



TENTATIVE AGENDA
REGULAR TOWN COUNCIL MEETING in COUNCIL CHAMBERS and via Zoom
THURSDAY, July 28, 2022, 5:30 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: Addition – Order #211-2022.
4. Approval of the Minutes: 7/20/2022, & 7/21/2022 Executive Sessions.
5. Special Presentations: n/a

Unfinished Business: n/a

New Business:

6. Town Manager’s Report – 7/28/2022
7. ORDER #202-2022 Execution of the Prior Year Town Warrant for July 28, 2022
8. ORDER #203-2022 Execution of the Prior Year Wastewater Warrant for July 28, 2022
9. ORDER #204-2022 Execution of the Town Warrant for July 28, 2022
10. ORDER #205-2022 Execution of the Wastewater Warrant for July 28, 2022
11. ORDER #206-2022 **Public Hearing** - Approval of a Liquor License Application – Hotel Terrace/Jimmy’s Lounge
12. ORDER #207-2022 Approval of an Entertainment License Application – Hotel Terrace/Jimmy’s Lounge
13. ORDER #208-2022 Appointments to the Millinocket School Board
14. ORDER #209-2022 Amendment to Order #87-2022 - Acceptance of Airport Terminal Bid Match
15. ORDER #210-2022 Acceptance of the Bid Purchase of Wastewater Truck
16. ORDER #211-2022 Approval to Increase FY22 Legal Services Budget
17. Reports and Communications:
 - a. Warrant Committee for the August 11, 2022, Council Meeting will be Councilor Pelletier and Councilor Pray
 - b. Chair’s Committees Reports
 - c. Two Minute Public Comment

18. Adjournment

Join Zoom Meeting <https://us02web.zoom.us/j/82058394915>

Meeting ID: 820 5839 4915

One tap mobile +13017158592, 82058394915# US (Washington DC); +13126266799, 82058394915# US (Chicago)

Dial In: Find your local number: <https://us02web.zoom.us/u/kc0L05Af7m>

Meetings are open to the public for in person attendance and via Zoom.

The Town of Millinocket supports optional face masks/coverings and social distancing.

Submit any public comments to the Town Manager prior to the meeting: manager@millinocket.org or call (207) 723-7000 Ext.5 to make special arrangements. Meetings are also available via Zoom and Youtube Channel. Find all direct links on our website: Millinocket.org.

****Stay Healthy, Stay Safe****

ORDER #211-2022

PROVIDING FOR: Approval to Increase FY22 Legal Services Budget

WHEREAS the unspent FY22 Legal Services budget is \$3, 544 and there is an unpaid bill for \$24,074.50 for the Hydro Assessment; and

WHEREAS the account R0101-0900 General Government/State Municipal Revenue Sharing is \$661,205 favorable to the FY22 Budget;

IT IS ORDERED that \$40,000 is transferred from R0101-0900 General Government/State Municipal Revenue Sharing to the FY22 Legal Services Budget E0111-4003.

Note: The \$40,000 transfer will provide budget for the \$24,075.50 invoice and \$15,925 contingency for any unknown FY22 invoices.

PASSED BY THE COUNCIL: _____

ATTEST: _____



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July 22, 2022

Town of Millinocket
197 Penobscot Ave.
Millinocket, ME 04462

INVOICE SUMMARY

Matter Number: 005111-00047

Matter Name: Hydro Assessment (April 1, 2019)

Invoice Number: 4018645

For professional services rendered through June 30, 2022

Fees

Currency: USD

\$ 24,074.50

Total Amount Due

\$ 24,074.50

BERN STEIN SHUR

Millinocket, Town of
 Matter Number: 005111-00047
 Matter Name: Hydro Assessment (April 1, 2019)

Invoice Date: July 22, 2022
 Invoice Number: 4018645

TIME DETAIL

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/02/2022	Moser, Joel	Scheduling, negotiations with Taxpayer regarding mediation, and communications with mediator.	2.00	810.00
06/03/2022	Moser, Joel	Multiple emails, negotiations, and scheduling of mediation.	1.20	486.00
06/03/2022	Libby, Marcia A.	Review email discussion scheduling mediation, review Mediation Agreement from Attorney Parkinson and schedule associated administrative deadlines pertaining to same.	0.40	98.00
06/06/2022	Moser, Joel	Communications with Mediator, Taxpayer's Attorney, research on State Board composition and AAG, record review, and drafting of mediation statement.	1.50	607.50
06/07/2022	Moser, Joel	Review of appraisal, submissions, strategy and drafting of mediator's statement.	2.00	810.00
06/08/2022	Moser, Joel	Detailed review of record, arguments, appraisals, and drafting of key legal arguments for use in mediation; communications with Taxpayer's counsel and mediator.	5.50	2,227.50
06/08/2022	Libby, Marcia A.	Discussion regarding mediation agreement and prepare an Attorney Moser executed version of same to provide to client for execution.	0.20	49.00
06/09/2022	Libby, Marcia A.	Discussion regarding additional clause to the Mediation Agreement; insert clause and provide for client execution; incorporate client's execution into fully-executed Mediation Agreement to forward to Mediator.	0.30	73.50
06/09/2022	Albert, Eben	Review and revise mediation agreement; drafting Section 706-A Confidentiality Acknowledgement and Agreement to be Bound for purposes of upcoming mediation.	1.10	407.00
06/09/2022	Moser, Joel	Complete review of Federal and eVC appraisal; discussions with Town Assessor; send summary notes; outreach to Taxpayer's attorney; revise mediation agreement; and drafting of key legal arguments.	4.00	1,620.00
06/13/2022	Libby, Marcia A.	Discussion regarding Mediation.	0.10	24.50
06/13/2022	Moser, Joel	Legal research regarding risk premium and call to Assessors' Agent.	1.00	405.00
06/14/2022	Moser, Joel	Brief review of risk premium and discuss with Assessors' Agent.	0.30	121.50
06/15/2022	Albert, Eben	Reviewing pleadings and assessment information to begin preparing for mediation.	0.70	259.00
06/15/2022	Moser, Joel	Extensive record review, drafting of key arguments, and begin preparations for mediation and settlement strategy.	4.00	1,620.00
06/16/2022	Libby, Marcia A.	Discussion regarding preparing for upcoming mediation; email to Town Manager regarding file transfer.	0.30	73.50
06/16/2022	Moser, Joel	Review of revised appraisals for April 1, 2020 appeal, conference call with Assessor and Assessors' Agent Mr. Van Tuinen, follow up on recording, and drafting of issues memorandum and distribute updated draft.	4.50	1,822.50

BERN STEIN SHUR

Millinocket, Town of

Matter Number: 005111-00047

Matter Name: Hydro Assessment (April 1, 2019)

Invoice Date:

July 22, 2022

Invoice Number:

4018645

TIME DETAIL

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/20/2022	Moser, Joel	Call from Assessors' Agent and brief review of critique for revised appraisal.	0.50	202.50
06/21/2022	Moser, Joel	Review mediation agreement, call with Taxpayer attorney, call with Assessor, and send summary email to Mediator, Taxpayer's attorney, editing mediation statement, and counsel regarding Assessor authority.	1.50	607.50
06/21/2022	Libby, Marcia A.	Discussion regarding preparing Mediation Brief; draft base of Mediation Brief and cover letter for same.	0.70	171.50
06/22/2022	Moser, Joel	Legal research on risk premium, review cases from Assessors' Agent, and calls to Assessors' Agent regarding Cap rate and mediation approach.	1.00	405.00
06/23/2022	Moser, Joel	Detailed review of appraisal inconsistency, drafting of issues memo, and lengthy work session with Assessors' Agent and Assessor.	4.20	1,701.00
06/23/2022	Libby, Marcia A.	Discussion related to Taxpayer Appraisals; prepare chart comparing each submitted Appraisals and in which pending case each Appraisal was submitted.	1.50	367.50
06/24/2022	Libby, Marcia A.	Review Town's Section 706-A Request and ensure associated administrative deadlines pertaining to same are scheduled.	0.30	73.50
06/24/2022	Moser, Joel	Review work memos, emails with Assessor, analysis, and drafting of issues memo.	2.80	1,134.00
06/27/2022	Moser, Joel	Drafting of mediation statement, legal arguments, and preparations of settlement model.	1.50	607.50
06/28/2022	Moser, Joel	Strategy and development of mediation arguments.	1.20	486.00
06/28/2022	Marass, Patrick	Legal research to prepare for mediation; draft analysis of research.	2.60	702.00
06/29/2022	Moser, Joel	Detailed record review and drafting of mediation statement.	7.50	3,037.50
06/29/2022	Marass, Patrick	Continue legal research to prepare for mediation; draft analysis of research.	3.20	864.00
06/30/2022	Moser, Joel	Record review, drafting of mediation statement, review of research, and weekly work session with Assessor, Consultant, and Town Manager.	4.50	1,822.50
06/30/2022	Marass, Patrick	Continue legal research to prepare for mediation; continue to draft analysis of research.	1.40	378.00
06/30/2022	Nilles, Anna	Read through appraisal documents.	2.40	N/C
TOTAL			65.90	\$24,074.50

REVENUES BY DEPT MAC
Department(s): 0101 - 0101
July to June

Account----- Date Jrnl Desc---	Current Budget	Net	Uncollected Balance
0101 - GENERAL GOVERNMENT	990,915.00	0.00	990,915.00
0109 - PAYMENT IN LIEU OF TAXES	18,000.00	25,006.06	-7,006.06
0110 - BAD CHECK CHARGE	100.00	150.00	-50.00
0148 - BANK/INVESTMENT INT	7,200.00	10,816.59	-3,616.59
0150 - COPIES/FAX	150.00	245.28	-95.28
0151 - ADM MISC	1,000.00	609.42	390.58
0154 - LEGAL	4,000.00	1,991.41	2,008.59
0155 - SALE OF PROPERTY	18,000.00	226.82	17,773.18
0900 - ST MUN REV SHARING	925,000.00	1,586,205.18	-661,205.18
0901 - BETE STATE REIMBURSEMENT	42,810.00	52,381.00	-9,571.00
0902 - AMERICAN RESCUE PLAN ACT 2021	0.00	449,600.14	-449,600.14
0903 - MISCELLANEOUS GOV REVENUE	0.00	0.00	0.00
0924 - TRANSFER ANIMAL RESERVE	4,655.00	0.00	4,655.00
0926 - TRANSFER FUND BALANCE	200,838.76	0.00	200,838.76
0938 - TRANSFER RESTRICTED FUND BAL	1,500.00	0.00	1,500.00
Department..	1,223,253.76	2,127,231.90	-903,978.14
Final Totals	1,223,253.76	2,127,231.90	-903,978.14

Expense Detail Report

Department(s): 0111 - 0111

July to June

Account-----			Current		Unexpended
Date	Jrnl	Desc---	Budget	Net	Balance
0111 - LEGAL EXPENSES			145,000.00	0.00	145,000.00
2041 - EMPLOYEE SETTLEMENT			45,000.00	45,000.00	0.00
4003 - LEGAL SERVICES			100,000.00	30,081.30	69,918.70
4004 - MANAGER SEARCH			8,431.00	8,431.00	0.00
4007 - ASSESSMENT CASES/ISSUES			0.00	57,819.21	-57,819.21
4011 - LITIGATION RELATED			0.00	4,505.50	-4,505.50
4012 - OTHER SERVICES			0.00	225.00	-225.00
4302 - OUR KATAHDIN - ECONOMIC DEV			0.00	3,824.72	-3,824.72
Department..			153,431.00	149,886.73	3,544.27
Final Totals			153,431.00	149,886.73	3,544.27