



**TENTATIVE AGENDA
REGULAR TOWN COUNCIL MEETING in COUNCIL CHAMBERS & via ZOOM
THURSDAY, OCTOBER 26, 2023, at 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:
4. Approval of Minutes: September 28, 2023 and October 12, 2023 Regular Meeting.
5. **ORDINANCE #2-2023 Public Hearing** – 2nd Reading Amendment to Chapter 75, General Assistance, Code of the Town of Millinocket
6. Special Presentation(s): none

UNFINISHED BUSINESS:

NEW BUSINESS:

7. Town Manager's Report – October 26, 2023
8. ORDER #246-2023 Approval of the Town Warrant for October 26, 2023
9. ORDER #247-2023 Approval of the Wastewater Warrant for October 26, 2023
10. ORDER #248-2023 Approval of Certain Parking Space Closures as Needed – Municipal Parking Lot
11. ORDER #249-2023 Authorization for the Town Manager to Send the Charter Review Committee's Proposed Charter Changes to Legal Counsel.
12. ORDER #250-2023 Approval to Increase the Computer Support FY24 Budget
13. ORDER #251-2023 Approval to Increase the Elevator Maintenance FY24 Budget
14. Reports and Communications:
 - a. Warrant Committee for the November 13, 2023, Council Meeting will be Councilor McLaughlin and Councilor Pelletier.
 - b. Chair's Committees Reports
 - c. Two Minute Public Comment
15. Adjournment

Join Zoom Meeting: <https://us02web.zoom.us/j/2906301567>

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****



Millinocket

Maine's Biggest Small Town

Town of Millinocket

197 Penobscot Avenue

Millinocket, Maine 04462

Manager@Millinocket.org www.millinocket.org

207-723-7000 Ext 5

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 some of the 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.
- **Mil 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 Veteran’s 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. Each member of the public will be allowed to speak for a period of not more than two minutes and the Council shall not enter into a debate or a question-and-answer session unless the question can be answered in a brief statement without a debate. This will be at the discretion of the Council Chair.
- **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.

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 or board such as the Planning Board, Events Committee, or Board of Appeals. 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-andboards/>.

September 28, 2023

The Regular meeting of the Millinocket Town Council was brought to order in Council Chambers and via Zoom by Town Clerk Diana Lakeman at 5:30 pm.

Roll Call: Town Council Members Present: Bragdon, Danforth, Dumais-Absent, Higgins, Madore, Pelletier, McLaughlin. Also present: Town Manager Peter Jamieson, Town Clerk Diana M. Lakeman, Deputy Clerk Amber M. Carney, Fire Chief Cote-Zoom, Airport Manager Jeff Campbell-Zoom, Assessor Lorna Thompson, Health & Safety Officer Tom Malcolm, KAT TV/Lorri Haskel, Lincoln News/Brian Brown-Zoom, 3 in person public attendance and 5 in Zoom public.

Pledge of Allegiance; Town Clerk Lakeman acknowledges the absence of Chair Dumais calls for nominations for Pro Chair Temp for 9/28/2023; Councilor Danforth nominates Councilor Madore, Second Councilor Pelletier, hearing no other nominations a call for vote for Councilor Madore's nomination, Vote 6-0.

Adjustments to the Agenda: Amended Minutes of July 27, 2023 & September 12, 2023; Updated Order #226-2023 Warrant Total; Additions: Order #233-2023.

Approval of Minutes: July 27, 2023, August 10, 2023, August 24, 2023, and September 14, 2023 Regular Town Council Meetings & August 22, 2023 and September 12, 2023 Executive Sessions.

Motion-Pelletier Second- Danforth Vote- 6-0

Council Comment: none; *Public Comment:* none

Special Presentation(s): Lorna Thompson – Assessor; FY24 Commitment Explanation – Mil Rate down to 28.20, including Reval, will notice 13% from Reval to stay in compliance with state. 390 applied for the Tax Freeze and 372 got approved. Denied applicants didn't own the home in Maine or turned application in late. Council Comment: Councilor Madore mentioned Howland's valuations is way off from actual, most communities face similar situations, also expressed appreciation for the commitment being done as early as Lorna has. Lorna was asked to explain the evaluation and mil rate, she stated that it is a mathematic equation, informs evaluation went up noting mil rate went down.

Public Comment: None

Unfinished Business:

ORDER #220-2023 Commitment of FY24 Property Taxes - TABLED on 9/14/2023.

IT IS ORDERED that the Fiscal Year 2024 Property Taxes be committed and the due date for the first half payment is 30 days after the commitment date.

Motion- Higgins Second- McLaughlin Vote- 6-0

Council Comment: none; *Public Comment:* none

ORDER #221-2023 Setting the Mil Rate for FY24 – TABLED on 9/14/2023.

IT IS ORDERED that the Millinocket Town Council set the FY24 Mil Rate at 28.20 percent.

Motion-McLaughlin Second- Higgins Vote – 6-0

Council Comment: none *Public Comment:* none

Special Presentation(s) Continued: Wolfden Mining/Jeremy Ouellette-via Zoom.

Town Manager's Report – September 28, 2023. Town Manager Jamieson encourages all to read entire submitted report; also addresses technical issues with FB live, addresses the 2 people still in the waiting room requires full names to join via Zoom. Public Works and Rick Lax are working together to get the front of the municipal building reopened, removing material at no cost to the Town. The ski-tow project is fully funded-received \$10,000 WinterKids, \$22,500 ARPA Fund and \$22,500 from Katahdin Area Trails, Penobscot County Commissioner, and the Town, anticipate winter 24/25 to come to fruition; acknowledges Steve Jacobs' retirement noting all his dedicated years and hard work are appreciated; clarifies the CEO was not fired, he is joining Fire/EMS, informs Thomas Malcolm and part time assistant to the Assessor Traci Thompson will be filling in Code Enforcement duties while momentarily pending the search for a Code Enforcement.

Council Comment: Councilor Bragdon thanks Steve for his service and dedication to the Town.

Councilor Madore expressed appreciation for Rick Lax and Public Works to correct the front entrance issues free of charge to the town; acknowledged Steve's retirement noting knowledgeable in many cost saving projects; inquires if EVV Charges are functional at the library; *TM is unsure if delayed due to missing parts yet received; welcomes Malcolm to another position to the town and tanks him for stepping up and filling in CEO temporarily; anticipates great things when ski-tow project is finalized.

Public Comment: none

ORDER #226-2023 PROVIDING FOR: Execution of the Town Warrant for September 28 2023

IT IS ORDERED that the Town Warrant for September 28, 2023, in the amount of \$179,965.22 is hereby approved. Motion- McLaughlin Second- Danforth Vote 6-0

Council Comment: Noted larger expenses: Bloomer Russel Beaupain, Hol Tanner, MMA, Millinocket Historical Society, Memorial Library, Town of East Millinocket-Recreation Contract, Versant Power, Acadia Design Works.

Public Comment: none

ORDER #227-2023 PROVIDING FOR: Execution of the Wastewater Warrant for September 28, 2023

IT IS ORDERED that the Wastewater Warrant for September 28, 2023, in the amount of \$13,415.62 is hereby approved. Motion- Pelletier Second- Bragdon Vote 6-0

Council Comment: Noted larger expenses: Bloomer Russel Beaupain, Versant Power.

Public Comment: none

ORDER #228-2023 PROVIDING FOR: Execution of the Prior Year Town Warrant for September 28, 2023

IT IS ORDERED that the Prior Year Town Warrant for September 28, 2023, in the amount of \$37,096.68 is hereby approved. Motion- McLaughlin Second-Bragdon Vote 6-0

Council Comment: Noted Larger expenses: Hol Tanner Associates

Public Comment: none

ORDER #229-2023 PROVIDING FOR: Approval of the Proposed Amendments to the Cemetery Rules and Regulations. WHEREAS the Cemetery Committee has identified the need to amend the Town of Millinocket's Cemetery Rules and Regulations Policy; and WHEREAS the attached policy was adopted at the May 11, 2023 Millinocket Cemetery Commission meeting and seeks approval of the commissions' recommendations to amend the Rules and Regulations Cemetery Policy, IT IS ORDERED that the Millinocket Town Council approves the most recently adopted Rules and Regulations policy of the Millinocket Municipal Cemetery and accepts the attached policy as amended.

Motion- Higgins Second- Danforth Vote 6-0

Council Comment:

Public Comment: none

ORDER#230-2023 PROVIDING FOR: Approval for Unassigned Fund Balance Transfer to FY23 Budget WHEREAS FY23 State Municipal Revenue Sharing receipts were is \$453,278.48 favorable to the FY23 Budget; therefore, IT IS ORDERED that \$37,872.61 is transferred from R0101-0900 General Government/State Municipal Revenue Sharing to increase the following departments to offset FY23 department overruns: Community Services Department E0206 - \$1,246.84, Fringe Benefits Department E0300 - \$32,804.18 (Payout of Retirement Benefits), General Assistance Department E0815 - \$3,821.59

Motion- Bragdon Second- McLaughlin Vote 6-0

Council Comment: none

Public Comment: None

ORDER #231-2023 PROVIDING FOR Acceptance of The Northern Forest Center Subrecipient Award WHEREAS The Town of Millinocket was awarded a subrecipient award from the Northern Forest Center through the E.D.A., U.S. Endowment for Forestry & Communities Fund in the amount of \$25,000.00 to incorporate mass timber into the design of the Katahdin Regional Airport Terminal IT IS ORDERED that the Millinocket Town Council approves the acceptance of \$25,000.00 from the Northern Forest Center to incorporate mass timber into the design of the Katahdin Regional Airport Terminal building.

Motion- McLaughlin Second-Danforth Vote 6-0

Council Comment: Councilor Madore expressed appreciation for Northern Forest Center for award of grant noting great opportunity to use for natural projects; *TM Jamieson grateful for CID and Acadia Design Works aiding in projects some being difficult to navigate, unexpected price of engineering, noting great impact on project moving forward.

Public Comment: None

ORDER #232-2023 PROVIDING FOR: Approval of Street Closures for the Crushing Cancer Parade IT IS ORDERED that the Millinocket Town Council approves the following street closures for the Crushing Cancer Parade: Close Penobscot Avenue, as well as, all side streets going onto Penobscot Avenue from Central Street to Katahdin Avenue, on Saturday, October 14th, 2023 from 7:00 a.m. to the conclusion of the parade. Note: Request from the Health & Safety Officer attached.

Motion-Bragdon Second- Higgins Vote 6-0

Council Comment: None

Public Comment: None

ORDER #233-2023 ***AMENDED** PROVIDING FOR: AMENDMENT TO THE PERSONNEL POLICY TO PROVIDE FOR TEMPORARY EMPLOYEES

WHEREAS, the Town has not undergone a town wide review of its real estate parcels for tax assessment purposes in over thirty years; and WHEREAS, the Town's assessing records have not been systematically updated since the last town wide revaluation and no longer reflect the current status of properties within the Town; and WHEREAS, the availability of firms capable of inspecting properties within the town and providing a current market values of the properties within the town on a cost effective basis and in a timely manner is limited, at best; and WHEREAS, the Town needs to proceed to update its assessing records in order to provide fair tax assessments for its citizens and to comply with Maine law; and WHEREAS, the Assessor is not able to inspect, review and update all the properties in the Town and is need of assistance in order update the Town's assessing records to allow current tax assessment of the properties; and WHEREAS, in light of current circumstances, it is in the best interests of the community for the Town to provide temporary assistance to the Assessor as provided herein; and WHEREAS, the Personnel Policy does not have provisions concerning temporary employees and the Personnel Policy needs to amended in that regard. NOW THEREFORE, IT IS ORDERED that pursuant to Section A128.1.E of the Personnel Policy, the definition of "Part-Time Employee" in Section 128.2 of the Personnel Policy is replaced with the following definition: "PART TIME EMPLOYEE A "Part-time" Employee is anyone who works, or is scheduled to work, on average, thirty-nine

(39) hours or less per week on a continuing basis over the course of a calendar year, or anyone who works less than the regularly established number of hours per day, days per week, or week per month assigned to that position for full time employees. Part-time employees shall be paid for hours actually worked. Part-time employees are entitled to benefits required by law, including social security, workers' compensation, paid leave, family medical leave and unemployment compensation. For those whom the Town expects to work less than a full-time work week as defined above there shall be no benefits other than those required by law."

IT IS FURTHER ORDERED that, pursuant to Section A128.1.E of the Personnel Policy, the definition of "Seasonal Employee" in Section A128.2 of the Personnel Policy is replaced with the following and the definition of "Temporary Employee" is added as follows:

"TEMPORARY AND SEASONAL EMPLOYEE a. Temporary Employees. Temporary employment is employment to accomplish a specified task, or tasks on an intermittent basis, or for a standard workweek or less, on a regular basis, but, in all cases, for a definite and limited period of time. Temporary employees receive no other benefits except those required by law. Temporary employees are not permanent employment positions with the Town and are subject to funding for the position as determined by the Town Council. The term of employment for a temporary employee ends if the position is not funded. b. Seasonal Employees. Seasonal employees are appointed, on an annual basis, in the same manner and are subject to the same procedure as regular, full-time employees except that they will be laid off at the close of the season for which they have been appointed and the position funded in the budget. c. Temporary and seasonal employees shall be paid for hours actually worked and shall be eligible for only benefits required by law such as social security, workers' compensation, paid leave, family medical leave and unemployment compensation but not for any other benefit under this Personnel Policy or any other Town policy. "IT IS FURTHER ORDERED that, pursuant to Section A128.1.E of the Personnel Policy, that Section A128-3.I is added to the Personnel Policy as follows: "I. Temporary employees are hired for a specific task and term. Such employees will not establish seniority rights, nor will they be eligible

for vacation, sick leave, or any other benefits that the Town offers but are entitled to those benefits required by law such as social security, workers' compensation, paid leave, family medical leave and unemployment compensation.

Temporary employees are assigned to a specific department of the Town, report to the department head, unless otherwise directed by the Town Manager, and perform a specified task for a specified term with the Town Manager approving a job description for each temporary employee or class of temporary employees."

~~*IT IS FURTHER ORDERED that the Town Clerk is directed to have the pages of the Personnel Policy in the Millinocket Code replaced as necessary with new pages to reflect this Order and to distribute new pages to those individuals and entities known to have copies of the Code and to update the Millinocket Code on the Town web site when new pages are available.~~

IT IS FURTHER ORDERED that the Town Manager is authorized to hire three temporary employees to assist the Assessor in updating the Town's assessment records for each property within the Town other than tax maps; IT IS FURTHER ORDERED that the Town Manager is authorized and directed to consult with the Human Resources Director and Assessor to prepare job descriptions for the temporary employees; and IT IS FURTHER ORDERED that, pursuant to Section A128-3.A of the Personnel Policy, that the maximum compensation for the temporary employees is \$62.50 per hour as determined by the Town Manager based on the qualifications of each temporary employee; and IT IS FURTHER ORDERED that the Treasurer is directed to create line E0113-0393 Town Revaluation - Temporary Assessing Services - Temporary Employees as part of the General Administration budget and financial records of the Town;

IT IS FURTHER ORDERED that the Treasurer is directed to transfer \$51,120 from line Municipal Revaluation line of the Assigned Fund Balance to the department budget line 'E0113 Town Revaluation' and then further to the Temporary Assessing Services – Temporary Employees and employee benefit expense budget lines to partially fund the temporary employees through June 30, 2024; and IT IS FURTHER ORDERED that \$2,500 is transferred from the Municipal Revaluation line of the assigned fund balance to line E0113-4041 – Town Revaluation – Business/Miscellaneous Expense to partially fund other related expenses approved by the Town Manager through June 30, 2024. IT IS FURTHER ORDERED that the Town Manager is authorized to take all action necessary to implement this Order. 00012/666 0003669.docx

Motion- Danforth Second- Bragdon Vote as Amended 5-1 (Higgins/Opposed)

Council Comment: Councilor Bragdon motion to amend order by removing paragraph "It is further ordered Town Clerk is directed.." on page 3 stating it's redundancy; Councilor Pelletier seconded the motion to amend, vote on the amendment 5-1 (Higgins/Opposed).

Public Comment: none

Reports and Communications:

- a) Warrant Committee for the October 12, 2023, Council meeting will be Councilor Higgins and Councilor Danforth
- b) Chair Committee Reports: Councilor Pelletier, Charter Review Committee- informs proofing of charter changes complete noting no major changes, Councilor Bragdon anticipates bringing draft to the council as a presentation for further discussion with legal counsel, expresses appreciation to all committee members and community members who attended meetings, notes draft version is available to the public and will present at the 10/12/23 council meeting.
- c) Two Minute Public Comment: Councilor Higgins expressed community concerns with revaluations and process to expect for identification of agents; *TM Jamieson informs many avenues taken for transparency and information regarding identification of agents stating Town of Millinocket photo ID badges will be worn, vehicle magnets with logos displayed, list of vehicle plates on website, no forced entries as access will be request but not required and will assess to best of ability with questionnaire if not accessible, most fair evaluation will be determined; Councilor Bragdon affirms revaluation are state requirements and mandated.

-Motion to adjourn at 7:05 p.m. –Bragdon, Second –Danforth Vote 6–0

October 12, 2023

The Regular meeting of the Millinocket Town Council was brought to order in Council Chambers and via Zoom by Chair Dumais at 5:30 pm.

Roll Call: Town Council Members Present: Bragdon (via Zoom and left meeting at 6:30 p.m.), Danforth, Dumais, Higgins-absent, Madore, Pelletier, McLaughlin-absent. Also present: Town Manager Peter Jamieson, Deputy Clerk Amber M. Carney, Bryan Duprey Public Works Director, Fire Chief Cote-Zoom, Airport Manager Jeff Campbell, Health & Safety Officer Tom Malcolm, Shelley Lance-School Superintendent, KAT TV/Lorri Haskel, Lincoln News/Brian Brown-Zoom, 6 in person public attendance and 1 in Zoom public.

Pledge of Allegiance

Ordinance #2-2023: Public Hearing- 1st Reading- Amendment to Chapter 75, General Assistance, Code of the Town of Millinocket. Motion-Madore Second- Pelletier *Council Comment*: Councilor Madore stated that this is the 1st Public Hearing, this happens every year, it is mandated by the State for General Assistance how money is spent. Rent, Utilities, Supplies, Food.

Special Presentation(s): A: Shelley Lane, Superintendent of Schools-School Quarterly Financial Update. Presented a broad overview of the schools, last update was March 23, 2023. Stated a lot has changed. They are fully staffed. The schools are seeking several grants for various reasons, Our Katahdin helped with new basketball hoops. They have received a Food Service Grant of \$4,200.00. a \$750.00 McKinney Vento Grant an effort to help mitigate homelessness in the community. They have mentoring training, to set up a program for support to 1st, 2nd, and 3rd year teachers. Extra professional development, working. Adding support for Nurses-sending 3 people to be diabetic trained- to understand symptoms, what a high is, what a low is, carb counting so there is more than 1 person to aid a student and or Adult in either school. Mentioned communication has increased with the Granite Gazetteer, having contribution from each class and will go out once a month. Granite has a new Principal Miss Joanna Mary. Weight room is now open! Spoke of midterm improvement from last year 64 classes being failed, to only 30 this year! Voiced appreciation for being included in/with Magic City Monthly.

Unfinished Business: NONE

Town Manager's Report – 10/12/2023 1st Quarter Updates

Council Comment: none

Public Comment: none

ORDER #234-2023 PROVIDING FOR: Execution of the Town Warrant for October 12, 2023 IT IS ORDERED that the Town Warrant for October 12, 2023, in the amount of \$947,022.48 is hereby approved.

Motion-Danforth Second-Madore Vote- 4-0

Council Comment: *Noted larger expenses*. Adam Qualey Inc \$20,000.00, Ascent Aviation Group \$20,884.28, B&B Paving Inc. \$397,654.00, Dysarts Service \$12,002.13, Stephen Lucas \$9,500.00, Maine Municipal Association \$20,925.94, Maine Water Co. \$37,714.86, Municipal Waste Solutions LLC \$15,521.72, Town of East Millinocket (2 quarters) \$350,380.14

Public Comment: none

ORDER #235-2023 PROVIDING FOR: Execution of the Wastewater Warrant for October 12, 2023
IT IS ORDERED that the Wastewater Warrant for October 12, in the amount of \$6,698.79 is hereby approved.
Motion-Danforth Second- Madore Vote – 4-0 *Council Comment:* Noted larger expenses \$1,577.36 Maine
Municipal Association, \$1,154.94 Town of Millinocket, \$1,896.25 Pierce Atwood LLP
Public Comment: none

ORDER #236-2023 PROVIDING FOR: General Obligation Bond for upgrades to the Main Pump Station. BE
IT ORDERED, that under and pursuant to the provisions of Title 30-A, Section 5772 of the Maine Revised
Statutes, as amended, and the Charter of the Town of Millinocket, Maine, a Capital Improvement Project
consisting of upgrades to the Main Pump Station, including transaction costs and other expenditures reasonably
related to the Project, are hereby approved; and BE IT FURTHER ORDERED, that a sum not to exceed
\$1,665,000 is hereby appropriated to provide for the costs of said Project; and BE IT FURTHER ORDERED,
that to fund said appropriation, the Treasurer and the Chair of the Town Council are hereby authorized to issue,
at one time or from time to time, General Obligation securities of the Town (including callable securities, with
or without premium, and temporary notes in anticipation of the sale thereof) in an aggregate principal amount of
\$1,665,000; and BE IT FURTHER ORDERED that the discretion to fix the date(s), maturity(ies),
denomination(s), interest rate(s), place(s) of payment, form(s) and other details of said securities, including
execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby
delegated to the Treasurer and the Chair; and BE IT FURTHER ORDERED That the Town hereby irrevocably
pledges the user fees, rates, assessments and other charges of the Town for the payment of the debt service on
the Bond. BE IT FURTHER ORDERED, that the Town hereby makes a general obligation pledge of its property tax
revenues to be used in the event that the sewer and storm water rates, user fees, assessments and other charges levied
on, and paid by ratepayers are not sufficient to meet the annual payments of principal and the semi-annual payments
of interest on said securities until the debt created by the issuance and sale of said securities is extinguished. Motion-
Madore, Second-Pelletier, Vote- 4-0
Council Comment: none
Public Comment: none

ORDER #237-2023 PROVIDING FOR: Approval to Carry Forward FY23 Unspent Budget Items IT IS
ORDERED that the Millinocket Town Council approves the carry forward of
\$22,090.40 for the following unspent FY23 Budget items: Public Works Road, Winter Sand (E0407-2802) -
\$9,383.60 Public Works Road, Paint & Supplies (E0407-2803) - \$9,660.68 Holiday Observation & Events, 4th
of July (E1106-7010) - \$1,660.00 Holiday Observation & Events, Events Committee (E116-7012) - \$1,386.12
Motion- Danforth Second- Madore Vote- 4-0 *Council Comment:* none Public Comment: none

ORDER#238-2023 PROVIDING FOR: Approval of Amendment to Town Manager Employment
Agreement WHEREAS, the Town and Manager are parties to one certain Employment Agreement (the
“Agreement”) by which the Manager is employed as the Town’s Town Manager; and WHEREAS, it is the
desire of the parties to amend the Agreement to provide performance evaluations twice a year rather than
quarterly. NOW THEREFORE, IT IS ORDERED AS FOLLOWS: 1-That the Amendment to Employment
Agreement (hereafter “Amendment”) attached to this Order is approved; and 2-The Chairman of the Town
Council is directed to execute and deliver the Amendment on behalf of the Town and upon execution of the
Amendment by Mr. Jamieson, the Town Clerk is directed to file the original Amendment with the Employment
Agreement and the records in her office, provide Mr. Jamieson with an attested copy of the Agreement for his
records, and provide a copy to the Human Resources Director for Mr. Jamieson’s personnel file.
Motion-Pelletier Second-Madore Vote-4-0 *Council Comment:* Chair Dumais said the Council intended to do
this previously, and it didn’t get followed through with. He likes the section of Evaluation being in October and

March, it provides the Council presently here to Evaluate the Manager. Much needed. Appreciates the Town Manager agreeing with this. Public Comment: None

ORDER #239-2023 PROVIDING FOR: Acceptance of the Winterkids Downhill 24 Outdoor Fund Award WHEREAS The Town of Millinocket won first (1st) place during the voting period in the Winterkids Downhill 24 Outdoor Fund competition for the Millinocket Ski Tow Project. WHEREAS The Town was awarded \$10,000.00 as the first (1st) place recipient. IT IS ORDERED that the Millinocket Town Council approves the acceptance of \$10,000.00 from the Winterkids Downhill 24 Outdoor Fund for the Millinocket Ski Tow Project.

Motion-Madore, Second-Danforth, Vote-4-0

Council Comment: Councilor Madore stated that this was taken on by the CID and is going to be a great asset. The plans for the Ski-Tow to get Reestablished, it will have a warming hut and a chance for winter recreation for the kids and maybe even some adults. Congratulates Amber Wheaton the Towns CID. Public Comment: None

ORDER #240-2023 PROVIDING FOR: Approval of Street Closures for Halloween Festivities IT IS ORDERED that the Millinocket Town Council approves the following street closures for Halloween Festivities: Close Massachusetts Avenue from Heritage Drive by Faith Baptist Church to New Jersey Street from 4pm to 7pm on Tuesday, October 31st; and Close Independence Lane at the Massachusetts Avenue intersection; and Close Aroostook Avenue from Summer Street to Central Street and the lower end of Westwood Ave next to the Nazarene Church for trunk or treaters; and Note: Request from the Health & Safety Officer attached. Motion-Danforth Second-Madore Vote-4-0

Council Comment: Councilor Madore expressed this is a great opportunity, Millinocket has turned a corner to Trick or Treating safety. Mass Ave does a great set up, Truck and Treat is a god send, the kids enjoy and it's a safe environment.

Public Comment: None

ORDER #241-2023 PROVIDING FOR: Approval of EV Charging Station Project Proposal Award IT IS ORDERED that the Millinocket Town Council accepts the proposal for the EV Charging Station Project from Pine State Electric in the amount of \$11,300.00 and approves work to begin immediately.

Two bids received: Pine State Electric \$11,300.00 and AA Electric Service \$43,480.00

Motion-Pelletier Second-Madore Vote- 3-1 (Pelletier-against)

Council Comment: Councilor Pelletier expressed concern about the big difference between the two bids. Wanted to know why the Companies got to choose location and the Town didn't specify. Town Manager Jamieson said they were both given the exact same guidelines for the project. Councilor Madore said when the bid was put out uniformly, same guidelines, ranges in price should be fine.

Public Comment: Daniel Reed, Somerset Street. Stated his business is building & construction. Expressed concern on who is going to form and place concrete and doesn't want the Council to accept this order. Lorri Haskell, Prospect St. Agrees with Councilor Pelletier and nothing said about patching hot top.

ORDER #242-2023 PROVIDING FOR: Approval of I.T. Services Bid Award WHEREAS The Town of Millinocket posted a request for I.T. Services bids, receiving one bid from current provider, Maine Technology Group, IT IS ORDERED that the Millinocket Town Council awards the attached 2023 – 2027 bid and contract for I.T. Services to Maine Technology Group. Motion- Madore Second- Danforth Vote- 4-0

Council Comment: Council expressed we have good service from them and I'm very happy. Town Manager expressed that there was only the one bid, also happy with the service and our relationship with them is strong. Monica from Maine Tech expressed that the cost increase was because we haven't revisited this in years (2018) and with all the improvements, cyber security, improving tools you have received extra service, equipment maintenance at no additional cost. Public Comment: none

ORDER #243-2023 PROVIDING FOR: Amendment of order #322-2022 WHEREAS: Order#322-2022 accepted the quote from Hahnel Bros. to repair the rooves on both the municipal building canopy and elevator entrance, and approved the expenditure of \$9,275.00 of local American Rescue Plan Act funding to pay for the repairs; and WHEREAS: During the job, Hahnel Bros. determined the amount of damage to the structure was more than anticipated, leading to replacing more of the structure than originally planned, and an increase to the invoice for work in the amount of \$1,816.95; IT IS ORDERED: That the Millinocket Town Council amend the totals in order #322-2022 to read \$11,097.95 for the repairs, which will leave an uncommitted ARPA grant balance of \$39,410.54 as of this order date. Motion-Danforth Second-Madore Vote-4-0

Council Comment: none

Public Comment: none

ORDER #244-2023 PROVIDING FOR: Award of Penobscot Avenue Drainage Infrastructure Replacement Bid IT IS ORDERED: The Millinocket Town Council, at the recommendation of the Town Manager, Public Works Director, and Olver Associates Inc. Environmental Engineers, awards this bid to Lou Silver Inc. at \$393,000.00. Bids Received: Lou Silver \$393,000.00, T. Buck Construction \$681,411.00, Emery Lee & Sons \$732,000.00 Motion-Pelletier Second-Madore Vote- 4-0 *Council Comment:* none *Public Comment:* none.

Reports and Communications: Warrant Committee for the October 26, 2023, Council meeting will be Councilor Higgins and Councilor Madore. Chair Committee Reports: Councilor Pelletier, Charter Review Committee-informs next meeting is October 18, 2023 at 4:30pm, Town Managers office and via Zoom.

Councilor Madore mentioned adding Councilor McLaughlin to the Economic Development Committee. Chair Dumais acknowledged the addition.

Two Minute Public Comment: none

Motion to adjourn at 7:20 p.m. –Madore, Second – Danforth Vote – 4-0

ORDINANCE #2-2023

PROVIDING FOR: Amendment 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.

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

1st Reading 10/12/2023

2nd Reading _____

Council Approved _____

Effective Date _____

Attest: _____

Diana M. Lakeman, Town Clerk

ORDINANCE #2-2023

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

1st Reading 10-12-23

2nd Reading _____

Council Approved _____


Effective Date _____

Attest:


Diana M. Lakeman, Town Clerk

Deputy Clerk  Amber M. Carney

TO: Town Council

FROM: Lori A. Santerre, Welfare Director 

RE: MMA's General Assistance Ordinance Appendixes updated as of October 1, 2023.

DATE: September 19, 2023

Enclosed please find MMA's new General Assistance Ordinance Appendixes (A, B, C), which become effective on October 1, 2023.

The changes are to the Total Monthly Allowed General Assistance Maximums, which are calculated based on the 2023-24 HUD Fair Market Rent values, Food Maximums based on the USDA 2023-24 Thrifty Food Plan and the Housing Allowance which are developed by the 2023-24 HUD Fair Market Rent value, with the applicable housing electric utility and heating allowances, as developed by the Maine State Housing Authority (MSHA). Mileage, State of Maine travel expense reimbursement rate set by State Controller. 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.

Diana Lakeman

From: Diana Lakeman
Sent: Tuesday, September 26, 2023 9:46 AM
To: danforthab@myfairpoint.net; katnews@Lincnews.com
Cc: Lori Santerre
Subject: Public Hearing AD - Town of Millinocket Ordinance #2-2023
Attachments: ad for Ord #2-2023 General Assist Amendments - Appendicies A-H Update.doc

Please find attached: AD for Public Notice – Ordinance #2-2023 to run in this week's circulation of the Katahdin Times per our usual ad size. Please confirm request received.

Best,

Diana M. Lakeman | Town Clerk



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townclerk@millinocket.org | (207) 723-7006 Fax: (207)-723-7002

197 Penobscot Avenue. Millinocket, ME. 04462

Office Hours: Mon - Fri

7:30 AM to 4:00 PM

Election Day Polls Open 8 AM to 8 PM



TOWN OF MILLINOCKET PUBLIC HEARING
ORDINANCE #2-2023
Chapter 75, A – H, Code of the Town of Millinocket
General Assistance Ordinance Appendices Changes

The Millinocket Town Council will hold public hearings on Ordinance #2-2023, to amend Chapter 75, General Assistance of the Code of the Town of Millinocket by repealing Appendices A – H of the existing Ordinance and replacing with Appendices A – H.

The hearings will be held during the Council meetings of October 12, 2023, and October 26, 2023, in the Council Chambers located in the Municipal Building at 197 Penobscot Avenue, beginning at 5:30 PM.

Dated at Millinocket, ME

September 26, 2023

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,

2023 through September 30, 2024. 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]

APPENDIX A

TOTAL MONTHLY ALLOWED GA MAXIMUMS

Person (s)	1	2	3	4	5
Penobscot(2023-2024)	846.00	853.00	1,126.00	1,408.00	1,537.00
(2022-2023)	789.00	792.00	1,043.00	1,302.00	1,420.00

*Please Note: Add \$75 for each additional person

**NOTE: THIS WILL REPLACE THE TABLE IN CHAPTER 75,ARTICLEVI,
SUBSECTION 75.33-(A).Page-7559.**

**APPENDIX B
FOOD MAXIMUMS**

Number in Household	Weekly Maximum	Monthly Maximum
1	67.67 (65.35)	291.00 (281.00)
2	124.42 (120.00)	535.00 (516.00)
3	178.14 (172.09)	766.00 (740.00)
4	226.28 (218.37)	973.00 (939.00)
5	268.60 (259.53)	1,155.00 (1,116.00)
6	322.33 (311.40)	1,386.00 (1,339.00)
7	356.28 (344.19)	1,532.00 (1,480.00)
8	407.21 (393.26)	1,751.00 (1,691.00)

Please Note: For additional persons, add \$219 per month

Please Note: Last year amounts are in parentheses

**NOTE: THIS WILL REPLACE TABLE IN CHAPTER 75, ARTICLE VI,
SUBSECTION 75.33.B.3.b, Page-7560.**

APPENDIX C
HOUSING MAXIMUMS

(Heated & Unheated Rents)

Penobscot County Bedrooms	Unheated Weekly	Monthly	Heated Weekly	Monthly
0	163.00 (152.00)	702.00 (654.00)	193.00 (180.00)	831.00 (775.00)
1	163.00 (152.00)	702.00 (654.00)	194.00 (180.00)	836.00 (775.00)
2	206.00 (190.00)	884.00 (816.00)	257.00 (238.00)	1,105.00 (1,022.00)
3	259.00 (238.00)	1,114.00 (1,025.00)	322.00 (297.00)	1,383.00 (1,278.00)
4	273.00 (251.00)	1,175.00 (1,078.00)	351.00 (323.00)	1,507.00 (1,391.00)

*Please Note: Last years amounts are in parentheses

**NOTE: THIS WILL REPLACE THE TABLE IN CHAPTER 75, ARTICLE VI,
SUBSECTION 75.33.B.4.g, Page-7567.**

APPENDIX D

UTILITIES

WITHOUT ELECTRIC HOT WATER

No. Household	Weekly	Monthly
1	\$19.95	\$85.50
2	\$22.52	\$96.50
3	\$24.97	\$107.00
4	\$27.53	\$118.00
5	\$29.88	\$128.50
6	\$32.55	\$139.50

NOTE* FOR EACH ADDITIONAL PERSON ADD \$10.50 PER MONTH.

WITH ELECTRIC HOT WATER

No. Household	Weekly	Monthly
1	\$29.63	\$127.00
2	\$34.07	\$146.00
3	\$39.67	\$170.00
4	\$46.32	\$198.50
5	\$55.65	\$238.50
6	\$58.68	\$251.50

NOTE* FOR EACH ADDITIONAL PERSON ADD \$14.50 PER MONTH.

NOTE: THIS WILL REPLACE THE TABLE IN CHAPTER 75, ARTICLE VI,
SUBSECTION 75.33-(C). Page-7568

APPENDIX E

HEATING FUEL

<u>MONTH</u>	<u>GALLONS</u>	<u>MONTH</u>	<u>GALLONS</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

APPENDIX F

PERSONAL CARE & HOUSEHOLD SUPPLIES

No. Household	Weekly	Monthly
1-2	10.50 (10.50)	45.00 (45.00)
3-4	11.60 (11.60)	50.00 (50.00)
5-6	12.80 (12.80)	55.00 (55.00)
7-8	14.00 (14.00)	60.00 (60.00)

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

BABY NEEDS

No. of Children	Weekly	Monthly
1	12.80 (12.80)	55.00 (55.00)
2	17.40 (17.40)	75.00 (75.00)
3	23.30 (23.30)	100.00 (100.00)
4	27.90 (27.90)	120.00 (120.00)

c. When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under six (6) (less than 5) years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up the following amounts:

*Please Note: Last years amount is in parentheses

NOTE: THIS WILL REPLACE THE TABLE IN CHAPTER 75, ARTICLE VI, SUBSECTION 77.33.7.a, c, Page-7571

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: 10/01/23-9/30/24

- 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.



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Town Manager's Report – 10.26.23

Department Updates

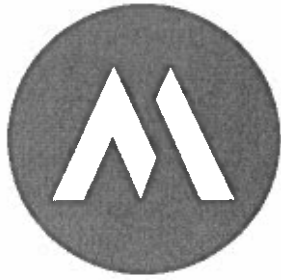
Public Works:

- The DEP required summer flushing of the town sewer's is still ongoing as time allows. This gives us a chance to inspect the condition of the sewers. This is also a good time to remind everyone that wipes, cooking grease and other foreign objects cause problems in the sewer.
- The crew has been hand raking loads of asphalt to patch some problem areas of sidewalks and roadways.
- We are continuing to trim brush and limbs that are causing line of sight obstructions and growing into the rights-of-way around town.
- We will begin to collect bagged leaves from residents. Any bags to be collected should be left on the roadside and we will pick them up on Fridays.
- We installed new basketball hoops and welcome sign at Carmen Brigalli Playground on York St. We Also installed a new sign at Delahanty Field, helping the Recreation Dept.
- The new Arial Lift truck is being built at the dealer. Its September delivery has been delayed due to parts availability. It is now expected to be delivered in November.
- There is still shoulder work to be finished in the areas that received new hot top this summer. If we haven't gotten to your section yet, please be patient.
- Chainsaw Safety Training will be held here at public works on Wednesday, Nov 1, 2023. This is a joint training session with East Millinocket and Medway PW.

Transfer Station:

This is a reminder that the Millinocket Transfer Site is for waste generated within the town, and those approved unorganized Territories only. Surrounding communities have their own Transfer sites for residents in those towns.

- The brush and compost area are left open during times the transfer site is closed as a convenience to the public. **Please do not abuse it.**
- Everyone should have their transfer site usage stickers by now, if not, they need to be purchased ASAP.
- Recycling is being accepted and we are looking for all the cardboard, plastic jugs and tin cans that we can get.
- The brush pile is scheduled to be ground into mulch and hauled away in September.



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Cemetery:

- Mowing, trimming, and burying is ongoing throughout the season. Please give the crew ample room when they are running equipment, for your safety and theirs.
- The cemetery will be closing soon as winter gets closer. I ask everyone to remove any decorations that they wish to keep for future use. We will be clearing the remaining decorations some time in November to avoid the decorations being wind-blown and a bigger mess in the springtime.

Respectfully submitted, Bryan Duprey – Director of Public Works

Wastewater Operations:

- The month of September was busy here at the Wastewater treatment plant. Weekly routine regulatory testing was done and sent to the EPA. Our E-Coli testing finished up for the season on September 30th. We had low numbers on the test and did not have to chlorinate this season which is a good.
- We are following all regulatory requirements for our permit and the treatment of our town sewer has been good.
- On the maintenance end of things, we replaced a water pump in our Bates street pump station generator. EJ Prescott began installing one of two sludge pumps in the Stearns pump station. Will finish up in the next few weeks. I had to order more parts to complete the project. There has been a lot of brushing going on around the lagoon fence. It was getting a little to close and starting to put pressure on the fence. We are winding down and getting ready for winter by doing last minute projects and tying up loose ends on things we have been working on. We had some telemetry work done on our alarm system to make it better serve us. Everything here is running smooth as of now which good change quickly, but we will take what we can take and solve issues when they arrive.

Jason Ingalls, Superintendent



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Town Treasurer:

- An auditor was on site the week of 10/9 assisting with the FY23 audit. As far as I know, the "Town" side of the audit is completed for the most part. There is still work to be done with the school.
- Once the school's audit is completed, then the FY23 audit report Can be finished and available for review. With my part of the audit out of the way, I will focus on month-end reporting and quarter-end tax reporting.
- The interim foreclosure on Wastewater \$1,665,000 bond for the main pump station upgrade has been delayed and is scheduled for review in January 2024.
- The Town has up to one year from the 8/23/23 commitment date to complete the foreclosure. I thought it was best to delay the interim foreclosure for a few months because there is no need for the money at present.

Mary Alice Cullen, Town Treasurer.

Human Resources Director

- Personnel issues
- Drug and Alcohol testing.
- Municipal Release deeds
- Supplies for Municipal building.
- Employee Benefits

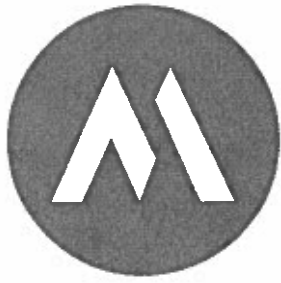
General Assistance Director

- Assisted individuals to meet their unmet needs.
- Submitted for reimbursements.
- Yearly updates for GA maximums

Bookkeeper

- Process payroll for Town and Wastewater to include the warrants for the taxes.
- Town and WW bills

Lori Santerre, HR Director, GA Director, Bookkeeper



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Code Enforcement / Public Health & Safety:

- Attended webinar through Maine CDC on ME CDC Respiratory Virus Season and what is in store.
- Follow up on numerous projects that are ongoing, follow up inspections.
- Attended conference in Orono on Housing Matters in Maine. Very informative about STR, Tiny House and ADH.
- Attended workshop via ZOOM put on by MBIOA and Fire Marshal's Office on "A Day in The Life of A CEO/LHO. Found this to be very information and required credits toward my LHO certification.
- Spoke with Regional Site Manager for Dunkin Donuts that will be redoing the building on Central St. got initial set of plans.
- Continued to work on Bragdon Car Wash and get sewer, water, and electrical hook up completed.
- Several visits to the site of Solar project at One North property.
- Attended workshop via ZOOM with ESCB 9-1-1 on new program for E911 formatting and addressing format.
- Finishing up with IWORQ which is scheduled to go online Nov. 1st for permitting and code.
- Completed LSC inspection for housing assistance through the Town of Millinocket.
- Continued to meet with Millinocket Historical Society as they go to the next phase in renovations of their building.

Thomas Malcolm – CEO, Public Health & Safety

Airport:

- All is well at the airport and readying for winter maintenance and plowing.
- Presented at Airport Managers Conference in Plymouth, MA. on Monday.
 - Millinocket Airport highlight video and presentation were very well received by colleagues throughout the industry.

Jeff Campbell – Airport Manager



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Community Initiatives Director

- Worked on the community newsletter "Magic City Monthly" along with the Manager and various departments/organizations!
- Worked alongside DesignLab on the following projects:
 - Community Calendar
 - Social Media
 - Advertising
 - Welcome Home Guide
 - Street Pole Banners
- Events with the Fire/EMS Dept and Public Health/Safety Dept.
 - Trunk or Treat
 - Holiday events
- Partnering with Our Katahdin on project Christmas Tree Santa – more info to come!
- Researched grant opportunities for various community/department needs.
- Overseeing the following projects:
 - Recruitment of Fellow for Airport
 - EV Charger Install
 - Chargers are built
 - Bid has been accepted.
 - Scheduled to begin work soon.
 - Concept design of the Community Center
 - Reviewing bids.
 - Brownfields Community Wide Assessment
 - Put out for bid.
- Submitted a grant application to the Libra Foundation for fire gear needed in the event of an electrical vehicle fire.
- Assisted in the Committee Chair in communicating materials to the Economic Development and Sustainability Committee.
- Attended an ICL Session at Outward Bound
- Assisted w/ payroll.
- Submitted quarterly reports for grants.

Amber Wheaton, Community Initiatives Director



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Town Clerk/Tax Collectors Office:

Totals include September 26, 2023, through October 23, 2023: Receipt Summary report which provides by receipt type, the number of transactions and total dollars processed at the Town Office. In summary, \$3,290,984.76 were collected, which involved 2180 transactions processed in Trio. **Report Attached*

- FY23/24 Real Estate & Personal Property: 1st & 2nd half due dates: 10/25/2023 & 1/25/2024; Tax paid summary as of 10/20/2023: **Reports Attached*
- 2024 Real Estate: 1828 accounts; Original Tax \$3,948,769.22; Amount Due: \$2,820,553.47.
- 2024 Personal Property: 98 accounts; Original Tax \$1,023,923.95; Amount Due: \$556,177.30.
- Motor Vehicle reports current, reconciled, and submitted to BMV.
- September month end reports were reconciled and collected monies were submitted to all State agencies accordingly.
- Marriage and Cemetery season is upon us – Recording sales, deeds, electronic/card file
- Working on finalizing all council meeting minutes.
- Fulfilling requests of tax information, providing normal daily requests of motor vehicle and wastewater and tax account balances via e-mail, fax and phone calls.
- Processing daily mail, online, phone, and drop box payments.
- Creating Agendas, posting advertisements of public hearings, notifications, and local paper advertisements, Email correspondence, returning phone messages and inquiries.

Election:

- November 7, 2023 State Referendum and Municipal Election; Items of interest: Multiple state forms, ballots received, media coding, ballot and media testing; election clerks' schedule, Absentee voting at licensed living facilities scheduled, preparing election materials, and currently conducting Absentee Voting at the municipal office;

(Applications for Absentee Ballot Requests are available electronically through the State's ABR site, Absentee Ballot Request, on the town's website, via phone, and in person at the Clerk's Office.)

- The following seats expire November 2023: Councilor Bragdon, Councilor Danforth, and Councilor Pelletier; Doanld Raymond & Thomas Malcolm; Candidates for the November 7, 2023 Municipal election ballot: **Town Council** - Three 3-year Terms: Jane Danforth, Gail A. Mackin, Louis R. Pelletier, Gilda G. Stratton; **School Board** – Two 3-Year Terms: Julie Hewke, Thomas M. Malcolm, and Donald E. Raymond.

Other Items:

- 2024 Dog tags became available on October 15, 2023; Fees: \$6 spayed/neutered; \$11 intact. ***Mandatory \$25 Late Fee effective Feb. 4, 2024***

Reminder: *All dogs must be vaccinated and licensed in their residing towns by State Statute and to utilize the Town's Dog Park.*

- **Boards/Committees:** Personnel Appeals Board: (1) Full seat available
- 2024 IF & Wildlife mandatory agent fee increase to \$5 on ATV snowmobile registrations.

Respectfully, Diana Lakeman Town Clerk/Deputy Tax Collector & Sharon Cyr Tax Collector/Deputy Clerk



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Fire & Ambulance:

- Chief Cote attended the Penobscot County Fire Chiefs Association Meeting via zoom.
- Chief Cote attended a Public Safety Meeting in Patten on Public Safety Response to the Katahdin Woods & Water National Monument
- Chief Cote attended the Maine Fire Service Institute Fire Instructor Workshop in Brunswick.
- Chief Cote & Fulltime Crews attended a Hazmat Decon Training at Millinocket Regional Hospital.
- Chief Cote and 1 Firefighter attend the Mobile Alarm Sprinkler Trailer in Medway.
- Chief Cote & Fulltime Crews provided Fire Station Tours and School Visits during the month of October for Fire Prevention.
- Chief Cote & Fulltime Crews took part in the Cancer Awareness Parade.
- Basic Fire School was completed in October, and students now are waiting to complete their live burns in November.
- Fulltime Crews and Paid Call crews completed 1 day of annual hose testing and will complete the rest of hose testing in the end of October.
- Full-time & Paid Call Crews took part in a Ground Safety Course with Life Flight of Maine.
- Full-time & Paid Call Crews took part in Chimney Fire Training.
- Grant was received to provide a Firefighter 1 & 2 class to the Katahdin Region starting in early January.
- Funding was requested and approved for a Hazmat Operations Class by the State Emergency Response Commission.
- Chief Cote is working on updating response plans and preplans.
- Chief Cote is working with East Millinocket PD, and Penobscot EMA on emergency plans for the marathon.
- Chief Cote is currently working on the Forestry Grant for new wildland fire equipment.
- Chief Cote is working with town administration staff on renewing the Penobscot Fire & EMS Contracts.
- EMS Service License has been renewed with Maine EMS.
- Department EMS Quality Assurance Plan was updated.
- Fulltime & Paid Call Staff received flu shots from Millinocket Regional Hospital.
- All department self-contained breathing apparatus and cascade system has gone through the annual service testing and maintenance.
- New Staff orientation continues in house for new staff.
- Chief Cote continues working with the Ambulance Drivers to get them licensed as Ambulance Drivers under the new Maine EMS standard.
- One FF/Paramedic out for on-the-job injury, unknown at this time how long personnel will be out.
- Fulltime & Paid Call Crews have been providing EMS coverage at the local High School Football games.

Jon Cote – Fire Chief, Emergency Management Director

Receipt Search Report

Actual Date Between 09/26/2023 and 10/23/2023, Receipt Type Between 1 and 804

Receipt Summary

Type	Count	Amount
1 MOTOR VEHICLE	2	425.26
3 ATV REGISTRATIONS	9	3,020.57
5 GAME LICENSES	24	631.50
7 CODE ENFORCEMENT	15	673.00
8 ASSESSING MISCELLAN	1	10,298.43
10 POLICE MISCELLANOUS	1	50.00
12 TRANSFER SITE RECYC	1	19,489.60
14 GENERAL ASSISTANCE	1	30.00
15 AIRPORT	2	3,373.22
16 AIRPORT EXC/SALE TX	1	1,382.56
18 PAYMENT IN LIEU TAX	1	4,000.00
22 ADM COPIES /AUDIT	1	3.50
26 NOTARY FEES	5	30.00
30 REV SHARING/BETE	1	250,746.96
38 GRANTS	5	61,483.29
39 OLD AMB AR	1	1,642.70
42 CDBG MLKT HIST SOC	2	931.72
49 FIRE DEPARTMENT	1	195.96
50 MUNICIPAL BLDG	1	2,333.33
53 AMBULANCE PAYMENTS	14	2,803.17
54 AMULANCE CR CARD PAYMENTS	4	575.00
61 SCHOOL APCON 2597	4	1,572.70
62 SCHOOL REVENUE 2597	19	478,459.04
63 VIC/ENT/PED/VND/BUS	1	10.00
67 WW & SCHOOL BANK FE	1	1,154.94
70 SCHOOL PAYROLL TAX	4	57,277.48
74 CEMETERY BILLING	9	2,400.00
77 WASTEWATER TREATMEN	1	388.00
90 Real Estate Payment	1354	1,767,989.04
91 Tax Lien Payment	17	14,703.14
92 Personal Property Payment	71	494,240.53
94 Utility - Sewer Payment	198	17,621.19
95 Utility - Sewer Lien	11	2,892.37
99 Motor Vehicle	331	84,687.02
100 WASTE WATER PR TAX	3	2,460.54
111 TRANSFER STICKER TO	12	224.00
112 TRANSFER STICKER UN	11	110.00
800 Dog Registration	15	155.00
801 Death Certificate	4	114.00
802 Birth Certificate	15	255.00
803 Marriage Certificate	6	151.00

Receipt Search Report

Actual Date Between 09/26/2023 and 10/23/2023, Receipt Type Between 1 and 804

2180	3,290,984.76
------	--------------

Non Zero Balance on All Accounts

Tax Year: 2024-1 To 2024-2

RE

10/20/2023

Page 40

Acct	Name ----	Year	Original Tax	Payment / Adjustments	Amount Due
Total for 1828 Bills:		1828 Accounts	3,948,769.22	1,128,215.75	2,820,553.47

Payment Summary

Type	Principal	Interest	Costs	Total
A - Abatement	555.54	0.00	0.00	555.54
P - Payment	1,092,423.24	0.00	0.00	1,092,423.24
Y - Prepayment	35,236.97	0.00	0.00	35,236.97
Total	1,128,215.75	0.00	0.00	1,128,215.75

Non Lien Summary

2024-1	1828	2,820,553.47
Total	1828	2,820,553.47

No Bills	0.00	0.00	0.00
-----------------	------	------	------

Payment Summary

Type	Principal	Interest	Costs	Total
Total	0.00	0.00	0.00	0.00

Lien Summary

Total	0	0.00
-------	---	------

Total for 1828 Bills:	3,948,769.22	1,128,215.75	2,820,553.47
------------------------------	--------------	--------------	--------------

Non Zero Balance on All Accounts

Tax Year: 2024-1 To 2024-2

10/20/2023

Page 3

Personal property

Acct	Name ----	Year	Original Tax	Payment / Adjustments	Amount Due
356 P	STEVE'S AUTO BODY	2024	47.94	0.00	47.94
282 P	SURPRENANT DAVID & LUISA	2024	874.20	0.00	874.20
387 P	SURPRENANT, DAVID & LUISA	2024	141.00	0.00	141.00
131 P	TANOUS, WAKINE & SNOW,G.BRADLE	2024	217.14	108.57	108.57
186 P	THREE RIVERS HOLDINGS LLC	2024	473.76	0.00	473.76
264 P	TOGUE POND COMPANY	2024	5,129.58	2,564.79	2,564.79
378 P	VIASAT INC	2024	64.86	0.00	64.86
2212 P	WCIORKA-ROWE, MARIA	2024	516.06	258.03	258.03
2221 P	WEST BRANCH WELLNESS LLC	2024	225.60	0.00	225.60
77 P	WILEY, JOHN	2024	335.58	167.79	167.79
Total for 98 Bills:		98 Accounts	1,023,923.95	467,746.65	556,177.30

Payment Summary

Type	Principal	Interest	Costs	Total
P - Payment	467,739.76	0.00	0.00	467,739.76
Y - Prepayment	6.89	0.00	0.00	6.89
Total	467,746.65	0.00	0.00	467,746.65

Non Lien Summary

2024-1	98	556,177.30
Total	98	556,177.30

No Bills

0.00 0.00 0.00

Payment Summary

Type	Principal	Interest	Costs	Total
Total	0.00	0.00	0.00	0.00

Lien Summary

Total	0	0.00
-------	---	------

Total for 98 Bills: 1,023,923.95 467,746.65 556,177.30



Quarterly Presentation

October 2023

Outline of Tonight's Presentation:

1. Library Updates:
 - a. Strategic Plan
 - b. Program Updates & Strategy
 - c. Building Project Updates

2. 2024 Operating Budget Draft

Strategic Plan

- Completed from January-July 2023 with input from board, staff, & stakeholders
- Clarified priorities and goals for next 3-5 years in alignment with mission: To **enrich** lives, **inspire** imaginations, and **empower** community.



5 Strategic Goals

1. Provide **engaging and relevant resources and programs** that enrich the lives of the greater Millinocket community.
 - Relevant collections
 - Engaging programs for all ages
2. Support community members and organizations as they imagine and **develop innovative mission-aligned initiatives** that serve our region.
 - Sustain gear library
 - Resource navigation services & programs
 - Incubate initiatives that make the community more livable



5 Strategic Goals, cont.

3. **Empower** our community by serving the Town of Millinocket and greater region as a keystone **community hub** and gathering space.

- Expanded after hours use
- Investments in facility to improve accessibility, functionality, & sustainability

4. **Garner broad participation** in and support of library programs and services.

- Effective marketing
- Streamlined fundraising efforts



5 Strategic Goals, cont.

5. Achieve strong **organizational sustainability** for long term success.

- Strong, engaged board, staff, & volunteers
- Risk management
- Financial compliance & management



Fall Programming



*Fermenting class with University of
Maine Cooperative Extension*



*Aging Brain presentation with Susan
Wehry*

Fall Programming



*"Grandma Gatewood's Walk" Book Club
with Partners for Peace*



Friends of MML Auction

2024 Program Strategy

Program priorities are driven by community input, including:

- Program attendance
- Expressed community needs & interests
- Survey of 50+ local teens
- Survey of 40+ summer reading participants/parents
- **Upcoming survey on adult program interests**

We value your feedback.

**What kinds of events
would you like to see
at the library?**

What we've heard so far...

High adult program attendance for:

- Hands-on, practical workshops & presentations
- Author talks
- Music & poetry
- Outdoor activities

Community needs we're seeing:

- Food & heating insecurity
- Digital literacy
- Financial literacy
- Information needs



What we've heard so far, cont.

Teens interested in:

- Arts & crafts
- Video games & board games
- Outdoor activities
- Teen-led activities



Kids & parents interested in:

- Arts & crafts
- Science programs



Building Project Updates

1. Electric Vehicle Chargers



2 double self-service vehicle chargers.

- Completed in October
- Rate set at 32 cents/KWH
- **Total cost:** ~\$33,000
- **Funding sources:** Efficiency Maine



Building Project Updates

2. Plumbing Issues

Due to recurring issues with the main drain, we will be digging it up to see if all or part of it needs to be repaired or replaced.

- **Timeline:** Demolition & repairs to begin 11/1
- **Quoted cost:** ~\$3,400
- **Funding sources:** 2023 Operating Budget, library's capital reserves if necessary

Problem area



Building Project Updates

3. Teen Space Expansion

We're converting an underused basement space into an expanded area for our teens, which will include adding a door, sound insulation, repainting, & purchasing furniture.

- **Timeline:** Early 2024
- **Total cost:** ~\$12,000
- **Funding sources:** AARP grant and Maine State Library grant



Future teen space!

Building Project Updates

4. Elevator Modernization or Replacement

- **Timeline:** We hope to begin in spring/summer 2024
- **Total cost:** ~\$105,000 for modernization or ~\$155,000 for replacement
- **Funding sources:** American Library Association grant plus 2023 Congressionally Delegated Spending (pending)



Our current elevator

Building Project Updates

5. Roof Repairs

- **Timeline:** Spring/summer 2024
- **Total cost:** ~\$8,000-\$10,000
- **Funding sources:** Library's capital reserves

Building Project Updates

6. Solar Panels + Sitework

Addition of ~14-18 solar panels. Less than we hoped, but still enough to power 1/3 of our building.

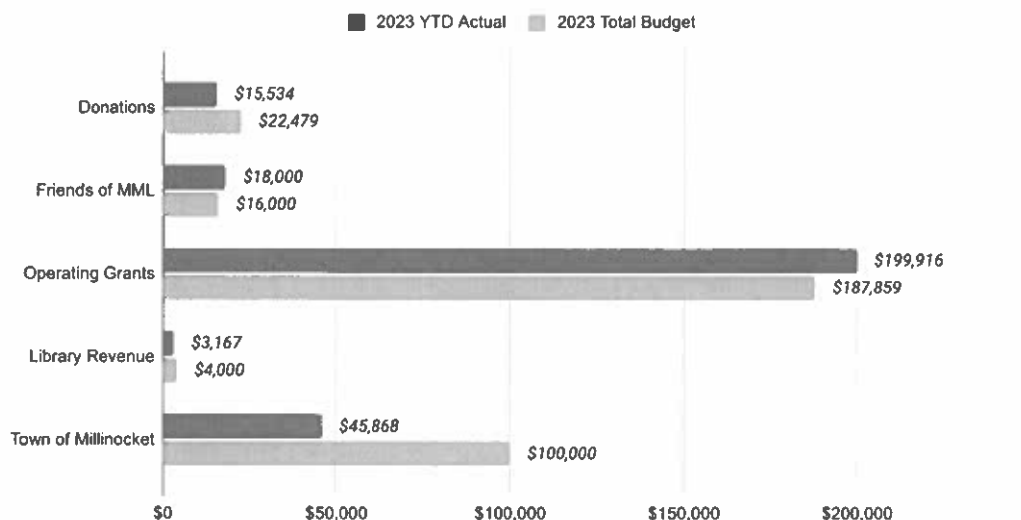
Sitework to include regrading & crushed rock for drainage issues, patio, landscaping, outdoor seating, signage.



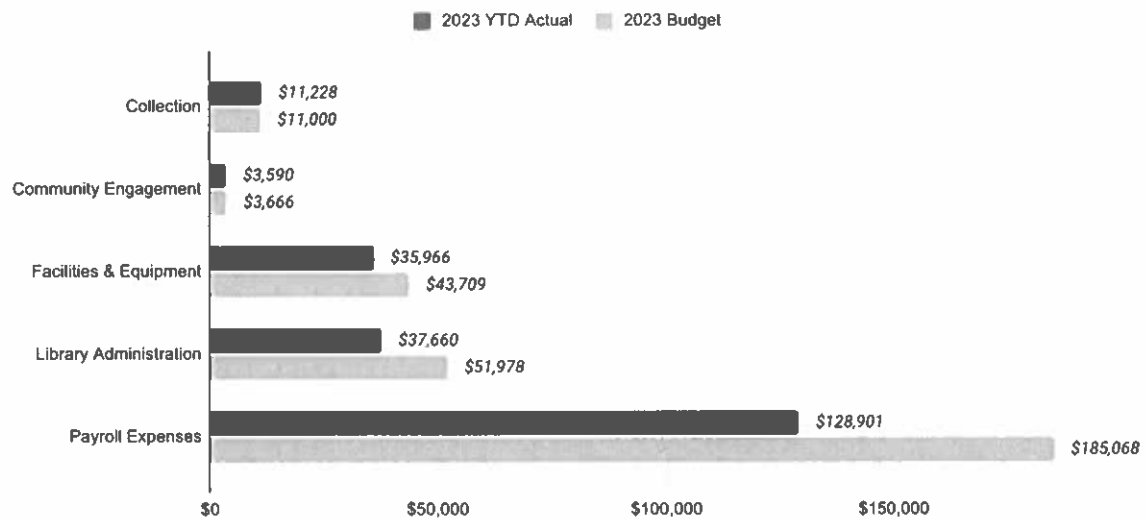
- **Projected completion date:** Likely 2025
- **Total cost:** \$56,000
- **Funding sources:** 2021 Congressionally Delegated Spending

2023 Operating Budget Performance

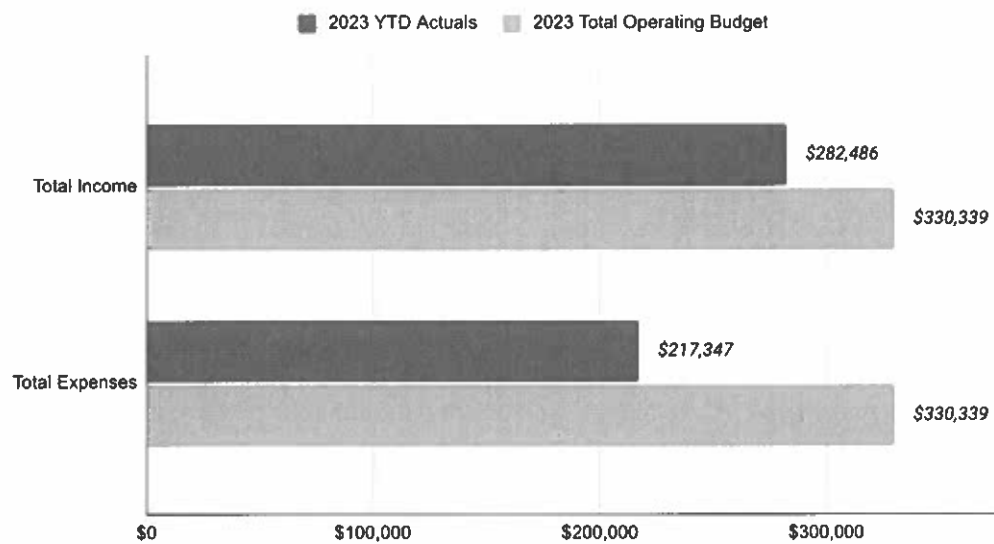
MML 2023 YTD Operating Budget Performance by Income Category, 9.30.2023



MML 2023 YTD Operating Budget Performance by Expense Category, 9.30.2023



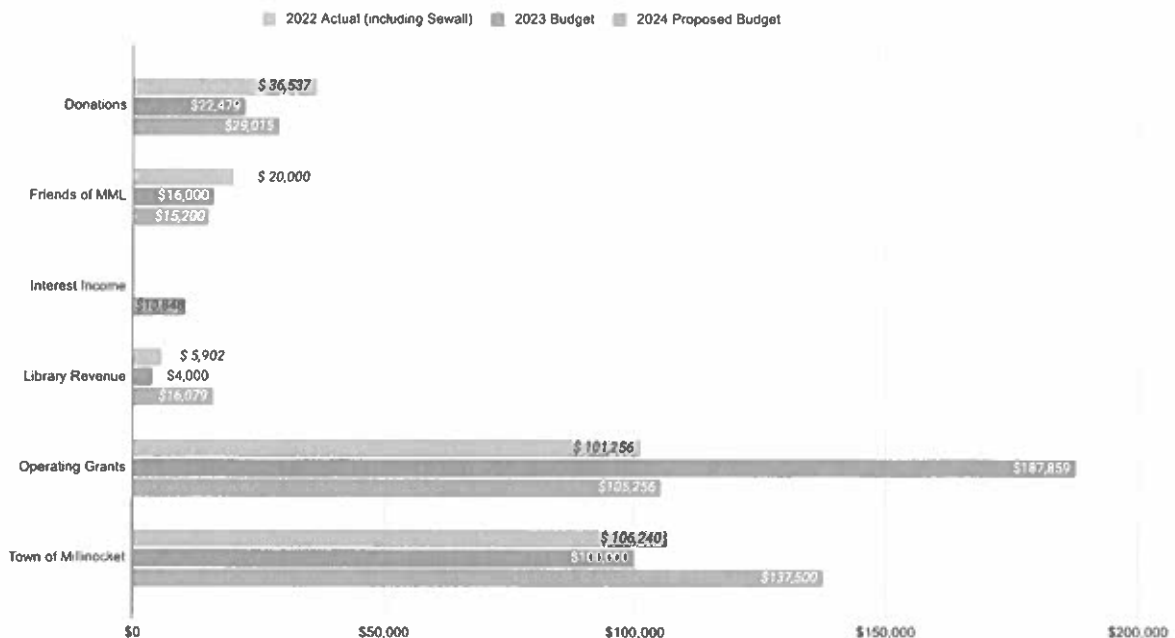
MML 2023 YTD Operating Budget Performance Summary, 9.30.2023



2024 Proposed Budget– Income

	2024 Budget Draft 2	Notes
INCOME		
Total Donations	\$ 29,015	Assuming some donations throughout year and \$20K annual appeal yield. Assuming 15% of donations go to endowment.
Friends of MML	15,200	
Interest Income	10,848	This interest is from our New Markets Tax Credit (NMTC) process. Previously, we have not recorded it as all of it is used to pay "rent" to Millinocket Library Support Corporation, but it will be cleaner to record this income and the rent expense separately from now on.
Library Revenue		
Consulting & Facilitation	8,000	
Copy/Fax Services	4,200	
Electric Vehicle Charging Stations	1,404	
Retail	2,475	Selling retail items at library & special events: t-shirts, stickers, & beanies.
Total Library Revenue	16,079	
Operating Grants	5,256	
Employee Retention Credits		
Rudman Grant		Included in Operating Grants general category above.
Sewall Healthy People Healthy Places	100,000	3/3 years of Sewall funding at \$100K/year.
Sewall Transition		This was one-time funding used for strategic planning.
Total Operating Grants	\$ 105,256	
Town of Millinocket	137,500	Per our contract, 2 quarterly payments of \$31,250 & 2 quarterly payments of \$37.5K.
Total Income	\$ 313,898	Overall less income because of Employee Retention Credits and counting Sewall income differently.
Gross Profit	\$ 313,898	

MML Income Budget Comparison, 2022-2024



2024 Proposed Budget– *Collection & Community Engagement*

	2024 Budget Draft 2	Notes
EXPENSES		
Collection and Materials		
Books	7,750	Costs of books and shipping has gone up.
Downloadable Books	400	Discontinuing pay-per-use ebooks
DVDs & Audiobooks	1,200	
ILL Replacement Fees	100	
Integrated Library System	2,175	We may have to pay more to maintain our second interlibrary loan delivery day
Periodicals	1,550	Magazine costs have gone up.
Total Collection and Materials	\$ 13,175	
Community Engagement		
Computer Software & Supplies	528	Mailchimp subscription
Marketing	400	
Membership Fees	240	
Program Supplies	3,500	Program snacks, supplies
Retail Inventory	1,603	Branded items we sell
Web Hosting	190	
Total Community Engagement	\$ 6,461	

2024 Proposed Budget– *Facilities & Equipment*

	2024 Budget Draft 2	Notes
EXPENSES		
Facilities and Equipment		
Building Repairs	7,074	Routine service, inspections, & maintenance. Misc. repair buffer of \$5K
Cleaning & Plowing	7,878	Cleaning and plowing needs and costs have increased.
Computer Equipment, Repairs	2,340	
Copier Lease & Supplies	2,558	
Elevator	2,097	Less because we plan to modernize or replace elevator, which comes with warranty
Furnishings & Fixtures	500	
Janitorial Supplies	800	
Utilities		
Electricity	9,481	About 10% of electricity costs are for EV chargers
Propane	270	
Sewer	400	
Telephone	1,620	
Water	2,346	
Wood Pellets	7,965	
Total Utilities	\$ 22,082	
Total Facilities and Equipment	\$ 45,429	

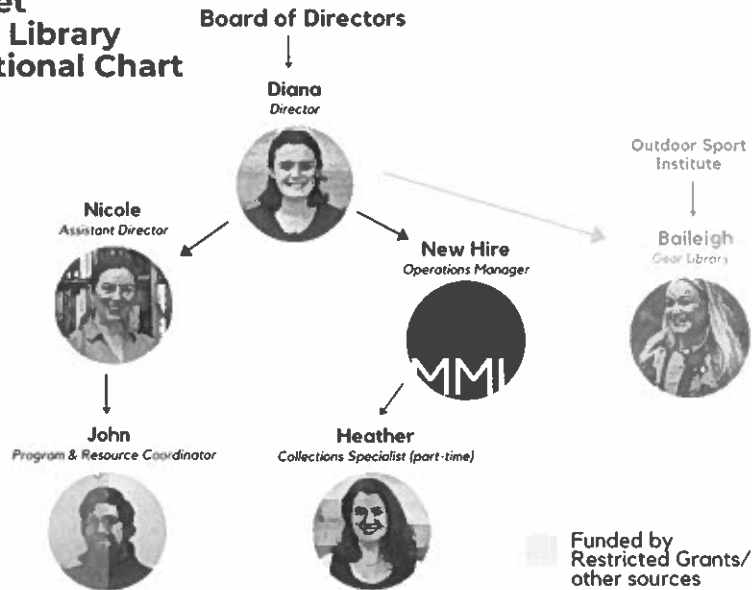
2024 Proposed Budget- *Library Administration*

	2024 Budget Draft 2	Notes
Library Administration		
990s & Audits	8,965	10% anticipated increase. We are in talks with a vendor about a multiyear contract.
Bank fees	30	
Computer Software & Supplies	2,700	Accounting & project management software, replacement computer
Consulting & Asset Management (Rent)	32,000	MML must pay "rent" to Millinocket Library Support Corporation (MLSC) until 2026, per the New Markets Tax Credit (NMTC) process. This rent is used for asset management fees. About \$10K of this is offset by interest income the library receives from the NMTC process.
Fundraising	486	Donor management software
Insurance	11,971	Property/liability insurance (\$10,725), directors & officers insurance (\$800), volunteer insurance (\$446)
Legal Fees	70	
Office Supplies	900	
Postage, Mailing Service	2,283	
Professional Development	1,300	
Volunteer & Staff Appreciation	1,468	
Workers Comp	1,348	
Total Library Administration	\$ 63,521	

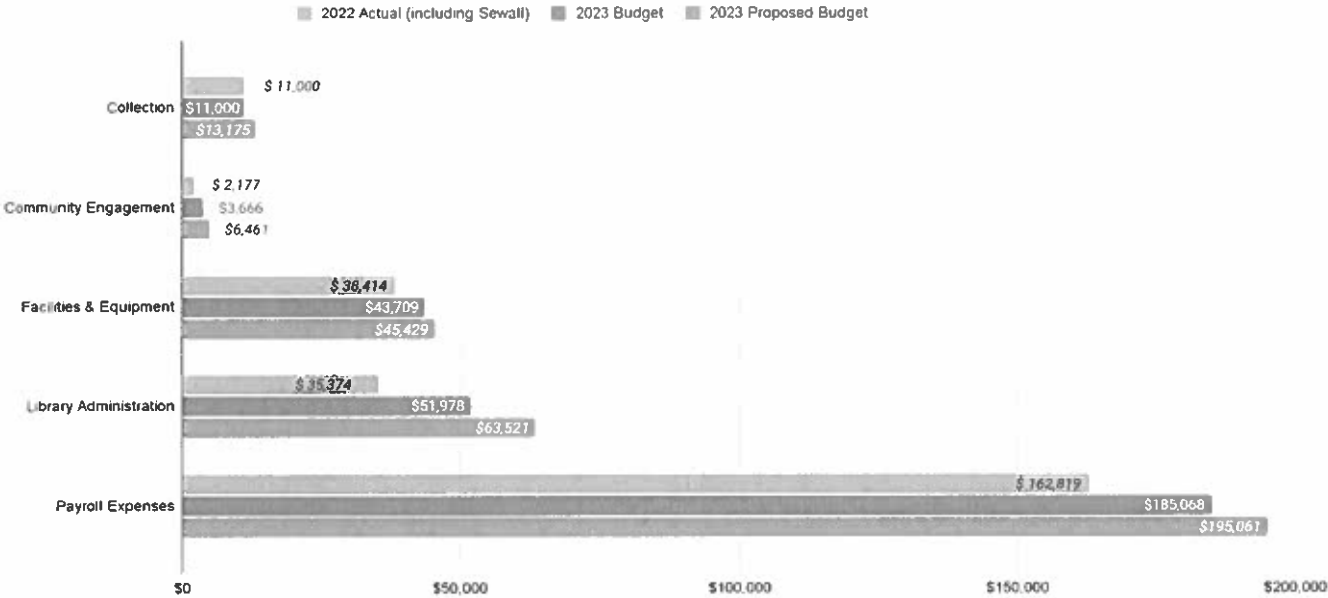
2024 Proposed Budget- *Payroll Expenses & Totals*

	2024 Budget Draft 2	Notes
Payroll Expenses		
Billing Impound, Processing	\$ 1,560	
Total Employer Payroll Taxes	\$ 14,333	
Total Salaries & Benefits	179,168	On the whole, 5% increase due to cost of living adjustments & performance increases
Total Payroll Expenses	195,061	
Total Expenses	\$ 323,646	
Net Operating Income	-\$ 9,748	
Net Income	-\$ 9,748	We intend to apply \$10K/\$20K donation from Ktaadn Arts to the Operating Budget. It was officially received in 2023, so it will not show up as income on the 2024 Budget, but it will more than balance the budget.

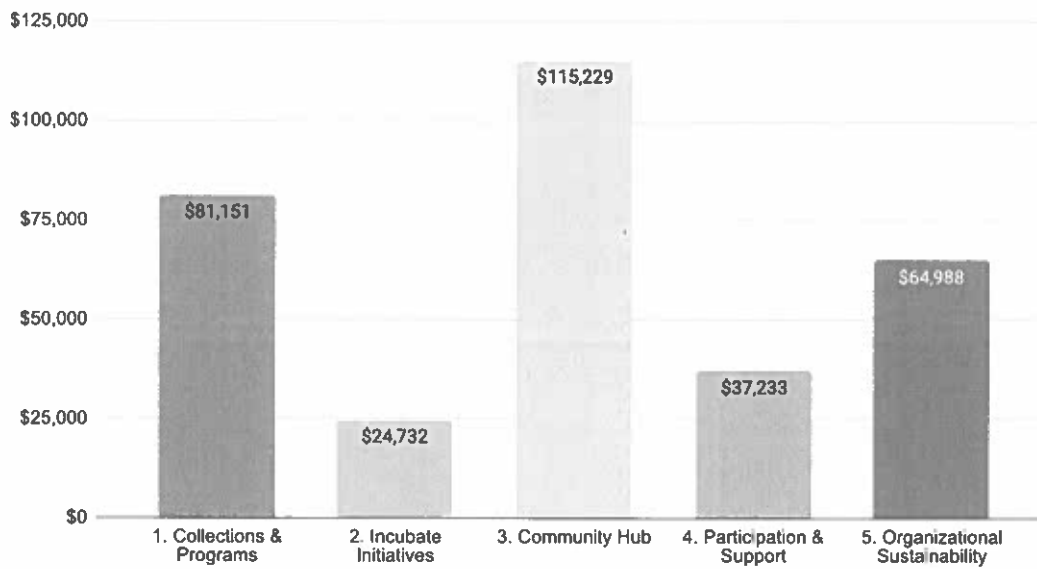
Millinocket
Memorial Library
Organizational Chart



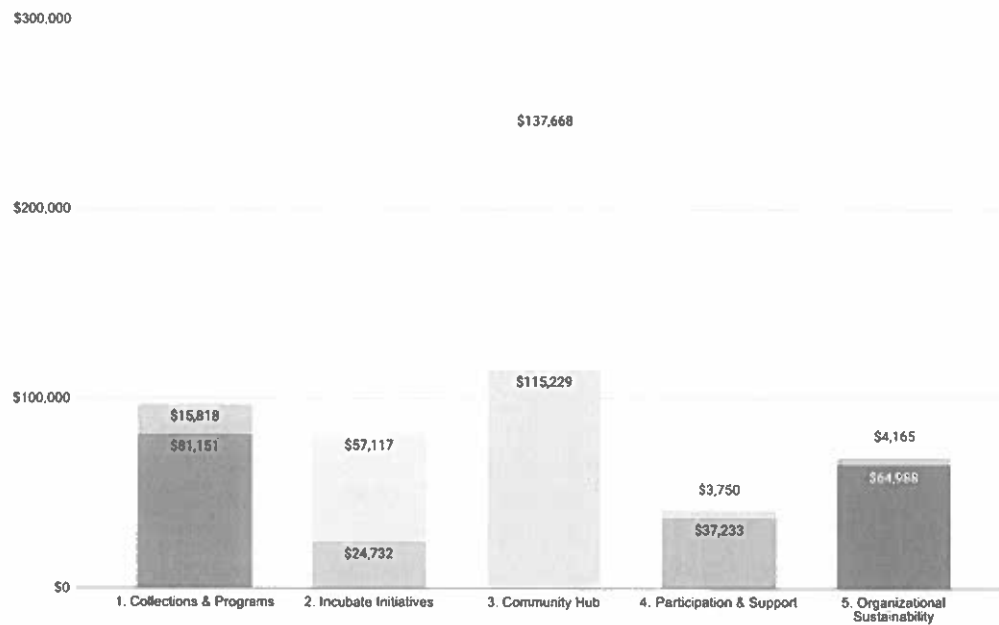
MML Expense Budget Comparison, 2022-2024



2024 Proposed Operating Budget by Strategic Goal



2024 Proposed Operating Budget by Strategic Goal, including special/restricted projects



Questions?

Presented by Diana Furukawa, MML Director

diana@millinocketmemoriallibrary.org

207-723-7020

ORDER #246-2023

PROVIDING FOR: Execution of the Town Warrant for October 26, 2023

IT IS ORDERED that the Town Warrant for October 26, 2023, in the amount of \$_____ is hereby approved.

Passed by the Town Council_____

Attest: _____

ORDER #247-2023

PROVIDING FOR: Execution of the Wastewater Warrant for October 26, 2023

IT IS ORDERED that the Wastewater Warrant for October 26, in the amount of \$_____ is hereby approved.

Passed by the Town Council _____

Attest: _____

ORDER #248-2023

PROVIDING FOR: Approval of Certain Parking Space Closures – Municipal Parking Lot (Penobscot Ave)

IT IS ORDERED that the Millinocket Town Council approves the following parking space closures as needed for safety concerns:

- Close four (4) parking spaces at the Penobscot Avenue Municipal Parking Lot adjacent to the old Wilson block.

Note: Request from the Health & Safety Officer attached.

PASSED BY THE COUNCIL: _____

ATTEST: _____

PERMISSION TO CLOSE PARKING SPACES AS NEEDED

Would like to have permission from the Town Council to close the 4 parking spots at the Penobscot Avenue Municipal Parking Lot next to the old Wilson Block as there is extensive construction work being undertaken. Would like to be able to grant permission as needed for aspects of this project that could be dangerous to citizens as well as the possibility of damaging vehicles.

**Thomas Malcolm
Health and Safety Officer
CEO
Town of Millinocket**

ORDER #249-2023

PROVIDING FOR: Authorization for the Town Manager to Send the Charter Review Committee's Proposed Charter Changes to Legal Counsel.

WHEREAS: The Charter Review Committee has met over time and extensively discussed the Millinocket Town Charter, offering suggestions for edits and improvements along the way.

IT IS ORDERED: the Millinocket Town Council authorizes the Town Manager to send Charter Review Committee's draft of proposed changes to legal council for review, requesting an opinion on the appropriate path forward to officially update the document.

PASSED BY COUNCIL: _____

ATTEST: _____

Code of the Town of Millinocket

COUNTY OF PENOBSCOT

STATE OF MAINE

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Rochester, New York 14624

1987

Code of the Town of Millinocket

COUNTY OF PENOBSCOT

STATE OF MAINE

SERIAL NO.....**0002**

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1987

PREFACE

In the land of Mt. Katahdin, the heart of the vital paper milling areas of Maine, Millinocket sits proudly reflecting on its past while constantly planning for the future.

The Town of Millinocket has, over time has the years, passed through a process of legislative change common to many American communities. While only a few simple laws were necessary at the time of the establishment of the Town, in 1901 subsequent growth of the community, together with the complexity of modern life, has created the need for new and more detailed legislation for the proper function and government governance of the Town of Millinocket. The recording of local law is an aspect of municipal history, and as the community develops and changes, review and revision of old laws and consideration of new laws, in the light of current trends times, must keep pace. The orderly collection of these records is an important step in this ever-continuing process. ~~Legislation must be more than mere chronological enactments reposing in the pages of old records. It~~ These records must be available and logically arranged for convenient use and must be kept up-to-date. In accordance with State of Maine statutes and the United States Constitution. It was with thoughts such as these in mind that the Town Council ordered the following codification of the Town's legislation.

Contents of Code

The various chapters of the Code contain all currently effective legislation (ordinances) of a general and permanent nature enacted by the Town Council of the Town of Millinocket, including revisions or amendments to existing legislation deemed necessary by the Town Council in the course of the codification.

Division of Code

The Code is divided into parts. Part I, Administrative Legislation, contains all Town legislation of an administrative nature,

MILLINOCKET CODE

namely, that dealing with the administration of government, that establishing or regulating municipal departments and that affecting officers and employees of the municipal government and its departments. Part II, General Legislation, contains all other Town legislation of a regulatory nature. Items of legislation in this part generally impose penalties for violation of their provisions, whereas those in Part I do not.

Grouping of Legislation and Arrangement of Chapters

The various items of legislation are organized into chapters, their order being an alphabetical progression from one subject to another. Wherever there are two or more items of legislation dealing with the same subject, they are combined into a single chapter. Thus, for example, all legislation pertaining to the regulation of streets and sidewalks may be found in Part II, in the chapter entitled "Streets and Sidewalks." In such chapters, use of Article or Part designations has preserved the identity of the individual items of legislation.

Table of Contents

The Table of Contents details the alphabetical arrangement of material by chapter as a means of identifying specific areas of legislation. Wherever two or more items of legislation have been combined by the editor into a single chapter, titles of the several Articles or Parts are listed beneath the chapter title in order to facilitate location of the individual item of legislation.

Reserved Chapters

Unassigned chapter numbers do not appear in the Table of Contents but are available for assignment to new enactments. In this manner, new subject matter can be included alphabetically.

PREFACE

Pagination

A unique page-numbering system has been used in which each chapter forms an autonomous unit. The first page of each chapter is the number of that chapter followed by a colon and the numeral "1." Thus, Chapter 6 would begin on page 6:1. By the use of this system, it is possible to add or to change pages in any chapter, or add new chapters, without affecting the sequence of subsequent pages.

Numbering of Sections

A chapter-related section-numbering system is employed, in which each section of every item of legislation is assigned a number which indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. Thus, the first section of Chapter 6 would be § 6-1, while the fourth section of Chapter 53 would be § 53-4. New sections can then be added between existing sections using a decimal system. Thus, for example, if two sections were to be added between §§ 53-4 and 53-5, they would be numbered as §§ 53-4.1 and 53-4.2.

Scheme

The Scheme is the list of section titles which precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the Scheme titles are repeated as section headings in the text.

Histories

At the end of the Scheme in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the enactment number (e.g., ordinance number, local law number, bylaw number, resolution number, etc.), if pertinent, and

MILLINOCKET CODE

the date of adoption. In the case of chapters containing Parts or Articles derived from more than one item of legislation, the source of each Part or Article is indicated in the History. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

Codification Amendments and Revisions

New chapters adopted or sections amended or revised during the process of codification are specifically enumerated in chapter Histories with reference to "Ch. 1, General Provisions," where the legislation adopting this Code and making such revisions will appear after final enactment. Sections so amended or re-vi-sed are also indicated in the text by means of Editor's Notes referring to the chapter cited above.

General References; Editor's Notes

In each chapter containing material related to other chapters in the Code, a table of General References is included to direct the reader's attention to such related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Appendix

Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Code but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this Code is reserved for such legislation and for any other material that the community may wish to include.

Index

The Index is a guide to information. Since it is likely that this Code will be used by persons without formal legal training, the Index has been formulated to enable such persons to locate a particular section quickly. Each section of each chapter has been

PREFACE

indexed. The Index will be supplemented and revised from time to time as new legislation is added to the Code.

Instructions for Amending the Code

All changes to the Code, whether they are amendments, deletions or complete new additions, ~~should~~ will be adopted as ~~amending~~ amendments to the Code. In doing so, existing material that is not being substantively altered ~~should~~ will not be renumbered. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 45-5 and 45-6 should be designated § 45- 5.1). New chapters ~~should~~ will be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative Legislation, or Part II, General Legislation), utilizing the reserved chapter numbers. New chapter titles ~~should~~ will begin with the key word for the alphabetical listing (e.g., new legislation on abandoned vehicles should be titled "Vehicles, Abandoned" under "V" in the table of contents, and a new enactment on coin-operated amusement devices ~~should~~ will be "Amusement Devices" or "Amusement Devices, Coin-Operated" under "A" in the table of contents). Where a reserved number is not available, an "A" chapter ~~should~~ will be used (e.g., a new chapter to be included between Chapters 45 and 46 should be designated Chapter 45A). New Articles may be inserted between existing Articles in a chapter (e.g., adding a new district to the Zoning Regulations) by the use of "A" Articles (e.g., a new Article to be included between Articles XVI and XVII ~~should~~ will be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 45-30 and Article XVII begins with § 45-31. Article XVIA ~~should~~ will contain §§ 45-30.1 through 45-30.6).

Supplementation

Supplementation of the Code will follow the adoption of new legislation. New legislation or amendments to existing legislation will be included and repeals will be indicated as soon as possible

MILLINOCKET CODE

after passage. Supplemental pages ~~should~~ **will** be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

Acknowledgment

This Code is the result of much time and effort on the part of the Town's officials. The editor wishes to ~~particularly~~ **particularly** acknowledge the efforts of the Millinocket Town Council and especially the cooperation and hard work of Town Manager William Ayoob. His desire for accuracy and attention to detail, as well as his kindness and courtesy contributed greatly to the successful outcome of this project.

The codification of the legislation of the Town of Millinocket reflects an appreciation of the needs of a progressive and expanding community. As in many other municipalities, officials are faced with fundamental changes involving nearly every facet of community life. Problems increase in number and complexity and range in importance from everyday details to crucial areas of civic planning. It is the profound conviction of General Code that this Code will contribute significantly to the efficient administration of local government. As Samuel Johnson observed, "The law is the last result of human wisdom acting upon human experience for the benefit of the public."

TABLE OF CONTENTS

THE CHARTER

Charter	C:1
---------------	-----

THE CODE

PART I: ADMINISTRATIVE LEGISLATION

1. General Provisions	1:1
Article I Adoption of Code	
3. Administration of Government	3:1
4. Petitions	4:1
Article I Petitions Filed Pursuant to Charter Sections	
C901 and C903	
5. Appeals, Board of	5:1
7. Budget.....	7:1
Article I Presentation and Approval for Planned Capital	
Expenditures and/or Indebtedness	
9. Cemetery Commission	9:1
17. Library Board of Trustees	17:1
21. Nursing Commission.....	21:1
Petitions -- See Ch. 4	
23. Planning Board	23:1
26. Recreation Commission.....	26:1

MILLINOCKET CODE

27. Salaries and Compensation	27:1
Article I Town Council	
29. Transportation, Department of.....	29:1
29.A Warrant Review and Approval.....	29A:1
30. Welfare Hearing Board.....	30:1

PART II: GENERAL LEGISLATION

33. Airport.....	33:1
35. Alarm Systems.....	35:1
38. Alcoholic Beverages	38:1
Article I Bottle Clubs	
42. Bandstand	42:1
48. Building Construction.....	48:1
49. Life Safety Code.....	49:1
50. Property Maintenance	50:1
61. Dogs and Other Animals.....	61:1
Article I Dogs	
Article II Keeping of Animals	
Article III Cats and Other Domestic Animals	
65. Entertainment. Licenses.....	65:1
66. Fees	66:1
Article I Nonprofit Housing Facilities Service Fees	
68. Floodplain Management	68:1
70. Food Establishments	70:1
73. Solid Waste.....	73:1
75. General Assistance	75:1

TABLE OF CONTENTS

78. Junk Dealers	78:1
Life Safety Code -- See Ch. 49	
83. Mobile Home Parks; Manufactured Housing.....	83:1
Article I Mobile Home Parks	
Article II Manufactured Housing	
86. Outdoor Wood Boilers	86:1
90. Pawnbrokers	90:1
94. Peace and Good Order.....	94:1
Article I Throwing of Objects	
97. Peddling and Soliciting	97:1
104. Sewers	104:1
Solid Waste -- See Ch. 73.	
108. Streets and Sidewalks.....	108:1
Article I Snow Removal	
110. Street and Road Addressing	110:1
Article I Administration and Design Guidelines	
115. Vehicles and Traffic	115:1
121. Weapons	121:1
123. Wind Turbines	123:1
125. Zoning.....	125:1
Part 1 (Reserved)	
Part 2 Town Zoning	
126. Zoning (continued)	126:1

MILLINOCKET CODE

APPENDIX

A127. Affirmative Action.....	A127:1
A128. Personnel Policy.....	A128:1
A129. Sexual Harassment.....	A129:1
A130. Bloodborne Pathogens Control	A130:1
A131. Family Medical Leave Policy	A131:1

DISPOSITION LIST

INDEX

CHARTER

CHARTER

ARTICLE I

Grant of Powers to the Town

§C101. Incorporation.

§C102. Powers of the town.

ARTICLE II

Town Council

§C201. Membership; election; terms.

§C202. Qualifications.

§C203. Powers and duties generally.

§C204. Enumeration of powers.

§C205. Compensation.

§C206. Induction into office.

§C207. Council to judge qualifications of its members.

§C208. Regular meetings; special meetings, posting of Council actions.

§C209. ~~Chairman.~~

§C210. Quorum; adjourned meeting.

§C211. Vacancies.

§C212. Rules of procedure, ordinances, orders and resolves.

§C213. Adoption of ordinances.

§C214. Town Clerk as Clerk of Council; records.

§C215. Independent annual audit.

§C216. Appointment of Town Manager.

C1

MILLINOCKET CODE

§C217. Removal of Town Manager.

§C218. Interference by Council with administrative service.

§C219. Recall of elected officials.

ARTICLE III

Town Manager

§C301. Qualifications.

§C302. Powers and duties.

§C303. Absence or disability.

§C304. Establishment of departments.

§C305. Appointment of Health Officer.

ARTICLE IV

Department of Education

§C401. Board of Education.

§C402. Qualifications of Board members.

§C403. Vacancies on Board.

§C404. Organization; swearing in; quorum.

§ C405. Powers and duties of Board; preparation of budget.

ARTICLE V

Budget

§C501. Fiscal year, budget year.

§C502. Preparation and submission of budget.

§C503. Budget establishes appropriations.

CHARTER

§C504. Budget establishes tax levy; certification to Town Assessor.

§C505. Budget summary.

§C506. Departmental expenditures; gross appropriations.

§C507. (Reserved)

§C508. Transfer of unencumbered appropriations.

§C509. Interim expenditures; public statement of overexpenditures.

ARTICLE VI

Tax Administration

§C601. Division of Assessment; Town Assessor.

§C602. Board of Assessment Review; compensation; vacancies.

§C603. Powers and duties of Board of Assessment Review.

ARTICLE VII

Municipal Development

§C701. Planning Board.

§C702. Zoning Ordinance.

§C703. Board of Appeals.

ARTICLE VIII

Nominations and Elections

§C801. Municipal elections.

§C802. Qualification for nomination.

MILLINOCKET CODE

§C803. Conduct and management of elections.

§C804. Voting places.

§C805. Election officials.

§C806. Activity restricted at voting places.

ARTICLE IX

Initiative and Referendum

§C901. Petition for overrule of Council action.

§C902. Submission by Council of proposition to popular vote.

§C903. Enactment of ordinance by initiative.

§C904. Form of ballot.

§C905. (Reserved)

§C906. Referendum Reconsideration Limited.

ARTICLE X

General Provisions

§C1001. Repealer.

§C1002. Severability.

§C1003. Title.

§C1004. Existing rights and contracts not affected.

§C1006. Oath of office.

§C1007. Continuation of ordinances not inconsistent.

§C1008. Removal of officers and employees; appeals.

§C1009. Personnel Appeals Board.

§C1010. ~~(Reserved)~~ Municipal Document Review.

§C1011. Bonds of officials.

CHARTER

§C101

§C102

§C1012. Charter amendment.

HISTORY: Adopted at the town election held 3-14-1969; amended 7-11-1974, 3-9-1979, 7-8-1980 and 11-2-1993. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

General provisions - See Ch. 1, Art. I.

Administration of government - See Ch. 3.

ARTICLE I

Grant of Powers to the Town

§ C101. Incorporation.

The inhabitants of the Town of Millinocket, within the limits as now established or as hereafter established in the manner provided by law, ~~shall~~ **will** be a municipal corporation by the name of the "Town of Millinocket, Maine."

§C102. Powers of the town.

A. The town shall will have, exercise and enjoy all the rights, immunities, powers, privileges and franchises and shall will be subject to all the duties, liabilities and obligations provided for herein or otherwise pertaining to or incumbent upon said town as a municipal corporation, or the inhabitants or municipal authorities thereof; it may enact bylaws, regulations and ordinances not inconsistent with the Constitution and laws of the State of Maine, and impose penalties for the breach thereof ~~not exceeding one hundred dollars (\$100.) in any one case, to be recovered to the use of said town by appropriate action.~~ a minimum of \$100 unless a lower minimum is established or waived by the council.

B. The town may acquire property within or without its corporate limits for any town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise,

MILLINOCKET CODE

§C102

lease or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interest may require.

~~C. In this Charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the town would have if the particular power were not mentioned. The Charter shall will be liberally construed to the end, that the Town of~~ Millinocket may have all the powers necessary or convenient for the conduct of its municipal affairs, including all powers the town may assume pursuant to state laws and of the provisions of the State of Maine Constitution.

§C203

ARTICLE II Town Council

§C201. Membership; Election; Terms.

The Town Council ~~shall~~ will be composed of seven (7) members, each of whom ~~shall~~ will be elected by the registered voters of the entire town. Each member ~~shall~~ will be elected for a term of three (3) years and until his a successor is elected and qualified.

§C202. Qualifications.

~~Councilmen~~ Councilors ~~shall~~ will be qualified electors of the Town of Millinocket, and ~~shall~~ will reside in the Town of Millinocket during the term of office, and will be a registered voter of the Town of Millinocket during their entire term in office. They ~~shall~~ will hold no office of emolument or profit under the Town Charter or ordinances. If a ~~Councilman~~ Councilor ~~shall~~ will cease to possess any of these qualifications or ~~shall~~ is be convicted of a felony or crime involving moral turpitude during their term of office ~~involving moral turpitude, his/her~~ their office ~~shall~~ will immediately become vacant.

§C203. Powers and duties generally.

The members of the Town Council ~~shall~~ will be and constitute the municipal officers of the Town of Millinocket for all purposes required by statute, and except as otherwise herein specifically

CHARTER

§C203

§C204

provided, ~~shall~~ will have all powers and authority given to, and perform all duties required of, municipal officers under the laws of ~~this~~ the State of Maine, and ~~the municipal officers all~~ have all the powers heretofore vested in the Town Meeting, subject to provisions of Article IX.

§C204. Enumeration of powers.

Without limitation of the foregoing, the Council ~~shall~~ will have power to:

A. Appoint and remove the Town Manager and the Town Clerk; appoint the Board of Assessment Review, the Board of Appeals, the Planning Board; and determine the ~~manner~~ process of appointment of the following officers: Assessor, Treasurer and Town Attorney.

B. By ordinance create, change and abolish offices, departments, or agencies other than the offices, departments and agencies established by this Charter. The Council by ordinance may assign additional functions or duties to offices, departments or agencies established by this Charter but may not discontinue or assign to any other office, department, or agency any function or duty assigned by this Charter to a particular office, department, or agency. The Council may, however, vest in the Manager all or part of the duties of any office except the School Department.

C. Make, alter and repeal ordinances; included under this power shall ~~will~~ be the power to enact ordinances regulating the following classes of persons, businesses and purposes and to grant licenses and permits therefor for such periods of time and in accordance with such rules and regulations, not inconsistent with law, upon payment by the licensee of such fees and filing of such bonds as said Town Council may establish and make provisions for by ordinance, to wit: ~~but not limited to;~~ auctioneers, the maintenance and operation of garages, filling stations, sidewalk, tanks and pumps for the sale or distribution of gasoline and other

MILLINOCKET CODE

§C204

§C204

volatile flammable liquids for fuel or power; the manufacture, storage, sale, transportation, disposition and use of explosives and flammable liquids; billiard halls; pool halls; bowling alleys; roller-skating rinks; junk; dealers in secondhand parts and salvage of automobiles; dealers in secondhand merchandise; hawkers and peddlers; employment agencies; itinerant vendors; public automobiles; taxicabs and motor buses; public wagons and trucks; amusements; exhibitions and performances; theaters; moving-picture houses; inns; victualers; pawnbrokers; lodging houses of four (4) ~~lodging rooms or more~~; public shooting galleries; the manufacture, storage, sale, distribution and use of fireworks; dance halls; circuses; and the erection of signs, flags, banners, awnings, marquees and all other things within the limits of the sidewalks, roads, ways and streets of said town, and no such objects placed within said limits in accordance with such ordinances shall will be deemed defects in such sidewalks, roads, ways and streets.¹

D. Inquire into the conduct of any office, department or agency of the town and make investigations ~~as to municipal affairs~~. Town Council will also have the authority to place a department head on paid leave until an investigation is completed.

E. Adopt land survey maps.

F. Adopt and modify the Official Map of the Town of Millinocket.

G. Regulate and restrict the height and the number of stories of buildings and other structures, the size of yards and courts, the density of population and the location and use of buildings for trade, industry, business, residence, or other purposes through zoning ordinances.

H. Create a housing and/or rental authority.

¹ Editor's Note: See Part II, General Legislation, of the Code of the Town of Millinocket for ordinances regulating such persons and businesses.

C8

CHARTER

§C204

I. Adopt, modify and carry out plans proposed by the Planning Board for the ~~clearance of slum districts and rehabilitation of blighted areas.~~ clearance, rehabilitation and or remediation of blighted areas and/or properties.

J. Adopt, modify, and carry out plans proposed by the Planning Board for the replanning, improvements, and redevelopment of neighborhoods and for the replanning, reconstruction and redevelopment of any area or district which may have been destroyed in whole or in part by disaster.

K. Provide for an annual audit.

§C205. Compensation. [Amended 4-17-1986 by Ord. No.4-86]

~~Councilors shall receive fifteen dollars (\$15.) for each Council meeting upon attendance, not to exceed, in the aggregate, eight hundred dollars (\$800.) per year in full for their services, except that the Chairperson of the Town Council shall receive twenty dollars (\$20.) for each Council meeting upon attendance, not to exceed, in the aggregate, one thousand dollars (\$1,000.) per year in full for his or her services. Such compensation may be changed by ordinance.~~ The Council will set the compensation of the council through the budget process annually, which consist of budget workshops and 2 public hearings. ~~The Town Council by order shall~~ will fix the salaries of officials elected by the Town Council, including the salary of the Town Manager for ~~his/her~~ their services as such and for all other services rendered. ~~by him.~~ Maximum salaries of the appointees of the Town Manager ~~shall~~ will be fixed by the Town Council.

§C206. Induction into office. [Amended 1-6- 1984 by Ord. No 2-84]

Effective January 1, 1985, the Town Council and the School Board ~~shall~~ will meet at the Town Council Chambers at 7:00 p.m. on the second Monday in November, and at said meeting ~~Councilmen~~ Councilors-elect and School Board members-elect shall will be sworn to the faithful discharge of their duties by a Notary Public or by the Town Clerk.

C9

MILLINOCKET CODE

§C207

§C209

§ C207. Council to judge qualifications of its members.

The Council ~~shall~~ will be the judge of the election and qualifications of its members and for such purpose shall will have power to subpoena witnesses and require production of records, but the decision of the Council in any such case shall will be subject to review by the courts.

§C208. Regular meetings; special meetings, posting of Council actions.

A. The Town Council ~~shall~~ will, at its first meeting or as soon thereafter as possible, establish by ordinance or resolution a regular place and time for holding its regular meetings, and ~~shall~~ will meet regularly at least once a month. It ~~shall~~ will also provide a method for calling special meetings. All meetings of the Town Council ~~shall~~ will be open to the public in accordance with the Revised Statutes of 1964, M.R.S.A Title 1 §§ 401 to 406.

B. ~~Actions~~ Minutes of the Council ~~shall~~ will be posted in the town office and will be posted on the town website, and social media outlets within a reasonable time. ~~after such action has been taken.~~

§ C209. Chairman.

At its first meeting or as soon thereafter as practicable, the Council ~~shall~~ will elect, by majority vote of the entire Council, one (1) of its members for the ensuing year as Chairman, and the Council may fill, for an unexpired term, any vacancy in the office of Chairman that may occur. The Chairman ~~shall~~ will preside at the meetings of the Council and shall will be recognized as head of the town government for all ceremonial purposes and by the Governor for purposes of military law, but ~~he~~ they shall will have no regular administrative duties. In the temporary absence or disability of the Chairman, the Town Council may elect a Chairman Pro tempore from among its members, and ~~he/she~~ they shall will exercise all the powers of Chairman during such

CHARTER

§C209

§C212

temporary absence or disability of the Chairman and shall will receive such compensation as the Chairman normally receives.

§C210. Quorum; adjourned meeting.

A majority of the Town Council shall will constitute a quorum for the transaction of business, but A smaller number may adjourn from time to time or may compel attendance of absent members, with at least twenty-four (24) hours' notice of the time and place of holding such an adjourned meeting shall will be given to all members who were not present at the meeting from which adjournment was taken.

§C211. Vacancies.

If a seat in the Council becomes vacant more than six (6) months prior to the next regular town election, the vacancy shall will be filled for the unexpired term within sixty (60) days from the date that the vacancy occurred by a special election, the warrant for which shall will, upon vote of the Town Council, be issued by a member of the Town Council, by vote designated for that duty.

§C212. Rules of procedure,; ordinances, orders and resolves.

The Town Council shall will provide for keeping a record of its proceedings and shall will determine its own rules of procedure and make lawful regulations for enforcing the same. The Council shall will act only by ordinance, order or resolve. All ordinances, orders and resolves, except orders or resolves making appropriations of money, shall will be confined to one (1) subject, which shall will be clearly expressed in the title. All appropriation orders or resolves shall will be confined to the subject of appropriations only.

MILLINOCKET CODE

§C213

§C216

§C213. Adoption of ordinances.

Before any ordinance ~~shall~~ will be passed, at least ~~one (1)~~ two (2) public hearing ~~shall~~ will be held by the Council, notice of which ~~shall~~ will be given at least seven (7) days in advance by publication in a newspaper having a circulation in said town, ~~posted on the towns website,~~ posted on the towns social media outlets and by posting a notice in a public place. The yeas and nays ~~shall~~ will be taken on the passage of all ordinances and entered on the record of the proceedings of the Council by the Clerk. Every ordinance ~~shall~~ will require on passage the affirmative vote of a majority of the members of the Council. Such ordinance ~~shall~~ will be effective thirty (30) days after such passage, unless changed by council majority vote, subject to the provisions of Article IX

§C214. Town Clerk as Clerk of Council; records.

The Town Clerk ~~shall~~ will act as Clerk of the Council, and ~~he/she shall~~ keep a public record of all proceedings of the Council, including all roll-call votes.

§C215. Independent annual audit.

Prior to the end of each fiscal year, the Council ~~shall~~ will designate the State Department of Audit or private certified public accountants who, as of the end of the fiscal year, ~~shall~~ will make an independent audit of accounts and other evidences of financial transactions of the town government and ~~shall~~ will submit their report to the Council and the Town Manager. Such accountants ~~shall~~ will not maintain any accounts or records of the town business, but ~~shall~~ will postaudit the books and documents kept by the Department of Finance and any separate or subordinate accounts kept by any other office, department or agency of the town government.

§C216. Appointment of Town Manager.

The Council ~~shall~~ will appoint an officer of the town who ~~shall~~ will have the title of 'Town Manager' and ~~shall~~ will have the powers and

CHARTER

§C216

§C218

perform the duties in this Charter provided. No Councilman ~~or shall will~~ receive such appointment during the term for which he ~~shall will~~ have been elected nor within one (1) year after the expiration of his term, nor ~~shall will~~ any member of the Town Council act in that capacity.

§C217. Removal of Town Manager.

The Council ~~shall will~~ appoint the Manager for a definite term and may be removed ~~him/her for cause~~ by a majority vote of its members. ~~At least thirty (30) days before such removal shall become effective, the Council shall, by a majority vote of its members, adopt a preliminary resolution stating the reasons for him/her removal.~~ The Manager may reply in writing and may request a public hearing, which ~~shall will~~ be held not earlier than twenty (20) days nor later than thirty (30) days after the filing of such request. After such public hearing, if one be requested, and after full consideration, the Council by majority vote of its members may adopt a final resolution of removal. By the preliminary resolution, the Council may suspend the Manager from duty, but the regular salary of the Manager ~~shall will~~ continue to be paid to ~~him/her them~~ during the period of suspension. If removal is voted, the Council ~~shall will~~ cause to be paid to the Manager forthwith any unpaid balance of ~~his their~~ salary and ~~his their~~ salary for at least the next two (2) calendar months.

§C218. Interference by Council with administrative service.

Neither the Council nor any of its members ~~shall will~~ direct or request the appointment of any person to or ~~his/her their~~ removal from office by the Manager or by any of ~~his/her their~~ subordinates. Except for the purpose of inquiry, the Council and its members ~~shall will~~ deal with the administrative service solely through the Manager, and neither the Council nor any member thereof ~~shall will~~ give orders to any subordinates of the Manager, either publicly or privately.

MILLINOCKET CODE

§C219

§C219

§C219. Recall of elected officials. [Added 9-26-1985 by Ord. No.4-85)

Any person elected to any office in the Town of Millinocket may be recalled and removed therefrom by the electors of the town as herein provided.

A. Procedure for initiating recall petition.

(1) Any thirty (30) qualified voters of the town of Millinocket may make and file with the Town Clerk an affidavit containing the name of the elected official whose removal is sought. These thirty (30) qualified voters ~~shall~~ **will** be referred to as the "Recall Committee" The affidavit ~~shall~~ **will** also contain a statement detailing the reason(s) why recall is sought. This statement detailing the reason(s) for removal ~~shall~~ **will** thereafter be made a part of the recall petition. Upon filing of the affidavit by the thirty (30) qualified voters and acceptance of the affidavit by the Town Clerk, the Town Clerk ~~shall~~ **will** prepare a recall petition relating to the elected official named in the affidavit. The Recall Committee ~~shall~~ **will** have 30 calendar days from the date of acceptance of the affidavit by the Town Clerk to cause the petition to be signed by not less than twenty percent (20%) of the qualified voters of the Town of Millinocket in the last Gubernatorial election. The petition ~~shall~~ **will** be available for signing only at the Town Clerk's office, during normal business hours. and ~~shall~~ **will** be signed by qualified voters in the presence of the Town Clerk or the Deputy Town Clerk. At the end of the thirty-calendar day period the Town Clerk ~~shall~~ **will** declare the recall petition closed.

(2) The recall petition, to be effective, ~~shall~~ **will** have been signed by voters of the town of Millinocket numbering not less than twenty percent (20%) of the number of qualified voters as determined at the time of the last preceding ~~municipal~~ Gubernatorial election, and each voter's signature ~~shall~~ **will** be followed by the voter's printed name, place of

CHARTER

§C219

§C219

residence with the street and number or other description sufficient to identify the place.

B. Examination and certification of recall petition. Within ten (10) business days after the closing of the petition, the Town Clerk ~~shall~~ will ascertain whether or not the petition was signed by the requisite number of voters and, upon such finding, ~~shall~~ will attach a certification to the petition stating that the petition has the required number of signatures of qualified voters, that all signatures were affixed in the presence of the Clerk or Deputy Clerk, that each signer had an opportunity to read the statement detailing the reason(s) for recall and that the petition is sufficient. Should fewer qualified voters than required hereunder sign the petition within the required time, the petition ~~shall~~ will have no further force or effect and all proceedings ~~shall~~ will be terminated.

C. Calling of recall election. If the petition ~~shall~~ will be certified by the Town Clerk to be sufficient, the Clerk ~~shall~~ will submit the petition with certification to the Town Council within five (5) business days of certification as sufficient and ~~shall~~ will notify the elected official whose removal is sought of such action. The Town Council ~~shall~~ will there upon, within ten (10) days of the receipt of the Town Clerk's certification, order an election to be held not more than forty-five (45) days after receipt to submit to vote the question of recall. If recall is effective, the Town Council ~~shall~~ will, within forty-five (45) days after the vote for recall, hold a special election to fill the vacancy; provided, however, that if a regular municipal election is to occur within six months after the vote for recall, the Town Council may in its discretion hold the election to fill the vacancy on the date of such other regular municipal election. The recall election ~~shall~~ will be called and held, and nominations to fill any vacancy created by that recall election ~~shall~~ will be made as in other elections under this Charter.

D. Form of ballot in recall election. The form of the ballot at the recall election ~~shall~~ will be as follows:

MILLINOCKET CODE

§C219

§C302

"~~shall will~~ (name of person proposed for recall), a member of the Millinocket Town Council and/or the Millinocket School ~~Committee~~ board, be recalled?"

Immediately below such question ~~shall will~~ appear in the following order the words "Yes" and "No" and to the right of each word a square within which the voter may cast ~~his~~ ~~their~~ vote.

E. Majority vote required. The elected official whose recall is sought as provided above ~~shall will~~ be recalled and immediately removed from office when a majority of those voting thereon ~~shall will~~ have voted in the affirmative. The successor elected after recall ~~shall will~~ serve for the balance of the unexpired term of the recalled official.

ARTICLE III

Town Manager

§C301. Qualifications.

The Town Manager ~~shall will~~ be chosen by the Council ~~solely~~ on the basis of ~~his-their~~ character and ~~his-their~~ executive and administrative qualifications with ~~special~~ reference to ~~his~~ ~~their~~ actual and related experience in or ~~his~~ ~~their~~ knowledge of accepted practice in respect to the duties of ~~his~~ ~~their~~ office as hereinafter set forth. At the time of ~~his~~ ~~their~~ appointment, ~~his~~ ~~they~~ need not be a resident of the town or state but, needs to become a resident within 100 nautical miles of the Town of Millinocket or within a safe commutable distance within 6 months of acceptance of contract.

§C302. Powers and duties.

The Town Manger ~~shall will~~ be the chief administrative officer and the head of the administrative branch of the town government and ~~shall will~~ be responsible to the Council for the proper administration of all affairs of the Town of Millinocket. ~~He~~ ~~They~~ ~~shall will~~ have the power and ~~shall will~~ be required to:

A. Appoint, prescribe the duties of and, when necessary for the good of the service, remove all officers and employees of the town, except as otherwise provided herein and except as ~~he~~ ~~they~~ may authorize the head of a department or

CHARTER

§C302

§C303

office to appoint and remove subordinates in such department or office.

B. Prepare the budget annually, submit it to the Council and be responsible for its administration after adoption.

C. Prepare and submit to the Council as of the end of the fiscal year, a complete report on the finances and administrative activities of the town for the preceding year and cause such annual town report to be published and made available to the public by the end of the first quarter as promptly as possible after the close of the fiscal year.

D. Attend the meetings of the Council, except when ~~their~~ ~~his~~ removal is being considered, and keep the Council advised of the financial condition and future needs of the town and make such recommendations as may seem ~~to him~~ desirable.

E. See that all laws and ordinances governing the Town of Millinocket are faithfully executed.

F. Act as Purchasing Agent for all departments of the Town of Millinocket, except the School Department.

G. Perform such other duties as may be prescribed by this Charter or required of him by the Council, not inconsistent with this Charter.

H. Prepare an Administrative Code, submit it to the Council and be responsible for its administration after adoption.²

§ C303. Absence or disability.

To perform ~~his~~ the manager's duties during ~~his~~ a temporary absence or disability of 30 days or ~~more~~, the Manager may, with the consent of the Council, designate by letter filed with the Town Clerk a qualified administrative officer of the town. In the event of failure of the Manager to make such designation, the Council may by

Editor's Note: See Ch.3, Administration of Government.

MILLINOCKET CODE

§C303

resolution appoint any administrative officer of the town to perform the duties of the Manager until ~~he the manager shall returns. or his disability shall cease.~~

§C402

§C304. Establishment of departments.

There ~~shall will~~ be a Department of Education and such other departments as may be established by ordinance upon the recommendation of the Manager.

§C305. Appointment of Health Officer.

The Manager ~~shall will~~ appoint a Health Officer, who ~~shall will~~ serve for such term and exercise such powers and perform such duties as may be prescribed, conferred or imposed by law. The Health Officer ~~shall will~~ meet such qualifications as may be specified generally for such positions by the State Commissioner of Human Services.

ARTICLE IV

Department of Education

§C401. Board of Education.

The Department of Education ~~shall will~~ be administered by a Board of Education, hereinafter referred to as the "School Board", which ~~shall will~~ consist of five (5) duly qualified electors of the Town of Millinocket, who ~~shall will~~ be nominated and elected by the registered voters of the ~~entire Town of Millinocket~~ according to the provisions of Article VIII of this Charter for a term of three (3) years and who ~~shall will~~ serve until their successors are elected and qualified.

§C402. Qualifications of Board members.

Members of the School Board ~~shall will~~ be qualified electors of the Town of Millinocket and ~~shall will~~ reside in the Town of Millinocket during their ~~entire~~ term ~~of~~ in office.

CHARTER

§C402

§C405

They ~~shall~~ will hold no office of emolument or profit under the Town Charter or ordinances. If a member of the School Board ~~shall~~ will cease to possess any of these qualifications or ~~shall~~ is convicted of a felony or crime involving moral turpitude during their term of office ~~be-convicted of a crime involving moral turpitude, his~~ their office ~~shall~~ will immediately become vacant.

§C403. Vacancies on Board.

If for any reason a vacancy ~~shall~~ exist in the membership of the School Board, it ~~shall~~ will be filled by a majority vote of the Council until the next municipal election.

§C404. Organization; swearing in; quorum.

The members of the School Board ~~shall~~ will meet for organization on the second Monday from the date of their election. The members-elect ~~shall~~ will be sworn to the faithful discharge of their duties by a Notary Public or by the Town Clerk, and a record made thereof. The majority of the whole number of the School Board ~~shall~~ will be a quorum, and they ~~shall~~ will elect their own Chairman.

§C405. Powers and duties of Board; preparation of budget.

- A. The School Board ~~shall~~ will have all the powers conferred and ~~shall~~ will perform all the duties imposed by law upon superintending school committees in regard to the care and management of the public schools of the Town of Millinocket, except as otherwise provided in this Charter. The School Board ~~shall~~ will prepare budget estimates in detail of the several sums required during the ensuing budget year of the support of the public schools a draft budget will be provided to the councilors and public prior to the school board budget workshops to be sent out with public notice of thee workshop. Such budget ~~shall~~ will be approved by the Town Council prior to the beginning of the next school year. The Town Council ~~shall~~ will prescribe the time and place of presentation of the school budget.

MILLINOCKET CODE

§C405

§C405

B. [Amended 1-6-1984 by Ord. No. 1-84] The school budget ~~shall~~ will include an itemized statement of revenue from sources other than municipal taxation, together with a statement of the amount of money to be raised by municipal taxation, together with comparative figures from the current and next preceding school budget year. The school budget ~~shall~~ will include the School Committee's recommended appropriation for each of the following line item categories of proposed expenditures, the sum of which ~~shall~~ will constitute the total proposed appropriation for school purposes, as well as year-to-date expenditures for the previous year and preceding two years.

- (1) ~~Administration.~~ System Administration
- (2) ~~Instructional salaries.~~ School Administration
- (3) ~~Instructional materials.~~ Regular Instruction
- (4) ~~Attendance and health.~~ Special Education
- (5) ~~Vocation education.~~ Student and Staff Support
- (6) ~~Student activities and support service.~~ Other Instruction
- (7) ~~Student transportation.~~ Career and Technical Education
- (8) ~~Operation and maintenance of plant.~~ Facilities Maintenance
- (9) ~~Debt service and employee benefits.~~ Transportation
- (10) ~~Adult education.~~ Other Expenditures

C. The Town Council, after reviewing the proposed budget, may change the proposed appropriation in any of the above line categories prior to approving the final budget. Approval of the school budget ~~shall~~ will fix the appropriation for each of the line item categories and the School Committee ~~shall~~ will not authorize the transfer of approved amounts from one line item category to another without prior approval of the Town Council. The expenditures included within each line item category ~~shall~~ will be consistent with the accounting and reporting requirements of the Maine State Department of Education and Cultural Services. The Council may not

CHARTER

§C405

§C502

by ordinance create additional line item categories within the school budget.

D. The School Board ~~shall will~~ review the budget at least quarterly to compare year-to-date expenditures to those amounts as approved by the Town Council. Any documents prepared pursuant to this requirement ~~shall will~~ be immediately disseminated to the public and become part of the public record.

E All filing of grants requiring cash flow encumbrance will require previous notification to the Manager and Town Treasurer

ARTICLE V

Budget

§C501. Fiscal year, budget year.³

The fiscal year of the town government ~~shall will~~ begin the first day of July and ~~shall will~~ end on the 30th day of June of each calendar year. Such fiscal year ~~shall will~~ constitute the budget and accounting year as used in this Charter. The term "budget year" ~~shall will~~ mean the fiscal year for which any particular budget is adopted and in which it is administered.

§C502. Preparation and submission of budget.

A. The Town Manager ~~shall will~~, not less than 60 days before the beginning of any budget year, submit to the Council a budget and an explanatory budget message. The budget authority of the Council ~~shall will~~ be limited to the final determination of the total appropriation to be made to each of the several offices, departments and agencies of the town, including the Department of Education. This budget ~~shall will~~ be compiled from detailed information furnished by the administrative officers and boards on blanks, forms of which ~~shall will~~ be designated by the Manager and ~~shall will~~ contain:

³ Editor's Note: See also § 3-8 of Ch.3. Administration of Government.

MILLINOCKET CODE

§C502

§C504

- (1) Exact statement of the financial condition of the Town of Millinocket.
- (2) An itemized statement of appropriations recommended for current expenses and for permanent; improvements, with comparative statements in parallel columns of estimated expenditures for the current year and actual expenditures for the next two preceding fiscal years. An increase or decrease in any item ~~shall~~ will be indicated.
- (3) An itemized statement of estimated revenue from all sources, other than taxation, and a statement of taxes required, with comparative figures from current and next two preceding years.
- (4) Such other information as may be required by the Town Council.

B. The proposed budget prepared by the Manager ~~shall~~ will be reviewed by the Town Council, which ~~shall~~ will approve the budget with or without amendments. The Town Council ~~shall~~ will give public notice as to the availability of the budget and the time and place of hearing. The Council ~~shall~~ will then review and act on the budget.

§C503. Budget establishes appropriations.

From the date of adoption of the budget, the several amounts stated therein as proposed appropriations ~~shall~~ will be and become appropriated to the several agencies and purposes therein named.

§ C504. Budget establishes tax levy; certification to Town Assessor.

From the date of adoption of the budget, the amounts stated therein as the amount to be raised by property tax ~~shall~~ will constitute a determination of the amount of the levy for the

CHARTER

§C504

§C508

purposes of the Town of Millinocket in the corresponding tax year. A copy of the budget as finally adopted shall will be certified by the Manager and filed by him with the Town Assessor, whose duty it shall will be to levy such taxes for the corresponding tax year.

§C505. Budget summary.

At the head of the budget there shall will appear a summary of the budget, which need not be itemized further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax, and shall will be itemized also by departments, including the School Department, and kinds program of expenditures, in such a manner as to present to taxpayers a simple and clear summary of the detailed estimates of the budget.

§C506. Departmental expenditures; gross appropriations.

The budget for all departments, including the School Department, shall will include all proposed expenditures, and the Town Council shall will make a gross appropriation for each department, including the School Department, for the ensuing municipal year. The gross appropriation for each department shall will not be exceeded except by consent of the Council and subject to the provisions of Article IX, but the school budget shall will be expended under the direction and control of the School Board.

§C507. (Reserved)

§C508. Transfer of unencumbered appropriations.

The Council may by resolution transfer any unencumbered appropriation balance or portion thereof between general classification of expenditures within an office. The school unencumbered appropriations will remain in the school budget as a carry-over amount and cannot be spent until audited.

MILLINOCKET CODE

§C509

§C602

§C509. Interim expenditures; public statement of over expenditures.

A. In the period between the beginning of the fiscal year and the appropriation of funds, the Council may authorize expenditures for current departmental expenses chargeable to the appropriations for the year, when made, in amounts sufficient to cover the necessary expenses of the various departments.

B. If any act of the Council ~~shall~~ *will* cause the annual town budget to be exceeded by any amount, this fact ~~shall~~ *will* be stated publicly in the report of the Council as provided for in Sub Section C208 of this Charter.

ARTICLE VI

Tax Administration

§C601. Division of Assessment; Town Assessor.

A. There ~~shall~~ *will* be established a Division of Assessment, the head of which ~~shall~~ *will* be the Town Assessor. The Assessor, appointed as hereinbefore provided, ~~shall~~ *will* exercise the same powers and be subject to the same duties and liabilities as established by the laws of the State of Maine.

B. Millinocket property revaluations will occur in accordance with State of Maine law chapter 208.

§C602. Board of Assessment Review; compensation; vacancies.

There ~~shall~~ *will* be a Board of Assessment Review, to consist of three (3) members who ~~shall~~ *will* be appointed by the Town Council for a term of three (3) years. Compensation, if any, to such members ~~shall~~ *will* be determined by the Town Council. Vacancies in the membership of such Board ~~shall~~ *will* be filled by appointment by the Council for the unexpired term.

CHARTER

§C603

§C702

§C603. Powers and duties of Board of Assessment Review.

The powers and duties of the Board of Assessment Review ~~shall~~ will be to:

A. Review, on complaint of property owners, and revise, if necessary and proper, assessments for the purpose of taxation of real and personal property within the Town of Millinocket limits made by the Town Assessor.

B. Administer oaths.

C. Take testimony.

D. Hold hearings.

E. Adopt regulations regarding the procedure of assessment review.

ARTICLE VII

Municipal Development

§C701. Planning Board.

There ~~shall~~ will be a Town Planning Board, which ~~shall~~ will be appointed, have such powers and perform such duties as are provided by the laws of the State of Maine.⁴

§C702. Zoning Ordinance.

There ~~shall~~ will be a Zoning Ordinance as provided by state law.⁵

⁴ Editor'11 Note: See Ch. 23, Planning Board.

⁵ Editor's Note: See Ch. 125, Zoning.

§C703

§C803

§C703. Board of Appeals

There ~~shall~~ **will** be a Board of Appeals, which ~~shall~~ **will** be appointed by the Town Council, have such powers and perform such duties as are provided by the laws of the State of Maine.⁶

ARTICLE VIII**Nominations and Elections****§C801. Municipal elections. [Amended 146-1984 by Ord.No.2-84]**

Effective January 1, 1985, the regular election for the choice of members of the Town Council and the School Board ~~shall~~ **will** be held on the first Tuesday after the first Monday in November. The Council may, by resolution, order a special election at any time to fill vacancies in the Council.

§C802. Qualification for nomination.

Any qualified elector of the Town of Millinocket may be nominated for the Council or School Board in accordance with the laws of the State of Maine.

§C803. Conduct and management of elections.

Provisions of the laws of the State of Maine relating to the qualifications of electors, registration, the manner of voting, the duties of election officers and all other particulars respective to preparation for, conducting and management of elections, so far as they may be applicable, ~~shall~~ **will** govern all municipal elections, except as otherwise provided in this Chapter.

⁶ Editor's Note: See Ch. 5. Appeals. Board of.

CHARTER

§C804

§C901

§C804. Voting places.

The voting places established for state elections ~~shall will~~ be established for municipal elections.

§C805. Election officials.

The Town Council ~~shall will~~, at least ten (10) days before any election, appoint a Warden, who ~~shall will~~ exercise all duties as prescribed by State of Maine law, and a Clerk, in addition to the regular Ballot Clerks, for each voting place.

§C806. Activity restricted at voting places.

No unofficial activities, including but not limited to, the selling of any baked goods, crafts, or raffle chances; the collection of petition signatures for any cause; or polling or picketing; ~~shall will~~ be allowed within 200 feet of any voting place. The Warden ~~shall will~~ be empowered to enforce this section.

ARTICLE IX

Initiative and Referendum

§C901. Petition for overrule of Council action.

All ordinances, orders or resolves, except those making appointments or removals or regulating exclusively the internal procedure of the Council, ~~shall will~~ be subject to overrule by a referendum as follow:

A. Any five (5) registered voters may begin referendum proceedings by request, in writing, to the Town Clerk for the appropriate petition blanks. All papers of the petition ~~shall will~~ be uniform in size and style and ~~shall will~~ be assembled as one (1) instrument for filing. They ~~shall will~~ contain or have attached thereto throughout their circulation the full text of the ordinance, order or resolve sought to be reconsidered. The petition ~~shall will~~ be signed

MILLINOCKET CODE

§C901

only by registered voters of the Town of Millinocket, and each voter's signature, printed name, shall be and followed by his their address.

B. Each paper of the petition shall will have attached to it, when filed, an affidavit executed by the circulator thereof stating that he they personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his their presence, that he they believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance, order or resolve sought to be reconsidered.

C. If within ten (10) days after the enactment of any such ordinance, order or resolve, or the next business day should the 10th day fall on a non-business day, the appropriate petition, signed by registered voters of the Town of Millinocket numbering at least twenty percent (20%) of the number of votes cast in the Town of Millinocket at the last gubernatorial election, is filed with the Town Clerk, requesting its reference to a referendum, the Town Council shall will call a public hearing to be held within fourteen (14) days from the date of the filing of such petition with the Town Clerk and shall will, within fourteen (14) days after said public hearing, call a special municipal election for the purpose of submitting to a referendum. vote the question of adopting such ordinance, order or resolve, Pending action by the voters of the Town of Millinocket, the referred ordinance, order or resolve shall will be suspended from going into operation until it has received a vote of the majority of the voters voting on said question.
[Amended 11-3-1992]

§C902. Submission by Council of proposition to popular vote.

The Town Council may submit on its own initiative a proposition for the enactment, repeal or amendment of any ordinance, order or resolve, except as herein otherwise provided, to be voted upon at any municipal election, and

§C902

CHARTER

§C902

§C903

should such proposition review a majority of the votes cast thereon at such election, such ordinance, order or resolve ~~shall will~~ be enacted, repealed or amended accordingly.

§C903. Enactment of ordinance by initiative.

Ordinances may be enacted by the following initiative procedure.

A. Any five (5) registered voters may begin initiative proceedings by request, in writing, to the Town Clerk for the appropriate petition blanks. The complete text of the proposed ordinance ~~shall will~~ be included with the request. All papers of the petition ~~shall will~~ be uniform in size and style and ~~shall will~~ be assembled as one (1) instrument for filing. They ~~shall will~~ contain or have attached thereto throughout their circulation the full text of the proposed ordinance. The petition ~~shall will~~ be signed only by registered voters of the Town of Millinocket, and each voter's signature, printed name, and ~~shall will~~ be followed by ~~his~~ their address.

B. Each paper of the petition ~~shall will~~ have attached to it, when filed, an affidavit executed by the circulator thereof stating that ~~he~~ they personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in ~~his~~ their presence, that ~~he~~ individual believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the proposed ordinance.

C. Upon receipt by the Town Clerk of the appropriate petition, signed by registered voters of the Town of Millinocket numbering at least twenty percent (20%) of the number of votes cast in the Town of Millinocket at the last gubernatorial election, the Town Council ~~shall will~~ call a public hearing to be held within fourteen (14) days from the date of the filing of such petition with the Town Clerk and ~~shall will~~ within fourteen (14) days after said public hearing, call a municipal election for the purpose of submitting to vote

MILLINOCKET CODE

§C903

§C906

the question of adopting such ordinance, unless such ~~shall~~ *will* be enacted by the Council prior to the call for said town election. Such ordinance ~~shall~~ *will* be enacted and take effect when a majority of those voting thereon ~~shall~~ *will* have voted in the affirmative. **[Amended 11-3-1992]**

D. Any such proposed ordinance ~~shall~~ *will* be examined by the Town Attorney before being submitted to the voters. The Town Attorney is authorized to correct the form of such proposed ordinance for the purpose of avoiding repetitions, illegalities, ~~and~~ unconstitutional provisions, ~~and~~ to assure accuracy in its text, ~~and~~ reference, ~~and~~ clearness, and preciseness in its phraseology, but ~~he shall~~ *will* not materially change its meaning and effect.

§C904. Form of ballot.

The form of the ballot for the proposed ordinance or repeal of such ordinance, order or resolve ~~shall~~ *will* be substantially as follows:

" ~~shall~~ *will* the ordinance, or order or resolve entitled, "be approved?"

__YES __NO

B. The voters ~~shall~~ *will* indicate their choice by a ~~cross~~ "X" or check mark placed in the appropriate box under the words "YES" ~~and~~ or "NO".

§C905. (Reserved)

§C906. Referendum Reconsideration Limited. [Amended 9-30-1993]

Any issue that has been decided by referendum vote ~~shall~~ *will* not be reconsidered by any means until at least one full year has lapsed from the time of referendum vote. Provided, however, any issue may be reconsidered if the Town Council determines

CHARTER

§C906

§C1004

that an emergency exists affecting the health, safety or welfare of the inhabitants of the Town of Millinocket.

ARTICLE X

General Provisions

§C1001. Repealer.

Chapter 131 of the private and special laws of 1965 is repealed; and all acts and parts of acts of the private and special laws of Maine relating to the Town of Millinocket, inconsistent with the provisions of this Charter, are repealed.

§C1002. Severability.

If any portion of this Act ~~shall~~ will be held to be invalid, such decision ~~shall~~ will not affect the validity of the remaining portions thereof.

§C1003. Title.

This Charter ~~shall~~ will be known and may be cited as the "Council-Manager Charter of the Town of Millinocket." The Clerk ~~shall~~ will cause it to be printed and made available to the public promptly.

§C1004. Existing rights and contracts not affected.

The Clerks of the Supreme Judicial and Superior Courts may issue summons for witnesses to attend and produce books, documents, and papers at any meeting of the Town Council for the Town of Millinocket at which a hearing is had in any ~~matter~~ matter regarding any alleged dereliction, which summons ~~shall~~ will be served as required to be sufficient in matters before the Supreme Judicial or Superior Courts. On complaint or failure to obey summons to the District Court for Northern Penobscot, which Court is expressly given jurisdiction to hear such

MILLINOCKET CODE

§C1004

complaints, said District Court, if it finds failure to obey said summons to be without reasonable excuse, ~~shall~~ **will** impose a fine of not less than ten dollars (\$10.) nor more than one hundred dollars (\$100.) or imprisonment for not more than thirty (30) days, or both. All rights of appeal are to be available as exist in the general laws of the Town Clerk.

§C1008

§C1006. Oath of office.⁷

Every officer of the Town of Millinocket ~~shall~~ **will**, before entering upon the duties of ~~his~~ **their** office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the Town Clerk:

"I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of Maine; that I will, in all respect, observe the provisions of the Charter and ordinances of the Town of Millinocket, and will faithfully discharge the duties of the office of..... "

§C1007. Continuation of ordinances not inconsistent.

All ordinances of the Town of Millinocket in force at the time when this Charter takes effect, not inconsistent with the provisions of this Charter, ~~shall~~ **will** continue in force until amended or repealed.

§C1008. Removal of officers and employees; appeals.

Any officer or employee to whom the Town Manager or a head of any office, department or agency may appoint a successor may be removed by the Manager or other appointing officer at any time. The decision of the Manager or other appointing officer ~~shall~~ **will** be subject to appeal to the Personnel Appeals Board. Notice of such appeal ~~shall~~ **will** be made in writing to the

⁷ Editor's Note: See also Subsection 3-6 of Ch. 3, Administration of Government.

CHARTER

§C1008

§C1011

Town Manager and the Town Council within thirty (30) days of notice of dismissal.

§C1009. Personnel Appeals Board.

There ~~shall~~ will be Personnel Appeals Board consisting of three (3) members appointed by the Town Council from among the qualified voters of the Town of Millinocket. All appointments ~~shall~~ will be made for terms of three (3) years.

§C1010. (Reserved) Municipal Document Review

A. An informal review of the Town of Millinocket charter will be completed a minimum of once every 10 years.

B. An informal review of the Town of Millinocket Zoning code/Subdivision Ordinance books will be completed a minimum once every 10 years.

C. An informal review of the Town of Millinocket Comprehensive plan will be completed ~~once~~ every 5 years.

§C1011. Bonds of officials.⁸

The Town Council ~~shall~~ will require a bond with sufficient surety or sureties, satisfactory to the Town Council, from all persons trusted with the collection, custody or disbursement of any of the public moneys and may require such bond from such other officials as it may deem advisable, the premium charges for said bonds to be paid by the Town of Millinocket.

⁸ Editor's Note: See also Subsection S. 7 of Ch. 3, Administration of Government.

C33

12-25-93

MILLINOCKET CODE

§C1012

§C1012

§C1012. Charter amendment. [Amended 11-3-1992]

This Charter may be amended in accordance with 30-A M.R.S.A. Subsection 2101 et seq.⁹

⁹ Editor's Note: The following provisions appeared immediately following this section "Emergency clause; referendum; effective date; certificate to Secretary of State and resubmission to the voters. In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of permitting its submission to the legal voter of the Town of Millinocket at the next annual town election to be held in

March 1969. Warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of said town to meet in the regular voting place of said town, there to cast their ballots on the approval or rejection of this Act. Failure of approval by the legal voters of the Town of Millinocket at the annual town meeting of 1989 shall not prevent subsequent elections held before 1974. The Town Clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question: "Shall will An Act Providing for a Council-Manager Form of Government for the Town of Millinocket, passed by the 104th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words YES or NO their opinion of the same. "This Act shall take effect for the purpose of nominating and electing officers hereunder immediately upon its acceptance by a majority of the legal voters voting at said election, and for all other purposes this Act shall take effect immediately following the first election held under the provision of this Charter following (the approval of this Act. "The results of the vote shall be declared by the municipal officer., of the Town of Millinocket and due certificate thereof shall will be filed by the Town Clerk with the Secretary of State."

ORDER #250-2023

PROVIDING FOR: Approval to Increase the Computer Support FY24 Budget

IT IS ORDERED that the Millinocket Town Council approves transferring \$13,035 from the undesignated fund balance to the Administration Computer Support (E0112-1112) budget to cover the new service agreement cost increase.

PASSED BY THE COUNCIL: _____

ATTEST: _____

ORDER #251-2023

PROVIDING FOR: Approval to Increase the Elevator Maintenance FY24 Budget

IT IS ORDERED that the Millinocket Town Council approves the payment of a Pine State Elevator invoice for \$917 as there is not sufficient budget to cover this expenditure; and

IT IS FUTHER ORDERED that the Millinocket Town Council approves increasing the Municipal Building/Elevator Maintenance FY24 Budget (E0108-1910) from \$5,000 to \$10,000. This increase will leave an unspent budget of \$4,425.78 after payment of the Pine State Elevator invoice.

PASSED BY THE COUNCIL: _____

ATTEST: _____