$25,317	144.7	\$34,917	Yellow	 
<u>AROOSTOOK -N</u>	2 East & West	2060	N/A	\$9,600	\$22,431	128.2	\$32,031	Red	
<u>SPRING</u>	1 North 2 Split	850	N/A	\$9,600	\$9,256	52.9	\$18,856	Yellow	
<u>SECOND</u>	1 South	600	N/A	\$4,800	\$6,533	37.3	\$11,333	Green	

# Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct

## ADA

Street:	Sidewalks:	Length Ft.	Curb Cost:	DW Plate:	Mix Cost:	Tons Asphalt:	Total Cost:	
<u>WATER</u>	2 East & West	675	\$6,000	\$0	\$7,350	42.0	<b>\$13,350</b>	Green 
<u>PENOBSCOT</u>	2 East & West	4500	N/A	\$14,400	\$49,000	280.0	<b>\$63,400</b>	Yellow 
<u>Main street</u>	Main Pavers	3000	\$68,000	\$36,000	\$120,000		<b>\$224,000</b>	Red 
							<b>\$287,400</b>	
<u>KATAHDIN - Right</u>	Split	3000	\$98,000	\$14,400	\$75,133	429.3	<b>\$187,533</b>	Yellow 
<u>Katahdin - Left</u>	Split	4500						
<u>HILL</u>	2 North & South	800	N/A	\$7,200	\$8,711	49.8	<b>\$15,911</b>	Yellow 
<u>ELM</u>	2 North & South	2300	N/A	\$16,800	\$25,044	143.1	<b>\$41,844</b>	Red 
RIVER DRIVE	Shoulder							
BEECH	DIRT							
OAK	Shoulder							
BRIGALI LANE	N/A							

Millinocket Sidewalks Per Street

Priority: Green = Good Yellow = Needs Repair Red = Reconstruct

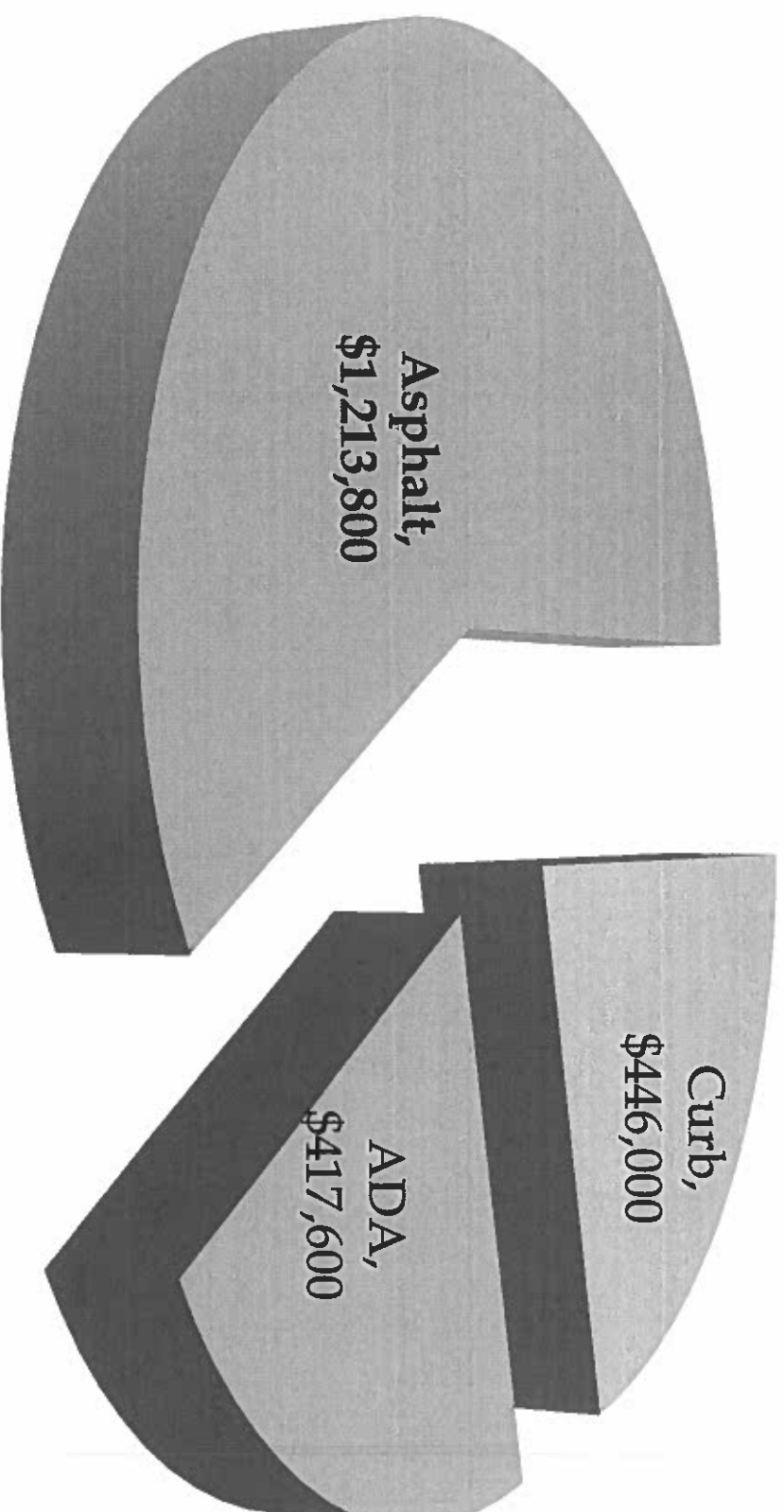
ADA

<u>Street:</u>	<u>Sidewalks:</u>	<u>Length</u>	<u>Curb Cost:</u>	<u>DW Plate:</u>	<u>Mix Cost:</u>	<u>Tons Asphalt:</u>	<u>Total Cost:</u>	
		<u>Ft.</u>						
<u>KNOX</u>	2 East & West	4800	N/A	\$16,800	\$52,267	298.7	\$69,067	<div><div></div><div>Yellow</div></div>
<u>LINCOLN</u>	2 East & West	4800	N/A	\$16,800	\$52,267	298.7	\$69,067	<div><div></div><div>Yellow</div></div>
<u>SOMERSET</u>	2 East & West	3000	N/A	\$14,400	\$32,667	186.7	\$47,067	<div><div></div><div>Yellow</div></div>
YORK	Shoulder							
YORK EXT	Shoulder							
<u>WALDO</u>	1 East	850	N/A	\$4,800	\$9,256	52.9	\$14,056	<div><div></div><div>Yellow</div></div>
<u>PROSPECT</u>	2 East & West	4200	N/A	\$9,600	\$45,733	261.3	\$55,333	<div><div></div><div>Yellow</div></div>
SHORT	Shoulder							
HEMLOCK	Shoulder							
Totals:			\$446,000	\$417,600	\$1,213,800		\$2,077,400	

Curb ADA Asphalt

Grand Total

# Sidewalk Cost Breakdown



**Total Costs: \$2,077,400**

**Questions?**

**Comments?**

**Concerns?**

**ORDINANCE #3-2021**

**PROVIDING FOR:** Amendments and Updates to Chapter 75, General Assistance, Code of the Town of Millinocket in Compliance with Title 22 M.R.S.A. §4305(4)

**BE IT ORDAINED** by the Town Council of Millinocket in Town Council assembled that the Millinocket Code, Chapter 75, Appendices A - H be amended per the attached appendix; and

**BE IT ORDNAINED** that the October 1998 General Assistance Ordinance be updated and replaced by the Maine Municipal General Assistance Ordinance dated September 2021.

**IT IS FURTHER ORDERED** that this ordinance take effect 30 days after enactment.

1<sup>st</sup> Reading 10/14/2021

2<sup>nd</sup> Reading \_\_\_\_\_

Council Approved \_\_\_\_\_

Effective Date \_\_\_\_\_

Attest \_\_\_\_\_

TOWN OF MILLINOCKET  
PUBLIC HEARING  
ORDINANCE #3-2021  
GENERAL ASSISTANCE ORDINANCE APPENDICES CHANGES  
CODE OF THE TOWN OF MILLINOCKET

The Millinocket Town Council will hold public hearings on proposed Ordinance #3-2021, which will amend the General Assistance Ordinance Appendices A-H General Assistance Code of the Town of Millinocket and be updated and replaced with the Maine Municipal General Assistance Ordinance dated September 2021. The hearings will be held during the Council meetings of October 14, 2021, and October 28, 2021, in the Council Chambers located in the Municipal Building at 197 Penobscot Avenue, beginning at 4:30 PM.

Dated at Millinocket, ME

September 28, 2021



Diana M. Lakeman

Town Clerk



[For use when adopting **updated appendices only** without amending the body of an existing GA ordinance]

MUNICIPALITY OF Millinocket  
GENERAL ASSISTANCE ORDINANCE

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of Millinocket, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance with the attached appendices A through H, which shall be in effect from October 1, 2021 through September 30, 2022. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the municipal officers:

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

[Please send a copy of the enactment page only to DHHS, 109 Capitol Street, SHS 11, Augusta, ME 04330-0011]



## **TOWN OF MILLINOCKET**

*197 Penobscot Avenue  
Millinocket, Maine 04462*

*Office of Town Manager/Treasurer  
(207) 723-7000*

TO: Town Council

FROM: Lori A. Santerre, Welfare Director

RE: MMA's General Assistance Ordinance Appendixes Changes and to adopt the Maine Municipal General Assistance Ordinance updated as of September 2021. (The town's last ordinance update was 1998)

DATE: September 8, 2021

Enclosed please find MMA's new General Assistance Ordinance Appendixes (A-H), which become effective on October 1, 2021.

The changes are to the Total Monthly Allowed General Assistance Maximums, which are calculated on the basis of the 2021-22 HUD Fair Market Rent values, Food Maximums based on the USDA 2021-22 Thrifty Food Plan and the Housing Allowance which are developed by the 2021-22 HUD Fair Market Rent value, with the applicable housing electric utility and heating allowances, as developed by the Maine State Housing Authority (MSHA). The Department of Human Services has accepted all figures to be reasonable and sufficient.

Even if the Municipality has adopted MMA's General Assistance Ordinance, the municipal officers must still approve the new enclosed appendixes. This replacement assumes prior adoption and will occur every October.

Upon approval a copy of the signed ordinance must be submitted to MMA and the Department of Human Services.



## **APPENDIX G**

### **Mileage Rate**

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 45 cents (45¢) per mile.

Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>

## **Funeral Maximums**

### **Burial Maximums**

The maximum amount of general assistance granted for the purpose of burial is **\$1,475**. The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

### **Cremation Maximums**

The maximum amount of assistance granted for a cremation shall be **\$1,025**.

The municipality's obligation to provide funds for cremation purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable cremation expenses are limited to:

- removal and transportation of the body from a local residence or institution
- professional fees
- crematorium fees
- a secured death certificate or obituary

## **Appendix H**

**Effective: 10/01/21-9/30/22**

- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

# **GENERAL ASSISTANCE ORDINANCE**



**Prepared by Maine Municipal Association  
September 2021**

## TABLE OF CONTENTS

### GENERAL ASSISTANCE ORDINANCE

<b>Article I – Statement of Policy.....</b>	<b>1</b>
<b>Article II – Definitions.....</b>	<b>3</b>
<u>Section 2.1 – Common Meaning of Words.....</u>	3
<u>Section 2.2 – Special Definitions.....</u>	3
Administrator .....	3
Applicant .....	3
Application Form.....	3
Basic Necessities.....	3
Case Record .....	4
Categorical Assistance .....	4
Claimant .....	4
Deficit .....	4
Disabled Person.....	4
Dwelling Unit.....	5
Eligible Person .....	5
Emergency .....	5
General Assistance Program.....	5
General Assistance Benefits.....	5
General Assistance Administrator.....	6
Homelessness .....	6
Household.....	6
Income .....	6
Initial Applicant .....	8
Just Cause.....	8
Lump Sum Payment .....	8
Material Fact .....	8



Maximum Levels of Assistance .....	9
Misconduct .....	9
Municipality .....	9
Municipality of Responsibility .....	9
Need.....	9
Net General Assistance Costs .....	9
Period of Eligibility .....	9
Pooling of Income .....	10
Real Estate.....	10
Recipient .....	10
Recovery Residence .....	10
Registered Domestic Partner .....	10
Repeat Applicants.....	10
Resident .....	10
Resources .....	11
30-Day Need.....	11
Unforeseen Repeat Applicants.....	12
Unmet Need.....	12
Work Requirements.....	12
<b>Article III – Administrative Rules and Regulations .....</b>	<b>13</b>
<u>Section 3.1 – Confidentiality of Information .....</u>	13
Release of Information.....	13
Information from Other Sources; Penalty .....	13
Misuse of Information .....	14
<u>Section 3.2 – Maintenance of Records.....</u>	14
Case Records .....	14
Retention of Records.....	15
<b>Article IV – Application Procedure.....</b>	<b>16</b>
<u>Section 4.1 – Right to Apply .....</u>	16
Who May Apply .....	16

Telephone Applications .....	16
Written Application Upon Each Request.....	16
Applications Accepted; Posted Notice .....	17
Section 4.2 – Application Interview.....	17
Section 4.3 – Contents of the Application .....	17
Section 4.4 – Administrator’s Responsibilities at the Time of Application .....	18
Application Requirements .....	18
Eligibility Requirements .....	18
Applicant Rights.....	19
Reimbursement/Recovery .....	19
Section 4.5 – Responsibilities of the Applicant at the Time of Application.....	20
Section 4.6 – Action on Applications .....	21
Written Decision .....	21
Content.....	21
Section 4.7 – Withdrawal of an Application.....	21
Section 4.8 – Temporary Refusal to Accept Application .....	21
Section 4.9 – Emergencies .....	22
Disqualification .....	23
Assistance Prior to Verification .....	23
Telephone Applications.....	23
Limitation on Emergency Assistance .....	24
Section 4.10 – Residence .....	25
Moving/Relocating .....	26
Institutions .....	26
Temporary Housing .....	26
Disputes .....	26
<b>Article V – Eligibility Factors .....</b>	<b>28</b>
Section 5.1 – Initial Application .....	28
Initial Application .....	28
Repeat Applicants .....	28

<u>Section 5.1A – Presumptive Eligibility</u> .....	29
<u>Section 5.1B – Recovery Residence</u> .....	29
<u>Section 5.2 – Eligibility for Categorical Assistance</u> .....	29
<u>Section 5.3 – Personal Property</u> .....	30
a) Liquid Assets .....	30
b) Tangible Assets.....	30
c) Automobile Ownership .....	31
d) Insurance.....	31
e) Transfer of Property .....	31
<u>Section 5.4 – Ownership of Real Estate</u> .....	32
a) Principal Residence .....	32
b) Other Property.....	33
<u>Section 5.5 – Work Requirement</u> .....	33
Employment; Rehabilitation .....	34
Verification.....	34
Ineligibility.....	35
Ineligibility Due to Job Quit or Discharge for Misconduct.....	35
Just Cause .....	35
Applicant's Burden of Establishing Just Cause .....	36
Eligibility Regained .....	36
Dependents .....	36
Exemptions .....	37
<u>Section 5.6 – Municipal Work Program</u> .....	37
Consent .....	38
Subtracting Value of Workfare Performed from Client's GA Debt.....	38
Limitations .....	38
"Workfare First" Policy .....	40
Work-Related Expenses .....	42
Disqualification .....	42
Eligibility Regained .....	42
Reports .....	43
<u>Section 5.7 – Use of Resources</u> .....	44

Minors .....	44
Mental or Physical Disability .....	45
Written Notice; Disqualification .....	45
Forfeiture of Benefits .....	45
<u>Section 5.8 – Period of Ineligibility</u> .....	46
Work Requirement.....	46
Fraud .....	46
<u>Section 5.9 – Unemployment Fraud</u> .....	47
 <b>Article VI – Determination of Eligibility</b> .....	<b>48</b>
<u>Section 6.1 – Recognition of Dignity and Rights</u> .....	48
<u>Section 6.2 – Determination; Redetermination</u> .....	48
<u>Section 6.3 – Verification</u> .....	49
Eligibility of applicant; duration of eligibility .....	49
Applicant's responsibilities .....	49
Initial Applicants .....	49
Repeat Applicants .....	50
Unforeseen Repeat Applicants.....	50
Administrator's responsibilities .....	50
Redetermination of eligibility .....	51
Penalty for Refusing to Release Information .....	51
<u>Section 6.4 – Fraud</u> .....	52
Period of Ineligibility .....	52
Right to a Fair Hearing.....	53
Reimbursement.....	53
Dependents .....	53
<u>Section 6.5 – Period of Eligibility</u> .....	54
<u>Section 6.6 – Determination of Need</u> .....	54
Income for Basic Necessities .....	55
Use-of-Income Requirements .....	56
Calculation of Income and Expenses.....	57
Consolidation of Deficit .....	58

<u>Section 6.7 – Income</u> .....	58
Income Standards.....	58
Calculation of Income .....	58
Types of Income.....	59
a) Earned income.....	59
b) Income from Other Assistance or Social Services Programs .....	60
c) Court-Ordered Support Payments.....	61
d) Income from Other Sources.....	61
e) Earnings of a Son or Daughter .....	61
f) Income from Household Members .....	61
g) The Pooling or Non-Pooling of Income.....	62
h) Lump Sum Income .....	62
<u>Section 6.8 – Basic Necessities; Maximum Levels of Assistance</u> .....	64
Overall Maximum Levels of Assistance .....	64
Maximum Levels of Assistance for Specific Basic Necessities .....	64
A) Food.....	65
B) Housing .....	66
Rental Payments to Relatives .....	66
Rental Payments to Non-Relatives .....	66
Mortgage Payments.....	67
Liens.....	69
Property Taxes .....	70
Housing Maximums .....	71
C) Utilities .....	71
Electricity Maximums for Households Without Electric Hot Water.....	72
Electricity Maximums for Households that Use Electrically Heated Hot Water.....	72
Non-Electric Utilities .....	72
D) Fuel.....	72
E) Personal Care and Household Supplies.....	73
F) Other Basic Necessities.....	73
1) Clothing.....	73

2) Medical .....	74
3) Hospital Bills .....	75
4) Dental.....	75
5) Eye Care.....	76
6) Telephone Charge .....	76
7) Work-Related Expenses .....	76
8) Travel Expenses .....	77
9) Burials, Cremations.....	77
10) Capital Improvements .....	77
<b>Section 6.9 – Burials; Cremations .....</b>	<b>78</b>
Funeral Director Must Give Timely Notice .....	78
Application for Assistance Shall be Calculated on Behalf of the Deceased ...	78
The Financial Responsibility of Certain Family Members.....	79
Consideration of the Financial Responsibility of Family Members.....	79
Proration of Familial Responsibility .....	80
Eight Days to Determine Eligibility .....	80
The Municipal Obligation to Pay When Legally Liable Relatives or Others Can Contribute .....	81
Burial Expenses .....	81
Cremation Expenses .....	81
<b>Section 6.10 – Notice of Decision .....</b>	<b>81</b>
Written Decision .....	81
Contents.....	82
Disbursement of General Assistance .....	82
<b>Article VII – The Fair Hearing .....</b>	<b>84</b>
Section 7.1 – Right to a Fair Hearing.....	84
Section 7.2 – Method of Obtaining a Fair Hearing .....	84
Written Request.....	84
Scheduling the Fair Hearing .....	85
Section 7.3 – The Fair Hearing Authority .....	85
Section 7.4 – Fair Hearing Procedure.....	86
Claimant's Failure to Appear .....	87

Section 7.5 – The Fair Hearing Decision.....	88
<b>Article VIII – Recovery of Expenses .....</b>	<b>90</b>
Recipients .....	90
Recipients Anticipating Workers’ Compensation Benefits .....	90
Recipients of SSI .....	91
Relatives .....	91
<b>Article IX – Severability .....</b>	<b>92</b>
<b>Appendixes</b>	
Appendix A – GA Overall Maximums	
Appendix B – Food Maximums	
Appendix C – GA Housing Maximums	
Appendix D – Electric Utility Maximums	
Appendix E – Heating Fuel	
Appendix F – Household & Personal Items	
Appendix G –Mileage Rate	
Appendix H – Funeral Maximums	
Appendix I – Definition of Misconduct (26 MRSA § 1043(23))	

## **ARTICLE I**

### **Statement of Policy**

The Municipality of \_\_\_\_\_ administers a general assistance ("GA") program available to all persons who are eligible pursuant to the standards provided in this ordinance, state law (22 M.R.S. § § 4301 – 4326), and Department of Health and Human Services (DHHS) regulations.

The program will make every effort to recognize the dignity of applicants while helping eligible persons achieve self-maintenance by promoting the work incentive. When possible, the program will connect recipients with rehabilitative, preventive and protective services to alleviate non-financial needs. The GA program will not place unreasonable restrictions on the personal rights of applicants or recipients, nor will it discriminate based on sex, age, race, nationality, religion, sexual orientation or disability. The municipality is committed to including qualified individuals with disabilities in municipal services, programs, and activities. As a result, the municipality will promote a GA program that when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. GA applicants with physical or mental disabilities that require a reasonable accommodation in order to access and/or utilize the GA program are encouraged to contact the municipality to make an accommodation request.

The Administrator will act promptly on all applications for assistance and requests for fair hearings, and will provide GA applicants with information regarding their rights and responsibilities under the program. Within 24 hours after receipt of an application, the Administrator will provide the applicant a written decision, whether or not assistance is granted, that will state the specific reasons for the decision. The Administrator will also provide the applicant written notice that the applicant may appeal to the municipal fair hearing authority if dissatisfied with the decision. When an applicant is determined to be eligible, assistance appropriate to the need will be furnished within 24 hours after the completed application is



submitted except when the Administrator issues non-emergency assistance conditionally on the successful completion of a workfare assignment (*see Ordinance § 5.6*).

The Administrator will maintain complete and accurate records pertaining to each applicant and recipient. These records are confidential as a matter of law. 22 M.R.S. § 4306.

The Administrator will post notice stating the day(s) and hours the Administrator will be available. The Administrator, or other designated person/entity, will be available to take applications in the event of an emergency at all other times. A copy of this ordinance and Maine General Assistance law will be available to any member of the public upon request. Notice to this effect will be posted.

## ARTICLE II

### Definitions

#### Section 2.1—Common Meaning of Words

Unless otherwise apparent or defined, all words in this ordinance will have their common meaning.

#### Section 2.2—Special Definitions

**Administrator.** See “General Assistance Administrator,” below.

**Applicant.** A person who has submitted an application for GA directly or through an authorized representative, or who has, in an emergency, requested assistance without first completing an application. All persons on whose behalf an authorized application has been submitted or on whose behalf benefits have been granted shall be considered applicants.

**Application Form.** A standardized form used by the Administrator to allow a person to apply for GA benefits. The application form also confirms that a person has made an application. The application form is not complete unless signed by the applicant.

**Basic Necessities.** Food, clothing, shelter, fuel, electricity, potable water, non-elective essential medical services as prescribed by a physician, nonprescription drugs, basic telephone service where it is necessary for medical or work related reasons, property taxes when a tax lien placed on the property threatens the loss of the applicant’s place of residence, and any other commodity or service determined essential by the municipality.

“Basic necessities” do not include:

- Phone bills
- Cable or satellite dish television
- Mail orders
- Vehicle payments
- Credit card debt\*\*

- Furniture
- Loan re-payments\*\*
- Cigarettes
- Alcohol
- Pet care costs
- Vacation costs
- Legal fees
- Late fees
- Key deposits
- Security deposits for rental property (except when no other permanent lodging is available unless a security deposit is paid, and a waiver, deferral or installment arrangement cannot be made between landlord and tenant to avoid need for immediate payment of the security deposit in full) (22 M.R.S. § 4301(1)).

\*\*Repayments of loans or credit will be treated as having been spent on basic necessities when the applicant can provide verification of this fact.

**Case Record.** An official file containing application forms; correspondence; narrative records and all other communications pertaining to an applicant or recipient; written decisions regarding eligibility including reasons for those decisions and types and amounts of assistance provided; records concerning an applicant's request for fair hearing; and fair hearing decisions.

**Categorical Assistance.** All state and federal income maintenance programs.

**Claimant.** A person who has requested a fair hearing.

**Deficit.** An applicant's deficit is the appropriate overall maximum level of assistance for the household (see Ordinance § 6.8) less the household income (calculated pursuant to Ordinance § 6.7), provided that this calculation yields a positive number. If the household income is greater than the appropriate overall maximum level of assistance, the household has no deficit.

**Disabled Person.** A person who is presently unable to work or maintain a home due to a physical or mental disability that is verified by a physician or qualified mental health provider.

**Dwelling Unit.** A building or part thereof used for separate living quarters for one or more persons living as a single housekeeping unit (22 M.R.S. § 4301(2)).

**Eligible Person.** A person who is qualified to receive GA benefits from the municipality according to the eligibility standards in this Ordinance, Maine law (22 M.R.S. ch. 1161), and DHHS regulations (10-144 C.M.R. ch. 323). If otherwise qualified, "Eligible Person" includes U.S. citizens; non-U.S. citizens who are lawfully present in the United States as described in 8 U.S.C. § 1621(a)(1)-(3); and non-U.S. citizens who are pursuing a lawful process to apply for immigration relief. Assistance for non-citizens pursuing a lawful process for immigration relief shall not exceed 24 months beginning with assistance provided after July 1, 2015. "Eligible Person" does not include a fugitive from justice as defined in 15 M.R.S. § 201(4).

**Emergency.** Any life threatening situation, or a situation beyond the control of the individual which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of a person. At the municipality's option, it includes a situation which is imminent and which may result in undue hardship or unnecessary cost to the individual or municipality if not resolved immediately. (22 M.R.S. § § 4301(4), 4308(2), 4310).

**General Assistance ("GA") Program.** A service administered by a municipality for the immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families. A GA program provides a specific amount and type of aid for defined needs during a limited period of time and is not intended to be a continuing "grant-in-aid" or "categorical" welfare program. This definition shall not lessen the municipality's responsibility to provide GA benefits to a person each time that the person is in need and is found to be eligible to receive GA (22 M.R.S. § 4301(5)).

**General Assistance ("GA") benefits.** Benefits provided to a person through the GA program.

**General Assistance Administrator (“Administrator”).** A municipal official designated to receive applications, make decisions concerning an applicant’s right to receive assistance, and prepare records and communications concerning assistance. He or she may be an elected overseer or an authorized agent such as a town manager, welfare director, or caseworker (22 M.R.S. § 4301(12)).

**Homelessness.** “Homelessness” means a situation in which a person or household is: (a) living in a place that is not fit for human habitation; (b) living in an emergency shelter; (c) living in temporary housing, including but not limited to a hotel, motel, campground, unlicensed campsite or rehabilitation facility; (d) exiting a hospital or institution licensed under 22 M.R.S. ch. 405 or a correctional facility where the person or household resided for up to 90 days if the person or household was in an emergency shelter or a place not fit for human habitation before entering the hospital, institution or correctional facility; (e) losing the person’s or household’s primary nighttime residence and lacking the resources or support networks to remain in that residence; or (f) fleeing or attempting to flee violence and has no other residence.

**Household.** “Household” means an individual or a group of individuals who share a dwelling unit. When an applicant shares a dwelling unit with one or more individuals, even when a landlord-tenant relationship may exist between individuals residing in the dwelling unit, eligible applicants may receive assistance for no more than their pro rata share of the actual costs of the shared basic needs of that household according to the maximum levels of assistance established in the municipal ordinance. The pro rata share is calculated by dividing the maximum level of assistance available to the entire household by the total number of household members. The income of household members not legally liable shall be considered as available to the applicant only when there is a pooling of income (22 M.R.S. § 4301(6)).

**Income.** “Income” means any form of income in cash or in kind received by the household including:

- Net remuneration for services performed;
- Cash received on either secured or unsecured credit;
- Payments received as an annuity, retirement or disability benefits;
- Veterans' pensions and/or benefits;
- Retirement accounts or benefits;
- Workers' compensation payments;
- Unemployment benefits;
- Federal and/or state tax returns;
- Income from pension or trust funds;
- Student loans;
- Benefits under any state or federal categorical assistance program such as, TANF, Supplemental Security Income, Social Security and any other payments from governmental sources (unless specifically prohibited by any law or regulation);
- Court ordered support payments (e.g., child support);
- Household income from any other source, including relatives or unrelated household members; and
- Rental income.

The following items will not be considered as income or assets that must be liquidated for the purposes of deriving income:

- 1) Real or personal income-producing property, tools of trade, governmental entitlement specifically treated as exempt assets by state or federal law;
- 2) Actual work-related expenses, whether itemized or by standard deduction, such as taxes, retirement fund contributions, union dues, transportation costs to and from work, special equipment costs and child care expenses; or
- 3) Earned income of children below the age of 18 years who are full-time students and who are not working full time.

In determining need, the period of time used as a basis for the calculation shall be a 30-day period commencing on the date of the application. This prospective calculation shall not disqualify an applicant who has exhausted income to purchase basic necessities, provided that the income does not exceed the income standards established by the municipality (22 M.R.S. § 4301(7)).

- 4) Benefits received pursuant to public benefit programs that are specifically exempt from being counted as income for purposes of GA. These programs include:
- Food Stamps (7 USC § 2017(b))
  - Li-Heap (42 USC § 8624)
  - Family Development Accounts (22 M.R.S. § 3762)
  - Americorp VISTA program benefits (42 USC § 5044 (f))
  - Property tax rebates issued under the Maine Property Tax Fairness Credit program, but only if the money is spent on basic necessities. (22 M.R.S. § 4301(7))
  - Aspire Support Service Payments (10-144 CMR Chapter 323)

**Initial Applicant.** A person who has not previously applied for GA assistance in this or any other municipality.

**Just Cause.** A valid, verifiable reason that hinders an individual from complying with one or more conditions of eligibility or from attending a scheduled fair hearing (22 M.R.S. § § 4301(8), 4316-A(5)).

**Lump Sum Payment.** A one-time or typically nonrecurring sum of money issued to an applicant or recipient. Lump sum payment includes, but is not limited to, retroactive or settlement portions of social security benefits, workers' compensation payments, unemployment benefits, disability income, veterans' benefits, severance pay benefits, or money received from inheritances, lottery winnings, personal injury awards, property damage claims or divorce settlements. A lump sum payment includes only the amount of money available to the applicant after required deductions have been taken from the gross lump sum payment. A lump sum payment does not include conversion of a non-liquid resource to a liquid resource if the liquid resource has been used or is intended to be used to replace the converted resource or for other necessary expenses. (22 M.R.S. § 4301 (8-A)).

**Material Fact.** A material fact is a fact that necessarily has some bearing on the determination of an applicant's GA eligibility, and which would, if disclosed to the

Administrator, have some determinable effect on the calculation of eligibility or the issuance of a grant of assistance.

**Maximum Levels of Assistance.** The amount of financial assistance for a commodity or service as established in Ordinance § 6.8 or the actual cost of any such basic necessity, whichever is less.

**Misconduct.** For purposes of the GA work requirement (22 M.R.S. § 4316-A) misconduct shall have the same meaning as “misconduct” in 26 M.R.S. § 1043(23). (*See Ordinance Appendix I*). Generally, misconduct occurs when an employee violates his or her obligations to the employer. Employees who engage in a pattern of irresponsible behavior to the detriment of the employer's interest may also be found guilty of misconduct.

**Municipality.** Any city, town or plantation administering a GA program.

**Municipality of Responsibility.** The municipality which is financially liable for the support of an eligible person at the time of application (22 M.R.S. § § 4301(9), 4307).

**Need.** The condition whereby a person's income, money, property, credit, assets or other resources available to provide basic necessities for the individual and the individual's family are less than the maximum levels of assistance (22 M.R.S. § § 4301(10), 4308).

**Net General Assistance Costs.** Those direct costs incurred by a municipality in providing assistance to eligible persons according to standards established by the municipal officers. These do not include the administrative expenses of the GA program (22 M.R.S. § § 4301(11), 4311).

**Period of Eligibility.** The time for which a person has been granted assistance. The period of eligibility may vary depending on the type of assistance provided; however, in no event shall this period extend beyond one month (22 M.R.S. § 4309(1)).



**Pooling of Income.** "Pooling of income" means the financial relationship among household members who are not legally liable for mutual support in which there occurs any commingling of funds or sharing of income or expenses. This ordinance establishes a rebuttable presumption that persons sharing the same dwelling unit are pooling their income. Applicants who request that the determination of eligibility be calculated as though one or more household members are not pooling their income have the burden of rebutting the presumed pooling of income.

**Real Estate.** Any land, buildings, homes, mobile homes and any other things affixed to the land (22 M.R.S. § 4301(13)).

**Recipient.** A person who has applied for and is currently receiving GA.

**Recovery Residence.** Recovery residence" means a shared living residence for persons recovering from substance use disorder that is focused on peer support, provides to its residents an environment free of alcohol and illegal drugs and assists its residents by connecting the residents to support services or resources in the community that are available to persons recovering from substance use disorder. 5 M.R.S. § 20003(19-D).

**Registered Domestic Partner.** An individual registered as the domestic partner of the applicant pursuant to 22 M.R.S. § 2710.

**Repeat Applicants.** All applicants for GA benefits that are not initial applicants are repeat applicants. For purposes of this ordinance "repeat" and "subsequent" shall have the same meaning.

**Resident.** A person who is physically present in a municipality with the intention of remaining in that municipality in order to maintain or establish a home and who has no other residence. A person who applies for assistance in a municipality who is not a resident of that municipality or any other municipality is the responsibility of the municipality where the person first applies. That municipality must take an application and grant assistance to the applicant if he/she is eligible, until he/she establishes a new residence in another municipality (22 M.R.S. § 4307).

**Resources.** Resources include any program, service, or other sources of support which are an alternative to or supplement for GA. There are two kinds of resources: “available” and “potential”. Potential resources are programs, services, non-liquid assets, or trusts that typically require people to apply in writing and/or wait a period of time before eligibility is determined or the potential income is released.

Potential resources include, but are not limited to, state or federal assistance programs, employment benefits, governmental or private pension programs, available trust funds, support from legally liable relatives, child support payments, and jointly held resources where the applicant or recipient share may be available to the individual (22 M.R.S. § 4317). Potential resources include the TANF (previously known as AFDC) program, Food Stamps, fuel assistance (HEAP), subsidized housing, and similar programs.

Available resources include resources which are immediately available to the applicant or which can be conveniently secured by the applicant without delay, such as cash on hand or in bank accounts, assets for which there is an immediate and available market, or support from relatives which is being made available at the time of application and for which the applicant does not have to take any unreasonable steps to secure (e.g., relocation beyond the immediate region). At the discretion of the Administrator a minimum balance required by a financial institution in order to obtain free checking or in order to maintain the account shall not be considered an available resource.

The Administrator reserves the right to inform GA clients of services, commodities or facilities made available by private organizations or charities; however, eligibility for GA benefits shall not be based or conditioned on the use of a private charitable resource(s).

**30-Day Need.** An applicant's 30-day need is the sum of the household's prospective 30-day costs, from the date of application, for the various basic necessities. For the purpose of this calculation, the 30-day cost for any basic need shall be the household's actual 30-day cost for the basic necessity or the maximum

30-day cost for the basic necessity as established by this ordinance, whichever is less.

**Unforeseen Repeat Applicants.** A repeat applicant who has not applied for assistance within the last twelve months and who has been regularly employed or receiving support from a public benefit program or private source and who has unexpectedly become unemployed through no fault of their own or whose benefits (e.g., through an available resource) have ceased through no fault of their own.

**Unmet Need.** An applicant's unmet need is the household's 30-day need (established by Ordinance § 6.6) less the household income (calculated pursuant to Ordinance § 6.7), provided such a calculation yields a positive number. If the household income is greater than the household's 30-day need, the household does not have an unmet need.

**Work Requirements.** Work requirements are obligations the Administrator places on applicants as directed and/or authorized by 22 M.R.S. § 4316-A to the extent such obligations (1) ensure a continuing potential eligibility for GA when complied with, (2) result in ineligibility when violated, and (3) are not merely optional, discretionary, or advisory. Work requirements include registering for work, looking for work in good faith, accepting all suitable job offers, maintaining employment, performing workfare, and participating in training, educational, or rehabilitation programs that will assist the participant in securing employment.

## ARTICLE III

### Administrative Rules and Regulations

#### Section 3.1—Confidentiality of Information

Case records and all other information relating to a GA applicant or recipient are confidential and will not be disclosed to the general public. (22 M.R.S. § 4306).

**Release of Information.** Applicants, recipients and their legal representatives have the right to review their case records. No record will be released to a third party unless the Administrator receives a signed consent form in which the applicant expressly authorizes the release of his or her records to the specified parties. Whenever the Administrator releases any information, he/she will make a notation in the applicant's file stating to whom the record was released and the date. The Administrator may charge a reasonable fee for reproduction of records.

**Information from Other Sources; Penalty.** Information concerning an applicant or recipient furnished to the municipality by DHHS or any other agency or institution pursuant to 22 M.R.S. § 4314, is confidential. The Administrator will also comply with laws requiring confidentiality of vital statistic records such as birth, marriage and death records. (22 M.R.S. § 2706).

Any representative of a financial institution or any employer of a GA applicant who, upon receipt of a written release signed by the depositor /employee and a written request from the Administrator, refuses to provide necessary information to the Administrator in order to verify an applicant's eligibility must state in writing the reason for the refusal. National banks are also obligated to disclose deposit information to the Administrator upon receipt of a written request and release signed by the depositor. Additionally, when a municipality or its agents are acting in accordance with section 4313(2) to verify eligibility for funeral or cremation benefits, an officer of a financial institution must disclose the amount deposited upon receipt of a written request from the municipality or its agents and a notarized affidavit signed by the overseer of the municipality or its agents stating that the named

depositor is deceased. Any such person who refuses to provide information, without just cause, may be subject to a civil penalty of not less than \$25 nor more than \$100. Any person, including the applicant, who knowingly and willfully makes a false representation of a material fact to the Administrator commits a Class E crime (22 M.R.S. § § 4314, 4315).

**Misuse of Information.** Misuse of any information relating to an applicant or recipient is a punishable offense (22 M.R.S. § 42(2)).

### Section 3.2—Maintenance of Records

The Administrator will maintain complete and accurate program records (22 M.R.S. § 4306). These records are necessary to: (a) document and account for municipal program expenditures; (b) document and support decisions concerning applicants and recipients; and (c) ensure relevant information is available for any fair hearing or judicial review of the Administrator's decisions.

**Case Records.** The Administrator will maintain a separate case record, in paper or digital format, for each applicant or recipient. Each case record will include at least:

- household applications;
- household budget sheets;
- the types and amounts of assistance provided;
- narrative statements describing the nature of the emergency situation whenever GA is granted in amounts greater than the applicant's mathematical eligibility (i.e., deficit or unmet need, whichever is less);
- written decisions;
- requests for fair hearings and the fair hearing authority decisions;
- workfare participation records;
- repayments to the municipality;
- narrative writings documenting the need for general assistance, the results of home visits, collateral information, referrals, changes in status;

- client authorization(s) for the release of GA information and/or reason(s) for the release of confidential information;
- adjustments in aid, and suspension or termination of eligibility;
- physician's documentation;
- Supplemental Security Income (SSI) interim assistance reimbursement authorization forms; and
- vendor forms

Case records will not include information that is irrelevant to the applicant's or recipient's application or the Administrator's decisions.

**Retention of Records.** GA records shall be retained for at least three full years. The three-year period shall coincide with the state government's fiscal year which begins July 1 and ends on the following June 30. Records may be destroyed after three years by supervised shredding, burning or an appropriate digital deletion/destruction process. If a recipient's records contain SSI reimbursement forms, the recipient's records should be retained so that the municipality may seek reimbursement.

## ARTICLE IV

### Application Procedure

#### Section 4.1—Right to Apply

**Who May Apply.** Any person may apply for GA. The head of the family, any other responsible household member, or an authorized representative must apply in person, except in special emergency situations (see Ordinance § 4.9) or when the applicant resides at an emergency shelter and the municipality has made an agreement with that emergency shelter to presume shelter residents eligible for GA benefits (22 M.R.S. § 4304(3)). In such cases, the Administrator may require a representative to present a signed statement documenting that he/she is authorized to apply on behalf of the named applicant. The applicant or representative must complete a written application and any other forms necessary for the Administrator to determine eligibility (22 M.R.S. § § 4305, 4308). With notice, all members of the household receiving GA may be required to physically present themselves to the Administrator. Note that fugitives from justice are ineligible for GA benefits.

**Telephone Applications.** When a person has an emergency but is unable to apply in person due to illness, disability, lack of child care, lack of transportation or other good cause, and he/she cannot send an authorized representative, the Administrator will accept an application by telephone. The telephone application is subject to written verification by mail and a visit to the applicant's home with his or her permission (22 M.R.S. § 4304).

**Written Application Upon Each Request.** Each request for assistance will be administered in accordance with these guidelines, and the Administrator will make an independent determination of eligibility for GA each time a person applies (22 M.R.S. § § 4308, 4309).

**Applications Accepted; Posted Notice.** Application forms will be available during regular business hours at the municipal office and when the Administrator is conducting interviews with applicants. Completed applications will be accepted and

interviews given only during the regular hours established and posted by the Administrator. In an emergency, however, the Administrator or his or her designee will be available to accept applications for assistance whenever necessary.

The municipality will post notice stating the times and location where people may apply for assistance and contact information for the Administrator available to take emergency applications at all other times. In addition, the posted notice shall state that the municipality must issue a written decision on all applications within 24 hours, and will include the DHHS toll-free telephone number for reporting alleged violations or complaints. (22 M.R.S. § 4304).

#### Section 4.2—Application Interview

Except when it is impractical, the Administrator will interview each applicant in person before making a decision. Interviews will be conducted in private, although the applicant may be accompanied by a legal representative, friend or family member.

#### Section 4.3—Contents of the Application

An application must contain the following information:

- a) the applicant's name, address, date of birth, SSN or appropriate United States Customs and Immigration Services (USCIS) documentation, and phone number;
- b) the names, date(s) of birth, and SSN(s) or appropriate USCIS documentation of other household members for whom the applicant seeks assistance;
- c) the total number of individuals living with the applicant;
- d) employment and employability information;
- e) a listing of all household income, resources, assets, and property;
- f) the applicant's household expenses;
- g) the types of assistance requested;
- h) a statement of the penalty for false representation;
- i) the applicant's permission for the Administrator to verify information;



- j) the signature of applicant and date.

If an initial applicant is unable to provide identification records (e.g., SSN card/number) because the record may have been lost, stolen or misplaced, the Administrator may allow the initial applicant a reasonable amount of time (e.g., five working days), to obtain copies of identification records. Provided the initial applicant makes a good faith effort to obtain the item/record sought, GA benefits necessary to cure an immediate and/or emergency need shall not be withheld. In such cases the Administrator may elect to provide a prorated amount of GA (e.g., five days' worth), while the applicant attempts to obtain the required information.

#### Section 4.4—Administrator's Responsibilities at the Time of the Application

The Administrator will inform all applicants of: (1) their rights and responsibilities; (2) general program requirements for applying for and receiving GA, and (3) application requirements, eligibility guidelines, applicant rights, and applicant reimbursement obligations.

**Application Requirements.** The Administrator will help applicants complete application forms, and inform applicants of any other information or documents necessary to evaluate the applicant's eligibility. The Administrator will fully explain the purpose of any forms consenting to release of the applicant's information and any benefit reimbursement agreements before the Administrator requests the applicant's signature or written authorization.

**Eligibility Requirements.** The Administrator will inform the applicant, either orally or in writing, of the eligibility requirements of the program, including:

- the income standard of need;
- the applicant's ongoing use-of-income, work-related, and resource-related responsibilities, as described in the section immediately below;
- the reduction in assistance that results from spending household income on non-basic necessities;

- immigration status (see definition of “Eligible Person”); and
- the disqualification penalties associated with committing fraud, failing to perform work-related assignments without just cause, or failing to make a good faith effort to secure potential resources when the requirement to attempt to obtain those resources has been explained to the applicant in writing.

**Applicant Rights.** The Administrator will inform all applicants of their right to:

- review the municipal GA ordinance and Maine GA statute and regulations;
- apply for assistance;
- receive a written decision concerning eligibility within 24 hours after application;
- confidentiality of the application and other records;
- contact the DHHS with complaints;
- challenge the Administrator’s decision by requesting a fair hearing.

**Reimbursement/Recovery.** The Administrator will inform the applicant/recipient that he/she must reimburse the municipality the amount of GA benefits he/she has been granted if he/she subsequently has the ability to pay. The municipality may also, as appropriate, contact and inform the applicant/recipient’s legal representative of the recipient’s obligation to repay the municipality.

The municipality may also recover the amount of assistance granted to a recipient during the previous 12 months from any relative legally liable for the applicant’s support, such as a spouse, or the parents of persons under the age of 25. (*See Article VIII, “Recovery of Expenses”*) (22 M.R.S. § § 4318, 4319). Whenever applicable, the Administrator will explain the liens a municipality may place against a recipient’s real or personal property, such as the mortgage or capital improvement lien, the Workers’ Compensation lump sum payment lien, or the SSI “interim assistance agreement” lien, described in Article VIII, “Recovery of Expenses.”

#### Section 4.5—Responsibilities of the Applicant at the Time of Application

The applicant is responsible to provide accurate, complete and current household information and verifiable documentation at the time of each application concerning:

- Income
- Resources
- Assets
- Employment
- Use of income
- Names and addresses of any relatives legally liable for the applicant's support
- Any change in this information from a previous application that would affect household eligibility (22 M.R.S. § 4309).

In addition, the applicant must accurately report and provide verifiable documentation that shows the applicant:

- a) has remained employed, if previously employed, and has not quit work without just cause or been discharged from employment for misconduct;
- b) has been seeking employment, if previously unemployed or employed on a part-time basis, has accepted any suitable offer of employment, and has satisfactorily performed all workfare assignments or had just cause not to perform those assignments;
- c) has made use of all available and potential resources when directed in writing to such a program by the Administrator, including, but not limited to, other government benefit programs or the assistance of liable relatives of sufficient means; and
- d) has participated in any training, retraining, educational or rehabilitative program when appropriate and when directed in writing to such a program by the Administrator, in order to diminish the applicant's need for general assistance (22 M.R.S. § § 4316-A, 4317).

#### Section 4.6—Action on Applications

**Written Decision.** The Administrator will issue a written decision concerning the applicant's eligibility within 24 hours after the applicant submits a written

application. Assistance will be furnished to eligible applicants within that period except when the municipality is permitted by law (and pursuant to Ordinance § 5.6) to issue assistance conditionally on the successful completion of a workfare assignment (22 M.R.S. § § 4305, 4316-A, 4321). A written decision will be given each time a person applies, whether assistance is granted, denied, reduced or terminated.

**Content of Decision.** The Administrator's written decision will contain:

- a) the type and amount of benefits granted, or the applicant's ineligibility for benefits;
- b) the period of eligibility if the applicant is eligible for assistance;
- c) the specific reasons for the Administrator's decision;
- d) the applicant's right to a fair hearing; and
- e) the applicant's right to notify the DHHS if he/she believes the municipality has acted illegally (22 M.R.S. § 4321).

#### Section 4.7—Withdrawal of an Application

An application will be considered withdrawn if the applicant requests in writing that the application be withdrawn; or if the applicant refuses to complete or sign the application or any other document needed by the Administrator.

#### Section 4.8—Temporary Refusal to Accept Application

Under special circumstances, the Administrator may temporarily refuse to accept applications. Such circumstances include, but are not limited to, the following:

- a) When the applicant's conduct is abusive, disruptive, or harassing, or when the applicant is under the influence of drugs or alcohol. In these situations, the applicant will be asked to leave; if the applicant refuses to leave, the police may be summoned. The applicant will be informed that an application will only be accepted when his or her conduct is under control.

- b) If the Administrator believes that an applicant's behavior presents a threat to the health or safety of the public or to a municipal employee, if the applicant's behavior is violent, or if an applicant has engaged in abusive, disruptive or harassing behavior and has been required to leave on more than one occasion, the applicant may be required to designate a third party to apply for assistance on his or her behalf and the applicant may be prohibited from entering the municipal building;
- c) When a third person applies for assistance on behalf of the applicant that person may be required to provide written verification that he/she has been duly authorized to act as a representative for the applicant (22 M.R.S. § 4308).

#### Section 4.9—Emergencies

An “emergency” means any life threatening situation, or a situation beyond the control of the applicant which if not alleviated immediately could reasonably be expected to pose a threat to the health or safety of the applicant or a member of the household (22 M.R.S. § 4301(4)). An emergency includes homelessness or imminent homelessness. Even if an applicant is otherwise ineligible to receive GA benefits, unless he/she is disqualified as provided below, emergency assistance may be granted to applicants who lack sufficient income and resources to meet the emergency need and also have not had sufficient income and resources to avert the emergency (22 M.R.S. § 4308).

A municipality may provide emergency assistance when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs to either the applicant or the municipality.

**Disqualification for Emergency Assistance.** A person who is currently disqualified from receiving GA due to a violation of Ordinance § § 5.5, 5.6, 5.7, 5.8, 5.9 or 6.4 is ineligible to receive emergency assistance (22 M.R.S. § 4308(2)(A)). However, dependents of a disqualified person may be eligible for assistance. For the

purposes of this section, "dependents" are defined as: (1) a dependent minor child; (2) an elderly, ill or disabled person; or (3) a person whose presence is required to provide care for any child under the age of 6 years or any ill or disabled member of the household (22 M.R.S. § 4309(3)).

If one or more members of a household are disqualified and assistance is requested for the remaining dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

**Assistance Prior to Verification.** Whenever an applicant informs the Administrator that he/she needs assistance immediately, the Administrator will grant, pending verification, the assistance within 24 hours, provided that:

- a) after interviewing the applicant the Administrator has determined that the applicant will probably be eligible for assistance after a verification of information is completed; and
- b) the applicant submits documentation when possible, to verify his or her need. The Administrator may contact at least one other person to confirm the applicant's statements about his/her need for emergency assistance. No further assistance will be authorized until the applicant's eligibility is confirmed (22 M.R.S. § 4310).

**Telephone Applications.** If a person has an emergency need and cannot apply in person due to illness, disability, lack of transportation, or other good cause, and if there is no authorized representative who can apply on behalf of the applicant, the Administrator shall accept an application over the telephone (22 M.R.S. § 4304).

Assistance will not be granted after a telephone application if the applicant refuses to allow the Administrator to verify information provided by the applicant either by visiting his or her home or by mail, and the Administrator cannot determine eligibility through any other means.

**Limitation on Emergency Assistance.** Applicants are not automatically eligible for emergency assistance. If an applicant had income which could have been used to prevent all or part of an emergency, but he or she spent that income on items which are not basic necessities, the applicant will not be eligible to receive GA to replace the misspent money (22 MRSA § § 4308(2) & 4315-A).

All applicants must provide the Administrator with verifiable documentation demonstrating that the applicant lacked sufficient income to avert the emergency situation. According to the following criteria, the Administrator may limit emergency assistance to cover only the difference between the amount of money necessary for the household to avoid the emergency and the amount of income available to the household during the applicable time period.

- a) The applicable time period shall be the 30 days preceding the application for emergency assistance, except in those cases where the emergency was created by a negative account balance for a commodity or service (such as rent, mortgage or utility payments), and the negative account balance was created over a longer period of time. In such cases, the applicable time period shall be the consecutive length of time the account balance has been in the negative.
- b) The Administrator shall seek from the applicant all information pertinent to the applicant's ability to provide for his or her basic necessities for the applicable time period, including evidence of all income and resources received over that period of time.
- c) The Administrator shall calculate all costs per month for the household's basic necessities during the applicable time period, consistent with the maximum levels established by this ordinance for the specific basic necessity or the actual monthly cost, whichever is less, including all costs associated with averting the particular emergency situation for which the applicant is seeking assistance.

- d) From the total household costs for basic necessities during the applicable time period, the Administrator shall subtract the total income and lump sum payments available to the household for the applicable time period as well as the total general assistance actually received during the applicable time period.
- e) The Administrator may restrict the issuance of emergency assistance to the difference yielded by the computation in subsection (d), even when such a grant will not totally alleviate the emergency situation.
- f) The Administrator may waive this limitation on emergency assistance in life threatening situations or for initial applicants; that is, persons who have never before applied for general assistance.
- g) Nothing in these criteria may be construed as prohibiting a municipality from electing to alleviate an emergency situation in the most cost-effective manner available, provided such a determination of eligibility for emergency assistance is in conformance with general assistance law.

#### Section 4.10—Residence

The Administrator shall provide GA to all eligible applicants who are residents of this municipality. A resident is a person who has no other residence, is physically present in this municipality and who intends to remain here and establish a household.

The municipality also recognizes its responsibility to provide assistance to eligible persons who apply here and who are not residents of this municipality or any other municipality. If a person who is not a resident of any municipality applies in this municipality first, the Administrator will determine his or her eligibility and, if eligible, will grant assistance until he/she establishes a residence in another municipality (22 M.R.S. § 4307).



**Moving/Relocating.** The municipality will not consider moving or transporting an applicant or recipient into another municipality unless the person requests assistance to relocate to another municipality. If the Administrator determines the applicant is eligible and grants financial assistance to help with the requested relocation, this municipality will be responsible for providing assistance to the applicant for 30 days after he/she moves provided the recipient remains eligible.

**Institutions.** If a resident of this municipality enters an institution located in another municipality (such as a group home, shelter, rehabilitation center, nursing home, or hospital) and requests assistance while at the institution, he/she will be the responsibility of this municipality for up to 6 months after he/she enters the institution if the conditions of 22 M.R.S. § 4307 and § 4313 are met. The municipality thereafter retains responsibility for an applicant in an institution only if the applicant has maintained a home in this municipality to which he/she intends to return. The municipality also recognizes its responsibility for applicants residing in an institution in this municipality if such an applicant had no residence prior to entering the institution (22 M.R.S. § 4307(4)).

**Temporary Housing.** Hotels/motels and similar places of temporary lodging are considered institutions if the municipality grants financial assistance for, makes arrangements for, or advises or encourages an applicant to stay in temporary lodging.

**Note:** A municipality which illegally denies housing assistance will be responsible for the applicant for up to 6 months if, as a result of the denial, the applicant stays in temporary lodging. The municipality may also be subject to other penalties (22 M.R.S. § 4307(4)).

**Disputes.** When the Administrator believes that an applicant is a resident of another municipality but that municipality disputes its responsibility, the Administrator will notify DHHS' Augusta office (287-3654 or 1-800-442-6003). If the applicant applies in this municipality first, the Administrator will determine his or her eligibility and, if eligible, will grant assistance until the DHHS has concluded which

municipality is responsible for providing assistance. If another municipality was responsible, the DHHS will recover the amount due from the other municipality. (22 M.R.S. § § 4307(5), 4307(6)).

## ARTICLE V

### Eligibility Factors

A person will be eligible for GA if he/she is an “Eligible Person” as defined in section 2.2, is in need, and has complied with the eligibility requirements set forth below. *(For guidance in determining whether an applicant is an Eligible Person, contact DHHS at (800) 442-6003 (TTY: 287-6948)).*

#### Section 5.1—Initial Application

**Initial Application.** For initial applicants, need will be the sole condition of eligibility, except that all applicants, including initial applicants, are disqualified for a defined period (1) for quitting employment without just cause or for being discharged from employment for misconduct (*see Ordinance § 5.5*) or (2) who are fugitives from justice as defined in 15 M.R.S. § 201(4) (22 M.R.S. § 4301(3)). An initial applicant is a person who has never before applied for GA in any municipality in Maine (22 M.R.S. § 4308(1)).

“Need” means that the applicant's income (including prorated income, where applicable), property, credit, assets or other resources are less than the overall maximum level of assistance contained in Ordinance § 6.8 or the applicant's 30-day need, whichever is less, and he/she does not have adequate income or other resources available to provide basic necessities.

**Repeat Applicants.** Persons who are not initial applicants are repeat applicants; these are persons who have previously applied for GA at some time, including persons on whose behalf a GA application was previously made at any time, provided that the applicant was not a dependent minor in the household at the time of the previous application. To be eligible for GA, repeat applicants must be in need and meet all other eligibility requirements. The eligibility of repeat applicants may also be adversely affected to the extent they have not used their income and resources to secure basic necessities.

#### Section 5.1A – Presumptive Eligibility

A person who is provided shelter in an emergency shelter for the homeless located in the municipality shall be presumed to be an eligible person. Presumed eligibility may not exceed 30 days within a 12-month period. After the period of presumed eligibility, full eligibility must be verified before assistance will be issued. When presumptive eligibility is determined under this section, no other municipality may be determined to be the municipality of responsibility during that 30-day period.

#### Section 5.1B – Recovery Residences

The Administrator will not deny GA benefits to a person for the sole reason that the person is residing in a recovery residence. Beginning July 1, 2022, housing assistance will not be provided to a person residing in a recovery residence that has not been certified in accordance with 5 M.R.S. § 20005 (22), except that the person may receive housing assistance while residing in an uncertified recovery residence for one 30-day period only. The Administrator will inform the person of the requirements and time limits regarding recovery residences. A person who is ineligible for housing assistance under this subsection may remain eligible to receive GA for other basic necessities.

#### Section 5.2—Eligibility for Categorical Assistance

Receipt of categorical assistance will not disqualify an otherwise eligible person. Benefits received from other assistance programs will be considered as income when determining need, with the exception of Food Stamps, which will not be counted as income or resources or otherwise taken into consideration when determining need (7 U.S.C. § 2017 (b)).

In addition, fuel assistance (HEAP/ECIP) received by an applicant will not be considered as income; that is, the Administrator will always compute the heating needs of an applicant who has received HEAP or ECIP as if that applicant paid all costs associated with his or her fuel needs (42 U.S.C. § 8624(f)). When an applicant has received HEAP or ECIP, GA heating energy needs will be calculated

pursuant to Ordinance § 6.7, subsection (c) under “Types of Income”. For several additional exceptions please refer to the definition of “Income” in this Ordinance (see Ordinance § 2.2, page 7, subsection 4).

Applicants or recipients must apply for other program benefits within 7 days after being advised in writing to do so by the Administrator. Persons who, without just cause, make no good faith effort to obtain a potential resource will be disqualified from receiving assistance until they make a good faith effort to obtain the benefit (22 M.R.S. § 4317).

### Section 5.3—Personal Property

- a) **Liquid Assets.** No person owning assets easily convertible into cash, including but not limited to, bank deposits, stocks, bonds, certificates of deposit, retirement accounts, life insurance policies and other marketable security, will be eligible for GA unless and until he or she uses these assets to meet his or her basic needs, and thereby exhausts them. At the discretion of the Administrator, liquid assets need not include a reasonable minimum balance necessary to obtain free checking. Although one checking account per household may be allowed, any monies over the minimum required to obtain free checking are to be considered available liquid assets.
- b) **Tangible Assets.** No person owning or possessing personal property, including but not limited to: a motor vehicle (except as provided immediately below in subsection c), or a boat, trailer, recreation vehicle or other assets that are convertible into cash and are non-essential to the maintenance of the applicant’s household, will be eligible for GA. Exceptions may be made when a person is making an initial application or is an unforeseeable repeat applicant as defined in Ordinance § 2.2 or when reasonable efforts to convert assets to cash at fair market value are unsuccessful. Tools of a trade, livestock, farm equipment and other equipment used for the production of income are exempt from the above category and are not considered available assets.

- c) **Automobile Ownership.** Ownership of one automobile per household will not make a person ineligible for assistance if such vehicle is essential for transportation to employment or for seeking employment, obtaining medical care, rehabilitation or training facilities, or for any other reason the GA Administrator determines reasonable for the maintenance of the applicant's household. GA recipients who own an automobile with a market value greater than \$8,000 may be required, with 7-day's written notice, to make a good faith effort to trade that automobile for an automobile with a market value of less than \$8,000. Any income received by the applicant by virtue of such a trade down must be used for his or her basic necessities. Failure to liquidate or trade down the excess value of any automobile asset can result in disqualification (22 M.R.S. § 4317).

The Administrator will neither pay nor consider as necessary any car payment or vehicle maintenance cost, including insurance, for which the applicant is responsible. However, if the vehicle's value is \$8,000 or less and the applicant is utilizing the vehicle for an "essential" reason (see above), the Administrator may choose to not consider reasonable car payments, reasonable car insurance or reasonable associated costs of maintenance as "misspent" income. GA for travel-related needs shall be computed in accordance with Ordinance § 6.8(F)(7), (8) "Work Related/Travel Expenses."

- d) **Insurance.** Insurance available to an applicant on a non-contributory basis or required as a condition of employment will not be a factor in determining eligibility for GA. Life insurance with a cash surrender value may, at the discretion of the Administrator, be considered as a tangible asset.
- e) **Transfer of Property.** Applicants who transfer assets for less than fair market value to someone else solely for the purpose of establishing eligibility for GA will not be granted GA benefits to replace the uncompensated value of the transferred asset. Assistance will be denied within a 120-day limit up to the uncompensated value of the asset which was transferred unless the transfer of asset is fraudulently misrepresented, in which case a 120-day

disqualification will be issued. There will be a presumption that the applicant transferred his or her assets in order to be eligible for GA whenever property is sold for less than the fair market value or when the transfer occurred within 30 days prior to applying for GA unless the applicant can demonstrate the existence of a good faith transaction.

#### Section 5.4—Ownership of Real Estate

a) **Principal Residence.** Solely for purposes of GA, the applicant's principal residence, including any adjoining land, is considered an exempt resource, even if temporarily unoccupied because of employment, job training, education, illness or disaster, provided the applicant demonstrates an intent to return. If the applicant owns land in excess of the minimum lot size for the zone or district in which the home is located, that land may be considered a potential resource if:

1. The applicant has received GA for the last 120 consecutive days; and
2. The applicant has the legal right to sell the land (e.g., any mortgagee will release any mortgage, any co-owners agree to the sale, zoning or other land use laws do not render the sale illegal or impracticable); and
3. The applicant has the financial capability to put the land into a marketable condition (e.g., the applicant can pay for any necessary surveys); and
4. The land is not utilized for the maintenance and/or support of the household; and
5. A knowledgeable source (e.g., a realtor) indicates that the land in question can be sold at fair market value, for an amount which will aid the applicant's financial rehabilitation; and
6. No other circumstances exist which cause any sale to be unduly burdensome or inequitable.

If conditions above are met, the Administrator may condition the receipt of future assistance on the applicant's good faith efforts to sell, or render

saleable, land which could be used to provide necessary support for the applicant (e.g., the applicant owns 100 "excess" acres. Sale of 10 of the acres would provide for the necessary support; therefore the entire 100 acres need not be sold at the present time.) Assistance shall not be denied during the time that the applicant is making a good faith effort to sell or render saleable the land in question.

Once the applicant ceases to receive assistance the obligations under this section shall also cease.

- b) **Other Property.** If the applicant or dependents own real property other than that occupied as the principal residence, continued GA eligibility will depend on the applicant making a reasonable effort to:
1. Dispose of the property at fair market value in order to convert the property into cash which can be applied toward meeting present need; or
  2. Obtain a loan against such property which may be used to meet present need. Applicants who transfer their excess property to a third party in order to become eligible for GA will be ineligible.

If an applicant is granted assistance in the form of a mortgage payment or capital improvement payment, the municipality may claim a lien against the property. The lien shall not be enforceable until the sale of the property or upon the death of the recipient (*see also Ordinance § 6.8*). 22 M.R.S. § 4320.

#### Section 5.5—Work Requirement

All GA recipients are required to register for work, look for work, work to the extent of available employment, and otherwise fulfill the work requirements, unless the applicant is exempt from such requirements as provided below.

**Employment; Rehabilitation.** All unemployed applicants and households members who are 16 years of age or older and who are not attending a full-time primary or



secondary school intended to lead to a high school diploma will be required to accept any suitable job offer and/or meet with job counselors, attend employment workshops and rehabilitative services, except as provided below (*see "Exemptions"*). Applicants must demonstrate to the Administrator that they are available for work and are actively seeking employment.

A "suitable job" means any job, which the applicant is mentally and physically able to perform. "Available for work" means that applicants must make themselves available for work during normal business hours prevailing in the area, and show that no circumstance exists which would prevent them from complying with the work requirement.

**Verification.** Unemployed applicants or applicants employed on a part-time basis must provide verifiable documentation of their pursuit of employment at the time of each application. At a minimum, such documentation will consist of a list of the employers contacted, the date and time of the application contact, and the name of the employer representative contacted. "Pursuit of employment" means actually submitting a written application or applying for a job in person when reasonable, or submitting a written application or letter of inquiry to employers.

For the duration of any repeat applicant's period of unemployment or partial employment, the Administrator will establish the number of employers per week to whom each non-exempt applicant shall be required to apply in order to fulfill his or her work search requirements. The number of weekly employer contacts required by the Administrator shall be reasonably related to the number of potential employers in the region and the number of hours per week the applicant has available for work search activities after considering all time the applicant must devote to existing employment obligations, workfare obligations, and required classroom or on-site participation in job training, educational, or rehabilitation programs. Fulfillment of these requirements will not be expected at the time of the initial application, but will be a condition of eligibility for subsequent assistance.

**Ineligibility.** After being granted assistance at the time of initial application, applicants will be considered ineligible for further assistance for 120 days if they, without just cause:

- a) refuse to register for employment with the Maine Job Service;
- b) refuse to search diligently for employment when the search is reasonable and appropriate; recipients who unreasonably seek work at the same places repeatedly will not be considered to be performing a diligent work search and will be disqualified;
- c) refuse to accept a suitable job offer;
- d) refuse to participate in an assigned training, education or rehabilitation program that would assist the applicant in securing employment;
- e) fail to be available for work; or
- f) refuse to participate or participate in a substandard manner in the municipal work program (*see Ordinance § 5.6*).

**Ineligibility Due to Job Quit or Discharge for Misconduct.** No initial or repeat applicant who has quit his or her full-time or part-time job without just cause or who has been discharged from employment for misconduct (*see definition in Appendix I*) will be eligible to receive GA of any kind for 120-days from the date the applicant is separated from employment (22 M.R.S. § § 4301(8), 4316-A (1-A)).

**Just Cause.** Applicants will be ineligible for assistance for 120 days if they refuse to comply with the work requirements of this section without just cause. With respect to any work requirement, just cause will be considered to exist when there is reasonable and verifiable evidence that:

- a) the applicant has a physical or mental illness or disability which prevents him/her from working;
- b) the work assignment pays below minimum wages;
- c) the applicant was subject to sexual harassment;
- d) the applicant is physically or mentally unable to perform required job tasks, or to meet piece work standards;

- e) the applicant has no means of transportation to or from work or a training or rehabilitation program;
- f) the applicant is unable to arrange for necessary child care or care of ill or disabled family members; or
- g) any reason found to be good cause by the Maine Department of Labor, or any other verifiable reason the Administrator considers reasonable and appropriate will be accepted as just cause. (22 M.R.S. § 4316-A(5)).

**Applicant's Burden of Establishing Just Cause.** If the Administrator finds that the applicant has violated a work-related rule without just cause, it shall be the responsibility of the applicant to establish the presence of just cause (22 M.R.S. § 4316-A).

**Eligibility Regained.** Persons who are disqualified for 120 days because they violated a work requirement may regain their eligibility if and only when they become employed or otherwise satisfy the Administrator that they are complying with the work requirement by fulfilling the work requirement(s) the person violated.

For the purpose of regaining eligibility by becoming employed, "employment" shall mean employment by an employer as defined in 26 M.R.S. § § 1043 or the performance of a service for an employer who withholds from the employee a social security tax pursuant to federal law.

The special provisions regarding the opportunity to regain eligibility after a disqualification for workfare violations are detailed in Ordinance § 5.6, under "Eligibility Regained."

**Dependents.** Failure of an otherwise eligible person to comply with the work requirements shall not affect the eligibility of any member of the person's household who is not capable of working, including:

- a) a dependent minor child;
- b) an elderly, ill, or disabled person; and

- c) a person whose presence is required in order to provide care for any child under 6 years of age or for any ill or disabled member of the household (22 M.R.S. § 4309(3)).

If one or more member(s) of a household is disqualified and assistance is requested for those remaining members of the household who are dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

**Exemptions.** The above work requirements do not apply to any person who is elderly, physically or mentally ill or disabled. Any person whose presence is required to care for any pre-school age child or for any ill or disabled member of the household is also exempt from these requirements.

The requirements of this section will not be imposed so as to interfere with an applicant's existing employment, ability to pursue a bona fide job offer, ability to attend an interview for possible employment, classroom participation in a primary or secondary educational program intended to lead to a high school diploma, classroom or on site participation in a training program which is either approved by the Department of Labor (DOL) or determined by the DOL to be expected to assist the applicant in securing employment, or classroom participation in a degree-granting program operated under the control of the DOL.

#### Section 5.6—Municipal Work Program

Each applicant and any member of the household who is capable of working may be required to perform work for the municipality, including work for a non-profit organization, as a condition of receiving assistance (22 M.R.S. § 4316-A(2)).

As part of the municipal work program, the municipality can require recipients to participate in training, education, or rehabilitative programs that will assist the recipient in securing employment. The work requirement provisions found in

Ordinance § 5.5 regarding just cause, dependents, and exemptions also apply to the municipal workfare program.

**Consent.** Persons assigned to the work program are required to sign a form stating that they understand the requirements of GA and the work program. Before signing the form, the Administrator will read it to the applicants or allow the applicants to read it themselves. The form will also state the number of hours the applicants must work and the hourly rate by means of which the duration of the work assignment is calculated. In addition, the consent form shall describe the consequences of failing to adequately perform part or all of the workfare or workfare-first assignment.

**Subtracting Value of Workfare Performed from Client's GA Debt.** Pursuant to 22 M.R.S. § 4318, individuals who received GA benefits are obligated to repay the municipality when and if they become able (*see Ordinance Article VIII*). However, persons performing workfare shall have the value of the workfare performed deducted from any and all GA debt including GA liens (e.g., Workers' Compensation Settlement, SSI Retroactive Payment, Capital Improvement, Home Mortgage) that might exist against their settlements, payments or other such property.

**Limitations.** The work requirement is subject to the following limitations (22 M.R.S. § 4316-A(3)).

- 1) No person shall, as a condition of eligibility, be required to perform any amount of work that exceeds the value of the net GA that the person receives under municipal GA standards. Any person performing work under this subsection shall be provided with net GA, the value of which is calculated at a rate of at least the prevailing minimum wage under state or federal law at the time the workfare was performed.
- 2) No workfare participant shall be required to work for a nonprofit organization if that work would violate the participant's basic religious beliefs.
- 3) In no case shall eligible persons performing work under this subsection replace regular municipal employees.

- 4) In no case will work performed under this subsection interfere with an eligible person's:
  - a) existing employment;
  - b) ability to follow up on a bona fide job offer;
  - c) attendance at an interview for possible employment;
  - d) classroom participation in a primary or secondary educational program intended to lead to a high school diploma; or
  - e) classroom or on site participation in a training program which is approved by the Department of Labor (DOL) or determined by the DOL to be reasonably expected to assist the person in securing employment, or classroom participation in a degree-granting program administered by the DHHS or the DOL.
- 5) In no case may an eligible person be required to work more than 40 hours per week. An eligible person who has full or part-time employment shall be exempt from the work requirement to the extent that the work requirement in combination with his or her regular employment would result in the person working more than 40 hours per week.
- 6) In no case will an eligible person be required to perform work beyond his or her capabilities. However, when an illness or disability is claimed, an eligible person may be required as a condition of receiving assistance to present a doctor's statement detailing the extent of the disability or illness (22 M.R.S. § 4309).

If the Administrator requires a doctor's statement to verify an applicant's illness or disability and the applicant is not currently under the care of a provider, the municipality may pay for the doctor's evaluation if the applicant has no means to pay for the exam. However, in such a case the Administrator will choose the doctor. If there is a no-cost or low-cost health care option, the municipality may elect to refer the client to such a resource. The Administrator will not require verification of medical conditions which are apparent or which are of such short duration that a reasonable person would not ordinarily seek medical attention (22 M.R.S. § 4316(5)).

- 7) In no case may an eligible person with an immediate need (i.e., a person in an emergency situation who has not been disqualified from receiving assistance for committing a program violation) be required to perform work under this subsection prior to receiving GA. The Administrator shall meet immediate needs upon receiving written assurance from the eligible person that he/she is willing to work to maintain eligibility for GA. When the recipient has no immediate need, workfare participation may be required prior to receiving GA in accordance with the “workfare first” policy below.

**“Workfare First” Policy.** Pursuant to 22 M.R.S. § 4316-A(2)(D), the Administrator may, in accordance with the following guidelines, require a GA recipient to perform a workfare assignment prior to the actual issuance of the GA benefit conditionally granted.

- 1) In no circumstance will emergency GA for which an applicant is eligible be withheld pending the satisfactory performance of workfare.
- 2) All workfare participants under this policy will be provided a written decision within 24 hours after submitting an application for GA and prior to performing any workfare for the municipality associated with that request for assistance. That written decision must include:
  - a) a specific description of the amount of GA being conditionally granted to the household, and for which basic needs;
  - b) the period of eligibility for which the GA grant is being issued (in days or weeks, but not to exceed 30 days);
  - c) the rate, at a dollar-per-hour basis (but not less than the prevailing minimum wage), upon which the duration of the workfare assignment is calculated;
  - d) the actual duration of the workfare assignment that must be performed, in hours, before the GA grant will be actually issued;
  - e) the specifics of the workfare assignment(s), including the general nature of the type of work being assigned, location(s) of work-site,

- date(s) and time(s) of assigned workfare, workfare supervisors' names and contact telephone numbers; and
- f) any other pertinent information related to the workfare assignment(s) the recipient will be expected to perform.
- 3) As previously provided in this section, all workfare participants must sign a consent form that informs the participant of his or her workfare-related rights and responsibilities, including the consequences of failing to perform all or part of the workfare assigned without just cause.
- 4) If a portion of the workfare-first assignment is satisfactorily performed but there has been a failure to perform the remainder of the assignment, without just cause, the Administrator shall issue a grant of GA benefits corresponding to the number of workfare hours satisfactorily performed multiplied by the hourly rate used to calculate the workfare assignment. In addition to any disqualification penalty that may apply, the remaining value of the conditionally issued GA grant shall be terminated, and notice of the partial termination, together with the reasons therefore, will be issued to the workfare participant in accordance with Ordinance § 6.10.
- 5) If any part of the workfare assignment is not performed because the workfare participant was temporarily unable to perform the assignment for just cause reasons, it shall be reassigned or excused at the discretion of the Administrator.

**Work-Related Expenses.** A participant's expenses related to work performed under this section will be added to the amount of net GA to be provided to the person (22 M.R.S. § 4316-A(2)(E)). The municipality will provide any special clothes or equipment the recipient needs to perform his or her work assignment.

**Disqualification.** Any person who either willfully fails to perform or willfully performs below average standards the work assigned by the municipality, will be ineligible for assistance for 120 days (22 M.R.S. § 4316-A(1)). As soon as the



Administrator knows that a recipient failed to fulfill the work assignment, the Administrator will notify the recipient in writing that he/she is disqualified for 120 days starting from the last date of authorized assistance unless the recipient can show just cause. The workfare participant has the burden of demonstrating there was just cause for any failure to perform a workfare assignment.

**Eligibility Regained.** Recipients who are disqualified from receiving assistance because they have violated the requirements of the municipal work program may regain their eligibility under the following conditions.

- Recipients who fail to complete the first municipal work assignment they have been given will be disqualified from receiving assistance during the next 120 days, although dependents in the household may be eligible (*see Ordinance § 5.5, "Dependents"*).
- If during the 120-day disqualification period the recipient requests an opportunity to perform the work assignment which he or she, without just cause failed to perform, the disqualified recipient will be given one opportunity to regain eligibility. The Administrator will give the recipient a work assignment as soon as possible.
- If a recipient under a 120-day disqualification has an emergency need and the Administrator is unable to schedule a work assignment in time to alleviate the emergency, the Administrator will provide sufficient assistance to the recipient to avert the emergency. However, the provision of emergency assistance will not bar the Administrator from subsequently enforcing the previously issued 120-day disqualification if the recipient fails to regain eligibility by satisfactorily performing the work assignment. The amount of emergency assistance granted will be considered in the computation of the total number of hours the recipient must work.

- Recipients who have asked for the opportunity to regain their eligibility during a 120 day disqualification period and who agreed to fulfill the assignment which they previously failed to perform but who, without just cause, fail to fulfill their municipal work assignment will be considered to have acted in bad faith. In such a circumstance, the Administrator will enforce the 120-day disqualification for the term of its initial duration.
- If a workfare participant regains eligibility under this section but is subsequently disqualified within the initial 120-day period of ineligibility for failing to comply with the municipal work program, that participant will be ineligible for a new 120-day period beginning with the new disqualification date, but will be provided no opportunity to requalify.
- Any recipient who intentionally causes damage to property, harasses or harms other employees or who otherwise conducts themselves in a disruptive manner and is discharged by the work supervisor will not be entitled to regain eligibility by returning to the work program. Eligibility may be regained by otherwise becoming employed and meeting the definition of need.

**Reports.** The Administrator will itemize the assistance that has been provided to persons who work for the municipality in reports to the DHHS (22 M.R.S. § 4316-A(2)).

#### Section 5.7—Use of Resources

Each applicant is responsible to make a good faith effort to utilize every available or potential resource that may reduce his or her need for GA (*see Ordinance § 2.2, definition of "Resources"*). Persons who refuse or fail to make a good faith effort to secure a potential resource after receiving written notice to do so are disqualified from receiving assistance until they make an effort to secure the

resource. Applicants are required to prove that they have made a good faith effort to secure the resource (22 M.R.S. § 4317).

**Minors.** A minor under the age of 18 who has never married and is applying independently for GA and who is pregnant or has a dependent child or children will be eligible to receive GA only if the minor is residing in the home of his or her parent, legal guardian or other adult relative, in which case the entire household will be evaluated for eligibility. Exceptions to this limitation on eligibility will be made when:

- 1) the minor is residing in a foster home, maternity home, or other adult-supervised supportive living arrangement; or
- 2) the minor has no living parent or the whereabouts of the both parents are unknown; or
- 3) no parent will permit the minor to live in the parent's home; or
- 4) the minor has lived apart from both parents for at least one year before the birth of any dependent child; or
- 5) the DHHS determines that the physical or emotional health or safety of the minor or the minor's dependent child or children would be jeopardized if the minor and his or her child or children lived with a parent; or
- 6) the DHHS determines, in accordance with its regulation, that there is good cause to waive this limitation on eligibility (22 M.R.S. § 4309(4)).

Any person under the age of 25 who is applying independently from his or her parents for GA will be informed that until he or she reaches the age of 25, the applicant's parents are still legally liable for his or her support and the municipality has the right to seek recovery from the parents of the cost of all assistance granted to such a recipient to the extent his or her parents are financially capable of repaying the municipality (22 M.R.S. § 4319).

With regard to such application, the municipality may seek verification of the applicant's need for GA by contacting his or her parents. If the applicant's parents declare a willingness to provide the applicant with his or her basic needs directly,

and there is no convincing evidence that the applicant would be jeopardized by relying on his or her parents for basic needs, the Administrator may find the applicant not to be in need of GA for the reason that his or her needs can be provided by a legally liable relative.

**Mental or Physical Disability.** Any applicant who has a mental or physical disability must make a good faith effort to utilize any medical or rehabilitative services which have been recommended by a physician, psychologist or other professional retraining or rehabilitation specialist when the services are available to the applicant and would not constitute a financial burden or create a physical risk to the individual.

**Written Notice; Disqualification.** The Administrator will give each applicant written notice whenever the applicant is required to utilize any specific potential resource(s). Any applicant who refuses to utilize potential resources, without just cause, after receiving written 7-day notice will be ineligible for further assistance until he/she has made a good faith effort to utilize or obtain the resources. GA will not be withheld from the applicant pending receipt of a resource if the applicant has made, or is in the process of making, a good faith effort to obtain the resource.

**Forfeiture of Benefits.** Any applicant who forfeits receipt of, or causes a reduction in, benefits from another public assistance program due to fraud, misrepresentation, a knowing or intentional violation of program rules or a refusal to comply with that program's rules without just cause will be ineligible to receive GA to replace the forfeited benefits. To the extent the forfeited benefits can be considered income under GA law, the value of the forfeited benefits will be considered income that is available to the applicant for the duration of the forfeiture.

To the extent the forfeited benefits were provided in the form of a specific, regularly issued resource of a calculable value rather than in the form of income, , that resource, up to its forfeited value, need not be replaced with GA for a period of 120 days from the date of the forfeiture—unless the municipality is prohibited by federal

or state law from considering the forfeited resource as available with respect to local public assistance programs (22 M.R.S. § 4317).

#### Section 5.8—Period of Ineligibility

No one will have his or her GA terminated, reduced, or suspended prior to being given written notice and an opportunity for a fair hearing (22 M.R.S. §§ 4321-4322). Each person will be notified in writing of the reasons for his or her ineligibility, and any person disqualified for not complying with the ordinance will be informed in writing of the period of ineligibility.

**Work Requirement.** Applicants/recipients who do not comply with a work requirement are disqualified from receiving assistance for a period of 120 days (unless they regain their eligibility) (*see Ordinance §§ 5.5, 5.6*). If an applicant/recipient is provided assistance and does not comply with the work requirement, the applicant/recipient shall be disqualified for 120 days following the end of the period covered by the grant of assistance. The Administrator shall give recipients written notice that they are disqualified as soon as the Administrator has sufficient knowledge and information to render a decision of ineligibility.

**Fraud.** Persons who commit fraud are disqualified from receiving GA for a period of 120 days (*see Ordinance § 6.4, "Fraud"*). The Administrator shall give recipients written notice that they are ineligible as soon as the Administrator has sufficient knowledge and information to render a decision. If the disqualification for fraud is issued before the expiration of a grant of assistance, the period of ineligibility shall commence on the day following the end of the period covered by the grant of assistance. If fraud is discovered after the period covered by the grant of assistance has expired, the period of ineligibility will commence on the day of the written notice of ineligibility.

#### Section 5.9 – Unemployment Fraud

An applicant who is found ineligible for unemployment compensation benefits because of a finding of fraud by the Department of Labor pursuant to 26 M.R.S. § 1051(1) is ineligible to receive general assistance to replace the forfeited unemployment compensation benefits for the duration of the forfeiture established by the Department of Labor. 22 M.R.S. § 4317.

## ARTICLE VI

### Determination of Eligibility

#### Section 6.1—Recognition of Dignity and Rights

Any determination or investigation into an applicant's eligibility will be conducted in a manner that will not violate the applicant's privacy or personal dignity or violate his or her individual rights.

#### Section 6.2—Determination; Redetermination

The Administrator will make an individual, factual determination of eligibility each time a person applies or reapplies for GA. The Administrator will make a redetermination of eligibility at least monthly but may do so as often as necessary to administer the program efficiently and meet the needs of the applicants. Upon any application, the Administrator will determine the applicant's eligibility on the basis of a 30-day prospective analysis, but may elect to disburse that applicant's assistance periodically, e.g., weekly, throughout a 30-day period of eligibility pursuant to that initial eligibility determination.

The Administrator may redetermine a person's eligibility at any time during the period he or she is receiving assistance if the Administrator is notified of any change in the recipient's circumstances that may alter the amount of assistance the recipient may receive. Once a recipient has been granted assistance, the Administrator may not reduce or rescind the grant without giving prior written notice to the recipient explaining the reasons for the decision and offering the recipient an opportunity to appeal the decision to the fair hearing authority (22 M.R.S. § 4309).

### Section 6.3—Verification

**Eligibility of applicant; duration of eligibility.** The overseer shall determine eligibility each time a person applies or reapplies for GA. The period of eligibility will not exceed one month. At the expiration of this period applicants/recipients may reapply for assistance and the person's eligibility will be redetermined.

**Applicant's responsibilities.** Applicants and recipients for GA are responsible for providing to the Administrator all information necessary to determine eligibility. If further information or documentation is necessary to demonstrate eligibility, the applicant must have the first opportunity to provide the specific information or documentation required by the Administrator. When such information is unavailable, the Administrator must accept alternative available information, which is subject to verification.

Each applicant and recipient has the responsibility at the time of application and continuing thereafter, to provide complete, accurate, current information and documentation concerning his/her:

- Need
- Income
- Employment
- Use of income
- Expenses
- Assets & liabilities
- Use of available resources
- Household composition

**Initial Applicants.** Persons who have not applied for assistance in this or any other municipality are considered initial applicants and must have their eligibility determined solely on the basis of need. Initial applicants are not subject to eligibility conditions placed on repeat applicants (*see below*). However, such applicants must still provide the GA Administrator with reasonably obtainable documentation adequate to verify that there is a need for assistance. In addition,



initial applicants must also comply with both lump sum and relevant work rules (i.e. job quit).

**Repeat Applicants.** All applicants for GA who are not initial applicants are repeat applicants. The eligibility of repeat applicants must be determined on the basis of need and all other conditions of eligibility established by law and this municipal ordinance.

The Administrator will require documentation of a repeat applicant's income, use of income, assets and resources plus actual bills and receipts for rent, utilities, fuel, telephone, medical services and other basic necessities. In addition, repeat applicants instructed to seek employment shall verify their work search results, (e.g., provide a list of the employers contacted, the date and time of the application contact, and the name of the employer representative contacted) as required by the Administrator.

Repeat applicants must provide updates to information reported on previous applications, including changes in his/her household or income that may affect his/her eligibility.

**Unforeseen Repeat Applicants.** Unforeseen repeat applicants are applicants who have not applied for assistance within the last twelve months and who have been regularly employed or receiving support from a public benefit or private source but who have unexpectedly become unemployed through no fault of their own or whose income and/or benefits (e.g., through an available resource) have ceased through no fault of their own. Such unforeseen repeat applicants may be considered initial applicants for purposes of verification requirements and misspent income if the Administrator finds that imposing the general verification requirements and misspent income rules imposed on repeat applicants would be unreasonable or inappropriate.

**Administrator's responsibilities.** In order to determine an applicant's eligibility for GA, the Administrator first must seek information and documentation from the

applicant. Once the applicant has presented the necessary information, the Administrator must determine eligibility. The Administrator will seek verification necessary to determine eligibility, and may contact sources other than the applicant for verification only with the specific knowledge and consent of the applicant -- except that the Administrator may examine public records without the applicant's knowledge and consent.

Appropriate sources, which an Administrator may contact, include, but are not limited to:

- DHHS, any other department or agency of the state, or non-profit organizations
- financial institutions
- creditors
- utility companies
- employers
- landlords
- physicians
- persons with whom the applicant/recipient is a cohabitant
- legally and non-legally liable relatives

Assistance will be denied or terminated if the applicant is unwilling to supply necessary information, documentation, or permission to make collateral contacts, or if the Administrator cannot determine that eligibility exists based on information supplied by the applicant or others.

**Redetermination of eligibility.** The Administrator may redetermine a person's eligibility at any time during the period that person is receiving assistance if the Administrator is informed of any change in the recipient's circumstances that may affect the amount of assistance to which the recipient is entitled, or that may make the recipient ineligible, provided that once a determination of eligibility has been made for a specific time period, a reduction in assistance for that time period may not be made without prior written notice to the recipient stating the reasons for the action and an opportunity for the recipient to receive a fair hearing upon the proposed change.

**Penalty for Refusing to Release Information.** Any person governed by 22 M.R.S. § 4314 who refuses to provide necessary information to the Administrator after it has been requested must state in writing the reasons for the refusal within 3 days of receiving the request. Any such person who refuses to provide the information, without just cause, commits a civil violation and may be subject to a fine of not less than \$25 nor more than \$100 which may be adjudged in any court of competent jurisdiction. Any person who willfully renders false information to the Administrator is guilty of a Class E crime (22 M.R.S. § § 4314(5), 4314(6), 4315).

#### Section 6.4—Fraud

It is unlawful for a person to knowingly and willfully make a false representation of a material fact to the Administrator in order to receive GA or cause someone else to receive GA (22 M.R.S. § 4315). A person who commits fraud in an effort to receive GA benefits may be prosecuted for this offense.

False representation means any individual who knowingly and willfully:

- a) makes a false statement to the Administrator, either orally or in writing, in order to obtain assistance to which the applicant or the applicant's household is not entitled;
- b) conceals information from the Administrator in order to obtain assistance to which the applicant or applicant's household is not entitled; or
- c) uses GA benefits for a purpose other than the purpose for which they were intended.

No person may be denied assistance solely for making a false representation prior to being given an opportunity for a fair hearing.

**Period of Ineligibility.** When the Administrator finds that a person has knowingly and willfully misrepresented material facts for the purpose of making himself or herself eligible for GA, the Administrator shall notify that applicant in writing that he or she must reimburse the municipality for the assistance he or she was not entitled to receive and that he/she is ineligible for assistance for the longer of: (a) a period

of 120 days; (b) until he or she reimburses the municipality for the assistance; or (c) until he or she enters a reasonable written agreement to reimburse the municipality. (22 M.R.S. § 4315)

For the purpose of this section, a material misrepresentation is a false statement about eligibility factors in the absence of which some or all of the assistance would not be or would not have been granted.

The notification of ineligibility issued by the Administrator shall inform the applicant of his or her right to appeal the Administrator's decision to the fair hearing authority (FHA) within 5 working days of receipt. The period of ineligibility shall commence on the day following the end of the period covered by the grant of assistance fraudulently received or upon the date of notification of ineligibility, whichever is later.

**Right to a Fair Hearing.** Any applicant who is denied assistance for making a false representation will be afforded the opportunity to appeal the decision to the fair hearing authority (FHA) in accordance with Article VII of this Ordinance. No recipient shall have his or her assistance reduced or revoked during the period of eligibility before being notified and given the opportunity to appeal the decision. Any person who is dissatisfied with the decision of the FHA may appeal that decision to the Superior Court pursuant to Rule 80-B of the Maine Rules of Civil Procedure (22 M.R.S. § 4309(3)).

**Reimbursement.** If a recipient does not appeal the decision or if the FHA determines that a recipient made a false representation, the recipient will be required to reimburse the municipality for any assistance received to which he/she was not entitled. The recipient may enter a reasonable written agreement to reimburse the municipality over a period of time.

**Dependents.** In no event will the ineligibility of a person under this section serve to disqualify any eligible dependent in that household (22 M.R.S. § 4309(3)). In the event one or more members of a household are disqualified and assistance is

requested for the remaining dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

#### Section 6.5—Period of Eligibility

The Administrator will grant assistance to all eligible persons for a period that is sufficient to meet their need but in no event may a grant of assistance cover a period in excess of one month (22 M.R.S. § 4309). Upon receiving a completed and signed application the Administrator will determine the applicant's eligibility on the basis of a 30-day prospective analysis.

When an applicant submits an incomplete or unsigned application, due to the 24-hour decision requirement placed on the GA Administrator, the GA Administrator shall render a notice of "ineligibility" and advise the applicant that he or she has a right to reapply as soon as he or she has the necessary information and/or as soon as is practicable for the applicant.

Although eligibility is determined on a 30-day basis, for reasons of administrative efficiency the Administrator may elect to disburse an applicant's assistance for shorter periods of time, such as weekly, throughout the 30-day period of eligibility. When the Administrator elects to disburse GA for a period of time less than 30 days, subsequent grants of assistance during that 30-day period may be issued pursuant to the initial determination of need unless the applicant's financial situation changes substantially enough to warrant a redetermination of eligibility.

#### Section 6.6—Determination of Need

The period of time used to calculate need will be the next 30-day period from the date of application (22 M.R.S. § 4301(7)). The Administrator will calculate applicants' expenses according to the actual expense of the basic necessity or the maximum levels for the specific necessities allowed in Ordinance § 6.8, whichever

is less. The sum of these expenses, as calculated for a prospective 30-day period, is the applicant's 30-day need. Applicants will not be considered eligible if their income and other resources exceed this calculation except in an emergency (22 M.R.S. § 4308(2)) (*see Ordinance § 4.9*).

Applicants will also not be considered in need of GA if their income, property, credit, assets or other resources available to provide basic necessities for their household are greater than the applicable overall maximum level of assistance set forth in the beginning of Ordinance § 6.8 (22 M.R.S. § § 4301(10), 4305(3-B)). The difference between the applicant's income and the overall maximum levels of assistance established by this Ordinance is the applicant's deficit.

Once an applicant's deficit has been determined, the specific maximum levels of assistance for each basic necessity shall guide Administrator's distribution of assistance for which the applicant is eligible. (*See Ordinance Appendices A-H*). The specific maximum levels of assistance for each basic necessity are intended to be reasonable and sufficient to help recipients maintain a standard of health and decency (22 M.R.S. § 4305(3-A)).

**Income for Basic Necessities.** Applicants are required to use their income for basic necessities. Except for initial applicants, no applicant is eligible to receive assistance to replace income that was spent within the 30-day period prior to an application for assistance on goods and services that are not basic necessities. All income spent on goods and services that are not basic necessities will be considered available to the applicant and combined with the applicant's prospective 30-day income for the purposes of computing eligibility (22 M.R.S. § 4315-A). Applicants who have sufficient income to provide their basic necessities but who use that income to purchase goods or services which are not basic necessities will not be considered eligible for assistance. Persons who exhaust their income on basic necessities and who still need assistance with other basic necessities will be eligible, provided that their income does not exceed the overall maximum level of assistance.

**Use-of-Income Requirements.** The Administrator may require that anyone applying for GA provide documentation of his or her use of income. This documentation can take the form of cancelled checks and/or receipts which demonstrate that the applicant has exhausted all household income received over the last 30-day period. Except as is deemed appropriate by the Administrator for “unforeseen” repeat applicants (*See Ordinance § 6.3*), repeat applicants may be required to verify that expenditure of income was for basic necessities. Income expended that cannot be verified will generally be considered available and in such case will be added to the 30-day prospective income.

Allowable expenditures include reasonable shelter costs (rent/mortgage); the cost of heating fuel, electricity, and food up to the ordinance maximums; telephone costs at the base rate if the household needs a telephone for medical reasons, the cost of non-elective medical services as recommended by a physician which are not otherwise covered by medical entitlement, Hospital Free Care or insurance; the reasonable cost of essential clothing and non-prescription drugs, and the costs of any other commodity or service determined essential by the Administrator.

Items not considered to be basic necessities and thus will not be allowed in the budget computation include:

- Internet services
- Cable or satellite television
- Cellular phones, except when deemed essential by the overseer for medical or work related purposes
- Cigarettes/alcohol
- Gifts purchased
- Pet care costs
- Costs of trips or vacations
- Paid court fines
- Repayments of unsecured loans
- Legal fees
- Late fees
- Credit card debt.

The municipality reserves the right to apply specific use-of-income requirements to any applicant, other than an initial applicant, who fails to use his or her income for basic necessities or fails to reasonably document his or her use of income (22 M.R.S. § 4315-A). Those additional requirements will be applied in the following manner:

- 1) The Administrator may require the applicant to use some or all of his or her income, at the time it becomes available, toward specific basic necessities. The Administrator may prioritize such required expenditures so that most or all of the applicant's income is applied to housing (i.e., rent/mortgage), energy (i.e., heating fuel, electricity), or other specified basic necessities;
- 2) The Administrator will notify applicants in writing of the specific use-of-income requirements placed on them;
- 3) If upon subsequent application it cannot be determined how the applicant's income was spent, or it is determined that some or all of the applicant's income was not spent as directed and was also not spent on basic necessities, the applicant will not be eligible to receive either regular or emergency general assistance to replace that income; and
- 4) If the applicant does not spend his or her income as directed, but can show with verifiable documentation that all income was spent on basic necessities up to allowed amounts, the applicant will remain eligible to the extent of the applicant's eligibility and need.

**Calculation of Income and Expenses.** When determining eligibility, the Administrator will subtract the applicant's net income from the overall maximum level of assistance found at the beginning of Ordinance § 6.8. If income is greater than the overall maximum level of assistance, the applicant will not be eligible except in an emergency (*see Ordinance § 4.9*). If income is less than the overall maximum level of assistance, the applicant has a deficit.



The municipality will provide assistance in an amount up to the deficit to the extent the applicant also has an unmet need and is in need of basic necessities. The municipality will not grant assistance in excess of the maximum amounts allowed in Ordinance § 6.8 for specific basic necessities except in an emergency or when the Administrator elects to consolidate the applicant's deficit, as provided immediately below.

**Consolidation of Deficit.** As a general rule, and to the extent of their deficit, applicants will be eligible for assistance for any basic necessity up to, but not exceeding, the maximum amount allowed for that necessity in this ordinance or the actual 30-day cost of the necessity, whichever is less. Under certain circumstances, however, and in accordance with the following conditions, the Administrator may consolidate the applicant's deficit and apply it toward a basic necessity in an amount greater than the ordinance maximum for that necessity.

- 1) The practice of consolidating the deficit and applying it toward a basic necessity in amounts greater than the ordinance maximum shall be the exception rather than the rule;
- 2) The total GA grant cannot exceed the total deficit unless the applicant is in an emergency situation; and
- 3) The need for the application of the recipient's consolidated deficit toward a basic necessity was not created by the recipient mispending his or her income or resources in violation of the use-of-income requirements of this ordinance.

#### Section 6.7—Income

**Income Standards.** Applicants whose income exceeds the overall maximum level of assistance provided in Ordinance § 6.8 shall not be eligible for GA except in an emergency. Each time an applicant applies, the Administrator will conduct an individual factual inquiry into the applicant's income and expenses.

**Calculation of Income.** To determine whether applicants are in need, the Administrator will calculate the income they will receive during the next 30-day period commencing on the date of application, and identify any assets or resources that would alleviate their need. For all applicants other than initial applicants, the Administrator will also consider as available income any income that was not spent during the previous 30-day period on basic necessities, as well as any income that was spent on basic necessities in unreasonable excess of the ordinance maximums for specific basic necessities. If a household's income exceeds the amount of the household's need for basic necessities, up to the maximum levels contained in Ordinance § 6.8, applicants will not be considered in need.

Exceptions will be made in emergency situations, which may necessitate that the maximum levels be exceeded (22 M.R.S. § 4308) (*see Ordinance § 4.9*). To calculate weekly income and expenses, the Administrator will use actual income received or actual anticipated income.

**Types of Income.** Income that will be considered in determining an applicant's need includes:

- a) **Earned income.** Income in cash or in kind earned by the applicant through wages, salary, commissions, or profit, whether self-employed or as an employee, is considered earned income. If a person is self-employed, total income will be computed by subtracting reasonable and actual business expenses from gross income. When income consists of wages, the amount computed will be the income available after taxes, social security and other payroll deductions required by state, federal, and local law. Rental income and profit from produce that is sold is considered earned income. Income that is held in trust and unavailable to the applicant or the applicant's dependents will not be considered as earned income.

Note: Actual work-related expenses such as union dues, transportation to and from work, special equipment or work clothes, and child care costs will be deducted from an applicant's income (22 M.R.S. § 4301(7)).

- b) **Income from Other Assistance or Social Services Programs.** State/federal categorical assistance benefits, SSI payments, Social Security payments, VA benefits, unemployment insurance benefits, and payments from other government sources will be considered as income, unless expressly prohibited by federal law or regulation. Federal law prohibits Food Stamps and fuel assistance payments made by the Home Energy Assistance Program (HEAP and EPIC) from being considered income. The value of the food stamps or fuel assistance will not be used to reduce the amount of GA the applicant is eligible to receive. Although applicants may have only a limited or reduced need for GA for heating fuel or electricity if a recently received HEAP/ECIP benefit has sufficiently credited their account or otherwise prevented the fuel-related costs for the prospective 30-day period.

The Administrator's obligation is to always compute the heating needs of an applicant who has received HEAP or ECIP as if that applicant paid for his or her total fuel costs. Accordingly, in such cases, the Administrator will budget for the household's heating energy needs according to actual usage, up to the ordinance maximums, but the Administrator may, with written notice to the applicant, hold in reserve the heating energy portion of the applicant's deficit until such a time during the period of eligibility that the applicant has a demonstrable need for the disbursement of heating energy assistance; that is, the applicant's fuel tank can accept a minimum fuel delivery or the applicant no longer has a positive credit balance with his or her utility company. The municipality is not obligated to divert any recipient's heating energy allowance toward non-heating purposes solely on the basis of the recipient's receipt of HEAP/ECIP.

Other programs whose income cannot be counted for purposes of GA eligibility include:

- Family Development Accounts (22 M.R.S. § 3762)
- Americorp VISTA program benefits (42 USC § 5044(f))
- Property tax rebates issued under the Maine Property Tax Fairness Credit program, only so long as the money is spent on basic necessities. (22 M.R.S. § 4301(7))

- c) **Court-Ordered Support Payments.** Alimony and child support payments will be considered income only if actually received by the applicant. The Administrator will refer cases in which support payments were not actually received to the Maine DHHS Child Support Enforcement Unit. In order to be eligible for future GA benefits, applicants referred to DHHS for support enforcement assistance shall be required to follow-through with such services. Because child support payments are considered a resource, applicants must make a good faith effort to secure such payments.
- d) **Income from Other Sources.** Payments from pensions and trust funds will be considered income. Payments from boarders or lodgers will be considered income as will cash or in-kind contributions provided to the household from any other source, including relatives (22 M.R.S. § 4301(7)).
- e) **Earnings of a Son or Daughter.** Earned income received by sons and daughters below the age of 18 who are full-time students and who are not working full-time will not be considered income. The unearned income of a minor in the household will be considered available to the household.
- f) **Income from Household Members.** Income from household members will be considered available to the applicant, whether or not the household member is legally obligated for the support of the applicant, if the household

members pool or share their income and expenses as a family or intermingle their funds so as to provide support to one another.

- g) **The Pooling or Non-Pooling of Income.** When two or more individuals share the same dwelling unit but not all members of the household are applying for GA, the Administrator shall make a finding under a rebuttable presumption that the entire household is pooling income (22 M.R.S. § 4301(12-A)).

One or more applicants for assistance can successfully rebut the presumption that all household income is being pooled by providing the Administrator with verifiable documentation affirmatively demonstrating a pattern of non-pooling during the duration of the shared living arrangement. Such documentation would include evidence of the entire household's expenses, bank statements, cancelled checks, receipts, landlord statements or other vendor accounts clearly supporting a claim that the applicant has been and is presently solely and entirely responsible for his or her pro-rata share of household costs.

If the applicant is unable to successfully rebut the municipality's presumption that all household income is being pooled, eligibility of the entire household will be determined based on total household income. If the applicant successfully rebuts the municipality's presumption that all household income is being pooled, the applicant's eligibility will be determined on the basis of his or her income and his or her pro-rata share of actual household expenses.

- h) **Lump Sum Income.** A lump sum payment received by any GA applicant or recipient prior or subsequent to the date of application for GA will be considered as income available to the household. However, verified required payments (i.e., any third party payment which is required as a condition of receiving the lump sum payment, or any payments of bills earmarked for the purpose for which the lump sum payment was made) and any amount of the lump sum payment which the applicant can document was spent on basic necessities, as described below, will not be considered available income.

Where a household receives a lump sum payment at any time prior or subsequent to the date of application for GA, the Administrator will assess the need for prorating an applicant's eligibility for GA according to the following criteria (22 M.R.S. § 4301(7), (8-A)):

- 1) identify the date the lump sum payment was received;
- 2) subtract from the lump sum payment all required payments;
- 3) subtract from the lump sum any amount the applicant can demonstrate was spent on basic necessities, including all basic necessities as defined by the GA program such as: reasonable payment of funeral or burial expenses for a family member; any reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities. Repayments of loans or credit, the proceeds of which can be verified as having been spent on basic necessities; and payment of bills earmarked for the purpose for which the lump sum is paid must also be subtracted. (22 M.R.S. § 4301(7), (8-A));
- 4) add to the remainder all income received by the household between the date of receipt of the lump sum payment and the date of application for GA; and
- 5) divide the sum created in subsection (4) by the verified actual monthly amounts for all of the household's basic necessities. 22 M.R.S. § 4305(3-B)

This dividend represents the period of proration determined by the Administrator to commence on the date of receipt of the lump sum payment. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

The household of an initial applicant that is otherwise eligible for emergency assistance may not be denied emergency assistance to meet an immediate need solely on the basis of the proration of a lump sum payment. (22 M.R.S. § 4308)

#### Section 6.8—Basic Necessities; Maximum Levels of Assistance

**Overall Maximum Levels of Assistance.** Notwithstanding any of the maximum levels of assistance for specific basic necessities listed in Ordinance Appendices B-H, an applicant's eligibility for GA will be first determined by subtracting his or her income from the overall maximum level of assistance designated in Appendix A for the applicable household size (22 M.R.S. § 4305 (3-B)). The difference yielded by this calculation shall be the applicant's deficit.

Applicants will be eligible for GA up to the calculated deficit to the extent the applicant is unable to otherwise provide the basic necessities essential to maintain themselves or their families. Applicants with no deficit shall be found ineligible for GA unless they are in an emergency, in which case eligibility for emergency GA will be determined according to Ordinance § 4.9.

**Maximum Levels of Assistance for Specific Basic Necessities.** The municipality will grant assistance to eligible applicants for basic necessities according to the maximum levels for specific types of assistance set forth below. The Administrator, in consultation with the applicant, may apply the amount of the applicant's deficit toward assistance with any one or combination of necessities not to exceed the total deficit. These maximum levels will be strictly adhered to unless the Administrator determines that there are exceptional circumstances and an emergency is shown to exist, in which case these absolute levels will be waived in order to meet immediate needs. In all cases either the actual expenses the applicant incurs for basic necessities or the maximum amount allowed in each category, whichever is less, will be used in determining need.

In roommate situations, the applicant's need for common living expenses for rent, fuel, electricity, etc., will be presumed to be reduced by an amount equal to the other household members' proportionate fair share of the common living expenses. No applicant will be allowed to claim a need for any expense which has been or will be paid by another person. In addition, as a general rule the municipality will not provide a benefit toward a basic need by paying a bill that is issued to a person not living with the applicant's household or that has otherwise been incurred by a person who has not been found eligible to receive assistance.

Temporary exceptions to this general rule may be made by the Administrator in the following circumstances: (1) a recent, unplanned separation has occurred in the household resulting in the sustained or permanent absence of a former household member in whose name the bill was customarily issued; (2) the applicant and members of the applicant's household were or will be the sole recipients of the commodities or services covered by any bill to be paid or partially paid with GA; and (3) the applicant will make a good faith effort to direct the vendor to issue future bills in the name of the applicant or other responsible person residing in the household.

A) **Food.** The Administrator will provide food assistance to eligible persons up to the allowed maximum amounts designated by the U.S.D.A. Thrifty Food Plan for the appropriate household size.

For this purpose, the municipality hereby incorporates by reference the U.S.D.A. Thrifty Food Plan, as distributed by the Maine DHHS on or about October of each year. See Ordinance Appendix B for the current year's food maximums.

In determining need for food the Administrator will not consider the value of the food stamps an applicant receives as income (22 M.R.S. § 4301.7(A); 7 U.S.C. § 2017(b)). The municipality will authorize vouchers to be used solely for approved food products.



The Administrator will exceed the maximums when necessary for households having members with special dietary needs. The Administrator may require a doctor's statement verifying there is a special dietary need requiring an expenditure for food that is greater than the ordinance maximums.

- B) **Housing.** The Administrator will provide assistance with rent or mortgage payments that are reasonable and/or within the allowed maximum levels. See Ordinance Appendix C for the current year's housing maximums. It is the applicant's responsibility to find suitable housing, although the Administrator may help the applicant find housing when appropriate. The Administrator will inform the applicant of the allowed housing maximums to assist the applicant in his or her search for housing. The allowed maximum for any applicant will be the categorical housing maximum representing the minimum dwelling unit space necessary to adequately shelter the applicant household. Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level for the number of rooms actually needed.

**Rental Payments to Relatives.** The municipality may elect to not issue any rental payment to an applicant's relatives unless the rental relationship has existed for at least three months and the applicant's relative(s) rely on the rental payment for their basic needs. For the purpose of this section, a "relative" is defined as the applicant's parents, grandparents, children, grandchildren, siblings, parent's siblings, or any of those relative's children (22 M.R.S. § 4319(2)).

**Rental Payments to Non-Relatives.** When applicants are living in private homes with the owner or sharing dwelling units with people who are not pooling income or who are not legally liable relatives, the amount allowed as the applicant's shelter expense will be the applicant's pro rata share of the actual, total shelter cost, up to the ordinance maximum (22 M.R.S. § 4301(6)).

Any housing assistance issued to a recipient in such a circumstance will be issued, whenever reasonably possible, to the landlord or property owner with the most superior interest in the property; i.e., to a landlord before a tenant, or to a mortgagee before a mortgagor.

When the municipality issues in aggregate more than \$600 in rental payments to any landlord in any calendar year, a 1099 form declaring the total amount of rental payments issued during the calendar year will be forwarded to the Internal Revenue Service (IRS) pursuant to IRS regulation (see § 6041(a) of Internal Revenue Code).

Any landlord wishing to regularly receive rental payments from the municipality on behalf of applicants renting rooms from the landlord's own residence must, at a minimum, make a good faith effort to obtain a lodging license from the DHHS Division of Health Engineering, pursuant to 10-144A CMR, Chapter 201, as a condition of that landlord receiving future GA payments on behalf of his or her tenants.

**Mortgage Payments.** In the case of a request for assistance with a mortgage payment, the Administrator will make an individual factual determination of whether the applicant has an immediate need for such aid. In making this determination, the Administrator will consider the extent and liquidity of the applicant's proprietary interest in the housing. Factors to consider in making this determination include:

- (1) the marketability of the shelter's equity;
- (2) the amount of equity;
- (3) the availability of the equity interest in the shelter to provide the applicant an opportunity to secure a short-term loan in order to meet immediate needs;
- (4) the extent to which liquidation may aid the applicant's financial rehabilitation;

- (5) a comparison between the amount of mortgage obligations and the anticipated rental charges the applicant would be responsible for if he/she were to be dislocated to rental housing;
- (6) the imminence of the applicant's dislocation from owned housing because of his or her inability to meet the mortgage payments;
- (7) the likelihood that the provision of housing assistance will prevent such dislocation; and
- (8) the applicant's age, health, and social situation.

These factors shall be considered when determining whether the equity in the shelter is an available asset which may be substituted for the assistance the municipality would otherwise be required to provide.

The Administrator shall consider issuing a benefit in response to the applicant's request for mortgage assistance to the extent the applicant is otherwise eligible for GA if after review of the criteria above, the Administrator determines that:

- (1) the monthly mortgage obligation is in accordance with the maximum levels of assistance available for housing appropriate to the applicant's household size;
- (2) there is no capacity in the accumulated equity in the property, when considered in the context of the applicant's borrowing capacity with the mortgagee or the general lending community, to suspend the mortgage obligation temporarily or re-amortize the mortgage in such a way as to suspend or reduce the mortgage obligation; and
- (3) the failure to provide a mortgage payment in a timely manner could jeopardize the applicant's continued right of possession of the property.

If a mortgage payment is necessary, the Administrator will pay the actual amount due, up to the amount allowed according to the maximum levels listed below. After an initial application, assistance with such payments will be given

only after the applicant has made all reasonable efforts to borrow against the equity of his or her home. If there is not sufficient equity in the home with which to secure a loan, and if the monthly mortgage payments are not realistically in line with the rental rates for similar housing in the area that could meet the applicant's needs, the Administrator will inform the applicant that he/she is responsible for finding alternative housing within his or her ability to pay and will be obligated to make all reasonable efforts to secure such housing.

**Liens.** The municipality may place a lien on the property in order to recover its costs of granting assistance with mortgage payments. In addition, a municipality may claim a lien against the owner of real estate for the amount of money spent by it to make capital improvements to the real estate (22 M.R.S. § 4320). No lien may be enforced against a recipient except upon his or her death or the transfer of the property. Further, no lien may be enforced against a person who is currently receiving any form of public assistance, or who would again become eligible for GA if the lien were enforced.

If the municipality determines that it is appropriate to place a lien on a person's property to recover its costs of providing GA for a mortgage payment or capital improvement it must file a notice of the lien with the county registry of deeds where the property is located within 30 days of making the mortgage payment. That filing shall secure the municipality's or the state's interest in an amount equal to the sum of that mortgage or capital improvement payment and all subsequent mortgage or capital improvement payments made on behalf of the same eligible person, plus interest and costs.

Not less than 10 days prior to filing the lien in the registry, the municipal officers must send notice to the owner of the real estate, the GA recipient, and any record holder of the mortgage by certified mail, return receipt requested, that a lien on the property is going to be filed with the registry. This notice must clearly inform the recipient of the limitations upon enforcement plus the name, title, address and telephone number of the person who granted the assistance. The

municipal officers must also give written notice to the recipient each time the amount secured by the lien is increased because of an additional mortgage payment. This notice must include the same information that appeared on the original intent-to-file notice sent to the recipient.

The municipality may charge interest on the amount of money secured by the lien. The municipal officers will establish the interest rate not to exceed the maximum rate of interest allowed by the State Treasurer to be charged against delinquent taxes. The interest will accrue from the date the lien is filed.

**Property Taxes.** In the event an applicant requests assistance with his or her property taxes, the Administrator will inform the applicant that there are two procedures on the local level to request that relief: the poverty abatement process (36 M.R.S. § 841(2)) and GA. If the applicant chooses to seek property tax assistance through GA, or if the applicant is denied a poverty tax abatement, the Administrator may consider using GA to meet this need only if:

- a) the property tax in question is for the applicant's place of residence;
- b) there is a tax lien on the property which is due to mature within 60 days of the date of application;
- c) as a matter of municipal policy or practice, or on the basis of information obtained from the applicant's mortgagee, if any, it is reasonably certain that a tax lien foreclosure will result in subsequent eviction from the residential property; and
- d) the applicant, with sufficient notice, applies for property tax relief through the Maine Property Tax Fairness Credit program, when available.

**Housing Maximums.** The maximum levels of housing assistance contained in this ordinance have been derived either from a locally accomplished fair market rental survey or the fair market rental values developed by the U.S. Department of Housing and Urban Development (HUD). If the maximum levels of housing are derived from the HUD values made effective as of every October 1, and

adjusted to disregard the current and averaged utility allowances as developed by the Maine State Housing Authority, those levels are hereby incorporated by reference. See Ordinance Appendix C for the current year's housing maximums.

If and when the maximum levels of housing assistance in this Ordinance are derived from a locally developed fair market rental survey, a record of that survey will be submitted to the DHHS, General Assistance Unit, and the maximum levels of housing assistance will be incorporated into this Ordinance pursuant to the ordinance adoption and amendment procedures found at 22 M.R.S. § 4305.

- C) **Utilities.** Expenses for lights, cooking, and hot water will be budgeted separately if they are not included in the rent. Applicants are responsible for making arrangements with the utility company regarding service, including entering into a special payment arrangement if necessary.

Assistance will be granted to eligible applicants on the basis of their most recent bill. The municipality is not obligated to pay back bills or utility security deposits. Exceptions may be made in emergency situations pursuant to section 4.9.

Disconnection of utility service will not be considered an emergency in all cases. The Administrator will make an individual, factual analysis to determine if the termination of utility service constitutes an emergency. The Administrator will consider the household composition, the time of year, the age and health of the household members, and other appropriate factors in reaching a decision. Applicants who had sufficient income, money, assets or other resources to pay their utility bill when it was received, but who spent all or part of their income on items which were not basic necessities, will not be eligible to receive GA to replace those funds.

Applicants have the burden of providing evidence of their income and use of income for the applicable time period (22 M.R.S. § 4308(2)) (*see Ordinance § §*

4.9; 6.3). The Administrator will notify applicants in writing that they must give the Administrator prompt notice if their utility service is to be terminated or if their fuel supply is low. It is the applicant's responsibility to attempt to make arrangements with the utility company to maintain their service and to notify the Administrator if assistance is needed with a utility bill prior to service being terminated.

**Electricity Maximums for Households Without Electric Hot Water.** See Ordinance Appendix D for the current year's electricity maximums.

**Electricity Maximums for Households that Use Electrically Heated Hot Water.** See Ordinance Appendix D for the current year's electricity maximums.

**Non-Electric Utilities.** The allowed amount for water and sewer utility service will be budgeted at a 30-day reasonable usage rate.

- D) **Fuel.** Expenses for home heating will be budgeted according to the actual need for fuel during the heating season (September through May) provided such expenses are reasonable, and at other times during the year when the Administrator determines the request for fuel assistance is reasonable and appropriate.

Assistance will be granted to eligible applicants on the basis of their most recent bill. The municipality is not responsible for back bills except in an emergency as provided in Ordinance § 4.9. Applicants are responsible for monitoring their fuel supply and requesting assistance prior to depleting their fuel supply. When applicants who have been informed of this responsibility run out of fuel nonetheless, and can show no just cause for failing to give the Administrator timely notice of their need for fuel, the Administrator shall find that the emergency was not beyond the applicants' control, and process the emergency request accordingly, pursuant to Ordinance § 4.9. See Ordinance Appendix E for the current year's fuel maximums.

- E) **Personal Care and Household Supplies.** Expenses for ordinary personal and household supplies will be budgeted and allowed according to the applicant's actual need for these items. Personal and household supplies include: hand soap, toothpaste, shampoo, shaving cream, deodorant, dish detergent, laundry supplies and costs, household cleaning supplies, razors, paper products such as toilet paper, tissues, paper towels, garbage/trash bags light bulbs and supplies for children under 5 years of age. See Ordinance Appendix F for the current year's personal care and household supplies maximums.
- F) **Other Basic Necessities.** Expenses falling under this section will be granted when they are deemed essential to an applicant's or recipient's health and safety by the Administrator and, in some cases, upon verification by a physician. Assistance will be granted only when these necessities cannot be obtained through the utilization of available resources.
- 1) **Clothing.** The municipality may assist a household with the purchase of adequate clothing. Before assistance will be granted for clothing, the general assistance Administrator must be satisfied that the applicant has utilized all available resources to secure the necessary clothing. In some circumstances, clothing will be a postponable item. Exceptions to this would be, for example, if fire, flood or unusually cold weather makes extra clothing an immediate necessity, special clothing is necessary for the applicant's employment, or a household member is without adequate clothing.
  - 2) **Medical.** The municipality will pay for essential medical expenses, other than hospital bills (*see below*), provided that the municipality is notified and approves the expenses and services prior to their being made or delivered. Medical expenses include prescriptions, devices, treatments, or services that are determined to be 'medically necessary' by a licensed physician. The municipality will grant assistance for medical services only when assistance cannot be obtained from any other source and the



applicant would not be able to receive necessary medical care without the municipality's assistance. The applicant is required to utilize any resource, including any federal or state program, that will diminish his or her need to seek general assistance for medical expenses. The municipality will grant assistance for non-emergency medical services only if a physician verifies that the services are essential. Provided there is no cost to the applicant, the Administrator may require a second medical opinion from a physician designated by the municipality to verify the necessity of the services.

Generally, the municipality will issue GA at the established Medicaid rates for all medical services, prescriptions, or other medical commodities. Before authorizing GA for any medical expenses, the Administrator will inform the pharmacy or medical service provider of the municipality's intention to pay for the medical service at the Medicaid rate, and ask to be billed accordingly.

Ordinary medical supplies/non-prescription drugs will be budgeted at the actual amount when the applicant can demonstrate a need for such items. Allowable supplies include bandages, aspirin, cough syrup, and other generic brand, non-prescription medicines. In addition, the basic monthly rate for telephone service will be budgeted when a telephone is essential to the health and safety of the household. In order for telephone service to be considered an allowable expense the applicant must provide a written statement from a physician certifying that the telephone is essential.

- 3) **Hospital Bills.** In the event of an emergency admission to the hospital, the hospital must notify the Administrator within 5 business days of the admission. Notification must be by telephone, confirmed by certified mail, or by certified mail only. If a hospital fails to give timely notice to the Administrator, the municipality will have no obligation to pay the bill.

Any person who cannot pay his or her hospital bill must apply to the hospital for consideration under the Hospital's Free Care Program as provided in Title 22 M.R.S. § 1716. Anyone who is not eligible for the hospital's free care program may apply for GA. Applicants must apply for assistance within 30 days of being discharged from the hospital and provide a notice from the hospital certifying that he or she is not eligible for the hospital's free care program.

Before the Administrator will consider whether to allow a hospital bill as a necessary expense, the applicant must enter into a reasonable payment arrangement with the hospital. The payment arrangement will be based upon the Medicaid rate. In determining an applicant's eligibility, the municipality will budget the monthly payment to the hospital the applicant has agreed to pay. The applicant's need for assistance with a hospital bill will be considered each time he/she applies by including the amount of the bill in the applicant's monthly budget, but the recipient will be responsible for making any necessary payments to the hospital pursuant to the use-of-income requirements found at Ordinance § 6.6.

- 4) **Dental.** The municipality will pay for medically necessary dental services only. As is the case with medical services generally, the municipality will issue GA for dental services at the established Medicaid rates for those services, and before authorizing the GA benefit for dental services, the Administrator will inform the dentist or dental surgeon of the municipality's intention to pay at the Medicaid rate. If full mouth extractions are necessary, the municipality will pay for dentures provided the applicant has no other resources to pay for the dentures. The applicant will be referred to a dental clinic in the area whenever possible. The Administrator will expect the applicant to bear a reasonable part of the cost for dental services, including extractions and dentures, taking into account the applicant's ability to pay.

- 5) **Eye Care.** In order to be eligible to receive GA for eyeglasses, an applicant must have his or her medical need certified by a person licensed to practice optometry. The Administrator will provide assistance for eyeglasses to eligible persons only after the applicant has exhausted all other available resources and generally only at the Medicaid rate.
- 6) **Telephone Charge.** A payment for basic telephone will only be allowed if a telephone is necessary for medical reasons as verified by a physician. At the discretion of the GA Administrator, minimum/basic telephone services may be allowed for households with children, for households where job search or work related reasons exist and/or for any other reasons the Administrator deems necessary.
- 7) **Work-Related Expenses.** In determining need, reasonable and actual work-related expenses will be deducted from earned income. These expenses include childcare costs, work clothes, supplies and transportation at the actual costs not to exceed the ordinance maximum. See Ordinance Appendix G for the current maximum mileage allotment. The applicant is required to provide documentation substantiating the costs and that the expenses were necessary.
- 8) **Travel Expenses.** In determining need, necessary travel which is not work-related will be budgeted if the applicant can satisfy the Administrator that the prospective need for travel is necessary. For applicants in rural areas, weekly transportation to a supermarket will be considered, as will any medically necessary travel. See Ordinance Appendix G for the current rate at which such necessary travel will be budgeted. This rate shall be construed to subsidize all costs associated with automobile ownership and operation, including gas/oil, tires, maintenance, insurance, financing, licensing/registration, excise tax, etc.

- 9) **Burials, Cremations.** Under the circumstances and in accordance with the procedures and limitations described below (*see Ordinance § 6.9*), the municipality recognizes its responsibility to pay for the burial or cremation of eligible persons. See Ordinance Appendix H for the current maximums.
- 10) **Capital Improvements.** The costs associated with capital improvements/repairs (e.g., heating/water/septic system repair) will generally not be budgeted as a basic necessity. Exceptions can be made only when the capital improvement/repair has been pre-approved by the Administrator as a necessary expense and the monthly cost of the capital improvement/repair has been reduced as far as reasonably possible; for example, by means of the applicant entering into an installment payment arrangement with the contractor. The Administrator may grant GA for capital improvements when:
- 1) the failure to do so would place the applicant(s) in emergency circumstances;
  - 2) there are no other resources available to effect the capital repair; and
  - 3) there is no more cost-effective alternative available to the applicant or municipality to alleviate an emergency situation.

In some cases, the entire immediate cost of the capital improvement can be mitigated by the applicant entering into an installment payment arrangement with a contractor. The municipality reserves the right to place a lien on any property pursuant to 22 M.R.S. § 4320 when GA has been used to effect a capital improvement. The lien process shall be accomplished in the same manner as for mortgage payments, as described in subsection (B) "Liens", above.

#### Section 6.9—Burials; Cremations

**Funeral Director Must Give Timely Notice.** In order for the municipality to be liable for a burial or cremation expense, the funeral director must notify the

Administrator prior to the burial or cremation or by the end of three business days following the funeral director' receipt of the body, whichever is earlier (22 M.R.S. § 4313(2)). This contact by the funeral director shall begin the process of developing an application for burial/cremation assistance on behalf of the deceased. It is the funeral director's responsibility to make a good-faith effort to determine if the family or any other persons are going to pay all or part of the burial expenses. If family members or others are unable to pay the expenses, and the funeral director wants the municipality to pay all or part of the expenses, the funeral director must make timely contact to the Administrator. In addition, the funeral director may refer legally liable relatives to the Administrator so that a timely determination of financial capacity may be accomplished.

**Application for Assistance Shall be Calculated on Behalf of the Deceased.** For the purposes of determining residency, calculating eligibility and issuing GA for burial or cremation purposes, an application for assistance shall be completed by the Administrator on behalf of the deceased.

With regard to residency, the municipality of responsibility for burial expenses shall be the municipality in which the eligible deceased person was a resident at the time of death as residency is determined under Ordinance § 4.10.

Although legally liable relatives may be asked to provide information regarding their income, assets, and basic living expenses, that information will not be construed as an application for GA inasmuch as living persons are not eligible for burial assistance. To clarify this point of law, although legally liable relatives have a financial responsibility to pay for the burial or cremation of their relatives, that financial responsibility only exists to the extent the legally liable relatives have a financial capacity to do so. Therefore, legally liable relatives who are themselves eligible for GA, have no legal obligation to pay for the burial or cremation of their relatives. For these reasons, all GA issued for burial or cremation purposes shall be issued on behalf of, and in the name of, the deceased.

**The Financial Responsibility of Certain Family Members.** Grandparents, parents, children and grandchildren of the deceased whether or not living in or owning property in Maine, and the spouse or registered domestic partner of the deceased, are financially responsible for the burial or cremation of the deceased to the extent those relatives, individually or as a group, have a financial capacity to pay for the burial or cremation either in lump sum or by means of a budgeted payment arrangement with the funeral home. Accordingly, at the request of the Administrator, all legally liable relatives must provide the Administrator with any reasonably requested information regarding their income, assets, and basic living expenses. The Administrator may also seek information from financial institutions holding assets of the deceased. Maine law requires a financial institution to disclose the amount deposited in the corporation or association when the municipality or its agents are acting in accordance with section 4313(2) and provide a written request and a notarized affidavit signed by the Administrator of the municipality or its agents stating that the named depositor is deceased.

**Consideration of the Financial Responsibility of Family Members.** Generally, when the Administrator can make a finding that one or more of the deceased's legally liable relatives have an obvious and demonstrable financial capacity to pay for the burial or cremation, by lump sum payment or by means of a reasonable payment arrangement, the municipality will not grant the requested burial or cremation assistance. When the Administrator is unable to make such a finding, the following proration of familial responsibility will be implemented.

**Proration of Familial Responsibility.** A proration of familial financial responsibility will be used when no legally liable relative possesses an obvious and demonstrable capacity to pay for the burial or cremation, but one or more of the financially liable relatives is found to have a financial capacity to make a partial financial contribution, or the Administrator is unable to determine the financial capacity of one or more of said relatives.

Under these circumstances, each legally liable relative is considered to be responsible for his or her pro rata share of the total municipal contribution that would exist if no legally liable relatives had a financial capacity to contribute. Furthermore, and as long as all other eligibility factors have been satisfied, the municipality will provide as a burial or cremation benefit the aggregate of all pro rata shares less the share of any legally liable relative who refuses to cooperate with the Administrator by providing information or documentation reasonably necessary to determine that relative's financial capacity, and less any share or part of a share attributable to a legally liable relative who can financially contribute or partially contribute toward the burial or cremation to the extent of that relative's share.

**Eight Days to Determine Eligibility.** The Administrator may take up to 8 days from the date of an application for burial/cremation assistance to issue a written decision regarding the amount of the municipal contribution toward the burial or cremation. The 8-day eligibility determination period from the date of application shall be used as necessary to make third-party collateral contacts, verify the listing of legally liable family members and determine their respective financial capacities to contribute to the burial or cremation, contact the personal representative of the deceased's estate, if any, and other related administrative tasks. The Administrator shall not use this 8-day period allowed by law to unreasonably delay the municipality's decision.

**The Municipal Obligation to Pay When Legally Liable Relatives or Others Can Contribute.** The figures provided in this section are the maximum benefits provided by the municipality when no contributions toward the burial or cremation are available from any other source. To the extent any legally liable relatives of the deceased have a financial capacity to pay for the burial or cremation, that financial capacity shall be deducted from the maximum burial costs allowed by this section. In addition, any other benefits or resources that are available, such as Social Security burial benefits, veterans' burial benefits, or contributions from other persons, will be deducted from the maximum amount the municipality will pay, except there will be no deduction from the municipal benefit level with respect to

any contribution provided for the purpose of publishing an obituary notice up to an aggregate contribution limit for this purpose of \$75 when a paid receipt demonstrating the purchase of an obituary notice is provided to the Administrator.

**Burial Expenses.** The Administrator will respect the wishes of family members concerning whether the deceased is interred by means of burial or cremated. See Ordinance Appendix H for the maximum levels of burial assistance.

**Cremation Expenses.** In the absence of any objection by any family members of the deceased, or when neither the Administrator nor the funeral director can locate any family members, the Administrator may issue GA for cremation services. See Ordinance Appendix H for the maximum assistance levels for cremations.

#### Section 6.10—Notice of Decision

**Written Decision.** Each time a person applies, the Administrator will provide a written decision to the applicant after making a determination of eligibility. The decision will be given to the applicant within 24 hours after a completed and signed application is received (22 M.R.S. § 4305(3)) (*see Ordinance § 4.6*).

In order to comply with the statutory requirement to issue a decision within 24 hours, if an applicant submits an incomplete or unsigned application, the Administrator may decide to issue a notice of “ineligibility” and provide the applicant with another application to submit as soon as is practicable for the applicant.

The Administrator must explain the applicant’s right to a fair hearing in the Administrator’s written notice of decision.

**Contents of Decision.** After an application has been completed, applicants will be given written notice of any decision concerning their eligibility for assistance. In



addition to the items listed in Ordinance § 4.6, the notice of decision will include a statement that:

- a) the applicant has the right to a fair hearing and how to request a fair hearing and;
- b) the applicant has the right to contact the DHHS if he or she believes the municipality has violated the law. The decision will include contact information for the appropriate DHHS office.

**Disbursement of General Assistance.** Except when the Administrator determines it is impractical, all GA will be provided as a voucher or purchase order payable to a vendor or through direct municipal payment to a provider of goods or services. GA will not be issued in the form of a cash payment to an applicant unless there is no alternative to the cash payment, in which case the Administrator shall document the circumstances requiring GA to be issued in the form of cash (22 M.R.S. § 4305(6)).

## ARTICLE VII

### The Fair Hearing

#### Section 7.1—Right to a Fair Hearing

Within 5 working days of receipt of a written notice of denial, reduction or termination of assistance, or within 10 working days after any other act or failure to act, the applicant or his or her authorized representative has the right to request a fair hearing (22 M.R.S. § 4322). The right to review a decision of the Administrator is a basic right of the applicant to a full evidentiary hearing and is not limited solely to a review of the decision.

#### Section 7.2—Method of Obtaining a Fair Hearing

Upon receiving notification of the decision of the Administrator, all claimants will be informed of how to request a fair hearing. All complaints that are not clear requests for a fair hearing will be answered by a personal interview or in writing by the Administrator. If the client is satisfied with the adjustment or explanation, the Administrator will make an entry in the case record and file any correspondence involved.

**Written Request.** To obtain a fair hearing, the claimant, or his or her authorized representative, must make a written request within 5 working days of receipt of the Administrator's decision to grant, deny, reduce or terminate assistance, or within 10 working days after any other act or failure to act. The Administrator will make a form available to request a fair hearing and will assist the claimant in completing it if necessary. On the printed form, the claimant will give the following information:

- a) the decision on which review is sought;
- b) the reason(s) the claimant is dissatisfied and why the claimant believes he/she is eligible to receive assistance; and
- c) the relief sought by the claimant.

The Administrator may not deny or dismiss a request for a hearing unless it has been withdrawn (in writing) by the claimant.

**Scheduling the Fair Hearing.** Upon receipt of the completed written request, the FHA must meet and hold the hearing within 5 working days. The Administrator will notify the claimant in writing when and where the hearing will be held (22 M.R.S. § 4322). In addition to the date, time and place of the hearing, the notice of fair hearing shall include, at a minimum, the claimant's rights to:

- a) be his or her own spokesperson at the fair hearing, or at the claimant's own expense be represented by legal counsel or another;
- b) confront and cross-examine any witnesses presented at the hearing; and
- c) present witnesses on his or her own behalf.

Arrangements for the date, time, and place of the hearing will take into consideration the convenience of the claimant and hearing authority. The claimant will be given timely notice to allow for preparation and will also be given adequate preliminary information about the hearing procedure to allow for effective preparation of his or her case.

#### Section 7.3—The Fair Hearing Authority

The municipal officers will appoint a fair hearing authority (FHA) that will determine, based on all the evidence presented at the fair hearing, whether the claimant(s) were eligible to receive assistance at the time they applied for GA. The FHA is charged with ensuring that GA is administered in accordance with state law and this ordinance.

The FHA may consist of the municipal officers, one or more persons appointed by the municipal officers to act as the FHA, or, if designated by ordinance, a municipal board of appeals created under 30-A M.R.S. § 2691 (22 M.R.S. § 4322). In

determining the FHA, the municipal officers will ensure that all person(s) serving as FHA must:

- a) have not participated in the decision which is the subject of the appeal;
- b) be impartial;
- c) be sufficiently skilled in interviewing techniques to be able to obtain evidence and the facts necessary to make a fair determination; and
- d) be capable of evaluating all evidence fairly and realistically, explaining to the claimant the laws and regulations under which the Administrator operated, and conveying to the Administrator any evidence of unsound, unclear, or inadequate policies, practices or actions.

#### Section 7.4—Fair Hearing Procedure

At the time that written notice of the date, time, and place of the fair hearing is provided to a claimant, he/she will also be given adequate information about the hearing procedure to allow him/her to effectively prepare his or her case. The claimant shall be permitted to review his or her file before the hearing. At a minimum, the claimant will be provided with the following information regarding fair hearing procedures. All fair hearings will:

- a) be conducted in private, with only the claimant, witnesses, the claimant's legal counsel, others whom the claimant wants present, and Administrator, the Administrator's agents, counsel and witnesses present;
- b) be opened with a presentation of the issue by the FHA;
- c) be conducted informally, without technical rules of evidence, but subject to the requirements of due process;
- d) allow the claimant and the Administrator the option to present their positions for themselves or with the aid of others, including legal counsel;

- e) give all participants an opportunity to present oral or written testimony or documentary evidence, offer rebuttal; question witnesses presented at the hearing; and examine all evidence presented at the hearing;
- f) result in a decision, based exclusively on evidence or testimony presented at the hearing; and
- g) be tape recorded, and result in a written decision that is given to the claimant and filed with evidence introduced at the hearing. The FHA will allow the claimant to establish all pertinent facts and circumstances, and to advance any arguments without undue interference. Information that the claimant does not have an opportunity to hear or see will not be used in the fair hearing decision or made part of the hearing record. Any material reviewed by the FHA must be made available to the claimant or his or her representative. The claimant will be responsible for preparing a written transcript if he/she wishes to pursue court action.

The FHA shall admit all evidence if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs (22 M.R.S. § 4322).

**Claimant's Failure to Appear.** If the claimant fails to appear at the hearing, the FHA will send a written notice to the claimant indicating that the Administrator's decision remains unchanged because of the claimant failure to appear. The notice will state that the claimant has 5 working days from receipt of the notice to provide the Administrator with information demonstrating "just cause," for failure to appear. "Just cause" for a claimant's failure to appear at a fair hearing, may include:

- a) a death or serious illness in the family;
- b) a personal illness which reasonably prevents the party from attending the hearing;
- c) an emergency or unforeseen event which reasonably prevents the party from attending the hearing;

- d) an obligation or responsibility which a reasonable person in the conduct of his or her affairs could reasonably conclude takes precedence over the attendance at the hearing; or
- e) lack of receipt of adequate or timely notice; excusable neglect, excusable inadvertence, or excusable mistake.

If the claimant (or his/her attorney) establishes that just cause existed, the request for the hearing will be reinstated and a hearing rescheduled.

If a claimant who is represented by legal counsel fails to appear at a fair hearing, legal counsel shall not testify in place of the claimant on matters of 'fact' but may cross examine witnesses and make 'legal' arguments on behalf of the claimant.

#### Section 7.5—The Fair Hearing Decision

The FHA's decision will be binding on the Administrator, and will be communicated in writing to the claimant within 5 working days after completion of the hearing.

Written notice of the decision will contain:

- a) a statement of the issue;
- b) relevant facts brought out at the hearing;
- c) pertinent provisions in the law or GA ordinance related to the decision; and
- d) the FHA's decision and the reasons for it.

A copy of the decision will be given to the claimant. The hearing record and the case record will be maintained by the Administrator.

The written decision will state that if the claimant is dissatisfied with the fair hearing decision, he/she may appeal pursuant to Maine Rule of Civil Procedure, Rule 80B. To take advantage of this right, the claimant must file a petition for review with the Superior Court within 30 days of receipt of the fair hearing decision.

When the decision by the FHA or court authorizes assistance to the claimant, the assistance will be provided within 24 hours.

## ARTICLE VIII

### Recovery of Expenses

**Recipients.** The municipality may recover the full amount of assistance granted to a person from either the recipient or from any person liable for the recipient, or his or her executors or administrators in a civil action. However, prior to recovering assistance granted, the municipality shall "offset" the value of any workfare performed by a GA recipient against the repayment obligation, at a rate not less than minimum wage.

Before filing a court action to seek repayment of GA benefits previously provided to a recipient, the municipality will seek voluntary repayment after written notice and discussion with the recipient. However, the municipality will not attempt to recover such amounts if, as a result of the repayment, the recipient would again become eligible for GA (22 M.R.S. § 4318).

**Recipients Anticipating Workers' Compensation Benefits.** The municipality shall claim a lien on any lump sum payment under the Workers' Compensation Act or similar law of any other state, which lien shall equal the value of all GA payments made to a recipient of any such lump sum payment. (22 M.R.S. § 4318, 39-A M.R.S. § 106). After issuing any GA on behalf of a recipient who has applied for or is receiving Workers' Compensation, the municipality shall file a notice of the municipal lien with the GA recipient and the Maine Office of Secretary of State, Uniform Commercial Code division.

The notice of lien shall be filed on a UCC-1 form which must be signed by the GA recipient who has applied for or is receiving Workers' Compensation. Any GA applicant who has applied for or who is receiving Workers' Compensation benefits and who refuses to sign a properly prepared UCC-1 form will be found ineligible to receive GA until he or she provides the required signature. The municipality shall also send a photocopy of that filing to the recipient's Worker's Compensation



attorney, if known, the applicant's employer or the employer's insurance company, and, at the Administrator's discretion, to the Workers' Compensation Board. The lien shall be enforced at the time any lump sum Workers' Compensation benefit is issued.

**Recipients of SSI.** All applicants who receive GA while receipt of their Supplemental Security Income (SSI) assistance is pending or suspended (and which therefore may be retroactively issued to the applicant at a later date), will be required to sign a statement on an Interim Assistance Agreement form distributed by the DHHS that authorizes the Social Security Administration to direct a portion of any retroactive SSI payment to the municipality and/or the state in repayment for the GA granted. Any GA applicant who has applied for or who may be applying for SSI, or who may be required to apply for SSI pursuant to 22 M.R.S. § 4317, and who refuses to sign the Interim Agreement SSI authorization form will be found ineligible to receive GA until he or she provides the required signature (22 M.R.S. § 4318).

**Relatives.** The spouse of an applicant, and the parents of any applicant under the age of 25, are liable for the support of the applicant (22 M.R.S. § 4319). In addition, the grandchildren, children, parents, grandparents, the spouse and a registered domestic partner, are liable for the burial costs of each other. The municipality considers these relatives to be available resources and liable for the support of their relatives in proportion to their respective ability. The municipality may complain to any court of competent jurisdiction to recover any expenses made on behalf of a recipient if the relatives fail to fulfill their responsibility (22 M.R.S. § 4319).

## **ARTICLE IX**

### **Severability**

If any provision of this ordinance is declared invalid by a court of competent jurisdiction, such decision shall not invalidate any other provision of the ordinance.

# **TOWN OF MILLINOCKET**

**Richard Angotti, Town Manager**

**197 Penobscot Avenue, Millinocket, Maine 04462**

**Telephone 207-723-7000 Direct 207-447-4093 FAX 207-723-7002**

**Web Site: [www.millinocket.org](http://www.millinocket.org)**

---

## **Town Manager's Report October 28, 2021**

### **Manager**

- I had asked at the last meeting for the council to look over the changes to Section 33 Airport and have only had one response back, that being from councilor Pelletier. Do you have anymore change's or are we ready to bring it to a hearing for the proposed changes?
- We have advertised for a new Code Enforcement Officer. No one has applied for the position at this time. We will continue to look for someone to fill that position.
- We have posted for the Community Initiatives Directors (CID) position and have had no new applicants. We had 8 people from our prior post and 4 of them have found other jobs and are no longer interested in the position. The other 4 are still interested in the position. The cost to place an add in the Grant Professionals Association is \$399 for a basic posting. Members get a discount on this, but it cost \$220 for a membership. I have signed up with the Maine Philanthropy Center. The cost to place an add is \$90 for 30 days as a member.
- Nautilus Data Center update:

Our Katahdin has yet to secure all of the facility rights needed for NDT easements from Brookfield. The easements go back historically to previous owners and the easements were granted for "MILL USE". Since we are not a mill, the ball is in Our Katahdin's court to fix. Additionally, Our Katahdin has to assume ownership of the environmental issues related to the NDT site. This too is yet to be clearly articulated in the proposed lease language. Financial resources are being shifted to other projects.
- Our Katahdin:

We have not had a meeting in over 6 weeks so as for what's going on, there is no information. I have reached out to Our Katahdin and have received no response.
- Update on Air Quality at the municipal building. An extensive monitoring of the building has identified that the air handler on the roof is causing part of the problem. We had the filters changed in the unit and air quality has gotten better but there is still an issue. The new Air purifiers are in, and the levels have dropped and are in the safe range. The HCHO level is at .03 which is close to outdoor and the TVOC levels are down to .14 both are in the Safe range. The particulate levels have also dropped.
- Received a letter from Senator Collins thanking us for the letter of support for the Remediation and Reuse study of the former GNP Wastewater Treatment Plant. In the letter our Senator was pleased to report that \$671,000 has been included for the project. There are still some hurdles to jump through, but it is one step closer. I have attached her letter with this report.
- We have started up our Safety Committee and our first topic was on slips trips and falls. By having this committee along with other requirements, we will qualify for a reduction in our workers comp cost by 10%. The committee will be comprised of one employee from each department, and we will change every month. The only two members that won't change are the manager and HR. This will give all employees the opportunity to be involved with the safety program as safety is paramount in all town jobs.

Respectfully Submitted

Richard Angotti

Interim Town Manager

**TOWN OF MILLINOCKET**  
**Richard Angotti, Town Manager**  
197 Penobscot Avenue, Millinocket, Maine 04462  
Telephone 207-723-7000 Direct 207-447-4093 FAX 207-723-7002  
Web Site: [www.millinocket.org](http://www.millinocket.org)

---

**Department Reports:**

**Public Works Activity Report:**

**Safety:**

- Attended Town Safety Committee meeting.

**Public Works:**

- Pulled Central Steel Delineators. A lot of them have been hit and some flattened.
- Cutting brush on Corners.
- Repaired several Storm Water catch basins.
- Working on shoulders and cutting brush on Outer Medway Road.
- Milled and filled Oxford and Lincoln streets between Popular and Spruce. (Paving)
- Doing spot repairs (hot top)
- Getting equipment ready for Winter Maintenance.

**Transfer Station:**

- Brush area will be ground up in November.
- Collecting waste oil to be used at Public Works for heat.
- MRC still working on Hampden facility. Our MSW is going to PERC. Same price.
- New permits FY 2022 are in at the Town Office.

**Cemetery:**

- 80 Burials YTD.
- Public Works will take over burials until the ground freezes.
- Bob Healey Town Resident and Cemetery Committee Member has volunteered to straighten markers and stones in the old section. A lot of them have tipped and Bob has completed doing the P-Section. Thank you, Bob!

Respectfully submitted,  
Ralph Soucier, Director of Public Works

**Assessor.**

- Working on Brookfield Appeal
- Working on tax cards
- Need to have a training session with the board of assessing review.

Respectfully  
Lorna Thompson

---

*Home to Mount Katahdin, Baxter State Park, and Your Successful Future*

## **TOWN OF MILLINOCKET**

**Richard Angotti, Town Manager**

**197 Penobscot Avenue, Millinocket, Maine 04462**

**Telephone 207-723-7000 Direct 207-447-4093 FAX 207-723-7002**

**Web Site: [www.millinocket.org](http://www.millinocket.org)**

---

### **Manager of Human Resources, Welfare Director, and Bookkeeper**

#### **Human Resources Director**

- Personnel issues/WC/Unum/Family Medical Leave
- Assisting Town Manager and Department heads
- Office Responsibilities
- Safety Committee
- Advertise for Community Initiative Director
- Preparing for year end
- Met with Mobilize Katahdin and other GA Directors to try and streamline the community resources

#### **General Assistance Director**

- Assisted individuals to meet their unmet needs
- Submitting reimbursements

#### **Bookkeeper**

- Processed payroll for Town and Wastewater employees, to include the warrants for the taxes.
- AP warrants for this week's council meeting

Lori Santerre

Human Resource Director

### **RECREATION DEPT.**

#### **Recreation Director**

- We are preparing for youth basketball. Little Pro and East Millinocket and Medway are joining our programs together this year. This is our first attempt and are very excited to work together and provide a better program for the children in the Katahdin area.
- Will be providing bags of treats to the elementary schools in Millinocket and East Millinocket on Friday the 29<sup>th</sup>.
- I'm currently working on the snowmobile grants for the clubs
- We received a letter from the school identifying the use of the school during winter weather cancellations which also affect the recreation program. Attached with this report is the letter.

Respectfully Submitted

Jody Nelson

#### **Code Enforcement**

- Continued reviewing electronic version of code for accuracy with the written copy.

Respectfully

Richard Angotti

---

***Home to Mount Katahdin, Baxter State Park, and Your Successful Future***

**TOWN OF MILLINOCKET**  
**Richard Angotti, Town Manager**  
197 Penobscot Avenue, Millinocket, Maine 04462  
Telephone 207-723-7000 Direct 207-447-4093 FAX 207-723-7002  
Web Site: [www.millinocket.org](http://www.millinocket.org)

---

**Airport**

**Airport Department Update 10/21/2021**

- The General Aviation Radio Device (G.A.R.D.) System has recorded 183 aircraft operations this month to date.
- Participated in two Teams meetings with Hoyle Tanner for the Airport Master Plan Update.
- Most of the work by the FAA to replace the electrical supply cables for the Visual Approach Slope Indicator (VASI) approach Lighting has been completed.
- Working on winter operation preparations, e.g. new loader tires, vehicles serviced, and runway edge marking.

Respectfully submitted,  
Jeff Campbell, Airport Manager

**Town Clerk/Tax Collectors Office:** Totals include October 8<sup>th</sup> through October 25<sup>th</sup>, 2021, Receipt Summary report which provides by receipt type, the number of transactions and total dollars processed at the Town Office. In summary, \$760,877.36 were collected, which involved 1027 transactions processed in Trio.

- Working on current council meeting minutes.
- Talked with Diana Furukawa< Millinocket Library, with interest to host “**Meet the Candidates**” **candidate written or video submissions**, Diana provided the platform to share to the community on the library’s webpage, also involved Jessica with Designlab in communications to share on the Town’s social media sites and website, The Town expresses appreciation for Diana’s interest and both Diana’s and Jessica’s timely response for getting this information out to the community. **\*See attachment>links provided**  
**<https://millinocketmemoriallibrary.org/meet-the-candidates/>**
- 1<sup>st</sup> half Taxes were due 10/13/2021 and now collecting interest, **2<sup>nd</sup> half due date: 1/13/2022.**
- Fulfilling requests of tax information as well as providing normal daily requests of motor vehicle and wastewater account balances via e-mail, fax and phone calls.
- Sharon processed current Motor Vehicle weekly reports, Totals for State were \$5,065.13 for week ending 10/08/2021 and \$6,540.54 for week ending 10/01/2021
- Sharon dedicating time to locate addresses for returned/undeliverable tax bills to re-mail to assessed owner.

## TOWN OF MILLINOCKET

**Richard Angotti, Town Manager**

**197 Penobscot Avenue, Millinocket, Maine 04462**

**Telephone 207-723-7000 Direct 207-447-4093 FAX 207-723-7002**

**Web Site: [www.millinocket.org](http://www.millinocket.org)**

- 
- Cemetery recording of deeds, cards, and mapping updates of new internments and purchases.
  - Processing daily mail, online, phone, and drop box payments.
  - Creating Agendas, posting advertisements of public hearings, Ordinance notifications and local paper advertisements, Email correspondence, returning phone messages and inquiries of account details and totals.

### **Election:**

- State: Received Secretary of State mailings with required documents with deadlines and responding appropriately.
- Completed Absentee voting at Licensed Living facilities,
- completed testing of state and local ballots required by SOS's 10/22 deadline,
- Absentee Ballots are available until **Thursday, October 28<sup>th</sup>, 2021, end of day.** (Issued 304 Absentee ballots to date.)
- Finalized and confirmed a solid election worker schedule – A Thank you to all ballots clerks who are willing to dedicate their time to work the elections for the Town of Millinocket.

### **Other Items:**

- Processed October quarterly Wastewater billing, expect to be mailed on Friday, 10/29/21.
- 2022 Dog tags for registrations available October 15<sup>th</sup> as the current registrations expire December 31, 2021 **\*Proof of Rabies Vaccination Certificate is Required for Registration\***
- 2022 Snowmobile registrations available: **State fee price change is effective October 18th, 2021. These new prices are as follows:**

Resident Snow (new or renewal)	\$55.00
Non-Resident Snow 3-Day	\$74.00
Non-Resident Snow 10-Day	\$99.00
Non-Resident Season	\$119.00

- Roxanne and Amber continue to improve the preservation of vital records by indexing, inserting the records into acid free sheet protectors, and storing them appropriately in the newly reorganized safe which has been a positive change for efficiency.

Diana M. Lakeman Town Clerk/Deputy Tax Collector, Sharon A. Cyr Tax Collector/Deputy Clerk

**TOWN OF MILLINOCKET**  
**Richard Angotti, Town Manager**  
197 Penobscot Avenue, Millinocket, Maine 04462  
Telephone 207-723-7000 Direct 207-447-4093 FAX 207-723-7002  
Web Site: [www.millinocket.org](http://www.millinocket.org)

---

**Treasurer**

On October 15, thirty-day notices were sent to 153 accounts for unpaid sewer bills dated November 30, 2020 to February 3, 2021.

Regarding any questions there may be about the Municipal Airport's ability to be a profit center at this point in time, below is the FY22 Budget which highlights the Department's net cost to the taxpayer based on the FY22 Budget:

Airport Operations Revenue (Cares Act): \$13,000  
Airport Business Profit (Sales, Rents): \$32,711  
Airport Operations Expense: (\$148,932)  
Net FY22 Dept Deficit Funded by Taxes (\$103,221)

At this point in time, the budget appears intact, however this will fluctuate due to the timing of various budget expenses and revenues.

We had our first weekly meeting with AMB which was very helpful. I have sent our ending AR file from Higgins to them for review to see if they will continue with these collections. This in turn would require More billing information from Higgins.

A November 4 conference call is scheduled with the State representative who monitors the Wastewater's \$900k CDBG grant for the Bates/Elm Street Project. Only \$37K remains not drawn from this grant. There is a 25% match that the Wastewater Department will fund either through the State Street bond or from the department's cash flow.

Mary Alice Cullen  
Treasurer, Town of Millinocket

**Wastewater**

**Wastewater Operations Report.**

- The treatment facility and pump stations are all currently functioning well. As needed, routine maintenance along with required lab work is being performed on a daily basis.
- The T. Buck Construction Co. has finished all the groundwork for the Elm / Bates Streets Sewer Upgrade Project. The slip lining was installed in the Elm / Bates Streets areas. This week they will be finishing grass seeding and clean up. This will complete that upgrade project for the season. They will return in the spring to do the final paving as.

Millinocket WWTF  
James Charette, Superintendent

---

***Home to Mount Katahdin, Baxter State Park, and Your Successful Future***



**TOWN OF MILLINOCKET**  
**Richard Angotti, Town Manager**  
**197 Penobscot Avenue, Millinocket, Maine 04462**  
**Telephone 207-723-7000 Direct 207-447-4093 FAX 207-723-7002**  
**Web Site: [www.millinocket.org](http://www.millinocket.org)**

---

**Fire**

10/28/2021

- Monitoring crew and making sure that everyone is trying to keep safe and mentally conditioning during stressful times.
- Fire Station is still locked down, and Fire and EMS personnel will continue to wear mask as per Maine EM
- Conducting fire drills at area schools.
- Working on having a Halloween trunk or treat on Sunday, Oct. 31<sup>st</sup> on Summer St between Penobscot Ave. and Aroostook Ave. Fire Station for children in the community. Will have that portion of street closed from 3:30-7pm. Also, Millinocket Nazarene Church will have a trunk or treat in their parking lot by Fellowship Center and Red Knights #8 will hold one at the old Campbell Service Station on Aroostook Ave.
- Conducted courtesy inspection of building with code officer for potential business opportunity.
- Submitted Volunteer Fire Assistance Grant through Maine Forestry.
- Attended Safety Committee meeting.
- Have two FF attending Fire Academy, this is a two-week course.
- Working with Millinocket PTO on Halloween Party at Granite St. School will have units there for the event.
- Working with MRH on flu shots for department staff looking at first of November as recommended by ME CDC and ME EMS.
- Had citizen complaint on possible trash burning am working on it at this time.
- Working with Adult Protective Services on issues in Millinocket.
- Starting to get set up for winter season and getting Sand Buckets ready to distribute.
- Starting to work on storage of off-season items for upcoming winter season.

Chief Thomas Malcolm AEMT, FLSE, EMA Director  
Public Health and Safety Officer  
Millinocket Fire Department

SUSAN M. COLLINS  
MAINE

413 DIRKSEN SENATE OFFICE BUILDING  
WASHINGTON, DC 20510-1904  
(202) 224-2823  
(202) 274-1093 (FAX)

## United States Senate

WASHINGTON, DC 20510-1904  
October 18, 2021

COMMITTEES:  
APPROPRIATIONS  
HEALTH, EDUCATION,  
LABOR, AND PENSIONS  
SELECT COMMITTEE  
ON INTELLIGENCE  
SPECIAL COMMITTEE  
ON AGING

Mr. Richard Angotti  
Interim Town Manager  
Town of Millinocket  
197 Penobscot Ave  
Millinocket, Maine 04462

Dear Richard:

Thank you for your letter of support for Our Katahdin's request for funding for the Remediation and Reuse Study of the former GNP Wastewater Treatment Plant. I appreciate your taking your time to share your views with me on this important project.

As a senior member of the Senate Appropriations Committee and Ranking Member of the Transportation and Housing and Urban Development Subcommittee, I requested that funding for the Remediation and Reuse Study of the former GNP Wastewater Treatment Plant be included in the fiscal year 2022 Subcommittee funding bill. I am pleased to report that \$671,000 has been included for the project in the bill recently released by the Committee. There are several more steps in the process before any appropriations bills are finalized and sent to the President for signature, including reconciling differences between the House of Representatives and Senate versions of bills and passage of the bills by both chambers of Congress. It is my hope that Congress will work in a bipartisan manner to complete these steps expeditiously.

Although there are additional steps ahead, I wanted you to know of this important development. I will continue to use my position as a senior member of the Senate Appropriations Committee to advocate for investments that will improve Maine's communities.

Thank you again for your valuable input.

Sincerely,



Susan M. Collins  
United States Senator



## **Millinocket School Department**

**Dr. Joshua McNaughton, Superintendent of Schools & Director of Special Ed**  
199 State Street; P.O. Box 30; Millinocket, ME 04462  
Office (207) 723-6400; Fax (207) 447-6599  
[jmcnaughton@millinocketschools.org](mailto:jmcnaughton@millinocketschools.org)  
[www.millinocketschools.org](http://www.millinocketschools.org)

**TO: Coaches, Advisors, Staff and Recreation Department**  
**FROM: Dr. Joshua McNaughton, Superintendent of Schools**  
**DATE: October 13, 2021**  
**SUBJECT: USE OF THE SCHOOL DURING WINTER WEATHER CANCELLATIONS**

This is a reminder to all coaches, advisors, staff, and Recreation Department activities that, according to School Board Policy EBCE-R "Procedure for Scheduled Activities When Schools are Closed for Storm or Other Emergencies", if school is canceled due to inclement weather or emergencies, no practices or any other use of the facilities will be allowed, even if the weather clears later in the day. This also includes all Recreation Department related activities such as Little Pro Basketball.

School is closed in these situations for the safety of our students and staff. Also, vehicles in the parking lots prohibit the ease of snow removal for our town and school employees.

**cc: Beth Peavey**  
**Sam Hiscoe**  
**Nick Cullen**  
**Louis DiFrederico**  
**Rick Angotti**  
**Jody Nelson**

## Diana Lakeman

---

**From:** Diana Furukawa <diana@millinocketmemoriallibrary.org>  
**Sent:** Friday, October 22, 2021 4:50 PM  
**To:** Jessica Masse  
**Cc:** Diana Lakeman; Richard Angotti; Mallory  
**Subject:** Re: Meet the candidates

Hi all,

Here's the webpage where I've compiled the candidate statements and some basic voting information: <https://millinocketmemoriallibrary.org/meet-the-candidates/> We'll plan on sharing it on the library page, so feel free to share our post or create your own.

Sorry for the delay on this— I had some last minute submissions from candidates.

Have a great weekend, everyone.  
Diana

On Tue, Oct 19, 2021 at 4:59 PM Jessica Masse <jessica@godesignlab.com> wrote:  
Sounds great!

On Tue, Oct 19, 2021 at 4:56 PM Diana Furukawa <diana@millinocketmemoriallibrary.org> wrote:  
Thanks, Jessica and Diana. I will share the page with you when it is done on Friday afternoon.

On Mon, Oct 18, 2021 at 4:01 PM Jessica Masse <jessica@godesignlab.com> wrote:  
Yes, we are happy to link to a "meet the candidate" page. We can also share on social.

thanks  
Jess

On Mon, Oct 18, 2021 at 3:58 PM Diana Lakeman <townclerk@millinocket.org> wrote:

Diana,

This is great news and the Town of Millinocket express our appreciation for you interest and quick action on this matter. The Town would fully support having this on the town's website and/or any other avenue useful in sharing for community knowledge. I have Cc's Designlab contacts for their interest in what to expect with the Town's full support.

Again, we appreciate the library's interest and quick response to fulfill the communications from the candidates to the requests of the public.

Look forward to hearing from you soon. Best,

Diana M. Lakeman

*Diana M. Lakeman*

Town Clerk/Deputy Tax Collector/Registrar

[townclerk@millinocket.org](mailto:townclerk@millinocket.org)

197 Penobscot Avenue

Millinocket, Maine 04462

(207)723-7006/7007 Phone

(207-)723-7002 Fax

---

**From:** Diana Furukawa <[diana@millinocketmemoriallibrary.org](mailto:diana@millinocketmemoriallibrary.org)>

**Sent:** Monday, October 18, 2021 3:27 PM

**To:** Diana Lakeman <[townclerk@millinocket.org](mailto:townclerk@millinocket.org)>

**Subject:** Meet the candidates

Hi Diana,

The library has decided to take on the "meet the candidates" online platform this year. I've called all the candidates, and almost all of them are interested in either submitting a video or a statement and photo.

We'll plan to compile everything on one webpage on our site. When that's ready, is it something that the Town would be able to share on the website and/or social media accounts? We're aiming to have it all done by Friday afternoon.

Glad we talked about this today!

Diana



# East Millinocket Police Department

125 Main St East Millinocket ME 04430



## Staffing / Schedule / Training

- All officers are on their assigned schedule. Full-staff has allowed more flexibility to try and get Det Sgt McLaughlin off the road to complete some back logged investigations
- Half of our staff has completed yearly firearms training, remaining staffs training is upcoming this weekend.
- Officers have also begun working on yearly mandatory trainings
- Cpl Fitzgerald completed 15+ hours of NIBRS training. Many things were brought up during training which will change how we report crime to State of Maine and the FBI.

## Equipment

- Cruiser MDT is still on back order. Supplier still struggling to get a ship date
- Fall / Winter Uniform and Equipment order has mostly been received by vender and shipment to us should be upcoming
- Radio Failure in Car 5 (Millinocket Ford Taurus). Same failure that previously happened in Car 6. RCM has fixed the failure and it's a defect with Kenwood so it is warranted.

## Call Notes (October 8<sup>th</sup> – October 22<sup>nd</sup>)

- 187 Calls for Service in Millinocket
- 443 Total Calls for Service
- 165 Traffic Stops
- Notable Millinocket Stats
  - o 4 Bail Searches
  - o 2 Thefts
  - o 4 Family Fights & Disorderly
  - o 3 Criminal Mischief
  - o 9 Arrests / Charges Include:
    - 4 Traffic Related Offenses
    - 1 OUI Alcohol or Drugs
    - 1 Criminal Mischief
    - 1 Criminal Trespass
    - 7 Violation of Bail
    - 2 Warrant Arrest
    - 1 Illegal Burning

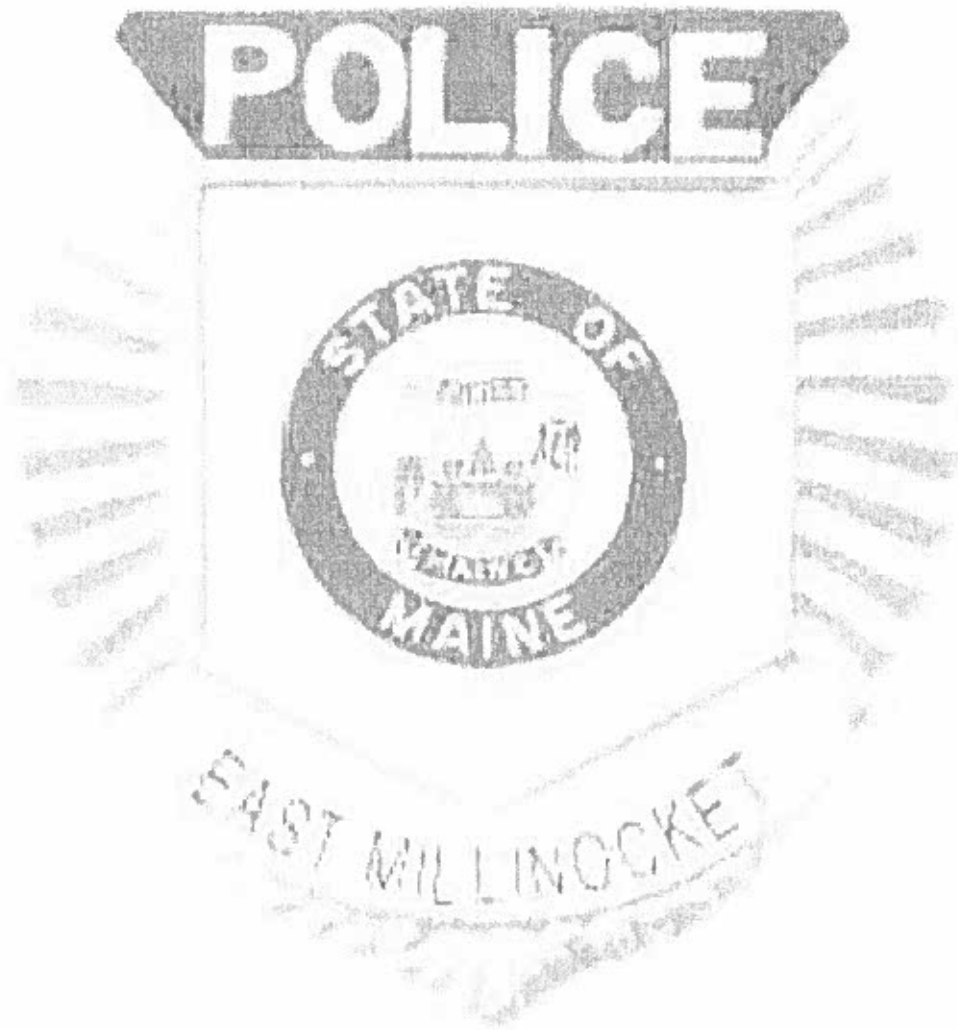
## Notable Items

- Jail Update – Penobscot County Jail is still not fully accepting inmates due to overcrowding, COVID outbreak and staffing shortages. We are still working diligently to bail arrestees and not transport, however we are still encountering instances where transporting to jail would have been appropriate. We are still not having much luck with other nearby county jails accepting inmates. A lot of jails will only accept violent felonies. Unfortunately, this situation

East Millinocket Police Department

is only going to get worse with changes in bail laws that were enacted a few days ago. Judges and bail commissioners can put less bail conditions on people, and must give more options of bail. Bail restrictions, i.e search and test for alcohol and drugs are being taken away from a lot of crimes.

- We are continuing to have problems with people not locking vehicles, homes, etc and any help to get the message out to lock things up at night and report suspicious activity would be greatly appreciated
- Drug Take Back takes place October 23<sup>rd</sup>. We already have several large boxes filled since the last take back.



**East Millinocket Police Department**

ORDER #267-2021

PROVIDING FOR: Execution of the Town Warrant for October 28, 2021  
IT IS ORDERED that the Town Warrant for October 28, 2021, in the amount of  
\$88,571.11 is hereby approved.

Passed by the Town Council \_\_\_\_\_

Attest: \_\_\_\_\_



Millinocket  
8:22 AM

Town  
**A / P Check Register**  
Bank: BANGOR SAVINGS A/P

10/25/2021  
Page 1

Type	Check	Amount	Date	Wrnt	Payee
R	31726	57.00	10/28/21	125	00017 AIRNAV LLC
R	31727	966.24	10/28/21	125	02092 ALLEN CORPORATION
R	31728	490.90	10/28/21	125	02093 ARMSTRONG FAMILY INDUSTRIES
R	31729	13,145.26	10/28/21	125	00039 ASCENT AVIATION GROUP INC
R	31730	33.50	10/28/21	125	00046 AUTOMATIC VENDING MACHINES
R	31731	29.98	10/28/21	125	00056 BANGOR SAVINGS BANK
R	31732	365.16	10/28/21	125	00869 BIDDEFORD INTERNET CORPORATION
R	31733	6,210.00	10/28/21	125	01869 BLOOMER & RUSSELL, P.A.
R	31734	1,439.29	10/28/21	125	00229 CARQUEST AUTO PARTS
R	31735	750.00	10/28/21	125	02087 CHINNICI, ABIGAIL BAILEY
R	31736	13.72	10/28/21	125	01294 CRANDALL'S HARDWARE, INC.
R	31737	3,611.03	10/28/21	125	00157 DEAD RIVER
R	31738	9,195.57	10/28/21	125	00181 DYSARTS SERVICE
R	31739	256.61	10/28/21	125	01931 EUROVIA ATLANTIC COAST dba
R	31740	18.62	10/28/21	125	00207 FASTENAL COMPANY
R	31741	43.00	10/28/21	125	00222 FREIGHTLINER OF MAINE, INC.
R	31742	13.24	10/28/21	125	00235 GILMAN ELECTRICAL SUPPLY
R	31743	47.49	10/28/21	125	00241 GREENWAY EQUIP. SALES
R	31744	24.74	10/28/21	125	00250 HANNAFORD
R	31745	329.80	10/28/21	125	01039 HOGAN TIRE, INC.
R	31746	12,339.24	10/28/21	125	00805 HOYLE, TANNER & ASSOCIATES
R	31747	78.03	10/28/21	125	00828 HYGRADE BUSINESS GROUP, INC.
R	31748	23.95	10/28/21	125	00330 KATAHDIN MOTORS, INC.
R	31749	169.07	10/28/21	125	01903 KATAHDIN TRUE VALUE
R	31750	38.97	10/28/21	125	01992 LEVESQUE, ALLEN
R	31751	200.00	10/28/21	125	00365 LINCOLN RENTAL SYSTEMS INC.
R	31752	1,064.25	10/28/21	125	00037 MAINE WATER COMPANY
R	31753	454.00	10/28/21	125	00451 MILLINOCKET INSURANCE AGENCY
R	31754	53.10	10/28/21	125	00454 MILLINOCKET REGIONAL HOSPITAL
R	31755	800.00	10/28/21	125	01914 MORROW, CLINT
R	31756	25,028.63	10/28/21	125	00471 MUNICIPAL REVIEW COMMITTEE, INC
R	31757	62.34	10/28/21	125	01819 NAPA AUTO PARTS
R	31758	208.01	10/28/21	125	01669 OFFICE DEPOT, INC
R	31759	84.60	10/28/21	125	01537 PELLETIER MANUFACTURING, INC.
R	31760	701.00	10/28/21	125	01596 PREBLE OIL COMPANY
R	31761	336.47	10/28/21	125	00577 RAMSAY WELDING & MACHINE, INC
R	31762	57.00	10/28/21	125	00584 REGISTER OF DEEDS
R	31763	163.39	10/28/21	125	01668 STANLEY'S AUTO CENTER LLC
R	31764	145.63	10/28/21	125	00649 STERNS LUMBER COMPANY INC
R	31765	52.81	10/28/21	125	00075 TRACTION
R	31766	128.93	10/28/21	125	00737 UNIFIRST CORPORATION
R	31767	169.18	10/28/21	125	00748 US CELLULAR
V	31768	0.00	10/28/21	125	01502 VERSANT POWER
V	31769	0.00	10/28/21	125	01502 VERSANT POWER
R	31770	7,729.15	10/28/21	125	01502 VERSANT POWER
R	31771	100.00	10/28/21	125	01799 WEST BRANCH AVIATION LLC
R	31772	1,204.83	10/28/21	125	00778 WHITE SIGN
R	31773	15.00	10/28/21	125	01660 WILSON, TERRANCE

Millinocket  
8:22 AM

**A / P Check Register**  
Bank: BANGOR SAVINGS A/P

10/25/2021  
Page 2

Type	Check	Amount	Date	Wrnt	Payee
R	31774	122.38	10/28/21	125	02073 XEROX FINANCIAL SERVICES LLC
Total		88,571.11			

Count	
Checks	47
Voids	2



ORDER #268-2021

PROVIDING FOR: Execution of the Wastewater Warrant for October 28, 2021  
IT IS ORDERED that the Wastewater Warrant for October 28, 2021, in the amount  
of \$7,937.94 is hereby approved.

Passed by the Town Council\_\_\_\_\_

Attest:\_\_\_\_\_

Millinocket  
3:18 PM

WW  
**A / P Check Register**  
Bank: KEY BANK WW A/P FD 3

10/22/2021  
Page 1

Type	Check	Amount	Date	Wrnt	Payee
R	9811	500.00	10/28/21	123	00092 CALS SEPTIC SERVICE
R	9812	85.47	10/28/21	123	00229 CARQUEST AUTO PARTS
R	9813	130.00	10/28/21	123	00009 CLEARWATER LABORATORY
R	9814	52.90	10/28/21	123	00157 DEAD RIVER
R	9815	1,405.61	10/28/21	123	00456 MILLINOCKET, TOWN OF
R	9816	60.34	10/28/21	123	01596 PREBLE OIL COMPANY
R	9817	19.00	10/28/21	123	00584 REGISTER OF DEEDS
R	9818	1,027.66	10/28/21	123	01668 STANLEY'S AUTO CENTER LLC
R	9819	30.00	10/28/21	123	00748 US CELLULAR
R	9820	128.58	10/28/21	123	01057 USA BLUE BOOK
R	9821	4,303.39	10/28/21	123	01502 VERSANT POWER
R	9822	194.99	10/28/21	123	00792 WINTERPORT BOOT
<b>Total</b>		<b>7,937.94</b>			

**Count**

Checks	12
Voids	0



ORDER #269-2021

PROVIDING FOR: Approval of an Application for an Entertainment License for Highlands Tavern.

IT IS ORDERED that the attached application for an Entertainment License is hereby approved for:

Christopher Carr, Katahdin Services LLC, 115 Massachusetts Ave, Millinocket  
d/b/a  
Highlands Tavern, 973 Central Street, Millinocket

Passed by the Town Council \_\_\_\_\_

Attest: \_\_\_\_\_





17/10/25/21

TOWN OF MILLINOCKET

APPLICATION FOR A SPECIAL AMUSEMENT LICENSE

NAME OF APPLICANT Chris Carr RESIDENCE 115 Mass Ave  
Millinocket ME 04462  
NAME OF BUSINESS Hydrex Services LLC ADDRESS 973 Central St.  
Millinocket ME 04462  
NATURE OF BUSINESS Consumption of LOCATION TO BE USED 973 Central St.  
Alcohol Millinocket ME 04462

RESIDENCES OF APPLICANT IN LAST FIVE YEARS:

Same

HAS APPLICANT HAD A LICENSE DENIED OR REVOKED?  
IF YES, CIRCUMSTANCES ARE SPECIFICALLY AS FOLLOWS:

YES \_\_\_\_\_ NO ☒

HAVE YOU (INCLUDING PARTNERS OR CORPORATE OFFICERS) EVER BEEN CONVICTED OF A  
FELONY? YES \_\_\_\_\_ NO ☒  
IF YES, WHO - CIRCUMSTANCES ARE AS FOLLOWS:

COPY OF CURRENT LIQUOR LICENSE (IF APPLICABLE).

OTHER INFORMATION MAY BE REQUESTED BY THE MUNICIPAL OFFICERS.



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT  
8 STATE HOUSE STATION  
ALBANY, MAINE 04333-0008



License for the Sale of Liquor

License Number	Issue Date	Expiration Date
HOP-2016-1213	12/08/2020	12/07/2021

This license is valid only between the Issue Date and the Expiration Date appearing on this document. This License may be used only for the Named Holder at the Location for which the License was issued. The person or business named in this License is authorized to sell or serve liquor with liquor content as permitted by Maine law for the license type designated in this License.

All licensees shall make available for inspection their licenses at the premises to which those licenses apply. This License or each type of License issued as part of this License is subject to fine, suspension or revocation pursuant to Title 28-A of Maine law. License fee is non-refundable and the License is non-transferable unless approved by the Bureau.

Legal Name of Licensee: KATAHDIN SERVICES LLC  
Business Name of Licensee: HIGHLANDS TAVERN  
Address of Licensee: 973 CENTRAL STREET  
MILLINOCKET, ME

CODX	License Type and Description	FEE
HOP	CLASS I-A - HOTEL - FOOD REQUIREMENT OPTIONAL MALT LIQUOR, WINE AND SPIRIT	1,100.00
FF	FILING FEE	10.00

Total Fees:

\$ 1,110.00

*Timothy R. Pouljin*

Timothy R. Pouljin, Deputy Director  
Bureau of Alcoholic Beverages and Lottery Operations

HIGHLANDS TAVERN  
973 CENTRAL STREET  
MILLINOCKET, ME 04462

BUSINESS Katahdin Services, LLC  
D/B/A HIGHLANDS TAVERN

ORDER # 269-2021

COVER SHEET FOR LIQUOR, ENTERTAINMENT OR VICTUALER LICENSE  
APPLICATIONS



TAXES ARE CURRENT

LE:

Yes



No

PP:



WASTEWATER IS CURRENT

Yes



No



POLICE INCIDENTS IN THE PAST YEAR

Yes

No



(IF APPLICABLE PLEASE LIST)

**Town of Millinocket  
Tax Information Sheet  
As of: 10/25/2021**

**Account:** 2050      **Name:** KATAHDIN SERVICES, LLC

**Location:** 973 CENTRAL STREET

**Map and Lot:** U11-003

**Sale Date:** 12/28/2016

**Deed Reference:** B14374P150 12/28/2016 B10540P305  
B4182P97

**Sale Price:** \$575,000

**Land:** 72,000  
**Building:** 395,000  
**Exempt:** 0  
**Total:** 467,000

**Total Acres:** 0  
**Tree Growth:** Soft : 0 Mixed : 0 Hard : 0  
**Farmland:**  
**Open Space:**  
**Zoning:**  
**SFLA:** 0

	<b>Amount</b>	<b>Mill Rate</b>
<b>Last Billed : 2022-1</b>	15,177.50	32.500
<b>Previous Billed : 2021-1</b>	15,116.40	34.000

**Outstanding Taxes**

<b>Year</b>	<b>Per Diem</b>	<b>Principal</b>	<b>Interest</b>	<b>Costs</b>	<b>Total</b>
2022-1	1.2648	15,177.50	15.18	0.00	15,192.68
	1.2648	15,177.50	15.18	0.00	15,192.68
<b>2022-1 Period Due</b>					
10/13/2021		7,588.75	15.18	0.00	7,603.93
01/13/2022		7,588.75			7,588.75
					15,192.68

Information Given By: \_\_\_\_\_

Title: \_\_\_\_\_ 10/25/2021

All calculations are as of: 10/25/2021

**PP Account 207 Detail**  
**as of 10/25/2021**

Name: KATAHDIN SERVICES, LLC.

Location: 973 CENTRAL ST

Assessment: 21,900

2022-1 Period Due:

- 1) 356.59
- 2) 355.87

Mailing Address: PAMOLA MOTOR LODGE  
115 MASSACHUSETTS AVE.  
MILLINOCKET ME 04462

Year	Date	Reference	P	C	Principal	Interest	Costs	Total
2022-1	R				711.75	0.71	0.00	712.46
2021-1	R				0.00	0.00	0.00	0.00
2020-1	R				0.00	0.00	0.00	0.00
2019-1	R				0.00	0.00	0.00	0.00
2018-1	R				0.00	0.00	0.00	0.00
2017-1	R				0.00	0.00	0.00	0.00
2016-1	R				0.00	0.00	0.00	0.00
2015-1	R				0.00	0.00	0.00	0.00
2014-1	R				0.00	0.00	0.00	0.00
2013-1	R				0.00	0.00	0.00	0.00
2012-1	R				0.00	0.00	0.00	0.00
2011-1	R				0.00	0.00	0.00	0.00
2010-1	R				0.00	0.00	0.00	0.00
2009-1	R				0.00	0.00	0.00	0.00
2008-1	R				0.00	0.00	0.00	0.00
2002-1	R				0.00	0.00	0.00	0.00
2001-1	R				0.00	0.00	0.00	0.00
Account Totals as of 10/25/2021					711.75	0.71	0.00	712.46

**Per Diem**

2022-1	0.0593
Total	0.0593

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

**UT Account 175728 Detail  
as of 10/25/2021 - Sewer**

Name: KATAHDIN SERVICES, LLC

973 CENTRAL STREET  
MILLINOCKET, ME 04462

Location: 973 CENTRAL STREET  
RE Acct: 0 Map/Lot: U11-003

Bill	Date	Reference	C	Principal	Tax	Interest	Costs	Total
262	10/29/21			1,393.98	0.00	0.00	0.00	1,393.98
259	07/30/21			0.00	0.00	0.00	0.00	0.00
255	04/28/21			0.00	0.00	0.00	0.00	0.00
251	02/03/21			0.00	0.00	0.00	0.00	0.00
248	11/20/20			0.00	0.00	0.00	0.00	0.00
245	08/21/20			0.00	0.00	0.00	0.00	0.00
241	04/29/20			0.00	0.00	0.00	0.00	0.00
238	01/30/20			0.00	0.00	0.00	0.00	0.00
234	10/30/19			0.00	0.00	0.00	0.00	0.00
228	07/31/19			0.00	0.00	0.00	0.00	0.00
220	04/24/19			0.00	0.00	0.00	0.00	0.00
216	01/30/19**			0.00	0.00	0.00	0.00	0.00
211	10/26/18**			0.00	0.00	0.00	0.00	0.00
208	10/24/18**			0.00	0.00	0.00	0.00	0.00
201	08/08/18**			0.00	0.00	0.00	0.00	0.00
197	04/20/18**			0.00	0.00	0.00	0.00	0.00
191	01/30/18**			0.00	0.00	0.00	0.00	0.00
185	10/27/17**			0.00	0.00	0.00	0.00	0.00
182	07/28/17			0.00	0.00	0.00	0.00	0.00
176	04/14/17			0.00	0.00	0.00	0.00	0.00
171	01/27/17			0.00	0.00	0.00	0.00	0.00
166	10/20/16			0.00	0.00	0.00	0.00	0.00
162	08/05/16			0.00	0.00	0.00	0.00	0.00
158	04/15/16			0.00	0.00	0.00	0.00	0.00
151	01/27/16			0.00	0.00	0.00	0.00	0.00
148	10/30/15			0.00	0.00	0.00	0.00	0.00
141	07/27/15			0.00	0.00	0.00	0.00	0.00
138	04/28/15			0.00	0.00	0.00	0.00	0.00
135	01/16/15			0.00	0.00	0.00	0.00	0.00
134	10/27/14			0.00	0.00	0.00	0.00	0.00
127	07/29/14			0.00	0.00	0.00	0.00	0.00
123	04/23/14			0.00	0.00	0.00	0.00	0.00
119	01/31/14			0.00	0.00	0.00	0.00	0.00
110	10/25/13			0.00	0.00	0.00	0.00	0.00
109	07/26/13			0.00	0.00	0.00	0.00	0.00
103	04/29/13			0.00	0.00	0.00	0.00	0.00
102	01/18/13			0.00	0.00	0.00	0.00	0.00
97	10/23/12			0.00	0.00	0.00	0.00	0.00
94	07/26/12			0.00	0.00	0.00	0.00	0.00
91	04/30/12			0.00	0.00	0.00	0.00	0.00
86	01/31/12			0.00	0.00	0.00	0.00	0.00
83	10/21/11			0.00	0.00	0.00	0.00	0.00
80	07/25/11			0.00	0.00	0.00	0.00	0.00
77	04/25/11			0.00	0.00	0.00	0.00	0.00
74	01/20/11			0.00	0.00	0.00	0.00	0.00
68	10/18/10			0.00	0.00	0.00	0.00	0.00
64	07/16/10			0.00	0.00	0.00	0.00	0.00

## Diana Lakeman

---

**From:** Cameron McDunnah <empdchief@gwi.net>  
**Sent:** Monday, October 25, 2021 9:36 PM  
**To:** Diana Lakeman  
**Subject:** Re: Report of Incidents

No issues to report!

*Cameron McDunnah*  
*Chief of Police*

*East Millinocket Police Department*  
*125 Main Street*  
*East Millinocket, Maine 04430*

(207)746-3555  
empdchief@gwi.net

On Oct 25, 2021, at 3:45 PM, Diana Lakeman <townclerk@millinocket.org> wrote:

Requesting report of incidents, if applicable, for an Entertainment License application to be brought for council action on 10/28/21 for the following business(s):

- Chris Carr, Katahdin Services LLC, d/b/a Highlands Tavern, 973 Central Street.

Best,

Diana M. Lakeman

*Diana M. Lakeman*

Town Clerk/Deputy Tax Collector/Registrar  
townclerk@millinocket.org  
197 Penobscot Avenue  
Millinocket, Maine 04462  
(207)723-7006/7007 Phone  
(207-)723-7002 Fax

[Attention! This email originates from outside of the organization. Do not open attachments or click links unless you are sure this email comes from a known sender.]

ORDER #270-2021

PROVIDING FOR: Approval of an Application for a Malt, Vinous and Spirituous Liquor License for Highlands Tavern.

IT IS ORDERED that the attached application for a malt, vinous and spirituous liquor license is hereby approved for:

Christopher Carr, Katahdin Services LLC, 973 Central Street, Millinocket  
d/b/a  
Highlands Tavern, 973 Central Street, Millinocket.

Passed by the Town Council \_\_\_\_\_

Attest: \_\_\_\_\_





STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I:    Licensee/Applicant(s) Information;  
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): Katahdin Services LLC	Business Name (D/B/A): Highlands Tavern
Individual or Sole Proprietor Applicant Name(s): Christopher Carr	Physical Location: 973 Central Street, Millinocket, Me 04462
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: chris.pamola@gmail.com
Telephone #                      Fax #: 207-385-5308	Business Telephone #                      Fax #: 207-723-9746    207-723-9747
Federal Tax Identification Number: 81-4579834	Maine Seller Certificate # or Sales Tax #: 1182500
Retail Beverage Alcohol Dealers Permit:	Website address: www.pamolalodge.com

1. New license or renewal of existing license?    ☐    New                      Expected Start date: \_\_\_\_\_

☒    Renewal                      Expiration Date: 12/07/2021

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \_\_\_\_\_                      Beer, Wine or Spirits: \$ 70,000.00                      Guest Rooms: \$ 160,000.00

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer)    ☒ Wine    ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)  | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)   | <input checked="" type="checkbox"/> Hotel – Food Optional<br>(Class I-A) | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)  | <input type="checkbox"/> Other: _____                                    |   |
| <input type="checkbox"/> Qualified Caterer   | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

973 Central St Millinocket Me 04462

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Christopher Carr	10/11/1971	Millinocket

Residence address on all the above for previous 5 years

Name Address:  
Chris Carr 115 Massachuettts Ave Millinocket Me04462

Name Address:

Name Address:

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_  
Offense: \_\_\_\_\_ Location: \_\_\_\_\_  
Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_  
Offense: \_\_\_\_\_ Location: \_\_\_\_\_  
Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☒ Yes ☐ No

If No, please provide the name and address of the owner:

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 23.00

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Alcohol beverages will be consumed in the area designated as lounge and outside deck.

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Faith Baptis Church .25 miles Stearns High School 2.5 m

Distance: \_\_\_\_\_

## Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 10/25/2021

10/25/2021

Christopher R. Carr  
Signature of Duly Authorized Person

\_\_\_\_\_  
Signature of Duly Authorized Person

Christopher R. Carr  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

**Section III: For use by Municipal Officers and County Commissioners only**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: OCTOBER 28, 2021

Who is approving this application? ☒ Municipal Officers of Town of Millinocket

☐ County Commissioners of \_\_\_\_\_ County

☒ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of  
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

**B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

**C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

**D.** If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

**2. Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

**A.** Conviction of the applicant of any Class A, Class B or Class C crime;

**B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

**C.** Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

**D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

**D-1.** Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

**E.** A violation of any provision of this Title;

**F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

**A. Repealed**

**B.** If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

**4. Repealed**

**5. Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine**

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
  - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.



## Section V: Fee Schedule

**Filing fee required.** In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

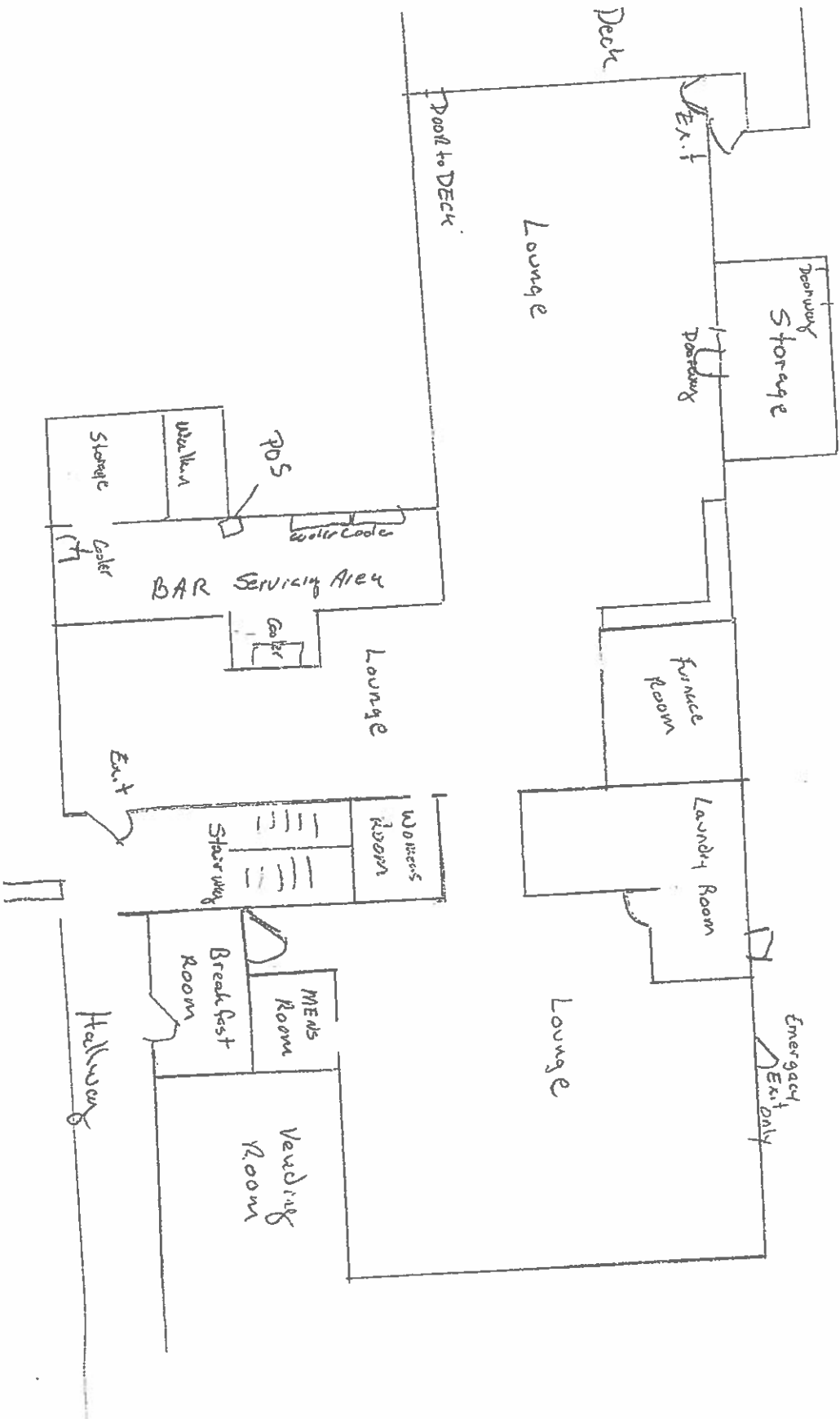
<b>Class of License</b>	<b>Type of liquor/Establishments included</b>	<b>Fee</b>
<b>Class I</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
<b>Class I-A</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only hotels that do not serve three meals a day.	\$1,100.00
<b>Class II</b>	<b>For the Sale of Spirits Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
<b>Class III</b>	<b>For the Sale of Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class IV</b>	<b>For the Sale of Malt Liquor Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class III and IV</b>	<b>For the Sale of Malt Liquor and Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
<b>Class V</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Club without catering privileges.	\$ 495.00
<b>Class X</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Class A Lounge	\$2,200.00
<b>Class XI</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Restaurant Lounge	\$1,500.00

## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

Attached



## Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Katahdin Services, LLC
2. Doing Business As, if any: Highlands Tavern
3. Date of filing with Secretary of State: 12/16/2016 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Christopher Carr	115 Massachusetts Ave Millinocket	10/11/1971	Pres	100.0000

(Ownership in non-publicly traded companies must add up to 100%.)

ORDER #271-2021

PROVIDING FOR: Date, Time, Place, Warden for the Referendum and Municipal Election

IT IS ORDERED that the State Referendum and Municipal Election will be held on Tuesday, November 2<sup>nd</sup>, 2021, from 8:00 a.m. to 8:00 p.m. at the Stearns High School Gymnasium.;  
and

IT IS FURTHER ORDERED that Michael Kight shall be Warden of said election.

Passed by the Town Council \_\_\_\_\_

Attest: \_\_\_\_\_

PROVIDING FOR: Processing Absentee Ballots for the November 2, 2021 State Referendum and Municipal Election

WHEREAS, Title 21-A MRSA Section 759.7 allows the Election Warden to process absentee ballots while the polls are open; and

WHEREAS, processing such ballots will assist the Election Clerks and result in an expedited process after the polls are closed; and

WHEREAS, expediting the process after the polls are closed will result in some savings to the Town of Millinocket;

NOW THEREFORE IT IS ORDERED that the Election Warden is authorized to process absentee ballots at 9:00 a.m., 11:00 a.m., 2:00 p.m., and 6:00 p.m. during the State Referendum and Municipal Election on November 2<sup>nd</sup>, 2021.

Passed by the Town Council \_\_\_\_\_

Attest: \_\_\_\_\_

ORDER #273-2021

PROVIDING FOR: Office Hours of the Registrar for the November 2<sup>nd</sup>, 2021 State Referendum and Municipal Election

WHEREAS, Title 21-A MRSA Section 122(6) specifies the process that the Registrar must follow in registering voters; and

WHEREAS, The Town Clerk also serves as Registrar; and

WHEREAS, the Town Clerk has regular hours on four business days before election day to register voters; and

WHEREAS, being open evening hours as required by law to receive voter registrations will be an added cost to the municipality;

NOW THEREFORE IT IS ORDERED that it is not necessary that the Registrar be opened to accept voter registrations for two hours in the evening between 5 P.M. and 9 P.M. on at least three days before election day.

Passed by the Town Council \_\_\_\_\_

Attest: \_\_\_\_\_

ORDER #274-2021

PROVIDING FOR: Authorization to Amend 2020 DR Grant Agreement

IT IS ORDERED that the Millinocket Town Council authorizes the Interim Town Manager to enter into an agreement to amend the 2020 DR grant in the amount of \$10,000.00.

Note: The original 2020 DR grant was in the amount of \$300,000.00 and is being used for the veteran's park and Penobscot Ave. lighting. This extra 10,000 is for CDBG Program.

PASSED BY THE COUNCIL: \_\_\_\_\_

ATTEST: \_\_\_\_\_





AMENDMENT

DATE: 10/15/2021

ADVANTAGE CONTRACT #: CT 19A 20201005000000001166

DEPARTMENT AGREEMENT: 2020 DR Grant

CFDA # 14.228

AMENDMENT AMOUNT \$: 10,000

This Amendment is between the following Department of the State of Maine and Provider:

**The State of Maine Department**

DEPARTMENT: Department of Economic and Community Development (DECD)

ADDRESS: 59 State House Station, 111 Sewall Street, 3<sup>rd</sup> Fl

CITY: Augusta

STATE: ME

ZIP CODE: 04333-0059

**PROVIDER**

PROVIDER: Town of Millinocket

ADDRESS: 197 Penobscot Ave

CITY: Millinocket

STATE: ME

ZIP CODE: 04462-1430

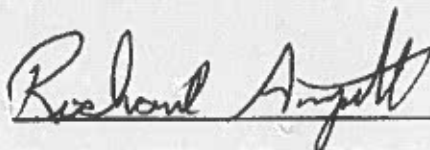
Provider's Vendor Customer #: VC1000065258

Each signatory below represents that the person has the requisite authority to enter into this Contract Amendment. The parties sign and cause this Contract Amendment to be executed.

Department of Economic and Community Development

Office of Community Development

\_\_\_\_\_  
Signature: Deborah Johnson, Director  
Date:

  
\_\_\_\_\_  
Signature: Richard Angotti, Interim Manager  
Date: 10/15/2021

Amendment rev. June 2019

Upon final approval by the Division of Procurement Services, a case details page will be made part of this contract.

## AMENDMENT

The contract is hereby amended as follows: (Check and complete all that apply)

<input type="checkbox"/>	<b>Amended Period:</b>	Original Start Date: <b>9/17/2020</b> Current End Date: <b>6/30/21</b> Amendment Start Date: <b>10/15/21</b> New End Date <b>6/30/2022:</b>  Reason: <b>Additional time to complete projects.</b>
<input checked="" type="checkbox"/>	<b>Amended Contract Amount:</b>	Amount of Adjustment: \$ <b>10,000.00</b> New Contract Amount: \$ <b>310,000.00</b> Reason: <b>Additional time to complete projects.</b>
<input type="checkbox"/>	<b>Amended Scope of Work:</b>	The Scope of work in Rider A is amended as follows:
<input type="checkbox"/>	<b>Other:</b>	Reason:

All other terms and conditions of the original contract and subsequent contract amendments remain in full force and effect.

## CODING

LINE TOTAL	FUND	DEPT	UNIT	SUB UNIT	OBJ	PROGRAM	PROGRAM PERIOD	BOND FUNDING	FISCAL YEAR
\$ 10,000.00	015	19A	0587	01	6331	CDBG			2022

LINE TOTAL	FUND	DEPT	UNIT	SUB UNIT	OBJ	PROGRAM	PROGRAM PERIOD	BOND FUNDING	FISCAL YEAR
\$									

(Departments - Attach separate sheet as needed for additional coding.)

Is an update to the Environmental Review (ERR) required? ☐ Yes ☒ NO

If yes, attach update information or a schedule for completion.

ORDER #275-2021

PROVIDING FOR: Authorization for Ad Purchase – Stearns Performing Arts

IT IS ORDERED that the Millinocket Town Council authorizes the Interim Town Manager to purchase a full page ad in the Stearns Performing arts fall musical in the amount of \$100.00 to show support for the program.

Note: The Fall Musical will be the Adams Family

PASSED BY THE COUNCIL: \_\_\_\_\_

ATTEST: \_\_\_\_\_

ORDER #276-2021

PROVIDING FOR: Approval of Purchase – Power Load System

IT IS ORDERED that the Millinocket Town Council approves the purchase of a power load system for the new ambulance in the amount of \$24,000.00.

IT IS FURTHER ORDERED that the Interim Town Manager is authorized to expend this money from the unassigned fund balance R0101-0926.

Note: There were two bids for this purchase:

Autotronics: \$24,000

Stryker: \$29,497

PASSED BY THE COUNCIL: \_\_\_\_\_

ATTEST: \_\_\_\_\_



## Power Load

Quote Number: 10411718

Remit to: **Stryker Medical**

Version: 1

P.O. Box 93308

Prepared For: MILLINOCKET FIRE DEPT

Chicago, IL 60673-3308

Attn:

Rep: Matthew Lampen

Email: matthew.lampen@stryker.com

Phone Number:

Quote Date: 09/30/2021

Expiration Date: 10/31/2021

### Delivery Address

Name: MILLINOCKET FIRE DEPT  
Account #: 1266792  
Address: 222 AROOSTOOK AVE  
MILLINOCKET  
Maine 04462

### End User - Shipping - Billing

Name: MILLINOCKET FIRE DEPT  
Account #: 1266792  
Address: 222 AROOSTOOK AVE  
MILLINOCKET  
Maine 04462

### Bill To Account

Name: MILLINOCKET FIRE DEPT  
Account #: 1182412  
Address: 197 PENOBSCOT AVE  
MILLINOCKET  
Maine 04462

### Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	639005550003	MTS PWLD EXCLUDES FLOOR PLATE	1	\$20,552.87	\$20,552.87
2.0	6506700001	6506 PWRLD COMPAT UPGRADE KIT	1	\$1,379.20	\$1,379.20
3.0	77100003	ProCare Cot Upgrade or Install	1	\$310.00	\$310.00
Equipment Total:					\$22,242.07

### ProCare Products:

#	Product	Description	Years	Qty	Sell Price	Total
4.1	75011PT	ProCare Power-LOAD Prevent Service: Annual onsite preventive maintenance inspection and unlimited repairs including parts, labor and travel for MTS PWLD EXCLUDES FLOOR PLATE	6	1	\$7,254.96	\$7,254.96
ProCare Total:						\$7,254.96

### Price Totals:

Grand Total: \$29,497.03

Comments:



## Power Load

Quote Number: 10411718

Version: 1

Prepared For: MILLINOCKET FIRE DEPT

Attn:

Remit to:

**Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep:

Matthew Lampen

Email:

matthew.lampen@stryker.com

Phone Number:

Quote Date: 09/30/2021

Expiration Date: 10/31/2021

\*\*\*THIS QUOTE DOES NOT INCLUDE THE POWER LOAD FLOORPLATE. IF THE TRUCK DOES NOT ALREADY HAVE THE FLOORPLATE IN IT WE WOULD NEED TO CHANGE THE POWER LOAD CONFIGURATION TO INCLUDE IT.\*\*\*  
\*\*\*DEMO UNIT POWER LOAD\*\*\*

Prices: In effect for 90 days

Terms: Net 30 Days

Contact your local Sales Representative for more information about our flexible payment options.

PENDING APPROVAL

**Capital Terms and Conditions:**

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's Acute Care capital terms and conditions can be found at [https://techweb.stryker.com/Terms\\_Conditions/index.html](https://techweb.stryker.com/Terms_Conditions/index.html). A copy of Stryker Medical's Emergency Care capital terms and conditions can be found at <https://www.strykeremergencycare.com/terms>.

PENDING APPROVAL



*"The Family That Gets You Home To Yours!"*

129 US Route 1, Frenchville, ME 04745

P.O. BOX 535, Madawaska, ME 04756

69 Perry Road, Bangor, ME 04401

Phone: (800) 540-7412 • Fax: (207) 543-7412 • [www.autotronics.net](http://www.autotronics.net)

September 29, 2021

Millinocket Fire Dept

222 Aroostook Ave,

Millinocket, Me 04462

Attn: Chief Malcolm

Ref: Stryker Power-Load

Customer Request to supply and install a Power-Load system in the rear of their new unit.

Power-Load Purchase Price	\$26,500.00
---------------------------	-------------

Customer Discount	-\$2,500.00
-------------------	-------------

<b>Total Purchase Price</b>	<b>\$24,000.00</b>
-----------------------------	--------------------



ORDER #277-2021

PROVIDING FOR: Authorization of Sale – 1990 Ford Econoline 350

IT IS ORDERED that the Millinocket Town Council authorizes the Interim Town Manager to sell the 1990 Ford Econoline 350 lift van to Allen Levesque for \$521.75

Note: This was advertised and only one bid came back. The advertisement and bid are in the backup material.

PASSED BY THE COUNCIL: \_\_\_\_\_

ATTEST: \_\_\_\_\_



TOWN OF MILLINOCKET  
PUBLIC WORKS DEPARTMENT

20 Cedar Street  
Millinocket, Maine

Tel. (207)723-7030 Fax (207)723-7029

E-Mail: [publicworks@millinocket.org](mailto:publicworks@millinocket.org) Web Site: [www.millinocket.org](http://www.millinocket.org)

---

August 3, 2021.

**RE: Sealed Bids for Sale of Used 1990 Ford Econoline 350 Lift Van**

Dear Bidders:

The Town of Millinocket Public Works Department is soliciting bids for sale of a Used 1990 Ford Econoline 350 Lift Van. Interested bidders are requested to use the attached bid form for all submittals. Please note that this bid is to be completed by August 31, 2021 unless other arrangements be necessary. This machine is being sold as is and interested parties can view the bucket Van at the Public Works Garage at 20 Cedar Street in Millinocket.

The bids can be obtained on the Town's Web Site and are to be submitted on the attached "bid form" and the envelope submitted shall be plainly marked on the outside "1990 Ford 350 Lift Van Bid".

Bids are to be mailed or hand delivered in writing to:

Town Manager  
Town of Millinocket  
197 Penobscot Avenue  
Millinocket, ME 04462

Please return your sealed bid by Tuesday August 31, 2021 by 2:00 PM, at which time all bids will be opened. Bidders are invited to attend the bid opening.

Any questions pertaining to this bid shall be directed to Ralph Soucier at Public Works, 723-7030.

The Town reserves the right to accept or reject any or all bids submitted. Only written bids will be considered.

Thank you,

Ralph Soucier, Director  
Millinocket Public Works

**Town of Millinocket**

**1990 Ford Econoline 350 Lift Van Bid Form**

August 3, 2021

Company Name: ALLEN LEVESQUE

Address: PERSPECT ST. MILLINOCKET  
204462

Contact Person: \_\_\_\_\_

Phone Number: 207-447-0219

Bid Price Submitted: \$ 521.75

The Town reserves the right to accept or reject any or all bids submitted. Any exceptions to the specifications are to be noted on your bid sheet.

Exceptions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8-9-21

I would like to bid on the Ford Bucket Truck  
at public works Bid price \$ 521.75

Allan Levesque

Tel

[REDACTED]

1. ~~SECRET~~

ORDER #278-2021

PROVIDING FOR: Donation to Life Flight of Maine

IT IS ORDERED: that the Town of Millinocket approves the donation to the Life Flight Foundation of Maine in the amount of \$1,200.00.

Note: In the past we have donated to this outstanding organization as they play a critical part in the emergency needs of the Katahdin Region.

PASSED BY THE COUNCIL: \_\_\_\_\_

ATTEST: \_\_\_\_\_





October 15, 2021

John David, Town Manager  
Town of Millinocket  
197 Penobscot Ave  
Millinocket, ME 04462

Dear John,

Mainers have always been known for their courage, creativity, grit, and willingness to help a friend or neighbor in need. The past eighteen months have challenged us all in many ways, but together we have remained steadfast to these qualities that make Maine "the way life should be." From all of us at LifeFlight of Maine, thank you for doing your part to keep Maine strong and connected. Your past gift to LifeFlight is a vital signal about the importance of the service we provide to those in your community, as well as Mainers across the state. As a non-profit organization, we rely on the support of many types of donors to support our mission. We hope you will consider a gift again this year.

The reach and relevance of LifeFlight is stronger than ever before. It has been an extraordinarily busy and challenging year to deliver the lifesaving care and transport that is only available from LifeFlight. Since March 2020, we have cared for 1,535 positive (or presumed positive) COVID-19 patients. In August, we transported our 32,000th patient since our founding in 1998. That same month, we averaged eight transports each day, a 25% increase over the normal average of approximately six transports per day. These transports include Mainers of all ages, from newborn to young adult to seniors; from all points of Maine from York to Presque Isle and everywhere in between. Imagine the ripple effect that has on families, friends, generations, and communities. Most importantly, LifeFlight cares for every patient regardless of insurance or financial status.

Since 1998, 233 residents of Millinocket have been cared for by LifeFlight, with 20 in the past year. In addition, LifeFlight has made 16 scene calls to your community to support local fire/rescue and EMS partners.


We rely on Maine communities like Millinocket to ensure that all Mainers have access to critical care and medical transport when they need it, 24/7/365. Last year, 184 towns supported LifeFlight for a total of \$113,876. This year we need these communities, and more, to come together so we can reach our goal of raising \$125,000. Will Millinocket once again support LifeFlight with a gift of \$1,127 (a rate of \$0.25 per capita)?

The funds raised will help provide education and training to our crews and EMS/Fire agencies around the state, upgrade and replace medical equipment, enhance Maine's aviation infrastructure, and bring a third, new critical care helicopter to Maine in 2022.

In the attached packet we have provided additional information including: general information and FAQs about LifeFlight, a map of Maine transport locations, and a map of Maine communities that have supported us. Please contact Ashley MacMillan at The LifeFlight Foundation at 207-300-5832 or [amacmillan@lifeflightmaine.org](mailto:amacmillan@lifeflightmaine.org) with any questions. If additional information or a specific town application form is required with this request, please let us know.

Thank you for your support, and for helping ensure that that your friends, families, and neighbors have access to critical emergency care when and where they need it.

Sincerely,

  
Thomas Judge  
Executive Director  
LifeFlight of Maine

  
Kate O'Halloran  
Executive Director  
LifeFlight Foundation

**P.S. If a past request was recently approved and an invoice is required, please contact us so we may submit the invoice.**



## **Ten Facts and Frequently Asked Questions about LifeFlight**

**1. LifeFlight is a private non-profit charitable organization with a public mission serving all of Maine.** We care for all patients regardless of insurance status or ability to pay for care 24/7/365 with helicopters based in Bangor, Lewiston and Sanford, a fixed-wing airplane based in Bangor, rapid response vehicles, and specialized ground ambulances. In FY2021 LifeFlight provided \$2.23 million of care to patients without insurance or the means to cover the cost of care, as well as significant discounts for Medicare and MaineCare patients.

**2. 2,303 patients were LifeFlighted in FY21** from 136 communities, islands, and unorganized townships— about 1 patient every 4 hours. LifeFlight has cared for more than 32,000 patients since September 1998.

**3. How has COVID affected LifeFlight?** As LifeFlight cares for the most critically ill patients in Maine, we have been caring for COVID-19 patients since March 17, 2020. Since then, more than 59% of LifeFlight's patients were known positive or being tested for COVID-19 symptoms, requiring every patient to be treated as if they were COVID-19 positive. Managing highly infectious disease patients is a massive challenge requiring new ventilators, oxygen delivery systems, equipment, supplies, and biocontainment systems. The financial impact of COVID-19 to LifeFlight has been extreme and is estimated at \$4.2 million in new costs and lost budgeted revenue between March 2020 and September 2021. The overall financial ramifications from the pandemic are estimated to exceed \$5 million, which has been partially offset by various Federal relief programs.

**4. How is LifeFlight funded?** LifeFlight operates much like a hospital emergency department, taking care of all patients and billing insurance companies. We contract with all major payers including Medicare, MaineCare and commercial insurers. Most of our operational expenses are covered by patient fees, but we rely on the LifeFlight Foundation to support the purchase of new aircraft, medical equipment, infrastructure, improvements, and to provide clinical education around the state.

**5. LifeFlight helicopters, airplane, and specialty ground ambulances are equipped as fully functioning mobile intensive care units.** LifeFlight's critical care teams bring the trauma center intensive care unit -- skills, medical technology, pharmacy, blood, and more -- directly to a patient's side.

**6. What types of patients do we transport?** Critically ill or injured patients of all ages needing specialized care beyond what can be provided by local hospitals - including premature infants, cardiac and stroke patients, complex traumatic injury, organ transplant, sepsis, burns, and serious obstetric complications. We use the strictest medical utilization criteria in the country to make sure all flights are medically necessary. Emergency medical providers are guided by state-mandated protocols based on the latest research and best practice.

**7. About 87% of patients are transported from community hospitals to major specialty centers, and 13% are transported directly from the scene of an emergency - roadsides, woods, mountains, and islands.** While most patients are transported to EMMC, MMC and CMMC, about 12% of patients are transported to Boston and beyond for specialized care not available in Maine.

**8. LifeFlight is lean.** We are among the most efficient providers in the world, we pay close attention to costs, maintaining a very small administrative team that results in some of the lowest costs and charges in New England and the country.

**9. LifeFlight's costs and charges are the lowest in New England and among the lowest in the country.** The average charge for a LifeFlight transport is around \$19,500. Other provider charges across New England and the northeast range from around \$27,000 for non-profits providers to \$60,000-\$80,000 from for-profit air medical companies. LifeFlight participates with all major insurers, Medicare, and MaineCare, so there is no "surprise bill" for patients.

**10. What other benefits to our town and region does LifeFlight provide besides critical care and transport?** We provide local critical care training to medical providers in specialized areas such as traumatic brain injury and pediatric trauma, critical medical diagnosis and treatment. We also support weather systems, hospital helipads, and advanced aviation navigation systems across the state.



# **WE'RE HERE FOR YOU, MAINE.**



*Photo by Mikayla Warren*

## **Maine's Emergency Air Ambulance Helicopter Service**

### **Critical Care Medical Services**

LifeFlight operates a fleet of aircraft with advanced avionics and the technology needed to fly in Maine's complicated weather conditions, providing mobile ICU-level care when minutes matter.

### **Advanced Medical Training**

LifeFlight staff provide advanced medical training to EMS partners and hospital clinicians across Maine, improving critical care skills throughout the entire emergency care system.

### **Aviation Infrastructure**

LifeFlight has assisted nearly every hospital and communities across Maine to build helipads, worked with EMS agencies and other partners to develop more than 140 remote landing zones and 1,300 community landing zones, and assisted airports and hospitals install weather monitoring stations across the state.

LifeFlight of Maine is a charitable non-profit organization serving Maine since 1998.

## **LIFEFLIGHT OF MAINE**

LifeFlightMaine.org

Critical Care Transport & Training

207.230.7092

*This advertisement appeared in the November, 2021 edition of Down East Magazine.*

# Thomas Judge

## Executive Director of LifeFlight of Maine

By Rachel Hum

Thomas Judge, executive director of LifeFlight of Maine, says his proudest accomplishment from the past year has been the work of his team, which has been on the front lines responding to vulnerable patients every hour with grace, compassion, and skill.

LifeFlight was founded in 1998 to provide transport for gravely ill and injured patients from every community and hospital in Maine. In the past 12 months, that has meant 2,400 patients from every corner of the state have been given a second chance at life. As the scientific understanding of COVID-19 has continued to evolve, LifeFlight has had to rewrite its airway management and ventilation guidelines nine times since March 2020. Despite the demands of the pandemic, the organization has continued to grow, with additional staff as well as new aircraft and medical technologies.

They are at work with the Federal Aviation Administration to develop precise performance-based navigation flight routes, in which air traffic controllers use satellites rather than ground radars to follow and instruct aircraft. They're also adding to the fleet with "next-gen" helicopters, building new medical simulation labs, and introducing new high-tech medical equipment like new ventilators and neonatal transport systems.

"Medicine is constantly changing, and we work hard to be at the cutting edge of new care modalities for patients," says Judge. "We bring an intensive care unit to the patient's side to continue the work our EMS and hospital partners have initiated on behalf of critically ill and injured patients needing care far away."

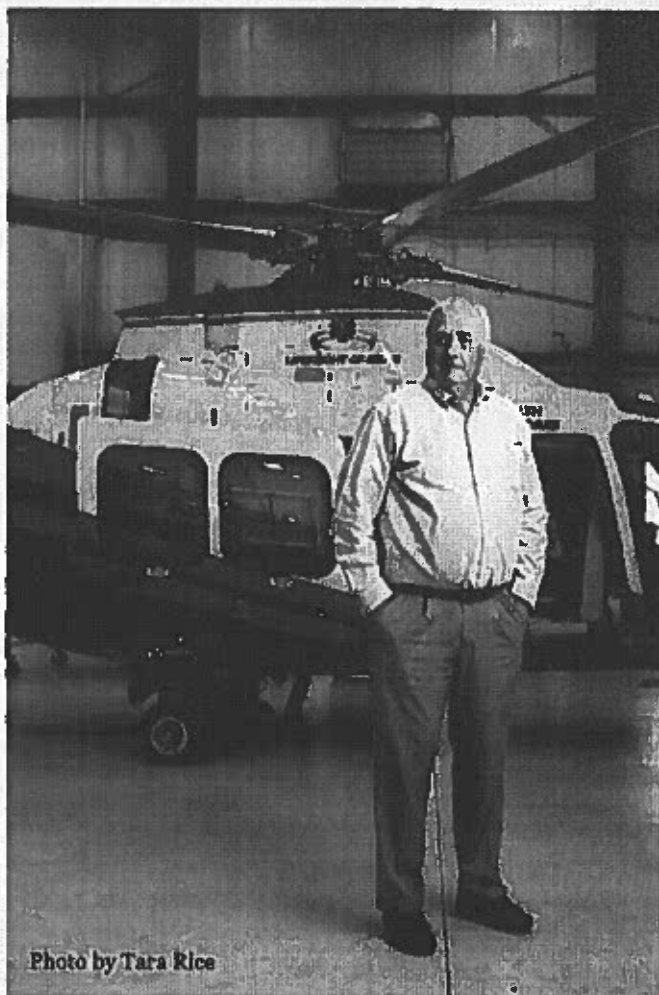


Photo by Tara Rice

# maine.



**LIFEFLIGHT OF MAINE**

*This article appeared in the October, 2021 edition of Maine Magazine.*

LIFEFLIGHT OF MAINE

## SUPPORTING TOWNS

OF 459 TOWNS IN MAINE

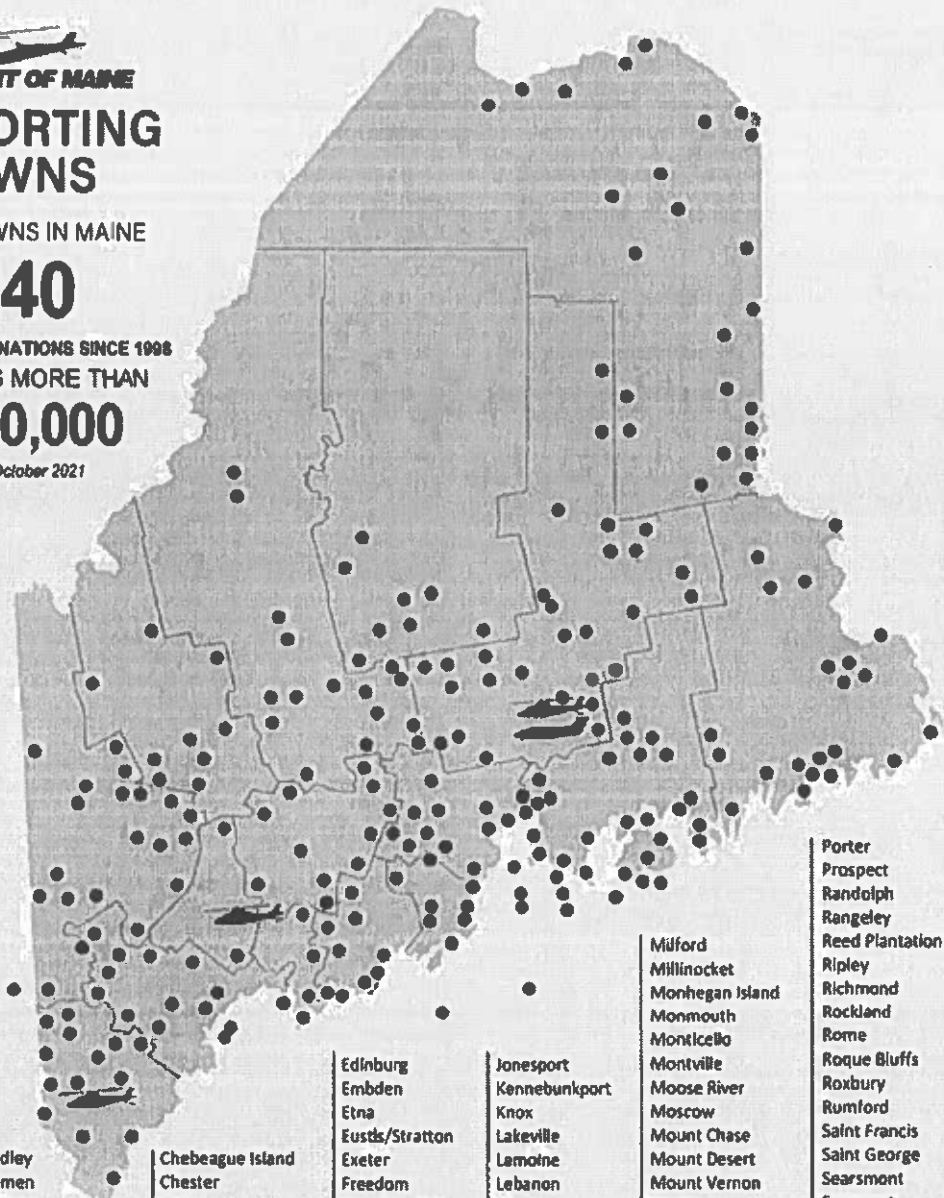
# 240

HAVE MADE DONATIONS SINCE 1998

TOTALING MORE THAN

# \$600,000

as of October 2021



Abbot  
Acton  
Albion  
Allagash  
Alna  
Amherst  
Amity  
Andover  
Anson  
Appleton  
Arrowsic  
Athens  
Atkinson  
Avon  
Baldwin  
Bar Harbor  
Beddington  
Belfast  
Benton  
Biddeford  
Blue Hill  
Boothbay  
Bowerbank

Bradley  
Bremen  
Bridgton  
Bristol  
Brooklin  
Brooksville  
Bucksport  
Burlington  
Buxton  
Byron  
Calais  
Cambridge  
Camden  
Canaan  
Canton  
Caratunk  
Carrebassett Valley  
Carthage  
Cary Plantation  
Casco  
Castine  
Caswell  
Charleston  
Charlotte

Chebeague Island  
Chester  
China  
Clifton  
Clinton  
Columbia Falls  
Cooper  
Corinth  
Cornish  
Cranberry Isles  
Crawford  
Crystal  
Cumberland  
Cutler  
Deblois  
Deer Isle  
Denmark  
Detroit  
Dexter  
Dixfield  
Dover-Foxcroft  
Dresden  
Durham  
Eastbrook

Edinburg  
Emden  
Etna  
Eustis/Stratton  
Exeter  
Freedom  
Freedom, NH  
Frenchville  
Garland  
Gorham  
Gouldsboro  
Greenville  
Guilford  
Hamlin  
Hammond  
Harmony  
Harpeswell  
Hartford  
Hartland  
Haynesville  
Hebron  
Hollis  
Howland  
Hudson  
Isle Au Haut  
Islesboro  
Jackman  
Jonesboro

Jonesport  
Kennebunkport  
Knox  
Lakeville  
Lamoine  
Lebanon  
Liberty  
Limerick  
Lincolnville  
Linneus  
Livermore Falls  
Long Island  
Lovell  
Lubec  
Lyman  
Machias  
Madawaska  
Manchester  
Mariaville  
Mars Hill  
Marshfield  
Masardis  
Matinicus Island  
Mattawamkeag  
Maxfield  
Meddybemps  
Medford  
Mexico

Milford  
Millinocket  
Monhegan Island  
Monmouth  
Monticello  
Montville  
Moose River  
Moscow  
Mount Chase  
Mount Desert  
Mount Vernon  
Naples  
New Gloucester  
Newburgh  
Newfield  
Newry  
North Berwick  
North Haven  
North Yarmouth  
Orient  
Orland  
Osborn  
Otis  
Otisfield  
Palermo  
Palmyra  
Parsonsfield  
Passadumkeag  
Perham  
Phippsburg  
Pittston  
Plymouth  
Portage Lake

Porter  
Prospect  
Randolph  
Rangeley  
Reed Plantation  
Ripley  
Richmond  
Rockland  
Rome  
Roque Bluffs  
Roxbury  
Rumford  
Saint Francis  
Saint George  
Searsmont  
Searsport  
Sebago  
Sedgwick  
Shapleigh  
Sherman  
Shirley  
Smithfield  
Solon  
Sorrento  
South Bristol  
Southwest Harbor  
Springfield  
Stacyville  
Standish  
Steuben  
Stockholm  
Stockton Springs  
Stoneham  
Stonington  
Stow  
Strong  
Sullivan

Sumner  
Swans Island  
Swanville  
Talmadge  
Temple  
Thomaston  
Thorndike  
Topsfield  
Tremont  
Trenton  
Upton  
Vanceboro  
Veazie  
Verona Island  
Vinalhaven  
Walte  
Wallagrass  
Waltham  
Warren  
Washburn  
Washington  
Waterboro  
Waterford  
Weld  
Wellington  
Weston  
Westport Island  
Whitefield  
Whitnayville  
Willimantic  
Wilton  
Windham  
Windsor  
Winn  
Winter Harbor  
Wiscasset  
Woodstock  
Woodville  
Woolwich  
York





# FY 2021 TRANSPORTS BY LOCATION

**2,303** TOTAL TRANSPORTS  
**136** MAINE TOWNS

**1** transport  
every **4** hours

NEO: Neonatal transports in partnership with Northern Light Eastern Maine Medical Center NICU team  
GRD: ground transports  
FW: fixed wing (airplane) transports  
RW: rotor wing (helicopter) transports

Plus 83 transports from 18 towns in New Hampshire, Vermont, and Massachusetts

Alfred.....1 RW  
Ayer.....1 GRD | 2 FW  
Auburn.....3 RW  
Augusta.....11 NEO | 13 GRD | 3 FW | 73 RW  
Ayer.....4 RW  
Bangor.....3 NEO | 29 GRD | 75 FW | 49 RW  
Bar Harbor.....1 NEO | 20 GRD | 39 RW  
Beddingford.....1 RW  
Bellevue.....9 NEO | 13 GRD | 1 FW | 42 RW  
Bethel.....3 RW  
Bryant Pond.....3 RW  
Buckfield.....3 RW  
Calais.....14 GRD | 44 RW  
Canaan.....1 RW  
Canton.....1 RW  
Cape Neddick.....1 GRD  
Carleton Place.....3 NEO | 3 GRD | 32 FW | 21 RW  
Carrabassett.....1 RW  
Castine.....1 RW  
Central Aroostook County.....1 GRD  
Clinton.....1 RW  
Columbia.....28 RW  
Danville.....2 RW  
Dartmouth.....1 RW  
Deer Isle.....1 RW  
Deer Isle.....11 NEO | 37 GRD | 50 RW  
Dresden.....1 RW  
East Hancock County.....1 RW  
East Machias.....1 RW  
Edgemoor.....1 RW  
Ellsworth.....26 NEO | 36 GRD | 77 RW  
Eliot.....1 RW  
Fairfield.....1 RW  
Farmington.....7 GRD | 40 RW

Fort Kent.....2 GRD | 21 RW  
Franklin.....1 RW  
Frenchville.....28 RW  
Fryeburg.....1 RW  
Greenville.....1 NEO | 2 FW | 14 RW  
Hancock.....1 RW  
Hannock.....1 RW  
Harborside.....1 RW  
Harrison.....1 RW  
Holden.....1 RW  
Hollis Center.....1 RW  
Houlton.....4 NEO | 9 GRD | 18 FW | 10 RW  
Isleboro.....2 RW  
Jackson.....1 GRD  
Jellison.....1 RW  
Kingfield.....1 RW  
Lagrange.....1 RW  
Lee.....1 RW  
Leviston.....1 NEO | 58 GRD | 57 RW  
Liberty.....1 RW  
Lincoln.....3 RW  
Lincolnville.....15 GRD | 43 RW  
Lincolnton.....1 RW  
Lisbon.....1 GRD  
Livermore Falls.....2 GRD  
Lovell.....1 RW  
Lyons.....1 GRD  
Machias.....1 NEO | 3 GRD | 5 FW | 35 RW  
Mallard.....1 RW  
Mallardsville.....5 GRD | 2 FW | 14 RW  
Mills.....1 RW  
Minot.....1 RW

Monhegan.....4 RW  
Mount Desert.....1 RW  
New Gloucester.....1 RW  
New Portland.....2 RW  
New Sharon.....1 RW  
Newburgh.....1 GRD  
Norridgewock.....3 FW  
North Conway.....1 RW  
North Haven.....10 RW  
North Penobscot County.....1 RW  
North Waterford.....1 RW  
North Yarmouth County.....1 RW  
Northern Somerset County.....1 RW  
Northern Washington County.....1 RW  
Northwest Aroostook County.....1 RW  
Norway.....1 GRD | 21 RW  
Oxbow.....1 RW  
Oxford.....1 GRD | 1 RW  
Palmyra.....1 RW  
Palmyra.....1 RW  
Penobscot.....1 GRD  
Perry.....1 RW  
Pittsfield.....14 GRD | 37 RW  
Portland.....4 GRD | 6 FW | 13 RW  
Presque Isle.....1 NEO | 18 FW | 29 RW  
Piscataway.....18 FW | 2 RW  
Rangely.....1 RW  
Rockport.....7 GRD | 71 RW  
Rockport.....1 RW  
Rumford.....17 GRD | 43 RW  
Sabattus.....1 GRD | 1 RW  
Sanford.....26 GRD | 2 FW | 32 RW  
Sangerville.....1 GRD  
Sargentville.....1 GRD  
Shawhegan.....4 NEO | 8 GRD | 61 RW

Salem.....1 RW  
South China.....1 RW  
South Sanford.....1 GRD  
Stonington.....3 RW  
Sumner.....2 GRD  
Swan Island.....6 RW  
Thomaston.....1 RW  
Topsham.....1 RW  
Trenton.....1 GRD | 4 FW | 3 RW  
Turner.....3 GRD  
Vinalhaven.....20 RW  
Waldoboro.....2 RW  
Warren.....2 RW  
Waterbury.....1 RW  
Whitcomb.....12 NEO | 22 GRD | 2 FW | 55 RW  
West Baldwin.....1 RW  
West Paris.....2 RW  
West Paris.....1 RW  
Winslow.....1 RW  
Winthrop.....2 RW  
Woodville.....2 RW

NEW HAMPSHIRE  
Berlin.....2 FW  
Dover.....8 RW  
Erol.....1 RW  
Fryeburg.....1 FW  
Lancaster.....2 RW  
Lancaster.....1 RW  
Littleton.....1 RW  
North Hampton.....1 RW  
North Conway.....1 GRD | 35 RW  
Plymouth.....2 RW  
Portsmouth.....2 RW  
Rochester.....3 RW  
Wolfeboro.....11 RW

MASSACHUSETTS  
Bedford.....1 FW  
Boston.....1 NEO  
Needham Heights.....6 RW  
Vineyard Haven.....2 RW  
VERMONT  
South Burlington.....1 FW

ORDER #279-2021

PROVIDING FOR: Approval of Street Closures for Halloween Activities

IT IS ORDERED: The Town Council approves the following scheduled street closures on October 31<sup>st</sup> for Halloween .

- A. Summer Street Between Penobscot and Aroostook for the Millinocket Fire Department Trunk or Treat activity from 3:00 pm to 8:00 pm.
- B. Westwood Avenue for the Millinocket Church of the Nazarene Trunk or Treat activity from 3:00 pm to 7:00 pm.

PASSED BY THE COUNCIL: \_\_\_\_\_

ATTEST: \_\_\_\_\_

