



Town of Mount Desert
Board of Selectmen
Agenda

Regular Meeting
Monday, April 4, 2022

Location: Meeting Room, Town Hall, Northeast Harbor; Meetings will continue to be offered via Zoom see end of agenda for connection details

I. Call to order at 6:30 p.m.

Public please hold comments until the BOS Chairman opens the agenda items for public comment

II. Public Hearing(s)

A. *Public Hearing on Town of Mount Desert Traffic Ordinance and the Select Board Permit and Paid Parking Policy*

B. *Referendum Questions on May 2, 2022 Secret Ballot:*

1. *Public Hearing on Local Liquor Option to reaffirm the option that was approved in 1991 by secret ballot vote*
2. *Public Hearing on amendment to Town Charter to remove sunset provision*

III. Post Public Hearing(s)

A. *Action, if necessary, on Traffic Ordinance and the Select Board Permit and Paid Parking Policy*

IV. Minutes

A. *Approval of minutes from March 21, 2022 meeting*

V. Appointments/Recognitions/Resignations

A. *Appoint Ballot Clerks under Title 30-A, MRS, Section 2528 for 2022 Annual Town Meeting*

B. *Appoint Bi-Annual Election Clerks under Title 21-A, MRS, Section 503*

C. *Appointment of Carrie Eason as Warden for the June 14, 2022 Primary and Special State Referendum Election*

D. *Fire Chief requests and recommends appointment of John Lennon to the Mount Desert Fire Department effective April 5, 2022, as a temporary part-time employee at a base rate of \$22.68 an hour and overtime rate of \$34.02*

E. *Consideration of the appointment of Margaret Houghton as a Municipal Firefighter/EMT in the Fire Department, effective April 18, 2022, at an hourly rate of \$27.47 per hour.*

F. *Consideration of the appointment of Shelby Allen as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$26.72 per hour.*

G. *Consideration of the appointment of Kate Joseph as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$26.72 per hour.*

H. *Consideration of the appointment of Ian Campbell as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$25.97 per hour.*

I. *Consideration of the appointment of Griffin Costello-Sanders as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$26.72 per hour.*

Board of Selectmen Meeting Agenda April 4, 2022

- J. Consideration of the appointment of Sarah Adelberg as a Part-Time EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$25.97 per hour.*
- K. Recognition of Lisa Young's re-certification as Tax Collector & Treasurer from MMTCTA*
- L. Accept resignation of Megan Lunt from Accounting – Code Enforcement Assistant position effective April 8, 2022*

VI. Consent Agenda *(These items are considered routine, and therefore, may be passed by the Selectmen in one blanket motion. Board members may remove any item for discussion by requesting such action prior to consideration of that portion of the agenda.)*

- A. Press Release: Town of Mount Desert to hold listening session on Otter Creek Inner Harbor on April 12, 2022*
- B. Assessor's Preliminary 2023 State Valuation*
- C. Submission to the Secretary of State for the Voting Place Move*
- D. Thank you letter from Healthy Acadia, March 18, 2022*
- E. Confirmation Letter regarding the Community Resilience Partnership from Governor Mills office, March 23, 2022*
- F. Hampden Solid Waste Facility Sale Progress report: Receiver Appointed*

VII. Selectmen's Reports

VIII. Unfinished Business

- A. Sign Municipal Officer's Certificate of Official Text of a Proposed Charter amendment.*
- B. Municipal Officer's Certifications of Official Text of Proposed Ordinances and Amendments*
 - 1. Alewife Ordinance*
 - 2. Amendment to the Town of Mount Desert Shellfish Conservation Ordinance*
 - 3. Amendments to the Public Right-of-Way Ordinance*
 - 4. Amendment to the Town of Mount Desert Sewer Ordinance*
 - 5. Amendments to the Town of Mount Desert Land Use Zoning Ordinance*
- C. Authorize premium pay awards to 53 Town employees in the total amount of \$57,381.35 using ARPA funds as allowed under the SLFRF Final Rule and authorize Finance Director, Jake Wright, to do all things necessary to issue awards and comply with reporting requirements including transmitting any necessary written justification letter(s) to the Secretary of the Treasury*

IX. New Business

- A. Request from resident at 55 Manchester Road to darken streetlight that is reflecting into residence*
- B. Request Authorization to release and expend an amount not to exceed \$8,239.00 from the Police Capital Reserve account, 4040100-24405, balance is \$94,619.08 leaving a remaining balance of \$86,380.08 for the purchase of one new Watchguard interview room camera system with multiple cameras for the Mount Desert Police Department*
- C. Request Authorization for the Police Department to sign and execute necessary documents to complete the purchase of one new Watchguard interview room camera system with multiple cameras for the Mount Desert Police Department*
- D. Request Authorization to release and expend an amount not to exceed \$14,016.59 from the Police Capital Reserve account, 4040100-24405 for Integrating Parking*

Board of Selectmen Meeting Agenda April 4, 2022

Enforcement Systems (Kiosk for Paid Parking and Permit Setup); the unencumbered balance is \$94,619.08, leaving a remaining balance of \$80,602.49

- E. *Request Authorization for the Police Department to sign and execute necessary documents to complete the Integration of Parking Enforcement Systems*
- F. *Consideration of entering into a mutual aid agreement between the Mount Desert Fire Department and the Southwest Harbor – Tremont Ambulance Service, effective April 5, 2022, and authorization by the Select Board for the Fire Chief to sign said agreement*
- G. *Review Bids for \$1,000,000 General Obligation Bond to finance improvements to the Somesville Fire Station, as articulated in Article 9 presented and approved at the March 8, 2022 Special Town Meeting*
- H. *Approve the Resolution authorizing the issuance of a General Obligation Bond of the Town in a principal amount not to exceed \$1,000,000 at a fixed interest rate of 3.09% for a term of 20 years*
- I. *Execution of the bond document(s) for the \$1,000,000 General Obligation Bond with Bar Harbor Bank & Trust Company effective April 11, 2022*
- J. *Mask policy for Town Office Administration area*

X. Other Business *(Addendum items may be considered at the Selectboard’s discretion via majority vote to do so under Other Business or out of order.)*

A. *Such other business as may be legally conducted*

XI. Treasurer’s Warrants

A. *Approve & Sign Treasurer’s Warrant as shown below:*

Town Invoices	AP#2256	04/05/2022	\$144,710.95
Total			\$144,710.95

B. *Approve Signed Treasurer’s Payroll, State Fees, & PR Benefit Warrants as shown below:*

State Fees & PR Benefits	AP#2254	03/23/2022	\$82,755.67
	AP#2255	03/30/2022	\$17,137.92
Town Payroll	PR#2221	04/01/2022	\$115,463.06
Total			\$215,356.65

C. *Acknowledge Treasurer’s School Board AP/Payroll Warrants as shown below:*

School Invoices	#20	04/01/2022	\$120,034.18
Total			\$120,034.18

Grand Total			\$480,101.78
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XII. Adjournment

The next regularly scheduled meeting is at 6:30 p.m., Tuesday, April 19, 2022 in the Meeting Room, Town Hall, Northeast Harbor

Board of Selectmen Meeting Agenda April 4, 2022

The Town of Mount Desert is inviting you to a scheduled Zoom meeting. You can call in through any of the listed phone numbers or connect with a computer via the web link. You **will need to enter the meeting ID** to get access to the meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/248566175?pwd=RmozZjBOVWhUTQrR XR5QzFEZEEyQT09>

Meeting ID: 248 566 175

Password: 919872

One tap mobile

+13126266799,,248566175#,,,,0#,,919872# US (Chicago)

+16468769923,,248566175#,,,,0#,,919872# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 408 638 0968 US (San Jose)

+1 646 876 9923 US (New York)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Germantown)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Zoom security now requires a password on all zoom meetings, so the recurring BOS meeting now has a password.

Board of Selectmen

Managers Memo

Location: Town Hall Meeting Room and Via Zoom

Date: April 4, 2022

Time: 6:30 p.m.

Agenda details:

I. Call to order 6:30 p.m.

II. PUBLIC HEARINGS

- a. *Public Hearing on Town of Mount Desert Traffic Ordinance and the Selectboard Permit and Parking Policy*
- b. *Public Hearing on amendment to Ton Charter to remove sunset provision*
- c. *Public Hearing on local Liquor Option to reaffirm that the option was approved in 1991 by secret ballot vote*

III. Post Public Hearing

- a. *Action, if necessary, on Traffic Ordinance and the Select Board Permit and Paid Parking Policy*

IV. Minutes

- a. *Approval of minutes from March 21, 200 meeting*

V. Appointments/Recognitions/Resignations

- a. *Appoint Ballot Clerks under Title 30-A MRS, Section 2528, for Annual Town Meeting*
- b. *Appoint Bi-Annual election Clerks under Title 21-A MRS Section 503*
- c. *Appointment of Carrie Eason as Warden for the June 14, 2022, Primary and Special State Referendum election*
- d. *Recognition of Lisa Young's re-certification as tax Collector & Treasurer from MMTCTA*
- e. *Fire Chief request appointment of John Lennon to the Mount Desert Fire Department effective April 5, 2022, as a temporary part-time employee at a base rate of \$22.68 an hour and overtime rate of \$34.02 **John will be working with EMS Services***
- f. *Appoint Margaret Houghton as Firefighter/EMT at a rate of \$27.47/hour*
- g. *Appoint Shelby Allen as Firefighter/EMT at a rate of 26.72/hour*
- h. *Appoint Kate Joseph as Firefighter/EMT at a rate of \$26.72/hour*
- i. *Appoint Ian Campbell as Firefighter/EMT at a rate of \$25.97/hour*
- j. *Appoint Griffin Costello-Sanders as Firefighter/EMT at a rate of \$26.72/hour*
- k. *Appoint Sarah Adelberg as Part-Time EMT at a rate of \$25.97/hour*
- l. *Accept resignation of Megan Lunt from Accounting-Code Enforcement Assistant effective April 8, 2022*

VI. Consent Agenda

- a. *Thank you letter from Healthy Acadia March 18, 2022*
- b. *Confirmation Letter regarding the community Resilience Partnership from Governor Mills office, March 23, 2022*
- c. *Hampden Solid Waste Facility sale progress report: Receiver Appointed*
- d. *Press release: Town of Mount Desert to hold listening session on Otter Creek Inner Harbor on April 12, 2022*
- e. *Assessor's Preliminary 2023 State Valuation*
- f. *Confirmation letter from Governor Mills office regarding the Community Resilience Partnership March 23, 2022.*

V11. Selectmen's Reports

V111. Unfinished Business

- a. *Sign Municipal Officer's Certificate of Official Text of a Proposed Charter amendment*
- b. *Municipal Officer's Certifications of Official Text of Proposed Ordinances and Amendments*
 1. *Alewife Ordinance*
 2. *Amendment to the Town of Mount Desert Shellfish Conservation Ordinance*
 3. *Amendments to the Public Right-of-Way Ordinance*
 4. *Amendment to the Town of Mount Desert Sewer Secretary of the Treasury*
 5. *Amendments to the Town of Mount Desert Land Use Zoning Ordinance*
- c. *Authorize premium pay awards to 54 Town employees in the total amount of \$57,381.35 using ARPA funds as allowed under the SLFRF Final Rule and authorize Finance Director, Jake Wright, to do all things necessary to issue awards and comply with reporting requirements including transmitting any necessary written justification letter(s) to the Secretary of the Treasury **The Hancock County Towns of Bar Harbor, Blue Hill, Bucksport, and Ellsworth have utilized ARPA funds for premium Pay programs***

IX. New Business

- a. Request Authorization to release and expend an amount not to exceed \$8,200 from the police capital reserve account 4040100-24405, balance is \$77,338.08 leaving a balance of \$65,138.08 for the purchase of one new Watchguard interview room camera system with multiple cameras for the Mount Desert Police Department.
- b. Request authorization for the Police Department to sign and execute necessary documents to complete the purchase of one new Watchguard interview room camera
- c. Mask policy for Town Office Administration area. **Proposal to use Center for Disease Control County Transmission rates as basis for determining when masks need to be worn in the Town Office Administration areas and meeting rooms. See memo from Town Manager in your meeting packet**
- d. Request from Chris Moller, who resides at 55 Manchester Road to dampen streetlight
- e. Request authorization to release and expend an amount not to exceed \$14,016.59 from the police capital reserve account 4040100-24405 for integrating parking enforcement systems (Kiosk for paid parking and permit setup) the unencumbered balance is \$94,619.08 leaving a remaining balance of \$80,602.49
- f. Consideration of entering into a mutual aid agreement between the Mount Desert Fire Department and the Southwest Harbor-Tremont Ambulance Service effective April 5, 2022 and authorization by the Select Board for the Fire chief to sign the agreement
- g. Request Authorization for the Police Department to sign and execute necessary documents to complete the Integration of Parking Enforcement Systems.
- h. Review bids for \$1,000,000 General obligation Bond to finance improvements to the Somesville Fire Station as articulated in Article 9 presented and approved at the March 8, 2022 Special Town Meeting
- i. Approve the resolution authorizing the issuance of a General Obligation Bond of the Town in a principal amount not to exceed 41,000,000 at a fixed interest rate of 3.09% for a term of 20 years
- j. Execution of the bond document (so for the \$1,000,000 General Obligation Bond with the Bar Harbor Bank & Trust Company effective April 11, 2022

X. Other Business

PUBLIC HEARINGS

Thursday, March 24, 2022

8-0556

Section III, Page SEVEN

Mount Desert Island

Mount Desert Islander

Town of MOUNT DESERT

PUBLIC HEARING NOTICE TRAFFIC ORDINANCE CHANGES

Notice is hereby given that the Town of Mount Desert Board of Selectmen will hold a public hearing at its regular meeting beginning **6:30 p.m., April 4, 2022** in the Meeting Room, Town Hall, 21 Sea Street, Northeast Harbor, to hear public comment on and to consider amending the Traffic Ordinance, specifically the addition of, "Permit and Paid Parking", language around the dates of seasonal enforcement, and clarifications of no parking areas in the villages of Northeast Harbor and Seal Harbor. Members of the public are invited to attend and make comment. The complete text of the amendments is available at the Town Office for viewing by interested parties.

For more information contact the water DIVISION Office at 288-3555

M-F 7:30AM-4:00PM.

Town of Tremont PUBLIC HEARING NOTICE

PUBLIC NOTICES

Worth Noticing

The Town of Tremont Board of Appeals will hold public hearing at 5:00 p.m. April 7, 2022. In accordance with the Tremont Board of Appeals Rem Participation Policy, this meeting will occur via mote access. All attendees will access through Zoom Meeting ID 899 857 7726.

to see what sum the Mount Desert Island Reg Education for the fiscal year beginning July 1, 2

School Committee

Note: 2021-22 Amount was \$ 40,000

Article V To see what sum the Mount Desert Island Reg fiscal year beginning July 1, 2022 and ending Ju

School Committee

Note: 2021-22 Amount was \$ 827,889

Article VI To see what sum the Mount Desert Island Reg for the fiscal year beginning July 1, 2022 and en

School Committee

Note: 2021-22 Amount was \$1,208,889

Article VII To see what sum the Mount Desert Island Regior the fiscal year beginning July 1, 2022 and ending

School Committee

Note: 2021-22 Amount was \$ 242,619

Article VIII To see what sum the Mount Desert Island Regior the fiscal year beginning July 1, 2022 and ending

School Committee

Note: 2021-22 Amount was \$ 671,806

Article IX To see what sum the Mount Desert Island Regior the fiscal year beginning July 1, 2022 and ending

School Committee

Note: 2021-22 Amount was \$ 284,056

Article X To see what sum the Mount Desert Island Regior the fiscal year beginning July 1, 2022 and ending

School Committee

Note: 2021-22 Amount was \$1,820,721

Article XI To see what sum the Mount Desert Island Regior Commitments for the fiscal year beginning July 1

School Committee

Note: 2021-22 Amount was \$ -0-

Article XII To see what sum the Mount Desert Island Regior the fiscal year beginning July 1, 2022 and ending

School Committee

Note: 2021-22 Amount was \$ 150,000

Town of MOUNT DESERT

State of Maine

2022

Hancock County, ss
To: James K. Willis, Jr., a Constable in the Town of Mount Desert

Greetings:

In the name of the State of Maine, you are hereby required to post this notice in order to notify and warn the inhabitants of the Town of Mount Desert that the municipal officers of the town will meet at the **Town Office Meeting Room; 21 Sea Street, Northeast Harbor at six-thirty in the evening on fourth day of April AD 2022**, for the purpose of conducting a public hearing on the following local option liquor referendum questions pursuant to 28-A M.R.S.A. § 123 and 30-A M.R.S.A. § 2528:

Article 4. Shall the Town authorize the State to permit the operation of agency liquor stores on days other than Sunday?

YES

No

Explanatory note: This vote to reauthorize the operation of agency liquor stores on days other than Sunday is required by changes to State law. Local option votes for the sale of liquor in the Town of Mount Desert held prior to 1977 are exempt from these changes and do not require action. However, approval for the sale of spirits and fortified wine for off premise consumption on days other than Sunday was approved in 1991 via a hand count at Town Meeting. Changes to State law requires that local option elections be done by written secret ballot vote.

Given under our hands at Mount Desert this ____ day of ____ 2022, the Selectmen of the Town of Mount Desert:



**BAR HARBOR & MOUNT DESERT
POLICE DEPARTMENTS**
James K. Willis, Chief of Police



BHPD
37 Firefly Lane
Bar Harbor, Maine 04609
Tel: 207-288-3391
jwillis@barharbormaine.gov

MDPD
21 Sea Street, PO Box 248
NE Harbor, ME 04662
Tel: 207-276-5111
jwillis@mdpolice.org

MEMORANDUM

To: Durlin Lunt, Town Manager
From: David Kerns, Captain
Subj: Traffic Ordinance Revisions for Permit and Paid Parking
Date: March 25, 2021

At their November 15, 2021 meeting the Select Board had a discussion around inadequate parking for some residences in the Main Street area of Northeast Harbor. The Select Board directed Chief Willis to work with Public Works and the Harbormaster to explore resident and employee permit parking. The police department had several meetings with Town staff and members of the Economic Development Committee and I presented our progress back to the Board of Selectman on December 20, 2021.

The draft ordinance changes to include Permit and Paid Parking have now been completed by the Towns Attorney and they are attached. In summary, there are minor updates on pp. 5, 7, & 10 through 14 and more substantial changes on pp. 6 & 17.

The minor updates align our dates for parking regulations with the Town of Bar Harbor's for consistency of enforcement. Dates were changed to "summer" seasonal parking enforcement to be defined as May 15th through October 30th, and "winter" is defined as October 31st through May 14th throughout the entire ordinance. Other minor updates include:

- Section D-3 language to clarify the process in which Public Works and the Police Department shall provide advance notice to vehicles for scheduled snow removal
- Section D-10 (a) additions of (12) & (13) of no parking areas on South Shore Road
- Section D-10 (e) changed from "Parking by Permit" to "Reserved Parking" which removes permit and paid parking areas which will be now be in the Mount Desert Select Board Permit and Paid Parking Policy and clarifies reserved parking areas around the Municipal Building.
- Section D-11 (a) (2) language clarification, as well as the addition of (7) & (8) no parking areas on Jordan Pond Road

Substantial changes to the ordinances are found in Section D-1 and F-4.

- D-1 is new language to define Permit and Paid Parking and requires the Select Board to have a Permit and Paid Parking Policy, which will define permit and paid parking areas within the Town of Mount Desert. This will allow permit and paid parking areas within the Town to be easily adjusted, without amending the ordinance.
- F-4 (a) changed the effective date of the ordinance to the date of its enactment and (b) removed the ordinance expiration date. This relates to other work the Town's Attorney is doing within the Town to get rid of all ordinance expiration dates.

I am recommending that the Board of Selectman accept the proposed amendments to the Town of Mount Desert's traffic ordinance in order to facilitate the creation of the Mount Desert Select Board Permit and Paid Parking Policy to regulate both permit and paid parking within the Town and create consistency for the dates of seasonal parking enforcement.

**TRAFFIC ORDINANCE
OF THE
TOWN OF MOUNT DESERT**

ENACTED APRIL 15, 1991

and as **AMENDED**

March 16, 1992, May 18, 1992, July 6, 1992, February 22, 1994, May 16, 1994, November 21, 1994, December 12, 1994, June 19, 1995, October 02, 1995, March 18, 1996, August 18, 1997, September 09, 1998, December 14, 1998, March 17, 1999, April 03, 2000, June 06, 2000, September 18, 2000, December 18, 2000, February 20, 2001, June 18, 2001, July 02, 2001, June 03, 2002, September 03, 2002, April 21, 2003, August 04, 2003, October 20, 2003, April 18, 2005, August 01 2005, October 03, 2005, September 04, 2007, March 31, 2008

REPEALED JUNE 17, 2013

AND THE FOLLOWING

ENACTED JUNE 17, 2013

AMENDED:

April 17, 2018

April 6, 2020

September 7, 2021

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ARTICLE A – GENERAL

SECTION A-1 TITLE and PURPOSE

- (a) This Ordinance shall be known and may be cited as the “Traffic Ordinance of the Town of Mount Desert”.
- (b) The purpose of this Ordinance is to regulate traffic and the use of the streets, ways and roads of the Town and to provide for the enforcement of traffic regulations.

SECTION A-2 STATE TRAFFIC LAWS ADOPTED

- (a) Statutes Adopted. The statutory provisions in Title 29-A and in Title 30-A, Section 3009, Maine Revised Statutes (M.R.S.), describing and defining regulations with respect to vehicles and traffic, are hereby adopted and by reference made a part of this Ordinance as if fully set forth herein. Any future amendments, revisions or modifications of the statutory regulations incorporated herein are intended to be made part of this Ordinance in order to secure to the extent legally practicable uniform regulations of vehicle traffic in the Town of Mount Desert.
- (b) General References. General references in this Ordinance to Maine statutory section or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Maine legislature describing or defining such procedures or authorities.
- (c) Definitions. Terms used in this section shall have the same definition as used in State statutes previously referenced unless specified herein

**SECTION A-3 OFFICIAL TRAFFIC SIGNS AND CONTROL DEVICES;
PROHIBITED SIGNS, SIGNALS AND MARKERS.**

- (a) Duty to Erect and Install Uniform Traffic Control Devices. Whenever traffic regulations created by this Chapter, including a State traffic regulation adopted by reference in Section A-1, require the erection of traffic control devices for enforcement the Public Works Director or his designee and Highway Superintendent, with the cooperation of the Police Chief, shall procure, erect and maintain uniform traffic control devices, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply.

Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the Police Chief or his designee, will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the Town of Mount Desert.

- (b) **Prohibited Signs and Markers in Highways.** No person other than an officer authorized by this chapter to erect and maintain official traffic control devices or his or her designee shall place within the limits of any street or highway maintained by the Town any sign, signal, marker, mark or monument unless permission is first obtained from the Police Chief, or where applicable, the Department of Transportation. The Town may remove any sign, signal, marking or other device which is placed maintained or displayed in violation of this Chapter or State law.
- (c) The Selectmen may authorize directional, restrictive, cautionary and other similar signs on roadsides which may be necessary to advise the public of traffic restrictions and to assist the flow of traffic.

SECTION A-4 HEAVY TRAFFIC ROUTES

- (a) **Definition.** For purposes of this Section, heavy traffic shall be defined as:
 - (1) all vehicles not operating completely on pneumatic tires; and
 - (2) all vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 6,000 lbs.
- (b) **Prohibited Routes.** Heavy traffic is prohibited from using any Town street or highway not designated as a heavy traffic route. This section shall not act to prohibit heavy traffic from using a street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway. Furthermore, this Section will not act to prohibit heavy traffic from using any Town streets over which are routed state trunk highways.
- (c) **Liability.** Any operator, corporation, owner or agent whose heavy traffic vehicle damages any Town streets or highways in violating this Section shall be liable and required to pay the Town the cost of repair or replacement of the damaged street or highway.

ARTICLE B – CONTROLLED INTERSECTIONS and STREET TRAFFIC REGULATIONS

SECTION B-1 OPERATORS TO OBEY TRAFFIC CONTROL DEVICES

Every operator of a vehicle approaching an intersection at which an Official Traffic Control Device is erected in accordance with this Ordinance shall obey the direction of such Device as required by the Statutes incorporated by reference in Section A-2 of this Ordinance.

SECTION B-2 CONTROLLED INTERSECTIONS: VEHICLES REQ'D TO STOP

In the interest of public safety, traffic shall be required to stop at the intersections listed in the attached **Appendix A**.

SECTION B-3 CONTROLLED INTERSECTIONS: VEHICLES REQ'D TO YIELD

Direction on the following specified streets shall yield the right-of-way to other traffic:

- (a) traffic on Summit Road shall be required to yield to traffic on Main Street (Northeast Harbor);
- (b) on Neighborhood Road to yield to traffic on Main Street at its intersection with Kimball Road (Northeast Harbor);
- (c) on County Road to yield to traffic on Steamboat Wharf (Seal Harbor); and
- (d) travelling southwest on Indian Point Road to yield to traffic on Pretty Marsh Road (Route 102: Pretty Marsh).

SECTION B-4 VEHICLE AND WEIGHT RESTRICTIONS

No person owning or having control of any truck in excess of 10,000 lbs., trailer, truck power unit, tractor, bus, camper, or recreation vehicle shall operate the same upon any highway, street or road designated below:

- (1) Sargeant Drive, in its entirety;
- (2) Rock End Road, in its entirety;
- (3) Cooksey Drive, in its entirety;
- (4) Whitney Farm Road, in its entirety; and
- (5) Ripples Road, in its entirety.

However, Town owned trucks and delivery trucks having business on the above streets are exempt for purposes of providing required services.

SECTION B-5 ONE WAY STREETS

The following streets and parts thereof are declared to be one-way streets, and no person shall operate any vehicle thereon except as indicated.

- Traffic on Main Street, in Northeast Harbor, from its intersection with Old Firehouse Lane south to its intersection with Neighborhood Road, is one-way southbound beginning on May 15th and returns to two-way on October 31th. In addition, parking during the “summer” is diagonal and in the “winter”, parallel. (In this section, the term “summer” shall mean the period from May 15th through October 30th and “winter” shall mean October 31th through May 14th of the succeeding year.)

ARTICLE C – SPEED LIMITS

Speed limits shall be as posted pursuant to criteria set in state law for state roads and town ways.

ARTICLE D – PARKING REGULATIONS

SECTION D-1 Permit and Paid Parking

(a) Paid Parking Devices in certain parking lots:

(1) When signs are erected giving notice thereof and devices are installed, no person shall park a vehicle except in conformity with the following provisions:

Multi-Space Pay Stations or Kiosks:

- a. Locations and rates of multi-space pay stations or kiosks parking spaces will be regulated in accordance with **Mount Desert Select Board Permit and Paid Parking Policy**.
- b. Paid Parking will be enforced consistent with **Mount Desert Select Board Permit and Paid Parking Policy**.

(b) Permit requirements:

(1) The Select Board may set parking permit fees from time to time. No permit shall be issued except upon payment of the applicable fee, all permits shall be issued and regulated in accordance with **Mount Desert Select Board Permit and Paid Parking Policy**.

(c) Parking prohibited except by permit. From May 15th through October 30th, it shall be unlawful and in violation of this article for any person to stop, stand or park any vehicle, other than a vehicle displaying a valid permit issued by the Police Chief or their designee under regulations to be prescribed by Select Board, on those streets or portions of parking areas duly posted.

(d) Service and delivery vehicles exempted. Non-permitted vehicles stopped, standing or parked within 200 feet of a building for the purpose of making deliveries or providing services to a building located on a street or portion of a street described or specified in this section shall not be required to display the permit otherwise required herein.

SECTION D-2 RESTRICTIONS ON PARKING; POSTED LIMITATIONS

(a) Twenty-four (24) Hour Limitation. No person, firm or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public street or public parking lot in the Town for a period of twenty-four (24) or more consecutive hours in the same location at any time, except that where other parking limits have been specifically established in this ordinance the other limits as established and posted shall apply. When any law enforcement officer shall find a vehicle standing upon

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a public street or parking lot in violation of the provisions of this Section the law enforcement officer may cause said vehicle to be removed to a proper impoundment and storage area within the Town where storage space is available and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he may recover the possession thereof.

(b) Other Limitations.

- (1) The Board of Selectmen may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Town shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Maine Statutes.
- (2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by State law or elsewhere by this Ordinance.
- (3) The Chief of Police, or her or his designee, is hereby granted the authority within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict, or allow the stopping, standing or parking of vehicles beyond the provisions of this Ordinance to respond to temporary and/or emergency conditions.

**SECTION D-3 PARKING RESTRICTIONS DURING STREET MAINTENANCE
OR TEMPORARY SNOW REMOVAL**

- (a) **Temporary Parking Restrictions** Pursuant to authority granted to municipalities, the Chief of Police is empowered to make and enforce temporary regulations relating to emergency, snow or special conditions and to prohibit, limit the time of or otherwise restrict the stopping, standing or parking of vehicles beyond the prohibitions, limitations or restrictions imposed by State statute or by this Section on highways, streets or alleys within the Town. However, no prohibition, limitation or restriction on parking imposed under this Section is effective unless official traffic signs or markers have been placed or erected indicating the particular prohibition, limitation or restriction, or the owner of a vehicle has been notified to move the vehicle. The owners or operators of all motor vehicles parked thereon shall be subject to such regulations.
- (b) **Snow Removal** During the periods when snow has accumulated and requires removal from highways, streets and alleys of the Town, parking may be prohibited thereon in order to facilitate such snow removal:
 - (1) when snow removal is needed in public parking lots, the Director of Public Works or his or her designee shall notify the Police Department of the planned removal. The Police Department shall providing advance notice to vehicle owners to move their vehicle prior to the commencement of plowing operations October 31st through May 14th;
 - (2) in such case, police officers shall attempt to give notice to the owner or operator of

any motor vehicle so parked to remove the same as soon as it is possible to do so. If such owner cannot be located after reasonable attempts or fails to remove such motor vehicle within a reasonable time of receiving such notice, he shall be subject to penalty as provided in Article E of this Ordinance, and any Police Officer is authorized to remove the vehicle or cause it to be removed from the highway, street or alley. The owner of said vehicle shall be responsible for all costs associated with removal and storage of said vehicle.

- (3) Moreover, and notwithstanding the foregoing, from October 31st through May 14th the parking of vehicles at all times between the hours of midnight and 6:00 a.m. is prohibited on all Town roads.

SECTION D-4 STOPPING OR PARKING PROHIBITED IN CERTAIN PLACES

- (a) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
 - (1) within an intersection;
 - (2) on a crosswalk;
 - (3) on a sidewalk or terrace area, except when parking in such place is clearly indicated by official traffic signs or markers. "Terrace or Sidewalk Area" means that area between the sidewalk and the nearest curb line running parallel or generally parallel thereto or in the absence of a sidewalk four (4) feet beyond the curb line;
 - (4) alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway;
 - (5) on the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers;
 - (6) within twenty (20) feet of the driveway entrance to a fire station;
 - (7) upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing;
 - (8) in any place or manner so as to obstruct, block or impede traffic;
 - (9) upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs;
 - (10) upon any bridge;
 - (11) upon any terrace or sidewalk in the Town at any time;

- (12) in a loading zone;
 - (13) within four (4) feet of the entrance to an alley, private road or driveway; or
 - (14) in an area within eight (8) feet from a point on the nearest curb or roadside to a line perpendicular from the curb or roadside to a fire hydrant.
- (b) **Vehicles Not to Block Private Drive, Alley or Fire Lane.** No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle other than owner's vehicle is parked within four (4) feet of either side of said access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley or fire lane, the Chief of Police may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.
- (c) **No Parking on Private Property.** No person shall, without the permission of the owner or lessee of any private property, leave or park any vehicle thereon if there is in plain view on such property a "No Parking" sign or a sign indicating limited or restricted parking. The Police Department is authorized to enforce all provisions of this Subsection and upon complaint can tow any motor vehicle or vehicles found in violation of "No Parking" and unauthorized parking as set forth above. Any charges or expenses for towing or otherwise removing vehicles under this Section shall be borne by the owner thereof.

SECTION D-5 ANGLE PARKING

- (a) Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the Town, except where vehicle parking markers indicate that angle parking is permissible.

All vehicles shall park parallel to, and within one (1) foot of the curb except where streets and parking lots are so marked for angle parking.

- (b) No person shall at any time angle park any vehicle:
- (1) in any direction other than the designated parking angle, where angle parking spaces are so designated and provided by appropriate markings;
 - (2) backwards into angle parking spaces so designated and provided by appropriate markings; or
 - (3) with a trailer attached or any vehicle longer than twenty (20) feet on any street where angle parking is so provided and allowed.

SECTION D-6 PARKING AND STORAGE PROHIBITED

- (a) **Parking Prohibited except When Unloading or Vehicle is attended.** No person shall stop or leave any vehicle standing on any portion of on any of the streets and highways in the Town at which "No Parking" signs are posted by the Chief of Police or any police officer except temporarily for the purpose of and while actually engaged in loading or unloading

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or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic at any place. Such signs may be placed whenever the Chief of Police or any police officer on duty deems it necessary for the safety of the traffic at any point within fifty (50) feet of any intersection of two (2) or more highways or streets within the Town or where free space is necessary for the turning of buses or other vehicles, or when the open traveled portion of the highway is narrowed by excessive snow, or whenever hazardous conditions are created by construction operations, fire or other casualty, or whenever any celebration or other cause for the assembly of crowds, or the orderly handling of large amounts of traffic, may require limitation upon parking within any area on the streets and highways in the Town.

- (b) **Storage Prohibited.** No person owning or having custody of any partially dismantled, non-operable, wrecked, unregistered, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, public parking lot or public ramp longer than twenty-four (24) hours after notification thereof by the Police Department. Any vehicle which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed as provided in Section D-8, below.

SECTION D-7 UNLAWFUL REMOVAL OF PARKING CITATIONS

No person other than the owner or operator thereof shall remove a Town Parking ticket from a motor vehicle.

SECTION D-8 REMOVAL OF ILLEGALLY PARKED VEHICLES

- (a) **Hazard to Public Safety.** Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp in violation of any of the provisions of this Ordinance is declared to be a hazard to traffic and public safety.
- (b) **Removal by Operator.** Such vehicle shall be removed by the operator in charge, upon request of any Police Officer, or by a Police Officer at the owner's expense, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) **Removal by Police Officer.** Any Police Officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Chapter, is authorized to remove such vehicle at the owner's expense to a position where parking is permitted.

SECTION D-9 WINTER REGULATIONS

During the period between October 31st through May 14th, the time or permit requirements specified in the below named Sections of this Ordinance shall be suspended: Section D-10 (d) (2) to (4); (e) (3) & (4); and (f) (1) & (4). During the period between October 31st through May 14th, the time or permit requirements specified in Section D-10(1), below, shall be suspended.

SECTION D-10 PARKING LOTS AND PARKING SPACES – APPLICABLE TO NORTHEAST HARBOR ONLY

(a) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:

- (1) on Huntington Road from Kimball Road to Harbor Road;
- (2) on Sea Street, Northeast Harbor except 3 stalls in front of the Town Hall;
- (3) on Harbor Drive and Huntington Road, starting from Harborside Road and terminating at South Shore Road, except for four spaces near and south of the entrance to the Tennis Court Parking Lot on the east side of Harbor Drive;
- (4) from 9 Harborside Drive to 27 Harborside Drive;
- (5) on the north side of Summit Road beginning one-hundred and eighty (180) feet west of the entrance to Municipal Lot # 2;
- (6) on the south side of Summit Road in the first sixty (60) feet west of the intersection with Main Street;
- (7) on either side of Route 3 between the intersection of Route 3 and Route 198 and the intersection of Route 3 and the Asticou Hill Trail;
- (8) on the southerly side of Joy Road from its intersection with Gilpatrick Lane to its intersection with Lookout Way;
- (9) campers and trailers shall not park on the northerly side of Joy Road from its intersection with Gilpatrick Lane to its intersection with Lookout Way;
- (10) on the easterly side of Lookout Way from its intersection with Joy Road to the church right-of-way;
- (11) on the south side of Route 3 on Peabody Drive from utility pole 91 extending easterly to utility pole 102;
- (12) on the north side of South Shore Road from Cove End Road to Maple Lane;
- (13) on the north side of South Shore Road from Huntington Road the intersection of Odyssey Way.

(b) **Half Hour Parking.** No person shall park or leave standing any vehicle on any portion of the following highways or parking lots or streets in the Town for a period of more than one half hour in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m. in those spaces designated as “Municipal Business” at or near the Town

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Office Building in Northeast Harbor.

- (c) **One Hour Parking.** No person shall park or leave standing any vehicle on any portion of all stalls on the waterfront (Bulkhead, between the Harbormaster's Office and the ramp) in the parking lot adjacent to the Northeast Harbor Municipal Pier for a period of more than one hour in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m.
- (d) **Two Hour Parking.** No person shall park or leave standing any vehicle on any portion of the following highways or parking lots or streets in the Town for a period of more than two (2) consecutive hours in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m.:
- 1) all of Main Street, Northeast Harbor – angle parking only while street is one-way – included are the two handicap spaces (one handicap space is located at the west side of Main Street south of the exit from the parking lot south of Bar Harbor Banking and Trust Co., and one handicap space is located on the west side of Main Street south of the fire hydrant located between 151 Main Street and John Madonna's residence);
 - 2) all of the area in Municipal Lot # 1, surrounding the old Municipal Building in Northeast Harbor (about 21 stalls);
 - 3) all of the stalls in Municipal Lot # 2, near the Knowles Building in Northeast Harbor (about 12 stalls);
 - 4) all of the stalls in the Village Improvement Society lot behind / beside the Bar Harbor Bank in Northeast Harbor (about 9 stalls);
 - 5) on the north side of Summit Road from its intersection with Main Street to its intersection with Joy Road; and
 - 6) 6 stalls in front of the Northeast Harbor Library.
- (e) **Reserved Parking** No person shall park or leave standing any vehicle on any portion of the following parking lots without the indicated purpose(s):
- 1) parking area east of Municipal Building directly in front of the police department reserved for public safety vehicles i.e. police and fire (7 stalls);
 - 2) parking area east of Municipal Building reserved for municipal business (7 stalls);
 - 3) parking area east of Municipal Building directly in the center of parking lot reserved for municipal employees (14 stalls)
 - 4) all stalls in the Northeast Harbor School Parking Lot – reserved for school use or by permission of school officials; and
 - 5) one stall in the Lot immediately adjacent to the Municipal Pier – reserved for the U.S. Postal Service (one stall).

- (f) **No Overnight Parking.** No person shall park or leave standing any vehicle on any portion of the following highways, parking lots or streets in the Town overnight:
- 1) the Tennis Court Parking Lot the near the Northeast Harbor Marina, except with specific written permission of the Harbormaster (written permit required);
 - 2) all stalls in the Lot immediately adjacent to the Municipal Pier in Northeast Harbor, except with a specific written permission of the Harbormaster (written permit required);
 - 3) all stalls on Harbor Drive; and
 - 4) all stalls at Municipal Lot # 3 (upper Gray Cow lot – Gray Cow parking spaces are color coded).
- (g) **Loading and Unloading Areas.** No person shall park or leave standing any vehicle on any portion of the Northeast Harbor Marina Pier (3 stalls) for a period of more than 15 minutes and then only when attended and for the purpose of loading and unloading.
- (h) **Restricted Parking.** Beginning sixty (60) feet from the current location of the STOP sign at the intersection of Joy and Summit Roads, Northeast Harbor, there shall be eight (8) parking spaces reserved for exclusive use by patrons of the Northeast Harbor Library on the Library side of Joy Road; one of these spaces, located between the Library Harris and Mellon Room crosswalks, shall be designated for “Handicapped Only”.
- (i) **Seasonal Parking.** Between the May 15th and October 30th, parking of boat trailers, individually or when attached to a vehicle, is prohibited in any municipal parking lot, except in designated areas near the boat ramp at the marina and except in the Seasonal Lot near the marina with the specific written permission of the Harbormaster (written permit required).

SECTION D-11 PARKING LOTS AND PARKING SPACES – APPLICABLE TO SEAL HARBOR ONLY

- (a) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
- (1) on either side of Route 3, Main Street, in the village of Seal Harbor between Dodge Point Road and Clement Way;
 - (2) on the south side of Route 3, starting at the driveway of 187 Peabody Drive in Mount Desert and extending easterly to the driveway of 257 Peabody Drive;

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- (3) on the north side of Route 3, starting at a point 410 feet west of the junction of Route 3 and Little Long Pond Road (65 feet west of NET Pole 96) in Mount Desert and extending westerly to a point 640 feet westerly of the junction of Route 3 and Little Long Pond Road (adjacent to NET Pole 9/92) – a total distance of 230 feet;
 - (4) on the north side of Route 3, starting at a point 485 feet east of the junction of Route 3 and Little Long Pond Road (adjacent to NET 103) in Mount Desert, and extending westerly to a point 50 feet east of the junction of Route 3 and the Little Long Pond Road (adjacent to NET 99) – a total distance of 435 feet;
 - (5) on the westerly side of Steamboat Wharf Road, starting from a point that is adjacent to the base of the fountain located at the intersection of Steamboat Wharf Road and Route 3 (Peabody Drive) and extending southerly 383 feet, more or less, to a point that is at the point where the sidewalk on the westerly side of Steamboat Wharf Road changes from concrete to a paved sidewalk and where a set of granite stairs connect the sidewalk to the shore, that is approximately 50 feet north of and directly across the road from Emera Pole # 212916;
 - (6) on the easterly side of Steamboat Wharf Road, starting from a point that is adjacent to the base of said fountain and extending southerly to the intersection of Steamboat Wharf Road with New County Road;
 - (7) on both sides of Jordan Pond Road from the Seal Harbor Cemetery entrance back towards Seal Harbor Beach side of the carriage road bridge; and
 - (8) all stalls at the parking lot on the Jordan Pond Road in Seal Harbor, located across from the Seal Harbor Fire Station, as this is reserved for fire department use – except with specific permission of the Fire Chief.
- (b) **Ten Minute Parking.** Parking at the Seal Harbor Post Office is restricted to ten minutes.
- (c) **No Overnight Parking.** No person shall park or leave standing any vehicle on any portion of the following highways, parking lots or streets in the Town overnight:
- (1) all stalls on Main Street, Seal Harbor (about 20 stalls);
 - (2) all stalls at the Seal Harbor dock (about 22 stalls – no fee), including handicap spot;
 - (3) all stalls at the Seal Harbor Beach, including handicap spot;
 - (4) all stalls at the parking lot on the Jordan Pond Road in Seal Harbor, located across from the Seal Harbor Fire Station; and
 - (5) all stalls at the dirt parking lot located just above the former Village Market – except with specific written permission of the Harbormaster (written permit required).

SECTION D-12 PARKING LOTS AND PARKING SPACES – APPLICABLE TO SOMESVILLE ONLY

- (a) Parking Prohibited at All Times. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle on either side of the Pretty Marsh Road (Route 102) from the driveway at 131 Pretty Marsh Road to the intersection of the Pretty Marsh Road with the Northern Neck Road.
- (b) Two Hour Parking. No person shall park or leave standing any vehicle on any portion of the following highways or parking lots or streets in the Town for a period of more than two (2) consecutive hours in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m.:
- in front of the Somesville Library.

SECTION D-13 PARKING LOTS AND PARKING SPACES – APPLICABLE TO PRETTY MARSH ONLY

- (a) Parking Prohibited at All Times. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle on the southeasterly side of the Bartlett Island Landing Road (*i.e.*, the right hand side of the road when traveling northeastward from the Landing), except for that area on the southeasterly side of the Bartlett Island Landing Road from a point that is sixty-seven feet northeasterly from Pole #18 northeastward to a point that is seventy-five feet northeasterly of (*i.e.*, beyond) Pole # 16.
- (b) No Restrictions. There shall be no time limits for use of all those stalls at Bartlett's Landing, Pretty Marsh (including the handicap parking space), except that:
- i) obviously abandoned, unregistered or unserviceable vehicles may be removed by the police as per Section D-8 of this Ordinance; and
 - ii) no person shall park or leave standing any vehicle on any portion of the Bartlett Island Landing parking lot overnight without specific written permission of the Harbormaster (written permit required).

ARTICLE E – ENFORCEMENT AND PENALTIES

SECTION E-1 PENALTIES.

- (a) Violations of this Ordinance will be classified as civil violations and will be enforceable in accordance with Titles 17-A and 29-A or the Maine Revised Statutes.
- (b) Parking Violations generally – \$30.00.
- (c) Blocking a fire hydrant or blocking a fire lane - \$50.00
- (d) Any vehicle ticketed three consecutive times (successive 2 hour periods) for the same violation may be towed after 24 hours of the first violation and towing and storage bill will be paid by the operator or owner of the vehicle after a tickets are paid.
- (e) Parking violations shall be considered delinquent if not paid within 30 days of issue.
- (f) All delinquent parking violations shall subject to a late fee of \$20.00
- (g) There will be a \$5.00 discount for early payment (i.e. within 14 days of issuance) of all parking fines.

SECTION E-2: OTHER VIOLATIONS

- (a) Any person who shall violate any provision of this chapter for which a penalty is not otherwise established by this section shall be subject to a fine of thirty dollars (\$30.00) for each offense.
- (b) Violation of “Handicapped Only” parking shall carry a fine of \$250.00. (Maine Motor Vehicle Statutes Title 29-A).
- (c) In addition, pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 6-A, Chapter 187, Subchapter 5 (30-A M.R.S. § 4452), the Town may recover all costs of enforcement of this ordinance, including reasonable attorneys fees.

SECTION E-3: ENFORCEMENT

This Ordinance shall be enforced by the Town of Mount Desert Police Department, or by any other duly appointed agents of the Town.

SECTION E-4: INJUNCTION

In addition to any other remedies available at law or equity, the commission of acts prohibited by this Ordinance shall constitute a nuisance and the Town of Mount Desert, acting through its Town Manager, may apply to any court of competent jurisdiction to enjoin any planned, anticipated or threatened violation of this Ordinance and to prohibit further and continued violation thereof.

ARTICLE F – MISCELLANEOUS PROVISIONS

SECTION F-1 SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION F-2 NOTICE

Adequate notice is presumed after notice is sent via regular mail to the vehicle owner's address as listed in DMV records.

SECTION F-3 ENABLING PROVISION

This ordinance is adopted pursuant to the enabling provisions of the Maine Constitution, Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S. § 3001, *et seq.*), and specifically pursuant to 30-A, M.R.S. § 3009.

SECTION F-4 EFFECTIVE DATE

- (a) The effective date of this Ordinance is the date of its enactment.

APPENDIX A
(STOP Signs)

Traffic shall be required to stop at the following intersections:

In the village of Northeast Harbor:

- (1) traffic on Clifton Dock Road shall be required to stop before entering the intersection with Huntington Road;
- (2) on Cove End Road before entering Neighborhood Road;
- (3) on Cove End Road before entering South Shore Road;
- (4) on Gilpatrick Road before entering Joy Road;
- (5) on Gilpatrick Road before entering Neighborhood Road;
- (6) on Harbor Drive before entering Harborside Drive;
- (7) on Harbor Drive before entering Sea Street;
- (8) on Huntington Road before entering Kimball Road;
- (9) on Huntington Road before entering Huntington Road/Harbor Drive;
- (10) on Joy Road before entering Summit Road;
- (11) on Joy Road before entering Manchester Road;
- (12) on Kimball Road before entering South Shore Road;
- (13) on Lookout Way before entering Joy Road;
- (14) on Lookout Way before entering Summit Road;
- (15) on Main Street before entering Neighborhood Road;
- (16) on Manchester Road before entering Millbrook & Sargeant Drive;
- (17) on Maple Lane before entering South Shore Road;
- (18) on Maple Lane before entering Neighborhood Road;
- (19) on Maple Lane before entering Joy Road;
- (20) on Millbrook Road before entering Summit Road;
- (21) on Neighborhood Road before entering Manchester Road;
- (22) travelling westward on Peabody Drive (Route 3) before entering Harborside Road (Route 3 and Route 198);
- (23) on Pine Road before entering Millbrook Road;
- (24) on Pine Road before entering Spruce Road;

- (25) on Rock End Road before entering Maple Lane;
- (26) on Rock End Road before entering Neighborhood Road;
- (27) on Sargeant Drive before entering Route 198;
- (28) on Schoolhouse Ledge Road before entering Millbrook Road;
- (29) on Sea Street before entering Harbor Drive;
- (30) on Sea Street before entering Main Street;
- (31) on Sinclair Road before entering Manchester Road;
- (32) on Sinclair Road before entering Millbrook Road;
- (33) on South Shore Road Extension entering South Shore Road;
- (34) on Spruce Road before entering Millbrook Road;
- (35) on Stanley Lane before entering Summit Road;
- (36) on Stanley Lane before entering Sylvan Road;
- (37) on Summit Road before entering Manchester Road;
- (38) on Sylvan Road before entering Millbrook Road;
- (39) on Tennis Club Road before entering Manchester Road;
- (40) on Tennis Club Road before entering Millbrook Road;
- (41) on Tracy Road before entering Neighborhood Road; and
- (42) traffic on Tracy Road shall be required to stop before entering the intersection with Summit Road.

In Somesville / Pretty Marsh / Sound:

- (6) traffic at the intersection of Route 102 & Route 3 will be required to follow direction of the traffic light;
- (7) traffic on Butler Road shall be required to stop before entering the intersection with Route 198 (north and south ends);
- (8) on Bartlett Island Landing Road before entering Indian Point Road;
- (9) on Indian Point Road (northbound) before entering Bartlett Island Landing Road;
- (10) on Ripples Road before entering Pretty Marsh Road;
- (11) on Beech Hill Crossroad before entering Beech Hill Road;
- (12) on Beech Hill Crossroad before entering Route 102;
- (13) on Beech Hill Road before entering Pretty Marsh Road;
- (14) on Indian Point Road (heading north) before entering Bartlett Island Landing Road;

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- (15) on Indian Point Road (heading south) before entering Bartlett Island Landing Road;
- (16) on Pretty Marsh Road (travelling northward in the triangle) before entering Indian Point Road;
- (17) on Whitney Farm Road before entering Pretty Marsh Road;
- (18) on Whitney Farm Road before entering Oak Hill Road;
- (19) on Ikes Point Road before entering Route 102;
- (20) on Indian Point Road before entering Pretty Marsh Road (east);
- (21) on Oak Hill Road before entering Route 3;
- (22) on Ripples Road before entering Beech Hill Road; and
- (23) traffic traveling Southeast (towards Somesville from Indian Point Road) on the Oak Hill Road shall be required to stop before entering the intersection with Whitney Farm Road.

In Otter Creek:

- (1) traffic on Wall St. shall be required to stop before entering the intersection with Route 3;
- (2) on Grover Avenue before entering Route 3; and
- (3) traffic on Richardson Avenue shall be required to stop before entering with Route 3.

In Hall Quarry:

- (1) traffic on Easy Street shall be required to stop before entering the intersection with Grants Hill Road;
- (2) on Easy Street before entering Hall Quarry Road;
- (3) on Grants Hill Road before entering Hall Quarry Road; and
- (4) on Hall Quarry Road before entering Route 102 (north and south).

In Seal Harbor:

- (1) traffic on Cooksey Drive shall be required to stop before entering the intersection with County Road;
- (2) on Cooksey Drive (on either the west end or on the east end) before entering Route 3;
- (3) on County Road before entering Route 3;
- (4) on Dodge Point Road before entering Route 3;
- (5) on Jordan Pond Road before entering Route 3;
- (6) on Jordan Pond Road before entering Stanley Brook Road;
- (7) on Lower Dunbar Road before entering Route 3;

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- (8) on Lower Dunbar Road before entering Wildwood Road;
- (9) on Rowland Road before entering Cooksey Drive;
- (10) on Rowland Road before entering New County Road;
- (11) on Rowland Road at triangle across from #45 Rowland Road;
- (12) on Seal Harbor Town Dock Road before entering Steamboat Wharf Road;
- (13) on Steamboat Wharf Road before entering Cooksey Drive;
- (14) on Steamboat Wharf Road before entering Route 3;
- (15) on Upland Road before entering on either end of Rowland Road;
- (16) on Upper Dunbar Road before entering Route 3; and
- (17) traffic on Wildwood Road shall be required to stop before entering the intersection with Jordan Pond Road.

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Permit and Paid Parking Policy

Town of Mount Desert

Applications for permits will be done entirely online. The town has contracted with IPS Group to manage the process. Permit applications will be obtained, completed and managed through the IPS Group portal. Permit approvals will be done during normal business hours, typically Monday through Friday 8:30 AM to 4:30 PM. Permit approvals will normally not be done on holidays and weekends.

Unless otherwise stated, all permits are valid for one year.

I. Permit Types:

- A. **Resident Vehicle Permit**- A person who resides within the village of Northeast Harbor in the Town Mount Desert and where parking is not afforded at the residence, shall be eligible to apply for one free seasonal parking permit. Permits will only be issued to park in the village where the applicant resides. The resident permits are valid only for designated spaces as determined by the Town.

Application Requirements:

Fee: \$0

Application Materials Required: Current proof of residency in village where the permit will be issued and a current vehicle registration.

Application Approval by Parking Staff during normal business hours, and may include a meeting with the applicant at their residence to verify the need for parking.

- B. **Boat Owners Lot**- A person who owns a vessel that is docked in a seasonal slip at the Northeast Harbor Marina in the Town of Mount Desert and who pays the Northeast Harbor Marina for that dock space shall be eligible to apply for two free seasonal parking permits for the Boat Owners Lot. A transient boater who is renting a temporary slip in the Northeast Harbor Marina shall be eligible to apply for one free parking permit to be valid for the duration of their stay at the Marina.

Application Requirements:

Fee: \$0

Application Materials Required: Current boat registration, license plate number and type and receipt from Northeast Harbor Marina for a seasonal slip or receipt for transient slip fees.

Application Approval by Mount Desert Harbormaster during normal Business hours.

Permit and Paid Parking Policy

Town of Mount Desert

- C. Tennis Court Lot- A person who owns or rents a mooring for a vessel at the Northeast Harbor Marina shall be eligible to apply for one overnight parking permit for the Tennis Court Lot in Northeast Harbor.

Application Requirements:

Fee: \$0

Application Materials Required: Current boat registration, license plate number and type and receipt from Mount Desert Harbor Master for mooring fees payment.

Application Approval by the Mount Desert Harbormaster during normal business hours.

- D. Seal Harbor Mooring Lot- A person who owns or rents a mooring in Seal Harbor shall be eligible to apply for one permit to park overnight in the Seal Harbor Mooring Lot located off of Main street in Seal Harbor.

Application Requirements:

Fee: \$0

Application Materials Required: Current boat registration, license plate number and type, and receipt from the Mount Desert Harbor Master for mooring fees payment.

Application Approval by the Mount Desert Harbormaster during normal business hours.

II. Permit Parking Rules

- A. Resident Parking permits are valid from January 1st to December 31st of a given year.
- B. Boat Owners permits are valid only during the period allowed by the Mount Desert Harbormaster.
- C. Tennis Court Lot permits are valid only during the period allowed by the Mount Desert Harbormaster.
- D. Seal Harbor Mooring Lot permits are valid only during the period allowed by the Mount Desert Harbormaster.
- E. Information that may be needed to apply for permits depending on type in Section
1. Proof of Property Ownership within the Town, such as a tax or utility bill.
 2. Proof of Residence in the village where the permit will be issued, such as lease or rental agreement, utility bill, driver license, vehicle registration, or any other document proving physical residency.
 3. Proof of current excise tax and registration in the Town of Mount Desert.
 4. Proof of mooring registration or receipt for mooring fees.
 5. Proof of payment for slip fees or mooring fees to the Town of Mount Desert.
 6. License Plate number and type.
- F. The Town of Mount Desert reserves the right to deny a permit request and/or revoke

Permit and Paid Parking Policy

Town of Mount Desert

parking permits for blatant non-compliance and abuse of the permit rules at any time.

III. Location of Permit Parking

- A. Boat Owners Lot in Northeast Harbor next to the Marina.
- B. Tennis Court lot located in Northeast Harbor next to the tennis court and Marina.
Parking permit required for overnight parking only.
- C. Seal Harbor Mooring Lot, a dirt parking lot located on Main Street in Seal Harbor, permit required to park anytime.
- D. Gray Cow Lot located off of Main Street and Sea Street in Northeast Harbor, residential permit parking clearly marked with signs and permit required to park at all times. (Not to exceed 20 spaces)

IV. Paid Parking Areas and Rules

A. Locations of areas for paid parking:

- 1. 11 overnight paid parking spaces in the Municipal Building parking lot. Spaces are clearly marked as paid overnight parking.
- 2. 14 overnight paid parking spaces on the peripheral of the Cranberry Island Parking area. Spaces are clearly marked as paid overnight parking.
- 3. When the above two locations are full overnight paid parking is allowed in the permit area of the Gray Cow Lot which is located off of Main Street and Sea Street in Northeast Harbor. (Not to exceed the 20 permit spaces)

B. Rates For Paid Parking:

- 1. All overnight paid parking spots cost \$10 per night of parking.
- 2. Paid parking is enforced May 15th to October 30th.

RETURN ON THE PUBLIC HEARING NOTICE

Hancock County, ss

State of Maine

TO: The Municipal Officers of the Town of Mount Desert

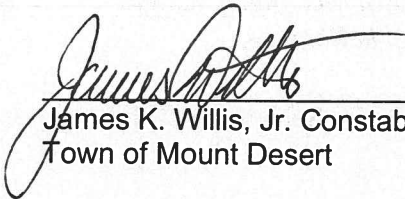
I certify that I have notified the voters of the Town of Mount Desert of the time and place of the Public Hearing by posting an attested copy of the notice as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION OF POSTING</u>
<u>3/25/2022</u>	<u>0900</u>	<u>Town Office, Northeast Harbor</u>
<u>3/25/2022</u>	<u>0925</u>	<u>Post Office, Northeast Harbor</u>
<u>3/25/2022</u>	<u>1000</u>	<u>Post Office, Seal Harbor</u>
<u>3/25/2022</u>	<u>0940</u>	<u>Post Office, Mount Desert</u>

being public and conspicuous places in said Town and being at least ten (10) days prior to the date of the Public Hearing.

Dated at Town of Mount Desert: March 25, 2022

Attest:



 James K. Willis, Jr. Constable
 Town of Mount Desert

To: James K. Willis, Jr., a Constable in the Town of Mount Desert

Greetings:

In the name of the State of Maine, you are hereby required to post this notice in order to notify and warn the inhabitants of the Town of Mount Desert that the municipal officers of the town will meet at the **Town Office Meeting Room; 21 Sea Street, Northeast Harbor at six-thirty in the evening on fourth day of April AD 2022**, for the purpose of conducting a public hearing on the following local option liquor referendum questions pursuant to 28-A M.R.S.A. § 123 and 30-A M.R.S.A. § 2528:

Article 4. Shall the Town authorize the State to permit the operation of agency liquor stores on days other than Sunday?

YES

No

Explanatory note: This vote to reauthorize the operation of agency liquor stores on days other than Sunday is required by changes to State law. Local option votes for the sale of liquor in the Town of Mount Desert held prior to 1977 are exempt from these changes and do not require action. However, approval for the sale of spirits and fortified wine for off premise consumption on days other than Sunday was approved in 1991 via a hand count at Town Meeting. Changes to State law requires that local option elections be done by written secret ballot vote.

Given under our hands at Mount Desert this 21st day of March 2022, the Selectmen of the Town of Mount Desert:

John B. Macauley, Chairman

Matthew J. Hart, Vice Chair

Wendy H. Littlefield, Secretary

Martha T. Dudman

Geoffrey Wood

Attest: A True Copy

Town Clerk, Mount Desert

To: James K. Willis, Jr., a Constable in the Town of Mount Desert

Greetings:

In the name of the State of Maine, you are hereby required to post this notice in order to notify and warn the inhabitants of the Town of Mount Desert that the municipal officers of the town will meet at the **Town Office Meeting Room; 21 Sea Street, Northeast Harbor at six-thirty in the evening on fourth day of April AD 2022**, for the purpose of conducting a public hearing on the following amendment to the Town of Mount Desert Charter referendum questions pursuant to 30-A M.R.S.A. § 2105.2:

Article 3 Shall the Town approve the amendment to the Town of Mount Desert Charter reprinted below?

Underline indicates new language, ~~strikethrough~~ indicates deleted.

~~5.3 ENACTMENT AND DURATION OF EFFECT. The procedure for the enactment of ordinances, or their amendment or repeal shall be as determined by law, ordinance, or this charter; every ordinance so enacted shall state a specific finite period, which shall not exceed fifteen years, during which it shall remain in force and after which it shall cease to have effect unless enacted again.~~

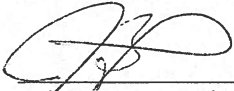
5.4 PERIODIC REVIEWS. The Board shall review every ordinance of the Town at least every five years to determine if it remains necessary or helpful to the Town. The Board shall be responsible for maintaining a current codification of all ordinances in effect in the Town and shall make copies of said codification available for inspection at the Town office or for purchase at a reasonable price.

YES

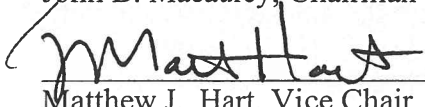
No

Explanatory Note: the proposed amendment eliminates the fifteen-year sunset provision required by the charter for all Town ordinances. This type of sunset provision is uncommon for Maine municipalities and has created complications for the Town regarding ordinance enactments and amendments. The charter still requires the Select Board to review all town ordinances every five years.

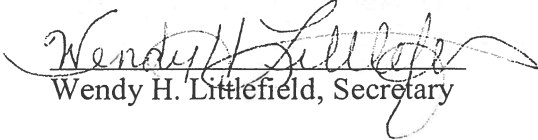
Given under our hands at Mount Desert this 21st day of March 2022, the Selectmen of the Town of Mount Desert:



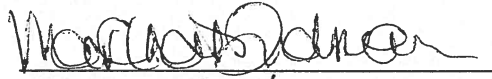
John B. Macauley, Chairman



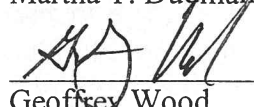
Matthew J. Hart, Vice Chair



Wendy H. Littlefield, Secretary



Martha T. Dudman



Geoffrey Wood

Attest: A True Copy

Town Clerk, Mount Desert

MINUTES

Town of Mount Desert
Board of Selectmen
Minutes
March 21, 2022

Board Members Present: Chair John Macauley, Matt Hart, Martha Dudman, Geoff Wood, Wendy Littlefield

Town Officials Present: Town Manager Durlin Lunt, Tax Assessor Kyle Avila, Town Clerk Claire Woolfolk, Public Works Director Tony Smith, Finance Director Jake Wright

Members of the Public were also in attendance.

I. Call to order at 6:30 p.m.

Chair Macauley called the meeting to order at 6:30PM.

II. Public Hearing(s)

A. 14 Sea Street. LLC d/b/a The Docksider 14 Sea Street, Northeast Harbor request for New Liquor License

Chair Macauley opened the Public Hearing.

There were no comments.

Chair Macauley closed the Public Hearing.

III. Post Public Hearing

A. 14 Sea Street. LLC d/b/a The Docksider 14 Sea Street, Northeast Harbor request for New Liquor License

MOTION: Ms. Dudman moved, with Mr. Hart seconding, approval of the 14 Sea Street. LLC d/b/a The Docksider 14 Sea Street, Northeast Harbor request for New Liquor

License, as presented.

Motion approved 5-0.

IV. Minutes

A. Approval of Minutes from February 24, 2022 meeting

MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of the Minutes of February 24, 2022, as presented.

Motion approved 5-0.

B. Approval of Minutes from February 28, 2022 meeting

MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of the Minutes of February 28, 2022, as presented.

Motion approved 4-0-1 (Littlefield in Abstention).

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C. Approval of minutes from March 7, 2022 meeting
MOTION: Mr. Wood moved, with Ms. Littlefield seconding, approval of the Minutes of March 7, 2022, as presented.
Motion approved 5-0.

V. Appointments/Recognitions/Resignations

A. Request appointment of Casey Beaman as a Paid on-call Firefighter to the Mount Desert Fire Department, effective March 22, 2022, at a starting pay of \$18.00 an hour

MOTION: Ms. Littlefield moved, with Mr. Wood seconding, appointment of Casey Beaman as a Paid on-call Firefighter to the Mount Desert Fire Department, effective March 22, 2022, at a starting pay of \$18.00 an hour, as presented and with thanks.
Motion approved 5-0.

VI. Consent Agenda

A. Memo from Sustainability Committee
B. Information about the Municipal Review Committee’s virtual Town Hall meeting held March 10, 2022, to review the plans to sell the Hampden Facility by June 30, 2022

MOTION: Ms. Littlefield moved, with Mr. Hart seconding, acceptance of the Consent Agenda as presented.
Motion approved 5-0.

VII. Selectmen’s Reports

Mr. Wood voiced his disappointment in what appeared to be a lack of preparedness at the Town Meeting. The Town seemed unprepared to address talking points that should have been anticipated.

Ms. Littlefield thought a fact sheet was going to be shared at the meeting. Ms. Dudman thought an explanation of the situation would start the discussion.

Mr. Hart commended Finance Director Wright on a great job answering some of the budget questions with clarity. Other Board Members concurred. Ms. Dudman felt Moderator Bill Ferm did a good job as well. While there were some stumbling blocks, in the end the Warrant Articles were passed. Mr. Hart felt the meeting was good prep for the May Town Meeting and Mr. Woods’ comments are well taken.

VIII. Unfinished Business

A. Review and Sign Warrant for May 2 and 3, 2022 Annual Town Meeting
The latest version of the Warrant was presented to the Board for review.

The voting site will be at the Town Offices in Northeast Harbor this year. Notice about this change has been advertised and is on the Town website. Additionally other signage such as a sign at the Somesville Fire Station and perhaps using one of the electronic traffic signs was discussed.

1
2 *B. Sign Public Hearing notices for referendum questions on May 2, 2022, secret ballot*
3 *election*

4 The Board agreed to sign off on the notices at the end of the meeting.
5

6 *C. Update on possible voluntary accrual cash-out policy implementation*

7 Finance Director Wright believed that the solution presented splits the difference between
8 addressing the problem now and at a future date. In the current budget year there's a lot
9 of work to be done, making it a difficult year to provide funding for this program. This
10 gives the Town time to address the problem in a more organic, concerted fashion.
11

12 *D. Consider extension of nonenforcement of all accrual maximums, excluding regular*
13 *sick leave and Earned Paid Leave, until December 31, 2023, due to COVID-19,*
14 *staffing shortages, and other factors inhibiting employees' ability to utilize accrued*
15 *compensated time off*

16 MOTION: Mr. Wood moved, with Mr. Hart seconding, granting extension of
17 nonenforcement of all accrual maximums, excluding regular sick leave and Earned Paid
18 Leave, until December 31, 2023, due to COVID-19, staffing shortages, and other factors
19 inhibiting employees' ability to utilize accrued compensated time off, as presented.

20 Motion approved 5-0.
21

22 *E. Consider revising authorization from the 12/20/21 BOS meeting to expend \$8,528.57*
23 *from the Police Capital Improvement / Equipment Reserve account #4040100-24405*
24 *instead of previously authorized \$8,258.57 due to transposition error*

25 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, revising authorization from
26 the 12/20/21 BOS meeting to expend \$8,528.57 from the Police Capital Improvement /
27 Equipment Reserve account #4040100-24405 instead of previously authorized \$8,258.57
28 due to transposition error, as presented.

29 Motion approved 5-0.
30

31 **IX. New Business**

32 *A. Request to Authorize a Public Space Special Event Application to the Neighborhood*
33 *House for Annual Memorial Day Community BBQ scheduled May 30, 2022 –*
34 *Northeast Harbor Marina Green*

35 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, authorization of a Public
36 Space Special Event Application to the Neighborhood House for Annual Memorial Day
37 Community BBQ scheduled May 30, 2022 – Northeast Harbor Marina Green, as
38 presented.
39

40 It was noted that an event less than four hours in length is considered a minor event.
41

42 Motion approved 4-0-1 (Mr. Hart in Abstention).
43

44 *B. Winter Spring Inc. d/b/a Colonel's Restaurant 143 Main Street, Northeast Harbor*
45 *request for Liquor License Renewal*

1 MOTION: Ms. Littlefield moved, with Mr. Wood seconding, approval of Winter Spring
2 Inc. d/b/a Colonel's Restaurant 143 Main Street, Northeast Harbor request for Liquor
3 License Renewal, as presented.
4

5 *C. Consideration of entering into an agreement as described in Public Works Director*
6 *Tony Smiths March 17, 2022 memo to Town Manager Durlin Lunt with Gorham*
7 *Leasing Group for the lease/purchase of a new 2022 Multi Hogg Sidewalk Tractor*
8 *and associated equipment from Central Equipment Company located in Stillwater*
9 *Maine at a lease/sales price of \$153,900 using funds on a 50% per each basis from*
10 *the Highway Divisions appropriations budget Line 1550100-55313 Lease-Sidewalk*
11 *Plow and the Public Works Equipment Reserve Account Number 4050100-24500*

12 Director Smith confirmed he has conferred with legal counsel and such a purchase can go
13 forward at this time. The tractor being replaced will be sold.
14

15 MOTION: Mr. Hart moved, with Ms. Dudman seconding,

- 16 • Approve authorization to enter into a Municipal Lease/Purchase agreement with
17 Gorham Leasing Group to finance the lease/purchase of a new 2022 Multi Hogg
18 sidewalk tractor and plow, snow blower, combination dump body and sander and
19 broom from Central Equipment Company located in Stillwater Maine for the amount
20 of \$153,900 with a 5-year term and a fixed 3.09 per-cent interest rate resulting in an
21 annual payment of approximately \$32,682 for each of five years and from whom we
22 will purchase the tractor and equipment for \$1.00 at the end of the five-year term and,
23 • Authorize charging 50% of the annual lease payment, or \$16,341, to the FY-22, and
24 the applicable fiscal year moving forward, Highway Divisions appropriations budget
25 Line 1550100-55313 Lease-Sidewalk Plow and charge 50% of the annual lease
26 payment, or \$16,341, to the Public Works Equipment Reserve Account Number
27 4050100-24500 with an approximate current balance of \$235,830, for the first annual
28 lease payment of \$32,682, the invoice for which is expected to arrive with delivery of
29 the tractor and equipment on or before March 31, 2022, and,
30 • Authorize Public Works Director Tony Smith to execute all documents on behalf of
31 the Town to facilitate the purchase and execute the lease in accordance with the terms
32 described in the memo dated March 17, 2022,

33 as presented.

34 Motion approved 5-0.
35

36 *D. Authorize Jake Wright, Finance Director, to sign new lease agreement with Pitney*
37 *Bowes for replacement of postage meter machine*

38 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, authorizing Jake Wright,
39 Finance Director, to sign new lease agreement with Pitney Bowes for replacement of
40 postage meter machine, as presented.

41 Motion approved 5-0.
42

43 *E. Consider revoking Temporary Amendment to Personnel Policies dated 4/6/20. See*
44 *memo from Jake Wright, Finance Director. Revocation to be effective 3/21/22*

1 MOTION: Mr. Wood moved, with Mr. Hart seconding, revoking Temporary
 2 Amendment to Personnel Policies dated 4/6/20. See memo from Jake Wright, Finance
 3 Director. Revocation to be effective 3/21/22, as presented.
 4 Motion approved 5-0.
 5

6 **X. Other Business**

7 *A. Such other business as may be legally conducted*
 8

9 Sustainability Committee Chair Phil Lichtenstein urged the Board to create a Climate
 10 Task Force, made up of a Department Head, a Sustainability Committee member, and
 11 perhaps a Selectboard member so the process of implementing changes included in the
 12 Climate Action Plan can begin. He suggested hiring an intern might better facilitate the
 13 work. Mr. Lichtenstein agreed to be a part of the task force.
 14

15 Mr. Wood noted he was willing to discuss the task force and what the job would include
 16 with Mr. Lichtenstein.
 17

18 Ms. Dudman asked if it was the intention of the Sustainability Committee that the budget
 19 items are overseen by the task force and that someone would be hired to perform the
 20 tasks? Mr. Lichtenstein believed it was possible. He felt the Sustainability Committee
 21 would continue as a group. It's too much for one person, particularly a volunteer, to
 22 oversee the Climate Action Plan. Mr. Lichtenstein hopes to make resources available to
 23 the community. The Town has made a number of changes already. There are options
 24 that can be considered in the future, but smaller things a Task Force can handle now.
 25

26 Mr. Hart asked about Bar Harbor's position. He felt a position was critical to getting
 27 things done. Mr. Lichtenstein noted Bar Harbor was considering how to proceed.
 28 Bangor received funding for an intern. Bar Harbor approached Mr. Lichtenstein about
 29 sharing a coordinator. Mr. Wood suggested the Town prepare for partnering with Bar
 30 Harbor on a coordinator for the next budget season.
 31

32 **B. Treasurer's Warrants**

33 *A. Approve & Sign Treasurer's Warrant as shown below:*

Town Invoices	AP#2253	03/22/2022	\$1,087,583.85
Total			\$1,087,583.85

34
 35 MOTION: Ms. Littlefield moved, with Mr. Hart seconding, approval and signature of
 36 the Treasurer's Warrant as shown above.
 37 Motion approved 5-0.
 38

39 *B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown*
 40 *below:*

State Fees & PR Benefits	AP#2251	03/09/2022	\$39,497.24
	AP#2252	06/16/2022	\$7,743.26
Town Payroll	PR#2220	03/18/2022	\$124,217.59

Total			\$171,458.09
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MOTION: Ms. Dudman moved, with Mr. Wood seconding approval of signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown above.
 Motion approved 4-0-1 (Littlefield in Abstention)

C. Acknowledge Treasurer's School Board AP/Payroll Warrants as shown below:

School Invoices	#10	03/08/2022	\$66,587.85
	#11	03/11/2022	\$24,803.30
School Payroll	#19	03/18/2022	\$175,942.44
Total			\$267,333.59

MOTION: Ms. Dudman moved, with Mr. Hart seconding, acknowledgement of Treasurer's School Board AP/Payroll Warrants as shown above.
 Motion approved 5-0.

Grand Total			\$1,526,375.53
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C. Adjournment

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, adjourning the meeting.
 Motion approved 5-0.

The Meeting adjourned at 7:00PM

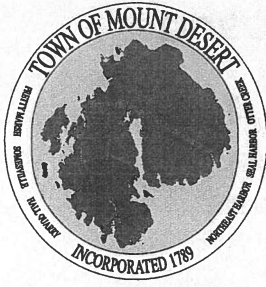
Respectfully Submitted,

Wendy Littlefield

APPOINTMENTS

RECOGNITIONS

RESIGNATIONS



Town of Mount Desert

Claire Woolfolk, Town Clerk
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248

Telephone 207-276-5531 Fax 207-276-3232
E-mail townclerk@mtdesert.org Web Address www.mtdesert.org

MEMO

DATE: March 31, 2022

TO: Board of Selectmen

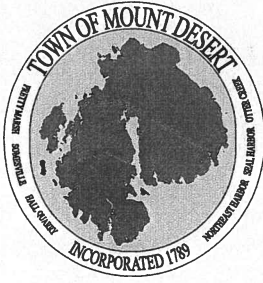
FROM: Claire Woolfolk, Town Clerk *Claire*

RE: Ballot Clerk Appointments

Title 30-A, MRS, Section 2528(8) states that the municipal officers shall appoint the necessary number of ballot clerks as provided in Title 21-A, Section 503 for secret ballot elections. The Annual Town Meeting election May 2, 2022 is such an election.

Please sign the accompanying Certificate of Appointments for the Republican and Democrat clerks. The appointments will be posted at the polls and will become a part of the Annual Town Meeting permanent record.

Thank you.



Town of Mount Desert

Board of Selectmen

21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248
Telephone 207-276-5531 Fax 207-276-3232
Web Address www.mtdesert.org

CERTIFICATE OF APPOINTMENT

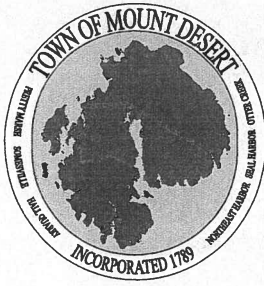
Municipality of MOUNT DESERT County of HANCOCK State of MAINE

The Selectmen of the Municipality of the Town of Mount Desert do, in accordance with the provisions of the laws of the State of Maine, hereby appoint Carrie Eason Election Warden within and for the Municipality of Mount Desert and appoint the following for as ballot clerks for the May 2 & 3, 2022 Annual Town Meeting election.

Title 30-A, MRS, Section 2528(8) states that the municipal officers shall appoint the necessary number of ballot clerks as provided in Title 21-A, Section 503 for secret ballot elections. The Annual Town Meeting election May 2, 2022 is such an election.

Given under our hands at Mount Desert, April 4, 2022:

Mady Jo Allen	D	Frances Stehman	D	Mary Lee Bayne	R
Stephen Anastasia	D	Dorothy Kay Stillman	D	Martha Bucklin	R
John F. Doyle	D	Harriet Whittington	D	Anna Carr	R
Rita Doyle	D	Charles Wray	D	Anne Dalton	R
Eileen Fahey	D			Barbara Dickson	R
Kathleen Graves	D			Felicia Falt	R
Brian Henkle	D			Sara Fraley	R
John March	D			Daniel Litchfield	R
Maude March	D			Kathryn Suminsby	R
Gail Marshall	D			Jane Vris	R
Sarah Merchant	D			Cherie Weed	R
Gerard Miller	D			Marc Woolfolk	R
Eleanor Pancoe	D			Matthew Woolfolk	R
Michael Pancoe	D			Dianne Young	R
Gail Reiber	D				
Mary Silverman	D				



Town of Mount Desert

Board of Selectmen

21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248
Telephone 207-276-5531 Fax 207-276-3232
Web Address www.mtdesert.org

CERTIFICATE OF APPOINTMENT

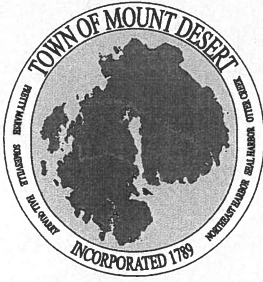
Municipality of MOUNT DESERT

County of HANCOCK

State of MAINE

The Selectmen of the Municipality of the Town of Mount Desert do, in accordance with the provisions of the laws of the State of Maine, hereby appoint the following persons as Election Clerks within and for the Municipality of Mount Desert, such appointment to be effective from May 2022 until May 2024. Given under our hands at Mount Desert, this 4th day of April 2022.

Mady Jo Allen	D	Mary Lee Bayne	R
Stephen Anastasia	D	Martha Bucklin	R
John F. Doyle	D	Anna Carr	R
Rita Doyle	D	Anne Dalton	R
Eileen Fahey	D	Barbara Dickson	R
Kathleen Graves	D	Felicia Falt	R
Brian Henkle	D	Sara Fraley	R
John March	D	Daniel Litchfield	R
Maude March	D	Kathryn Suminsby	R
Gail Marshall	D	Jane Vris	R
Sarah Merchant	D	Cherie Weed	R
Gerard Miller	D	Marc Woolfolk	R
Eleanor Pancoe	D	Matthew Woolfolk	R
Michael Pancoe	D	Dianne Young	R
Gail Reiber	D		
Mary Silverman	D		
Frances Stehman	D		
Dorothy Kay Stillman	D		
Harriet Whittington	D		
Charles Wray	D		



Town of Mount Desert

Claire Woolfolk, Town Clerk
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248

Telephone 207-276-5531 Fax 207-276-3232

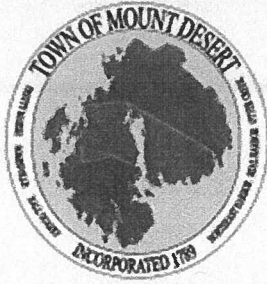
E-mail townclerk@mtdesert.org Web Address
www.mtdesert.org

MEMO

DATE: March 30, 2022
TO: Board of Selectmen
FROM: Claire Woolfolk, Town Clerk *Claire*
RE: June 14, 2022 Primary and Special State Referendum Election

Pursuant to 21-A §501, I request that the Board of Selectmen, by recorded vote, approve the appointment made by the Town Clerk, of Carrie Eason as Warden for the June 14, 2022 Primary and Special State Referendum Election.

Thank you.



Mount Desert Fire Department

Michael Bender, Fire Chief
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248

Telephone 207-276-5111 Fax 207-276-5732

Web Address www.mtdesert.org

firechief@mtdesert.org

Memo

To: Durlin Lunt, Town Manager
From: Mike Bender, Fire Chief
CC: Jake Wright, Finance Director, Claire Woolfolk, Town Clerk
Date: March 29, 2022
Re: Temporary Employment of AC John Lennon

I would like to request authorization to have Assistant Chief (AC) John Lennon of the Bar Harbor Fire Department temporarily employed by the Mount Desert Fire Department (MDFD) on a part-time basis to assist in the final stages of transferring vehicles, supplies, equipment, records, etc., from the Northeast Harbor Ambulance Service (NEHAS) over to the MDFD. This would be effective April 5, 2022. Leadership from both organizations feel that a single "point person" needs to be established representing the MDFD that can work with NEHAS on a regular basis for a smooth and seamless changeover. When working for MDFD, AC Lennon would be here no more than 16 hours a week, or less, on a "as needed basis" and report directly to the Mount Desert Fire Chief.

Hours worked at Mount Desert would be tracked through his timecards submitted to Bar Harbor and we would reimburse them through invoicing at either his regular hourly rate or overtime rate. I expect to have enough unallocated funds from the department's "Firefighter On-Call" wage line to cover the additional costs. The NEHAS has also offered to help contribute to these costs if the FD's existing funds should be depleted.

This part time employment position would be through to July 1st at which time we hope to have a Deputy Chief sharing agreement in place with Bar harbor who would assume these responsibilities.

Thank you

Town Clerk

From: Mike Bender
Sent: Thursday, March 31, 2022 12:05 PM
To: Town Clerk
Cc: Durlin Lunt
Subject: BOS Agenda Item #2
Attachments: 4-4(2) Memo.docx

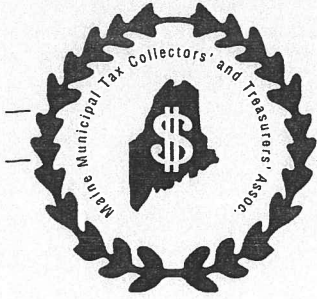
Follow Up Flag: FollowUp
Flag Status: Flagged

Claire,

Can you add the following agenda item to the April 4, 2022, Select Board agenda?

- *Consideration of the appointment of Margaret Houghton as a Municipal Firefighter/EMT in the Fire Department, effective April 18, 2022, at an hourly rate of \$27.47 per hour.*
- *Consideration of the appointment of Shelby Allen as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$26.72 per hour.*
- *Consideration of the appointment of Kate Joseph as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$26.72 per hour.*
- *Consideration of the appointment of Ian Campbell as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$25.97 per hour.*
- *Consideration of the appointment of Griffin Costello-Sanders as a Municipal Firefighter/EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$26.72 per hour.*
- *Consideration of the appointment of Sarah Adelberg as a Part-Time EMT in the Fire Department, effective May 2, 2022, at an hourly rate of \$25.97 per hour.*

Mike Bender, Fire Chief
Mount Desert Fire Department
PO Box 248
Northeast Harbor, ME 04662
Tel. 207-276-5111
Cell 207-460-3096
Fax 207-801-5851
firechief@mtdesert.org



Maine Municipal Tax Collectors' and Treasurers' Association

Local Government Center • 60 Community Drive, Augusta, Maine 04330-9486
1-800-452-8786 (In Maine) • 207-623-8428 • Fax 207-624-0128
www.mmtcta.org

March 21, 2022

Mr. Durlin Lunt
Town Manager
Town Mount Desert
PO Box 248
Northeast Harbor, ME. 04662

Dear Mr. Lunt:

Congratulations are in order for the Town of Mount Desert. The Maine Municipal Tax Collectors' and Treasurers' Association has approved Lisa Young as a re-certified Tax Collector & Treasurer. This re-certification process has required many hours of dedication to achieve. The re-certification process requires that applicants receive training in a number of courses that relate to their field of expertise.

Lisa will be recognized for receiving re-certification in the MMTCTA newsletter *Dollar\$ and Sense* and her certificate will be awarded at the 2022 MMTCTA Annual Conference.

The MMTCTA understands the investment of time and resources it takes to achieve this status. You may want to check with the Town's insurance carrier to see if this would entitle the Town to a discount on your public official's liability insurance or bond insurance for this position. We encourage you to ask your insurance company and find out.

Congratulations once again!

Sincerely,

Julie Giles
Chairperson
MMTCTA Certification Committee

MAR 24 2022

March 11, 2022
Megan Lunt
PO Box 469
Bass Harbor ME 04653

Town Of Mount Desert

Re: Letter of Resignation

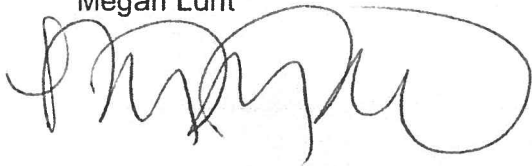
Please accept this as my notice of resignation from the position of Finance and CEO assistant, effective April 8th.

After careful consideration, I have made the very difficult decision to announce my departure from my current position. With the employment market as it is, I felt it fair to give 4 weeks notice.

I have really enjoyed my time over the last 2 years here. I am thankful for all of the learning opportunities and great people to work with. I have really appreciated the flexibility I have been given to put my family first and work remotely when needed.

Thank you!

Sincerely,
Megan Lunt

A handwritten signature in black ink, appearing to read 'Megan Lunt', written in a cursive style.

CONSENT AGENDA

Press release

Town of Mount Desert to hold listening session on Otter Creek Inner Harbor on April 12, 2022

The Town of Mount Desert will hold a public listening session on April 12, 2022 at the Otter Creek Aid Society meeting hall on the health of the Otter Creek Inner Harbor (the cove on the north side of the Park Loop Road causeway). The town is working with the National Park Service and with scientists at College of the Atlantic and Schoodic Institute to assess conditions in Otter Creek Inner Harbor. The Town would like to hear what community members value about the inner harbor, what problems they have noticed, and their thoughts on the causes of the problems.

The listening session is open to the public and will be facilitated by Otter Creek resident, Ron Beard. The meeting will start at 6:00pm. Light refreshments will be available beginning at 5:45pm.

This listening session is a part of a new project for the town to understand and improve the health of Otter Creek Inner Harbor. Specifically, the town is concerned about declines in populations of fish, clams, and other marine organisms within the inner harbor. The town hopes to use the results of the project to work with the National Park Service to plan and implement steps that could improve the health of the inner harbor.

This project is a collaboration with the Thriving Earth Exchange, an organization that connects communities with scientists and supports them as they work together to tackle local challenges related to natural hazards, natural resources, and climate change.

For more information about the project, please see the project web page:

<https://thrivingearthexchange.org/project/mount-desert-me/>

Contact: Durlin Lunt, Mount Desert Town Manager: manager@mtdesert.org, 207-276-5531



TOWN OF MOUNT DESERT

Assessing Office

P.O. BOX 248 21 SEA STREET
NORTHEAST HARBOR, MAINE 04662
207-276-5531 FAX 207-276-3232
www.mtdesert.org

DATE: April 1, 2022
TO: Town Manager & Board of Selectmen
FROM: Kyle Avila, Assessor
RE: State Valuation

PRELIMINARY 2023 STATE VALUATION

Please see the attached letter from Maine Revenue Services regarding the proposed 2023 State Valuation. The proposed State valuation is derived from the Town's total taxable property value, which is then adjusted/equalized to 100%. The adjustment to our total taxable property value is based on the ratio of assessed value to market value found in the sales analysis. Assessed values in Mount Desert average around 83% (down from 89%) of the sale prices in the latest analysis of sales (pages 4-5 in the attached report) occurring in the last half of 2020 and first half of 2021. The 2023 valuation for Mount Desert is proposed to be \$2,507,250,000. The State valuation is up 7% from last year's State Valuation of \$2,324,950,000 and reflects the rapidly appreciating real estate market. The proposed 2023 State valuation will be used in the calculation of Mount Desert's portion of County appropriations, school subsidies, and State Revenue sharing to be distributed in 2023.

Respectfully submitted,

Kyle Avila, Assessor



JANET T. MILLS
GOVERNOR

STATE OF MAINE
MAINE REVENUE SERVICES
P.O. BOX 9106
AUGUSTA, MAINE
04332-9106

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA
COMMISSIONER

MAINE REVENUE SERVICES

JEROME D. GERARD
EXECUTIVE DIRECTOR

February 2022

Municipal Assessors and Chairman of the Board of Selectpersons:

RE: Preliminary 2023 State Valuation

Dear Municipal Official(s):

Enclosed you will find a copy of the preliminary 2023 State Valuation report for your municipality as prepared by a field representative of the Property Tax Division. This valuation represents the full equalized value of all taxable property in the municipality as of **April 1, 2021**. Please note that these figures are preliminary and are being forwarded to you at this time in order to provide for your review and allow time for any contribution of additional comments and/or pertinent data.

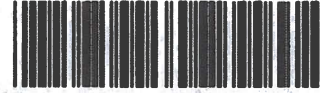
The State Valuation is compiled by determining, through field work and meetings with local officials, the approximate ratio of full value on which local assessments are made, and by then adjusting the local assessed values in accordance with the Rules of Procedure Used to Develop State Valuation (08-125 Chapter 201). State Valuation is a mass appraisal estimate of the 100% market value of all taxable property of a municipality and is established annually by the State Tax Assessor. The enclosed report is comprised of five (5) parts: the Sales Ratio Analysis; BETE audit; State Valuation Analysis (PTF303.4); Report of Assessment Review, a three (3) year comparison (PTF303); and Report of Assessment Review, informational review (PTF303.2).

If after reviewing this report you find any errors or inconsistencies, need clarification or simply wish to discuss the report, please call the Property Tax Division at 624-5600 or fax your concerns to us at 287-6396. Alternatively, you may contact your area field representative from Maine Revenue Service, Property Tax Division directly for the purpose of discussing any additional information pertinent to the preliminary State Valuation.

The Proposed 2023 State Valuation Notice will be sent by certified mail on or before September 30, 2022.

MAR 17 2022

Property Tax Division
REPORT OF ASSESSMENT REVIEW



Municipality	Mount Desert		County	Hancock (c)
	2021	2022	2023	
1. State Valuation	2,174,100,000	2,324,950,000	2,507,250,000	
2. Amount of Change	2,850,000	150,850,000	182,300,000	
3. Percent of Change	0.13%	6.94%	7.84%	
4. Eff. Full Value Rate (line 6d/1)	0.0076	0.00717	0.00691	
5. Local Mil Rate 19-20-21	0.00795	0.00798	0.00825	
6a. Commitment 2019-20-21	16,474,639	16,588,745	17,249,138	
6b. Homestead Reimbursement	55,948	77,226	78,973	
6c. BETE Reimbursement	2,126	3,237	2,495	
6d. Total (6a, 6b & 6c)	16,532,713	16,669,209	17,330,606	
6e. % change from prior year (6d.)	3.79%	0.83%	3.97%	
	2020	2021		
A. Municipal Valuation	2,078,790,120	2,090,804,620		
Net Supplements / Abatements	(172,400)	(5,200)	Amount of Change	Percent of Change
Homestead (Exempt Valuation)	9,677,500	9,572,500		
BETE (Exempt Valuation)	405,650	302,450		
Adjusted Municipal Valuation	2,088,700,870	2,100,674,370	11,973,500	0.57%
B. Sales Information				
Sales Period Used	07/19 - 06/20	07/20 - 06/21	Combined Sales Ratio	83%
State Valuation	2022	2023		
# of Sales	42	52		
# of Appraisals				
Residential Study			Percent of Change	
Weighted Average	89%	84%		
Average Ratio	89%	83%	-6.74%	
Assessment Rating	13	11		
Water Study				
Weighted Average				
Average Ratio				
Assessment Rating				
Condominium Study				
Weighted Average				
Average Ratio				
Assessment Rating				
Certified Ratio	100%	100%		

STATE VALUATION ANALYSIS

Municipality		Mount Desert			County		Hancock (c)	
Municipal Valuation - 2021		100%	Declared Certified Ratio		2023 State Valuation			
LAND				Ratio	Source			
Electrical Utilities (Trans & Dist)			9,168,800	100%	Declaration Value		9,168,798	
Classified Tree Growth	265	ac	33,930	100%	State Rates		33,934	
Classified Farm Land	35	ac	15,030	92%	Adj. Cert Ratio		16,337	
Classified Farm Woodland	79	ac	11,370	100%	State Rates		11,370	
Classified Open Space	1,822	ac	8,916,900	92%	Adj. Cert Ratio		9,692,283	
Classified Working Waterfront		ac						
Commercial Lots			36,676,300	92%	Adj. Cert Ratio		39,865,543	
Industrial Lots			1,072,400	92%	Adj. Cert Ratio		1,165,652	
Residential Lots			556,827,470	83%	Combined Study		670,876,470	
Waterfront & Water Influenced Lots			718,189,100	83%	Combined Study		865,288,072	
Condominium Lots								
Working Forest Roads		ac						
Waste Acres		ac						
# Undeveloped Acres	1,829	ac	11,663,500	6378/ Mun Avg	1970/ac SR		3,602,560	
			1,342,574,800		TOTAL LAND		1,599,721,019	
BUILDINGS								
	# accts							
Commercial	115		35,224,200	92%	Adj. Cert Ratio		38,287,174	
Industrial	1		1,025,100	92%	Adj. Cert Ratio		1,114,239	
Residential			439,732,220	83%	Combined Study		529,797,855	
Waterfront & Water Influenced			264,919,900	83%	Combined Study		319,180,602	
Condominiums								
			740,901,420		TOTAL BUILDINGS		888,379,870	
PERSONAL PROPERTY								
	# accts							
Commercial			7,309,700	100%	Personal Property Ratio		7,309,700	
Industrial			18,700	100%	Personal Property Ratio		18,700	
Other								
			7,328,400		TOTAL PERSONAL		7,328,400	
TOTALS			2,090,804,620				2,495,429,289	
Adjustments (Net Abates/Supp)			(5,200)	83%	Combined Study		(6,265)	
Adjustments (Comm., Ind. & Pers.)								
<i>Homestead (Exempt Valuation)</i>			9,572,500	83%	Combined Study		11,533,133	
<i>BETE (Exempt Valuation)</i>			302,450	100%	Personal Property Ratio		302,450	
ADJUSTED TOTAL			2,100,674,370				2,507,258,607	
TIF ADJUSTMENTS			<i>TIF Development Program Fund</i>					
NET w/ ADJUSTMENTS & TIF							2,507,258,607	
STATE VALUATION							2,507,250,000	

STATE OF MAINE Sales Ratio Analysis - 2023 State Valuation

Municipality: **Mount Desert**

County: **Hancock (c)**

1 Year - **COMBINED STUDY**

Weighted Avg. =	84%	=	47,345,400	/	56,258,071
Average Ratio =	83%	=	29.79	/	36
Avg. Deviation =	9	=	465	/	52
Quality Rating =	11	=	9	/	83%

Item No.	Class	Date of Sale		Book	Page	Map	Lot	Name	Average Selling Price = \$1,081,886 2021		Ratio	Dev.
		Month	Year						Selling Price	Assessed Value		
1	R	3	2021	7108	304	21	23		690,000	438,100	0.63	20
2	U	11	2020	7084	852	24	4-002		970,925	629,700	0.65	18
3	U	6	2021	7126	182	25	35		725,000	479,700	0.66	17
4	W	6	2021	7127	955	11	74		1,450,000	991,200	0.68	15
5	R	12	2020	7078	849	10	179		825,000	567,400	0.69	14
6	U	11	2020	7072	377	25	31		1,375,000	955,400	0.69	14
7	R	2	2021	7098	263	21	41-001		468,000	333,400	0.71	12
8	U	5	2021	7123	323	24	111		489,000	346,800	0.71	12
9	R	10	2020	7059	769	24	124		1,965,000	1,391,400	0.71	12
10	R	9	2020	7056	980	8	34		413,500	303,900	0.73	10
11	W	10	2020	7064	798	26	31		2,870,000	2,107,800	0.73	10
12	R	3	2021	7108	769	9	120-007		802,500	596,300	0.74	9
13	R	8	2020	7051	979	10	37		354,000	261,800	0.74	9
14	R	6	2021	7128	218	10	193-14		845,000	653,800	0.77	6
15	W	9	2020	7055	33	9	31		830,000	644,000	0.78	5
16	W	7	2020	7039	689	9	32		1,485,046	1,151,800	0.78	5
17	R	8	2020	7050	190	10	60		380,000	294,600	0.78	5
18	W	11	2020	7071	885	23	2-002		3,375,000	2,641,100	0.78	5
19	R	4	2021	7112	156	10	193-009		739,000	584,200	0.79	4
20	R	11	2020	7076	60	8	94-005		746,500	600,400	0.80	3
21	R	11	2020	7073	873	10	127-001		784,500	628,500	0.80	3
22	R	5	2021	7119	931	12	31-2		1,200,000	973,100	0.81	2
23	W	10	2020	7068	242	17	12		986,000	796,800	0.81	2
24	U	6	2021	7125	270	25	120		550,000	445,500	0.81	2
25	U	12	2020	7086	196	31	93-002		447,300	366,300	0.82	1
26	R	10	2020	7063	570	9	76		480,000	400,700	0.83	
27	R	11	2020	7076	543	12	13-29-1		489,500	406,200	0.83	
28	U	12	2020	7086	407	26	25-001		2,400,000	1,980,400	0.83	
29	W	5	2021	7119	34	7	83		1,900,000	1,601,300	0.84	1
30	U	12	2020	7081	674	27	31		2,250,000	1,893,400	0.84	1
31	U	11	2020	7076	87	30	29		415,000	348,400	0.84	1
32	R	9	2020	7057	769	10	48-1-11		229,300	195,200	0.85	2
33	U	9	2020	7054	102	26	15		720,000	613,100	0.85	2
34	R	3	2021	7110	54	19	14-1		790,000	683,300	0.86	3
35	U	2	2021	7096	901	24	60		1,025,000	881,900	0.86	3
36	R	6	2021	7125	181	7	38		630,000	548,300	0.87	4
37	R	5	2021	7119	247	12	8-001		375,000	324,900	0.87	4
38	R	10	2020	7061	924	21	10		1,050,000	912,600	0.87	4
39	U	10	2020	7063	300	24	32		1,165,000	1,020,600	0.88	5
40	R	11	2020	7070	378	28	13		2,875,000	2,571,300	0.89	6
41	R	11	2020	7073	901	10	88		1,025,000	942,600	0.92	9
42	U	3	2021	7101	542	25	153		410,000	387,300	0.94	11
43	W	5	2021	7124	380	17	10		775,000	743,900	0.96	13
44	U	8	2020	7049	200	5	33		320,000	312,600	0.98	15
45	R	7	2020	7035	943	20	25		485,000	474,900	0.98	15
46	U	9	2020	7054	973	23	43		2,490,000	2,451,300	0.98	15
47	W	10	2020	7062	207	8	78		2,300,000	2,270,500	0.99	16

48	R	11	2020	7070	916	10	193-001	425,000	429,900	1.01	18
49	W	9	2020	7055	536	8	67-001	2,955,000	3,025,700	1.02	19
50	U	9	2020	7055	888	5	55-002	1,650,000	1,771,900	1.07	24
51	U	8	2020	7050	662	26	56	443,000	492,600	1.11	28
52	R	9	2020	7058	325	19	20	420,000	477,600	1.14	31

Property Tax Division
REPORT OF ASSESSMENT REVIEW

Municipality Mount Desert **County** Hancock (c)

I. Valuation System

A. Land: Tax Maps by James Sewall Co. GIS & Paper Date: 1968
 Undeveloped Acreage Unit per acre Undeveloped Lots Unit Base Acre
 Road Frontage Water Frontage Unit Base Acre + improvements
 House lots Unit Base Acre + improvements Other _____

B. Buildings : Revaluation By: Vision Appraisal - 2007 Computerized Records Yes

C: Personal Property: Assessed? Y/N Yes Method Used: RCNLD
 Is Cert Ratio Applied? Y/N Yes

II. Assessment Records / Condition Website w/VAL data Y/N Yes Web Address mtdesert.org/assessor

Valuation Book	<u>Computer - TRIO</u>	Tree Growth Forms	<u>On File - Good</u>
Property Record Cards	<u>Vision - Good</u>	Farm Land Forms	<u>On File - Good</u>
Veteran Exemption Forms	<u>On File - Good</u>	Open Space Forms	<u>On File - Good</u>
Homestead Exemption Forms	<u>On File - Good</u>	Working Waterfront Forms	<u>N/A</u>

III. Supplements and Abatements

Supplements: Number Made	<u>1</u>	Value Supplemented	<u>994,300</u>
Abatements: Number granted (excluding current use penalties)	<u>2</u>	Value Abated	<u>(999,500)</u>

IV. Statistical Information

Number of Parcels	<u>2,608</u>	Land Area	<u>25,120</u>
Taxable Acres	<u>10,823</u>	Bog/Swamp	<u>Unknown</u>
Population (2020)	<u>2,146</u>		

V. Assessment Standards

Standards Ratio 90.35% = (2021 Municipal Valuation /2022 State Valuation)
 Assessment Quality: Combined 11

Comments or Plans for Compliance: **For 2022 the town will be implementing a comprehensive market update/equalization program conducted in conjunction with Vision Government Solutions.**

VI. Audit Information

Municipal Official providing data: Kyle Avila, Assessor

Date(s) of Field Audit: 11/17/2021

VII. Office Review

Recommended by: Mike Rogers
 Field Rep

Checked by: HL

Approved by: St. J. Kelly 3/9/2022



Town of Mount Desert
Claire Woolfolk, Town Clerk
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248
Telephone 207-276-5531 Fax 207-276-3232
E-mail Address townclerk@mtdesert.org
Web Address www.mtdesert.org

April 12, 2022

Division of Elections
101 State House Station
Augusta, ME 04333-0101

RE: Voting Place Move

Dear Elections Division (Howard?),

As specified by Howard Jones, this is the supplemental letter to the application submitted on March 14, 2022.

- The Secretary of State's *Policy for Changing the Location of a Voting Place* has been reviewed.
- The current voting place is no longer suitable with reasons provided: *The Town of Mount Desert is forced to move their polling place due to a conversion of the prior space to living quarters for EMT/Fire personnel.*
- The current voting place is no longer available (if applicable). *See above.*
- If the property/building of the proposed new location is not owned by the municipality, the owner(s) of the property/building has agreed to follow all voting place laws and requirements, and to make the property/building available for all statewide elections, including time for testing of voting equipment before the election, if necessary. *N/A*
- The proposed new location meets all voting place accessibility requirements (several resources are available for determining if accessibility requirements are met. They can be obtained from Division of Elections staff or the Elections Temp Page available to the Municipal Clerk). *Our Code Enforcement Officer (CEO), Kim Keene, has reviewed meeting room and the access (completed the Municipal Self-Certification for Voting Place Accessibility). She determined that the threshold to the entry vestibule needs to be addressed and I have contacted our Public Works department to deal with the issue.*
- The proposed new location allows adequate space for setting up the state's accessible voting solution in the voting area (5' clearance access), that the accessible voting equipment will be set up and ready for use when the polls open for every statewide election, and that election clerks have had, or will have before the next election, training in the operation of the accessible voting equipment. *I attest that there will be the required 5' clearance for the state's accessible voting system and that it will be set up and ready for each statewide election. Our warden, election clerks, and town clerks have had training in*

the operation of the accessible voting equipment. I provide a refresher prior to each election.

- The proposed new location and parking is large enough for the biggest election (i.e. Presidential). We have ample parking in an upper municipal lot, parking immediately adjacent to the meeting room where we will hold the elections (some of which will be designated for handicap parking in addition to what is currently designated), parking along the street in front of the municipal building, and public parking in the lower lot of the municipal building. We have roughly 65 parking spaces, in addition to the handicap reserved spaces, available for municipal business/voting. I don't believe I've ever had more than 30 voters in the polling place at any given time (including presidential elections). Frequently, multiple voters will arrive in one vehicle (i.e. family members and/or neighbors). Should we ever need more parking, employees could park across the street at the village green/tennis court lot for the day. With the increase in absentee voting, I don't foresee parking on election day being an issue.

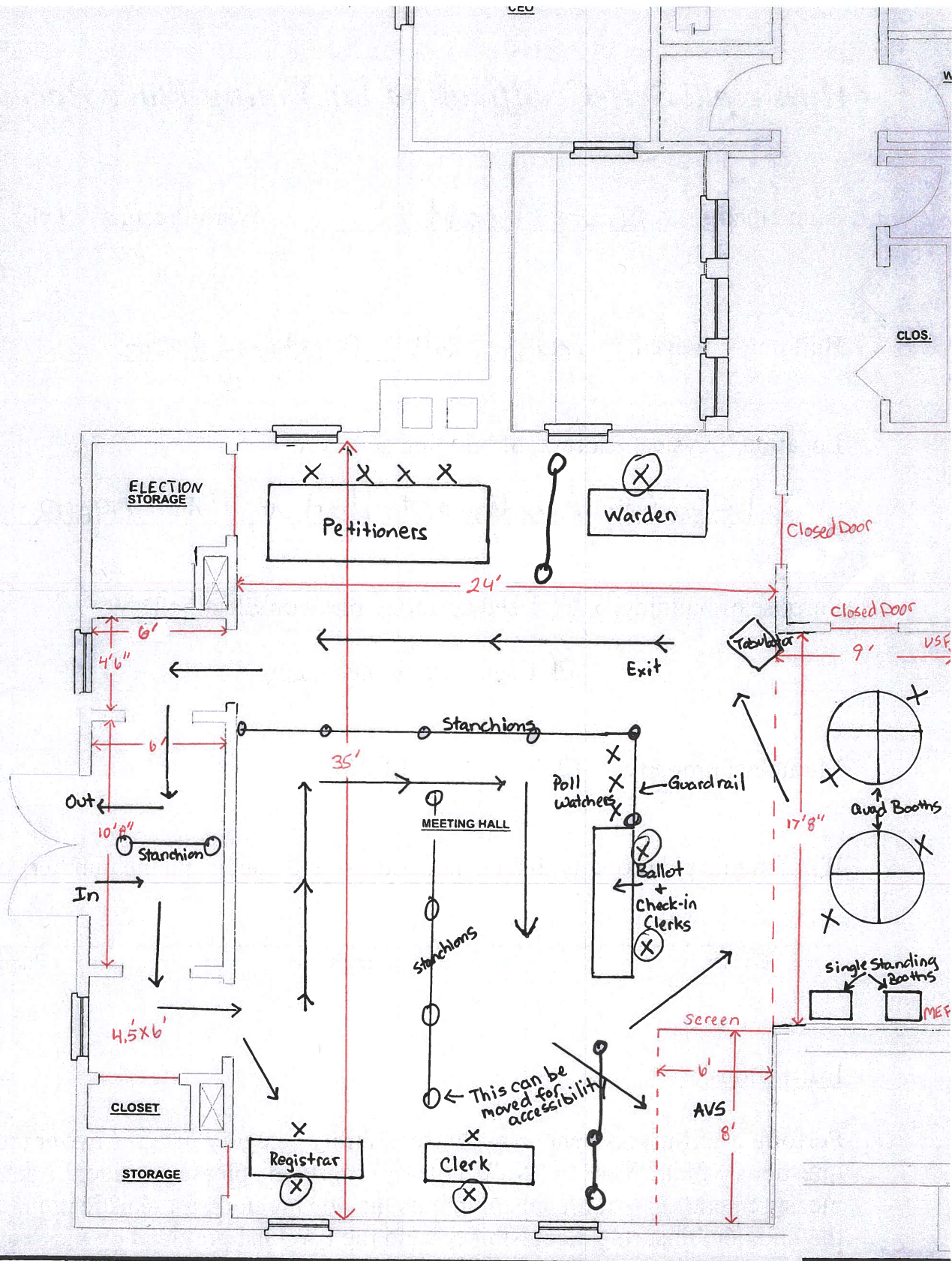
Also attached are the Voting Place Drawings and the Municipal Self-Certification completed by our CEO.

Should you need further clarification, please do not hesitate to contact me.

Sincerely,



Claire Woolfolk
Town Clerk/Registrar of Voters
Town of Mount Desert



24' x 35' Meeting Room
 9' x 17'8" Alcove
 6' x 8' AVS/Temp Office
 6' x 10'8" Vestibule

Parking
 2 Street Front
 2-4 Accessible (adjacent to Meeting Room)
 55 Municipal lot next to the building on the right
 6 Lower lot on left of building

Accessible Parking (2-4 spaces; 1 van)

Municipal Self-Certification for Voting Place Accessibility

Municipality: Mount Desert

Ward/Precinct: 1-1; 1-2

Building surveyed: Town Hall Meeting Room

Location (physical address) of building surveyed:

21 Sea St; Northeast Harbor, ME 04662

Purpose of building: Used as voting place on Election Day

Used for absentee voting

Municipal property: Yes No

If not municipal property, list owner, address and contact phone number:

Owner	Address	Phone
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Instructions:

Perform a self-assessment on each accessibility category listed. Answer the questions with a "Yes" or "No". For "No" answers, please provide the actual measurement(s). Additional comments may be included for clarification. Refer to the booklet "Ensuring Accessibility" and the FAQ list provided by the Secretary of State. A responsible municipal official (town manager, code enforcement officer, selectman, etc.) must sign and date the certification form in the spaces provided at the bottom of the report.

A. Parking Spaces	
1. Is parking available (on-street, off-street, or both)?	Yes
2. Is the surface of the parking area stable, firm and slip resistant? Please describe.	Yes
3. Is any accessible parking identified?	Yes
4. Is the minimum number of accessible parking spaces with proper access aisles provided? Min. of 1 van space and additional spaces as required. (2 required)	Yes - 11 + 5' (access aisle) Per ADA Req's 16' (van) 8' (cars)
5. Do van-accessible space(s) provide proper vertical clearance (8'2")?	Yes
6. Does each accessible parking space have proper signage?	Yes
7. Are all accessible parking spaces and access aisles relatively level (1:50 or 2%) in all directions?	Yes
8. If there is a curb between the access aisle and the accessible route is there a curb ramp (as described below)?	
a. Is the ramp surface at least 36" wide, excluding flared sides?	
b. Is the slope no more than 1:12?	
9. Are the accessible parking spaces on the shortest accessible route to the accessible entrance?	Yes

Other comments:

B. Sidewalks & Walkways

1. Is there an accessible route and accessible entrance at a primary entrance used by other voters?

YES
(2-doors) divider in between doors. Door widths 35"

2. Is there signage to indicate the route to the accessible entrance?

YES - a sign on door.

3. Is the accessible route at least 36" wide? List measurement.

YES - 47 1/2"

4. Is the accessible route free of steps and abrupt level changes over 1/2 inch?

Door threshold is raised on concrete. Measures 1 1/8" in height.

5. If the accessible route crosses a curb is a curb ramp provided (as described below)?

- a. Is the ramp surface at least 36" wide, excluding flared sides?

NO

- b. Is the slope (up or down the curb ramp) no more than 1:12?

6. If the slope of part of the accessible route is greater than 1:20, does this part meet the following requirements for an access ramp?

- a. Is the ramp slope no greater than 1:12?

It is not greater than 1:20.

- b. If the vertical rise is more than 6", are handrails provided?

- c. Are the tops of the handrails mounted between 34 and 38 inches above the ramp surface?

- d. Are the handrails grippable (less than 2" diameter) and stable within fittings?

- e. Is the ramp width at least 36"? (Measure between handrails when provided.)

- f. Are proper top and bottom landings (60" long) provided for each ramp section?

- g. If a ramp is more than 30 feet long, is a proper level landing (60" long) provided every 30 feet?

- h. Is a proper level landing (60" x 60") provided where a ramp changes direction?

- i. If the ramp or landing has a vertical drop off on either side, is 2" edge protection provided?

- j. Is the cross-slope less than 2%?

<p>7. Are all sidewalks and walkways to the voting area free of any undetectable objects?</p> <p>YES</p>
<p>8. Are all objects that hang over the pedestrian routes 80" or more above the route?</p> <p>YES</p>
<p>9. Are the undersides of exterior stairs enclosed or protected with a cane detectable barrier?</p> <p>Exterior Steps have Solid Risers.</p>
<p>10. Is an accessible route provided from public sidewalks and public transportation stops on the polling site to the accessible entrance of the building?</p> <p>YES</p>

Other comments:

C. Passenger Drop Off Areas

1. Is a passenger drop-off area provided? If not, is there an area available that could meet the following requirements?

Parking only no designated drop off areas.

2. Is the vehicle space relatively level (1:50 or 2% max slope in any direction)?

3. Is a relatively level (1:50 or 2% max slope in any direction) access aisle provided?

4. Is the area for the access aisle at least 60" wide and 20-feet long?

5. Is there proper vertical clearance (9' 6") for the vehicle route to the loading zone, the drop off area, and the exit?

6. If a curb ramp is provided between vehicle pull up area and the access aisle, and/or access route to the accessible entrance does it meet the requirements described below?

a. Is the slope of the curb ramp surface no more than 1:12?

b. Is the width of the curb ramp surface at least 36 inches?

7. Does an accessible route connect the drop off area to the accessible entrance?

Other comments:

D. Building Entrance

1. Is there signage to indicate the accessible entrance?

Yes - a sign.

2. Does the door at the accessible entrance provide proper passage (32" width)?

Yes - 35" (between door/leaves)

3. Does the door have an accessible handle (inside and outside)?

Yes -

4. Is the door handle located no more than 48" from the floor (measured from center of handle)?

Yes

outside handle - 39 1/8" bottom - 45 1/4" top
inside push bar - 37" bottom - 38 1/4" top

5. Is proper clearance provided on the pull side of the door (18")?

Yes

6. If there is a raised threshold, is it no higher than 3/4 inch at the door and beveled on both sides? (Max threshold without beveled edge is 1/2".)

Threshold both sides are 1 1/4" to top.

7. Is the force of the door for pushing or pulling easy to operate? Specify force.

Yes

8. Is there proper floor space provided if the entry has a vestibule (30" x 48" beyond swing of door)?

Doors swing out. 67 1/2" x 128"

9. If vestibule, is second door accessible? Repeat questions 2-7 (9a - 9f).

Yes

Other comments:

E. Hallways & Corridors

1. Is there an accessible route (36" width) that connects the accessible entrance to the voting area? <i>Concrete Walkway - 47 1/2"</i> <i>Concrete Ramp - 79 3/4"</i> <i>YES</i>
2. Is the accessible route free of steps and abrupt, unbeveled level changes over 1/2"? <i>YES</i>
3. Does the route from the accessible entrance to the voting area change levels using a ramp, lift or elevator? If yes, complete appropriate section. <i>NO</i>
4. At each location on the way to the voting area where the accessible route passes through a door or doors, does the door meet the following requirements (at least one door for double doors)? a. Is clear width at least 32" when door is open 90 degrees? <i>YES</i> b. Does the door have an accessible handle? (Shape and height) c. Is proper clearance provided on the pull side of the door (18")? <i>YES</i> d. Is no more than 5 pounds force needed to push or pull open the accessible door? e. If the answers to any of questions (b) thru (d) are "No", can the door be propped open to provide an accessible route on Election Day? <i>YES</i> f. If there is a raised threshold, is it no higher than 3/4 inch at the door and beveled on both sides? (Max threshold without beveled edge is 1/2".) <i>NO</i>
5. Are pedestrian routes leading to or serving the voting area free of any undetectable objects? (Bottom edge no higher than 27" or protruding from wall more than 4") <i>YES</i>
6. Are all objects that hang over the pedestrian routes 80" or more above the route? <i>YES</i>
7. Are the undersides of interior stairs enclosed or protected with a cane detectable barrier? <i>NO interior stairs to voting area.</i>

Other comments:

F. Ramps

1. Where the slope of the accessible route is greater than 1:20, does this part of the route meet the following requirements for an access ramp?
2. Is the slope no greater than 1:12? <i>NO</i>
3. If the vertical rise is more than 6", are handrails provided? <i>The vertical rise is not more than 6"</i>
4. Are the handrails grippable (less than 2" diameter) and stable within fittings? <i>N/A</i>
5. Are the tops of the handrails mounted between 34 and 38 inches above the ramp surface? <i>N/A</i>
6. Is the ramp width at least 36"? (Measure between handrails when provided)? <i>79 3/4 wide</i>
7. If a ramp is more than 30 feet long, is a proper level landing (60" long) provided every 30 feet? <i>The ramp is not more than 30' long. Measures - 9'-6" long.</i>
8. Are proper top and bottom landings (60" long) provided for each ramp section? <i>YES</i>
9. Is a proper level landing (60" x 60") provided where a ramp changes direction? <i>Ramp does not change direction</i>
10. If the ramp or landing has a vertical drop-off on either side of the ramp, is 2" edge protection provided? <i>Not needed</i>

Other comments:

N/A

G. Elevators
1. If an elevator is provided, does it meet the following requirements?
2. Are the elevator call buttons mounted in an accessible location (centered 42" above floor)?
3. Are raised letters and Braille characters used to identify each floor button and each control?
4. Are signs mounted on both sides of the elevator hoistway door opening that designate the floor with 2" minimum-height raised letters and Braille characters centered at 60" above the floor?
5. Does the floor area of the elevator car provide space for wheelchair users to enter, reach the controls, and exit the car? a. Provide side door interior floor measurements: _____ b. Provide center door interior floor measurements: _____
6. Are the highest floor control buttons in the elevator cab mounted no more than 54" above the floor for a side reach or 48" for forward reach?
7. Is the elevator equipped with audible tones or bells or verbal annunciators that announce each floor as it is passed?
8. Do the elevator doors stay open long enough to enter safely? a. Indicate time:

Other comments:

N/A

H. Lifts
1. If a wheelchair lift is provided, does it meet the following requirements?
2. Is the lift operational at the time of the survey?
3. Is the change in level from the floor to the lift surface ramped or beveled or less than 1/2 inch?
4. Is there at least a 30" by 48" clear floor space on the wheelchair lift?
5. Does the lift allow a wheelchair user unassisted entry, operation, and exit?
6. Are the controls and operating mechanisms mounted no more than 54" above the floor for a side reach or 48" for a forward reach?
7. Are the controls and operating mechanisms usable with one hand without tight grasping, pinching, or twisting?

Other comments:

I. Voting Area

1. Is there an accessible entrance to the voting area as described below?

- a. Is clear width at least 32" when door is open 90 degrees? **35"**
- b. Does the door have an accessible handle? (Shape and height) **Yes**
- c. Is proper clearance provided on the pull side of the door (18")? **Yes**
- d. Is no more than 5 pounds force needed to push or pull open the accessible door? **Yes**
- e. If the answers to any of questions (b) thru (d) are no, can the door be propped open to provide an accessible route on Election Day? **Yes**
- f. If there is a raised threshold, is it no higher than 3/4 inch at the door and beveled on both sides? (Max threshold without beveled edge is 1/2".)

Thresholds at door entrances into voting area from vestibule area are 5/8" in height.

2. Within the voting area, is adequate space available on the accessible level for check-in tables, a voting demonstration area (if provided), and at least one accessible voting station? Describe briefly.

3. Is the voting area free of any undetectable objects?

4. Are all objects that hang over the voting area 80" or more above the ground?

Yes

5. Are interior floor surfaces relatively level and free from abrupt level changes? Please describe the floor surface of hallways and voting area.

Yes

Other comments:

J. Second Voting Area/Other Area (if applicable)

1. Is there an accessible entrance to the voting area as described below?
 - a. Is clear width at least 32" when door is open 90 degrees?
 - b. Does the door have an accessible handle? (Shape and height)
 - c. Is proper clearance provided on the pull side of the door (18")?
 - d. Is no more than 5 pounds force needed to push or pull open the accessible door?
 - e. If the answers to any of questions (b) thru (d) are no, can the door be propped open to provide an accessible route on Election Day?
 - f. If there is a raised threshold, is it no higher than 3/4 inch at the door and beveled on both sides? (Max threshold without beveled edge is 1/2".)
2. Within the voting area, is adequate space available on the accessible level for check-in tables, a voting demonstration area (if provided), and at least one accessible voting station? Describe briefly.
3. Is the voting area free of any undetectable objects?
4. Are all objects that hang over the voting area 80" or more above the ground?
5. Are interior floor surfaces relatively level and free from abrupt level changes? Please describe the floor surface of hallways and voting area.

Other comments:

By signing this Self-Certification form, the municipality is verifying that each accessibility category has been reviewed for compliance with the guidelines under the American's with Disabilities Act (ADA) and either meets the requirements defined therein or will be addressed within a reasonable timeframe to provide accommodation to individuals with disabilities.

Prepared by: Kimberly Keene Title: Code Enforcement Officer
(print name)

Contact information:

21 Sea Street, Northeast Harbor, Address (207) 276-5731 Phone (207) 276-3232 Fax

Email address: C200mtdesert.org

Signature: Kimberly Keene Date: 3/28/22

Mail the completed and signed certification to:
**Bureau of Corporations, Elections, and Commissions
Division of Elections
101 State House Station
Augusta, ME 04333-0101**



Strong Beginnings Healthy Aging Active and Healthy Environments Healthy Food for All
Substance Prevention and Recovery Health Promotion and Management

March 18, 2022

Durlin E. Lunt
Town Manager
Town of Mount Desert
P.O. Box 248
Northeast Harbor, ME 04662

Dear Mr. Lunt:

Thank you and the Board of Selectmen for partnering with Healthy Acadia to adopt a recent tobacco free policy for your municipality. As you implement your policy, please remember that Healthy Acadia staff members are available to you to provide free technical assistance.

As you know, tobacco free policies have many benefits. They protect worker health, support employees who are trying to quit, reduce maintenance and insurance costs, and prevent employees from starting to use tobacco products. If you need help with quitting resources for your employees, we can provide additional support or you can contact the Maine QuitLink at 1-800-QUIT-NOW or MaineQuitLink.com.

Smoking is still one of the leading causes of preventable death and disease in Maine and in America. Adopting tobacco free policies strengthens community health and protects workers and visitors from exposure to secondhand smoke.

If you know of another town or organization that might benefit from Healthy Acadia's technical assistance with tobacco free policy adoption, please let us know or pass our contact information along to them.

We appreciate your leadership and we look forward to working with you again in the future.

Sincerely,

The Healthy Acadia Tobacco Prevention Team
Mia Petrini - Hancock County (mia@healthyacadia.org)
Julie Daigle - Hancock County (julie@healthyacadia.org)
Katie Sell - Washington County (katie.sell@healthyacadia.org)
Carrie Cropley - Washington County (carrie.cropley@healthyacadia.org)
Maria Donahue - Hancock & Washington Counties (maria@healthyacadia.org)



**STATE OF MAINE
GOVERNOR'S OFFICE OF POLICY
INNOVATION AND THE FUTURE**

**Janet T. Mills
Governor**

**Hannah Pingree
Director**

ENROLLMENT CONFIRMATION LETTER

March 23, 2022

Durlin Lunt
Town Manager, Town of Mount Desert
21 Sea Street
Northeast Harbor, Maine 04662

Dear Mr. Lunt,

Congratulations! This letter confirms that the Town of Mount Desert has successfully met the requirements for enrollment in the Community Resilience Partnership ([website](#)).

Your community is now eligible to apply for Community Action Grants. These grants are available twice per year. Please review the List of Community Actions ([link](#)) for project ideas that do not require a local cost-share or match. Community-identified projects that are not on the List may also be eligible for grant support and will have a local cost share.

To maintain active status in the Partnership, every two years your community will need to:

1. Submit an updated List of Community Actions that shows at least two new action items have been completed during the preceding two years;
2. Submit a brief report on the new actions completed; and
3. Submit an updated Community Resilience Self-Evaluation

If any of these reporting and progress requirements are not met, the community will be listed as inactive and ineligible for further grants. To reactivate, the community will need to submit an updated Community Resilience Self-Evaluation and List of Community Actions.

Welcome to the Community Resilience Partnership. I look forward to your participation.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Ambrette".

Brian Ambrette
Senior Climate Resilience Coordinator
Governor's Office of Policy Innovation and the Future



Join Our Mailing List!

Hampden Facility Sale Progress: Receiver Appointed

March 24, 2022

Dear Members,

MRC is pleased to announce that the court has appointed a receiver to oversee the sale of the Hampden Facility. Craig Jalbert, CIRA of [Verdolino & Lowey, P.C.](#) was appointed on March 11.

The MRC has met this week with the receiver, the investment bankers, and attorneys to start the process of the sale. The receiver has also toured the Hampden Facility and has been brought up to speed on the circumstances of the closure and reopening of the facility. We are excited that this important first step has been completed in order for the Hampden Facility to have a new owner by June 30.

As a reminder, we will be hosting another Town Hall in April to keep members updated. We have not determined the date for Town Hall yet but will inform members once it is scheduled. The MRC regular scheduled Board of Directors and Finance Committee meetings is scheduled for April 27. Should you have any questions, please do not hesitate to reach out to MRC Executive Director Michael Carroll at (207) 664-1700 or execdirector@mrcline.org or a [MRC Board Member](#).

UNFINISHED BUSINESS

**MUNICIPAL OFFICER'S CERTIFICATION OF
OFFICIAL TEXT OF A PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Mount Desert:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of amendments to the Town Charter entitled Town of Mount Desert Charter Revision, which is to be presented to the voters for their consideration on May 2, 2022.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the Charter as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Giver under our hands at Mount Desert the _____ day of _____ 2022,
a majority of the Selectmen of the Town of Mount Desert:

John B. Macauley, Chairman

Matthew J. Hart, Vice Chairman

Wendy H. Littlefield, Secretary

Martha T. Dudman

Geoffrey Wood

TOWN OF MOUNT DESERT CHARTER REVISION

Proposed by the Charter Commission January 29, 1996

Approved March 4-5-6, 1996

Amended March 4-5, 2002

Amended March 3 - 4, 2003

Amended March 5 - 6 - 7, 2007

Amended May 3 - 4, 2010

Amended May 2, 2022

In March 1776, inhabitants of what would be known as the Town of Mount Desert assembled at the home of Stephen Richardson to act on articles in the warrant issued by authority of the House of Representatives of the Massachusetts Bay Colony. Such meetings became the form of local government.

In March 1789, the General Court of the Commonwealth of Massachusetts allowed the incorporation of the Town of Mount Desert. The Town Meeting has remained the form of government since it was first assembled by warrant in April 1789.

In April 1929, a charter was issued to the Town of Mount Desert by the Legislature of the State of Maine. That Charter was amended by Private and Special Laws over the ensuing years. In May 1993, the Board of Selectmen for the Town of Mount Desert appointed a Charter Committee to review the Charter. After consideration of the Committee's recommendations, the Town authorized formation of a Charter Commission and elected members to it in June 1995. The Commission was charged to present a revised Charter to the Town.

In March 1996, two hundred and twenty years after that first meeting at the home of Stephen Richardson, the inhabitants of the Town of Mount Desert assembled at the Town Hall to consider articles on the warrant. The Inhabitants of the Town adopted the following Charter which preserves the two-hundred-year tradition of the Town Meeting form of local government. The Charter sets out means of governance enabling the Town to respond and adapt to the future while retaining its unique character.

TOWN OF MOUNT DESERT CHARTER

1 THE TOWN. The Town of Mount Desert, hereinafter referred to as the Town, shall have all the rights, powers, immunities, and privileges possible for a municipality to have under the Constitution and laws of Maine. The Town may exercise any of its powers or perform any of its functions and may participate in the financing thereof jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions or agencies thereof or with the United States or any agencies thereof to the extent permitted by law.

1.1 TOWN MEETINGS. Except as otherwise provided by this charter, the legislative authority of the Town shall be vested in the registered voters of the Town assembled in the town meeting. Town meetings shall have the exclusive power and responsibility to:

- (1) determine the Town's budget;
- (2) authorize long-term indebtedness of the Town;
- (3) enact ordinances, except as otherwise provided by statute;
- (4) authorize sale of real estate owned by the Town;
- (5) deal with such other business as may be presented to it in articles of the warrant for the meeting or as may be required by law; and
- (6) at an annual town meeting only, amend this charter in accordance with law.

1.1.1 PETITIONS FOR TOWN MEETINGS. When presented with a petition signed by registered voters numbering at least ten per cent of the votes cast at the last gubernatorial election, the Board of Selectmen, hereinafter referred to as the Board, shall, within forty-five days of receipt of the petition, either

- (1) include it in the warrant for the next town meeting or call a special meeting to be held within sixty days for its consideration; or
- (2) only if it finds the petition moot, illegal, or impossible, publish in writing its reasons for refusing to present the petitioned article to the voters.

1.1.2 WARRANT. A warrant is a required notice and warning to the voters of proposed articles of business for a town meeting; only business proposed in the warrant may be transacted. The Board shall draw up the warrant for each town meeting, stating in distinct articles the business to be acted on, and this warrant shall be posted in the town office and in all post offices in the town. Notice of annual town meetings and warrants of special town meetings shall be published in a newspaper of general circulation in the town. This posting and publication shall be accomplished no later than ten days before the date of the meeting.

1.1.2.1 WARRANT ARTICLES. The warrant shall be organized into articles for:

- (1) the election of officers and other officials as required;
- (2) the appropriation of funds;

- (3) the enactment, modification, or repeal of ordinances; and
- (4) such other business as may properly be addressed.

Each article for the appropriation of funds shall be drafted so as to fairly allow the town meeting to vote on a single category of proposed expenditures. The Board shall hold a public hearing on all articles for the appropriation of funds no later than forty-five days before an annual town meeting or twenty-one days before a special town meeting. Funds appropriated under a given article may not be expended except as described in the article. Articles concerning the enactment, modification, or repeal of ordinances shall deal with only one ordinance per article.

1.1.2.2 WARRANT COMMITTEE. A warrant committee consisting of at least twenty registered voters of the Town shall review the articles of the town-meeting warrant and publish recommendations to the Town for action on them. Unless otherwise provided by ordinance, the Board shall appoint members for three-year terms, and no member of the warrant committee shall hold any elected Town office or be a full time Town employee. The warrant committee shall choose its own officers and rules of procedure. The articles of the warrant shall be submitted to the warrant committee no later than forty-five days before annual town meeting, twenty-one days before a special town meeting.

1.1.3 ANNUAL TOWN MEETINGS. The annual town meeting shall commence the first Monday of May each year. The election of all elected officials of the Town shall be held at the annual town meeting. The Board shall present to the Town at least ten days before the annual town meeting an annual report which shall:

- (1) detail the Town's income and expenditures and the activities of the various departments and other recipients of Town funds during the previous year;
- (2) include the report of the annual audit of the Town's accounts;
- (3) enumerate actions taken at special town meetings during the year, including any ordinances enacted; and
- (4) explain as may be necessary other matters requiring adoption, amendment, or repeal at the annual town meeting.

1.1.4 SPECIAL TOWN MEETINGS. A special town meeting may be held at any time by vote of the Board or public petition in accordance with this charter. Emergency ordinances affecting life, health, property, or the public peace may be

introduced at any time as warrant articles subject to the requirements for notice provided above.

1.1.5 MODERATOR; RULES. The town clerk or, in the absence of the town clerk, the deputy town clerk, a selectman or a constable shall open the town meeting at the time and place provided in the warrant. The first article on the warrant for any town meeting shall be to elect a moderator by written ballot from nominations from the open floor. The moderator shall conduct the meeting in accordance with the most recent edition of the Maine Moderators Manual, Town Meetings and Elections Manual, published by the Maine Municipal Association.

1.1.6 QUORUMS FOR TOWN MEETINGS. A quorum of fifty voters or one tenth of the total number of registered voters, whichever is less, shall be required to do business at any town meeting, except that:

(1) a quorum is not required to open the meeting, to elect a moderator, to elect Town officials by secret ballot, or to vote by referendum pursuant to State law; and

(2) in the absence of a quorum, those voters present may adjourn the meeting to another specified time.

2 ELECTED OFFICIALS. The offices to be filled by the voters will be: Board, school board, and such other offices or officials as may be prescribed by law or ordinance. Except as may be provided by ordinance, no person shall hold more than one such office at the same time.

2.1 ELIGIBILITY. Elected officials shall be registered voters of the Town and shall reside in the Town during their term of office.

2.2 NOMINATION. Except as otherwise provided by law, the number of signatures of voters required to place the name of a candidate for any Town office on the official ballot for any Town election shall not be less than twenty-five nor more than one hundred.

2.3 VACANCY OF OFFICE. The office of an elected official shall become vacant upon death, resignation, non-acceptance, or removal from office in any manner authorized by law or by this charter. The Board may fill vacancies in any elected office occurring between annual town meetings; the term of any such appointment shall expire at the next annual town meeting. Vacancies in any elected office shall be filled for the remainder of the unexpired term at the next annual meeting.

2.4 FORFEITURE OF OFFICE (A Legal Action). An elected official shall forfeit his office if he fails to qualify for office within ten days after written demand by the town clerk; or lacks at any time during his tenure of office, any qualifications as prescribed by this charter or by law.

2.5 RECALL OF ELECTED OFFICIALS (A Political Action). Any elected official of the Town may be recalled and removed from elective office by the qualified voters of the Town as herein provided:

(1) Any elected official in the Town shall be subject to a recall election on the written petition of a number of voters equal to at least ten per cent of the number of votes cast in the Town at the last gubernatorial election;

(2) The grounds for a recall election shall be:

- (a) violation of this charter or of state or federal law; or
- (b) conduct causing a loss of confidence in the official's judgment or ability to perform the duties and responsibilities of the office;

(3) The petition for the recall election shall set forth with particularity the conduct alleged to be the grounds for recall;

(4) The Board shall call a special town meeting not more than forty-five days after receipt and certification of the petition by the town clerk at which the merits of the allegations in the petition shall be debated and a vote in favor of or against recall shall be taken. If a majority of those voting favor recall, the office shall become vacant.

2.6 BOARD OF SELECTMEN.

2.6.1 COMPENSATION. Elected Town officers shall be compensated according to the appropriation approved by the annual town meeting.

2.6.2 COMPOSITION. At the adoption of this revised charter the Board shall consist of five members. Any change in the number of selectmen can be accomplished only by vote at annual town meeting and will become effective for the following year's election; however, any decrease in the number of selectmen shall not affect the term of any incumbent.

2.6.3 TERMS. Members shall be elected to serve staggered three year terms. At each regular municipal election, Board members shall be elected to fill those positions that have become vacant or have been created by the previous year's town meeting.

2.6.4 PROHIBITIONS.

(1) No selectman shall hold any other compensated town office, be employed in any town department or be an appointed member of a town board or committee, except as follows:

(a) No more than two (2) Selectmen may be employed simultaneously in non-supervisory, non-professional positions at the Mount Desert Elementary School (e.g. bus driver, substitute teacher, custodian).

(2) Neither the Board nor any of its members shall dictate the appointment or removal of any administrative officers or employees whom the town manager or other persons in authority are empowered to appoint or employ.

2.6.5 INTERFERENCE WITH ADMINISTRATION. Except for the purpose of inquiry, the Board shall deal with the administrative services solely through the town manager. Selectmen, individually or as a Board, shall not give orders to any subordinate of the town manager, either publicly or privately.

2.6.6 LIMITATIONS OF BOARD ACTION. The Board shall act as a unit settling all questions by formal vote in an authorized meeting. Selectmen shall not act individually except as specifically authorized by the Board.

2.6.7 ORGANIZATIONAL MEETING. The members of the newly constituted Board shall meet not later than forty-eight hours after the close of annual town meeting, and they shall organize to the extent possible as follows: elect Board chairman, vice-chairman, and secretary and confirm town officers as required by state law; and elect one or more members of the Board to act as authorized representatives of the Board to sign payroll disbursement.

2.6.8 APPOINTMENTS. Said Board shall no later than thirty days after the annual town meeting

- (1) appoint a town manager or interim town manager as the situation requires;
- (2) appoint other Town officers and boards provided by statute, Town ordinance or charter; and
- (3) provide for legal counsel.

2.6.9 CHAIRMAN, VICE-CHAIRMAN, SECRETARY. The chairman, or vice-chairman in his absence, shall preside at meetings of the Board and shall be recognized as head of the Town government for all ceremonial purposes and by the governor for purposes of military law, but he shall have no regular administrative duties. The chairman shall be responsible for calling special meetings of the Board when such meetings are warranted. The secretary shall give notice of regular and special meetings to its members and to the public; shall keep an accurate record of the Board's deliberations and all actions of the Board; shall deposit with the town clerk all records which are required to be kept permanently by the Board; and shall perform such other duties as are assigned.

2.6.10 PROCEDURE. The Board shall, at its organizational meeting or as soon thereafter as possible, establish times and places for holding its meetings and shall meet regularly at least once a month. The Board shall publish an agenda for each meeting at least twenty-four hours in advance by posting a copy of the same in the town office and in all post offices in the town. All meetings of the Board shall be open to the public; however, the Board may by a majority vote discuss matters in a closed or executive session to the extent permitted by state law. Final action on any matter taken up in such closed sessions, except those matters which are permitted or required by law to be acted upon in closed session, shall not be taken by the Board until such matter is placed on the agenda of a regular or special meeting.

The Board shall determine at its organizational meeting the rules of procedure to be followed by the Board which shall be recorded and made available for public inspection and publication. Notwithstanding the rules of procedure adopted, the chair shall exercise his vote in the same manner as other members of the Board. The Board shall keep an accurate, permanent, public record of its meetings. The votes of each member shall be recorded. A quorum shall be a majority of the Board holding office.

2.6.11 GENERAL POWERS AND DUTIES. The Board

- (1) shall have the power to appoint a town manager as set forth in this charter and shall appoint an interim town manager upon a vacancy in that office;
- (2) shall have the power to remove from office any person appointed by the Board pursuant to state law, ordinance, and this charter, except those persons whose appointment is within the jurisdiction of the town manager as provided in Section 3.1.3, in a manner consistent with the requirements of law, ordinance, and this charter;
- (3) may create, change and abolish offices, departments and agencies, except those required by state law, ordinance or this charter; it may assign additional functions or duties to officers, departments or agencies subject to the provisions of State law, ordinance and this charter;
- (4) shall prepare an annual budget set out in specific warrant articles which shall be presented to the warrant committee as provided by this charter, cause the budget to be printed in the town report, providing that the recommendations and comments of the warrant committee shall also be printed and made available as required by Article 1.1.2.2 of this charter, WARRANT COMMITTEE;
- (5) shall have the power to adopt or amend administrative and personnel policies;

(6) shall have the power to apply for grants and accept such grants provided that no debt or other obligation not authorized by town meeting is created; and

(7) shall exercise all other powers necessary to carry out the administration of Town affairs, subject to the requirements of state law, ordinance, and this charter.

2.7 SCHOOL BOARD. A school board shall be elected as the governing body for administration of the public schools. Unless the Town shall otherwise provide by ordinance, the manner of election, the terms, the powers, and the duties of the school board shall be as provided by state law.

3 APPOINTED OFFICIALS.

3.1 TOWN MANAGER. The town manager shall be the chief executive and administrative official of the Town.

3.1.1 QUALIFICATIONS & APPOINTMENT. The town manager shall be appointed by the Board. The qualifications shall be as determined by the Board. The Board will prepare a written annual evaluation of the town manager's performance.

3.1.2 TERM. Each new town manager shall initially be appointed by the Board to serve a one-year term, and the appointment may subsequently be renewed only by written employment agreement for further terms each of which shall not exceed three years.

3.1.3 DUTIES. The town manager shall be responsible to the Board for the administration of all departments of the Town over which the Board, under this charter and the general statutes, has control; and his powers and duties, where not otherwise herein provided, shall be generally to:

- (1) see that the laws and ordinances are enforced;
- (2) prepare and administer the budget;
- (3) except as otherwise provided by ordinance, make appointments, subject to confirmation by the Board, of all officials and employees of the Town except elected officials and those whose appointment is within the exclusive jurisdiction of the Board;
- (4) have exclusive authority to remove for cause, after notice and hearing, all persons whom the town manager is authorized to appoint, and report all such removals to the Board;

- (5) fix the compensation of his appointees and designate the times of payment subject to confirmation by the Board;
- (6) act as purchasing agent for all departments of the Town;
- (7) attend the meetings of the Board and recommend for adoption such measures as he may deem expedient;
- (8) keep the Board fully informed as to the business, financial condition and needs of the Town;
- (9) act as general assistance administrator unless the Board shall appoint another official to serve in that capacity; and
- (10) perform such other duties as may be prescribed by the Board.

3.1.4 REMOVAL. The Board may remove the town manager from office during his term only in accordance with law and for just cause.

3.1.5 VACANCY. The Board shall appoint an interim town manager as soon as practicable when a vacancy occurs in the office of the town manager. It is the intent of this charter that the Town shall not be without a town manager. An interim town manager shall serve at the pleasure of the Board, which shall appoint a town manager as soon as practicable.

3.2 OTHER APPOINTED OFFICIALS.

3.2.1 QUALIFICATIONS & APPOINTMENT. All persons appointed as Town officials not otherwise described in this charter shall be at least eighteen years of age and capable of discharging the duties of their appointed office. Residency in the Town shall be required only when necessary for the effective discharge of their duties. The Board shall establish such positions for appointed town officials as required by ordinance or law. The term of office of an appointed Town official shall be one year, except as otherwise provided by law, ordinance, or this charter. Town officials appointed by the Board may be removed for just cause by the Board prior to the expiration of their term of office, except as may otherwise be required by state law or Town ordinance.

3.3 MEMBERS OF BOARDS AND COMMITTEES. At the time of enactment of this charter, there exist: the Board of Selectmen, the Planning Board, the Zoning Board of Appeals, the Board of Assessment Review, the School Board, and the Warrant Committee.

3.3.1 ESTABLISHMENT & MEMBERSHIP. The Board shall present to annual town meetings warrant articles for the establishment or modification of boards as required by law. The Town may establish or modify additional boards at annual town meeting. The Board shall have the authority to establish and appoint advisory committees to serve at the pleasure of the Board.

3.3.2 QUALIFICATIONS & APPOINTMENT. Persons appointed to boards and committees for the Town shall be capable of discharging their responsibilities as members of said boards or committees. All appointments shall be made by the Board for one year except as otherwise provided by law, ordinance, or this charter. The Board may appoint to fill vacancies.

4 ARRANGEMENTS WITH OTHER GOVERNMENT ENTITIES. With respect to arrangements for joint action with other political subdivisions of the State, with agencies of the State or Federal government, or with quasi-municipal corporations such as school administrative districts, utility districts, and regional councils:

- (1) unless required to do so by law, the Town shall not, without affirmative vote in town meeting, enter into any such arrangement which would commit the Town without its specific consent to any future indebtedness or other obligation; and
- (2) the Board shall maintain a current public compilation of all such arrangements; of the statutes, ordinances, contracts, or other instruments which govern them; and of their legislative history.

5 ORDINANCES. This article shall apply only to the enactment of ordinances and shall not apply to resolves or directives of the Board in such a way as to inhibit the ability of the Board to perform its duties.

5.1 POWERS OF THE TOWN. The Town may, by the adoption, amendment, or repeal of ordinances, exercise any power or function authorized under the constitution of the State of Maine or state law. Except for ordinances required by state law to be enacted by the Board, all other ordinances shall be enacted by town meeting.

5.2 POWERS OF THE BOARD. The Board may adopt, amend or repeal ordinances as specifically provided by state law such as traffic ordinances and general assistance ordinances.

~~5.3 ENACTMENT AND DURATION OF EFFECT. The procedure for the enactment of ordinances, or their amendment or repeal shall be as determined by law, ordinance, or this charter; every ordinance so enacted shall state a specific finite period, which shall not exceed fifteen years, during which it shall remain in force and after which it shall cease to have effect unless enacted again.~~

5-4 PERIODIC REVIEWS. The Board shall review every ordinance of the Town at least every five years to determine if it remains necessary or helpful to the Town. The Board shall be responsible for maintaining a current codification of all ordinances in effect in the Town and shall make copies of said codification available for inspection at the Town office or for purchase at a reasonable price.

6 GENERAL PROVISIONS.

6.1 PERSONAL FINANCIAL INTEREST. Any officer, official or employee who has any financial interest, direct or indirect, in any contract with the Town or in the sale of any land, materials, supplies or services to the Town or to a contractor supplying the Town shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as an officer, official or employee in making of such sale or in the making or performance of such contract. Violation of this section with the knowledge express or implied of the person or corporation contracting with or making a sale to the Town shall render the contract or sale voidable by the Board.

6.2 NOT GENDER SPECIFIC. This charter is not gender specific.

6.3 PROTECTIONS. Qualified persons shall not be favored or discriminated against with respect to any Town position on any basis which is not relevant to their ability to perform their duties. Persons receiving compensation from the Town shall not solicit for political purposes from any Town employee. All minutes, meetings, proceedings, documents and other records shall be open to public scrutiny to the fullest extent permitted by law.

6.4 SEPARABILITY. If any portion of this charter is held invalid or unconstitutional, this decision shall not affect the validity of the remaining portions thereof. If the application of this charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby. If any provision of this charter is held invalid by reason of any conflict with state or federal law, the provisions of the applicable state or federal law shall automatically govern in place of the invalid charter provision.

6.5 AMENDMENT. This charter may be revised or amended according to state law. Amendments to this charter may be proposed by the Board or by petition of the voters to the Board containing the full text of the proposed amendment and signed by voters numbering at least twenty per cent of the votes cast at the last gubernatorial election but no less than ten voters. The Board shall hold a public hearing on any amendment so proposed no later than thirty days after it has been proposed. Vote on any amendment so proposed shall be by written ballot at the next annual town meeting.

6.6 TRANSITIONAL PROVISIONS. This charter shall take effect on January 1, 1997 except as to the conduct of municipal elections. Those charter provisions relating to the conduct of municipal elections shall take effect immediately.

6.6.1 EXISTING ORDINANCES NOT AFFECTED. No ordinance in effect is repealed by the adoption of this charter. Upon the effective date of this charter, all ordinance provisions shall be subject to the provisions of this charter. For the purposes of Section 5.3 only, all ordinances in effect shall be considered as if adopted on the effective date of this charter for a period of fifteen years.

6.6.2 PENDING MATTERS. All claims, actions, and contracts entered into by the Town prior to the effective date of this charter shall continue and no legal action or proceeding, whether civil or criminal, pending on the effective date of this charter, shall be affected or abated by the adoption of the charter.

6.6.3 EFFECT ON TERMS OF OFFICE. No term of an elected official shall be abridged by the adoption of this charter.

**MUNICIPAL OFFICER'S CERTIFICATION OF
OFFICIAL TEXT OF A PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Mount Desert:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of amendments to an ordinance entitled Alewife Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 3, 2022.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Giver under our hands at Mount Desert the _____ day of _____ 2022,
a majority of the Selectmen of the Town of Mount Desert:

John B. Macauley, Chairman

Matthew J. Hart, Vice Chairman

Wendy H. Littlefield, Secretary

Martha T. Dudman

Geoffrey Wood

ALEWIFE ORDINANCE

TOWN OF MOUNT DESERT

Enacted December 3 & 8, 2007, Annual Town Meeting

Amended May 6, 2008 Annual Town Meeting
Amended May 5, 2009 Annual Town Meeting
Amended May 4, 2010 Annual Town Meeting
Amended May 3, 2011 Annual Town Meeting
Amended May 7, 2012 Annual Town Meeting
Amended May 6, 2013 Annual Town Meeting
Amended May 6, 2014 Annual Town Meeting
Amended May 5, 2015 Annual Town Meeting
Amended May 3, 2016 Annual Town Meeting
Amended May 2, 2017 Annual Town Meeting
Amended May 8, 2018 Annual Town Meeting
Amended May 7, 2019 Annual Town Meeting
Amended August 11, 2020 Annual Town Meeting
Amended May 4, 2021 Annual Town Meeting
Amended May 3, 2022 Annual Town Meeting

Regulations for the taking of alewives and blue back herring shall be as follows: For the year July 1, 2022 through June 30, 2023 there shall be no taking of Alewives and Blue Back Herring in the Town of Mount Desert.

**MUNICIPAL OFFICER'S CERTIFICATION OF
OFFICIAL TEXT OF A PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Mount Desert:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of amendments to an ordinance entitled Town of Mount Desert Shellfish Conservation Ordinance, which is to be presented to the voters for their consideration on May 3, 2022.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Giver under our hands at Mount Desert the _____ day of _____ 2022,
a majority of the Selectmen of the Town of Mount Desert:

John B. Macauley, Chairman

Matthew J. Hart, Vice Chairman

Wendy H. Littlefield, Secretary

Martha T. Dudman

Geoffrey Wood

SHELLFISH CONSERVATION ORDINANCE

TOWN OF MOUNT DESERT

Enacted March 8, 2000, Annual Town Meeting

Amended March 3, 2003 Annual Town Meeting

Amended March 7, 2007 Annual Town Meeting

Amended May 3, 2011 Annual Town Meeting

Amended May 7, 2013 Annual Town Meeting

Amended May 6, 2014 Annual Town Meeting

Amended May 5, 2015 Annual Town Meeting

Amended May 2, 2017 Annual Town Meeting

Amended May 3, 2022 Annual Town Meeting

1. AUTHORITY

This ordinance is enacted in accordance with 12 M.R.S.A. Section 6671.

2. PURPOSE

To establish a Shellfish Conservation Program for the Town of Mount Desert which will insure the protection and optimum utilization of shellfish resources within its limits. These goals will be achieved by means which may include:

- A. Licensing.
- B. Limiting the number of shellfish harvesters.
- C. Restricting the time and area where digging is permitted.
- D. Limiting the minimum size of clams taken.
- E. Limiting the amount of clams taken daily by a harvester.

3. SHELLFISH CONSERVATION COMMITTEE

The Shellfish Conservation Program for the Town of Mount Desert will be administered by the Shellfish Conservation Committee consisting of a minimum of five (5) members to be appointed by the selectmen of the town for terms of two (2) years.

The committee's responsibilities include:

- A. Establishing annually in conjunction with the Department of Marine Resources (DMR) the shellfish licenses to be issued.
- B. Submitting to the Board of Selectmen proposals for the expenditure of funds for the purpose of shellfish conservation.
- C. Keeping this ordinance under review and making recommendations for its amendments.
- D. Securing and maintaining records of shellfish harvest from the Town's managed shellfish areas.
- E. Recommending conservation closures and openings to the Board of Selectmen in conjunction with the Department of Marine Resources Area Biologist.
- F. Submitting an annual report to the Town of Mount Desert and the Department of Marine Resources covering above topics and all other committee activities.
- G. Committee members shall make every effort to regularly attend Committee meetings. Any Committee member who misses more than two consecutive unexcused absences shall lose their seat on the Committee.
- H. The Committee is authorized to approve the number of shellfish licenses to be issued, approve license fees, open and close the flats, set times when digging is allowed, set permitted quantities that may be harvested, and to take such actions as authorized by the Board of Selectmen, and subject to the Department of Marine Resources approval.

4. DEFINITIONS

- A. **Resident** The term “resident” refers to a person who has been domiciled in this municipality for at least three months prior to the time his claim of such residence is made.
- B. **Nonresident** The term “nonresident” means anyone not qualified as a resident under this ordinance.
- C. **Shellfish, Clams and Intertidal Shellfish Resources** When used in the context of this ordinance the words “shellfish”, “clams”, and “intertidal shellfish resources” mean soft shell clams {*Mya arenaria*} and hard shell clams {*mercenaria mercenaria*}.
- D. **Municipality** Refers to the Town of Mount Desert, Maine.
- E. **Annual License Allocation Procedure Plan** A plan written by the Committee that shall outline in detail how licenses are to be allocated on an annual basis and shall establish priority status for the allocation of licenses.
- F. **Conservation Time** Those measures and activities approved by the Committee for the purposes of resource enhancement and the support of this ordinance.

5. LICENSING

A Municipal shellfish-digging license is required for all persons age sixteen (16) and over. It is unlawful for any person to dig or take shellfish from the shores and flats of this municipality without having a current license issued by this municipality as provided by this ordinance. The Town Clerk shall issue Resident and Nonresident Recreational and Commercial licenses.

A. **Designation, Scope and Qualifications**

- 1. **Resident Recreational License** The license is available to residents and real estate taxpayers of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for the use of himself or his family.
- 2. **Nonresident Recreational license** The license is available to any person not a resident of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for the use of himself or his family.
- 3. **Resident Commercial License** The license is available to residents and real estate taxpayers of this municipality.
- 4. **Nonresident Commercial License** The license is available to any person not a resident of this municipality.
- 5. **License must be signed** The license must be signed to make it valid.

B. **Application Procedure** Any person may apply to the Town Clerk for the licenses required by this ordinance on forms provided by the municipality. Notice of available commercial and recreational licenses shall be published in a newspaper with general circulation not less than ten (10) days prior to the period of issuance and shall be posted in the municipal office until the period expires. Applications for commercial licenses must be received at the Town Office as required by the Allocation Plan. A license may not be returned to the Town and be re-issued or transferred in the same year it was issued.

1. **Contents of the Application** The application must be in the form of an affidavit and must contain the applicant's name, current address, birth date, height, weight, signature, and whatever information the municipality may require.

2. **Misrepresentation** Any person who gives false information on a license application will cause said license to become invalid and void.

C. License Allocation Procedures License sales procedures shall be determined by the Committee and submitted to the Department of Marine Resources for their approval at least thirty (30) days prior to the licenses going on sale. Notice of the number of licenses to be issued and the procedure for application shall be defined by an Annual License Allocation Plan.

1. The Town Clerk shall issue licenses to those residents and non-residents who have met the requirements of obtaining a commercial license. The Town Clerk shall issue licenses allocated starting July 1 or the next business day. A lottery for commercial licenses will be held according to the Allocation plan.

2. Conservation time must be completed prior to the issuance of a municipal commercial shellfish *renewal* licenses in accordance with the Annual License Allocation Plan.

3. Any license holder convicted of any violation of this ordinance shall forfeit seniority. Those who have held a commercial license uninterrupted from the first year of receipt of said license shall maintain seniority.

Details explaining how licenses are issued are described in the Annual License Allocation Plan.

D. Fees The fees for the license must accompany in full the application for the respective license. The Town Clerk shall pay all fees received to the Town Treasurer. All fees shall be determined by the Shellfish Conservation Committee each year prior to May 1.. Fees received for shellfish licensing shall be used by the town for shellfish management, conservation and enforcement.

E. Limitation of Diggers Clam resources vary in size and distribution from year to year and over the limited soft shell clam producing areas of the town. It is essential that the town carefully husband its resources. Following the annual review of the town's clam resources, its size distribution, abundance, and the wardens' reports, as required by Section 3, the Shellfish Conservation Committee in consultation with the DMR Area Biologist will determine whether limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year.

1. Prior to May 1 the committee shall report its findings and document recommendations for the allocation of commercial and recreational licenses to be made available for the following license year to the Commissioner of Marine Resources for concurrence.

2. After receiving approval of proposed license allocations from the Commissioner of Marine Resources the Town Clerk shall file said approval in the Town Office.

3. No digging will be allowed ½ hour before sunrise and 1/2 hour after sunset, except from November 1 to March 1 digging is allowed until 6:00 p.m.

a) With prior notification to the Town of Mount Desert Dispatcher(s), Town of Mount Desert Commercial License holders shall be allowed to dig after dark. Notification is defined as, for each occasion, the name of the digger, the specific date of digging, and the general location of digging.

4. The number of licenses issued shall be determined by the Shellfish Conservation Committee each year prior to May 1st.

F. License Expiration Date Each license issued under authority of this ordinance is valid for a term of one year, expiring June 30 of each year.

G. Suspension Any shellfish licensee having two convictions for a violation of this ordinance shall have his license automatically suspended for a period of thirty (30) days.

H. Suspension cont'd Any shellfish licensee having three convictions in a twelve-month period for a violation of this ordinance shall have his shellfish license automatically suspended for a period of one year.

1. A licensee whose shellfish license has been suspended pursuant to this ordinance may reapply for a license only after the suspension period has expired.

2. The suspension shall be effective from the date of mailing of a notice of suspension by the Town Clerk to the licensee.

3. Any licensee whose shellfish license has been automatically suspended pursuant to this section shall be entitled to a hearing before the Shellfish Conservation Committee upon the filing of a written request for a hearing with the Town Clerk within thirty (30) days following the effective date of suspension. The licensee may appeal the decision of the Shellfish Conservation Committee before the Board of Selectmen by filing a written request for appeal with the Town Clerk within seven (7) days of the decision of the Shellfish Conservation Committee.

6. OPENING AND CLOSING FLATS

The Municipal Officers, upon the approval of the Commissioner of Marine Resources, may open and close areas for shellfish harvest. Upon recommendations of the Shellfish Conservation Committee and concurrence of the DMR Area Biologist that the status of shellfish resource and other factors bearing on sound management indicate that an area should be opened or closed, the Municipal Officers may call a public hearing, and shall send a copy of the notice to the Department of Marine Resources.

The decision of the Municipal Officers made after the hearing shall be based on findings of fact.

It shall be unlawful for any person to harvest, take or possess shellfish from any areas closed by the town of Mount Desert in accordance with DMR Regulation, Chapter 7. Harvesting shellfish in a closed area is a violation of this municipality's ordinance and is punishable under MSRA Title 12 §6671.

Boundaries of conservation closures are explicitly defined in the conservation closure application submitted by the Town of Mount Desert to DMR and are part of the resulting permit issued by DMR. These permits are posted at the town office and online: [http://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/town info.html](http://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/town%20info.html)

7. MINIMUM LEGAL SIZE OF SOFT SHELL CLAMS

It is unlawful for any person to possess soft shell clams within the Town of Mount Desert, County of Hancock which are less than two (2) inches in the longest diameter except as provided by subsection B of this section.

A. Definitions

1. Lot The word "lot" as used in this ordinance means the total number of soft-shell clams in any bulk pile. Where soft shell clams are in a box, barrel, or other container, the contents of each box, barrel, or other container constitutes a separate lot.

2. Possess For the purpose of this section, "possess" means dig, take, harvest, ship, transport, hold, buy, and sell retail and wholesale soft shell clam shell stock.

B. Tolerance Any person may possess soft-shell clams that are less than two (2) inches if they comprise less than 10% of any lot. The tolerance shall be determined by numerical count of not less than one (1) peck nor more than four (4) pecks taken at random from various parts of the lot or by a count of the entire lot if it contains less than one (1) peck.

C. Penalty Whoever violates any provision of this section shall be punished as provided by 12 M.R.S.A. § 6681.

8. PENALTY

A person who violates this ordinance shall be punished as provided by 12 M.R.S.A. § 6671, as amended.

9. EFFECTIVE DATE

This ordinance, which has been approved by the Commissioner of Marine Resources, shall become effective after its adoption by the municipality provided a certified copy of the ordinance is filed with the Commissioner within twenty (20) days of its adoption.

10. PERIOD OF THE ORDINANCE

~~_____ This ordinance shall remain in effect for a period of fifteen (15) years from the effective date.~~

44. SEPARABILITY

If any section, subsection, sentence or part of this ordinance is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portion of this ordinance.

11. REPEAL

Any ordinance regulating the harvest or conservation of shellfish in the town and any provisions of any other town ordinance, which is inconsistent with this ordinance, is hereby repealed.

**MUNICIPAL OFFICER'S CERTIFICATION OF
OFFICIAL TEXT OF A PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Mount Desert:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of amendments to an ordinance entitled Public Right-of-Way Ordinance, which is to be presented to the voters for their consideration on May 3, 2022.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Giver under our hands at Mount Desert the _____ day of _____ 2022,
a majority of the Selectmen of the Town of Mount Desert:

John B. Macauley, Chairman

Matthew J. Hart, Vice Chairman

Wendy H. Littlefield, Secretary

Martha T. Dudman

Geoffrey Wood

An underline indicates an addition and a ~~striethrough~~ indicates a deletion.

PUBLIC RIGHT-OF-WAY ORDINANCE

TOWN OF MOUNT DESERT

EFFECTIVE MARCH 5, 1990

AMENDED MARCH 7-8, 1994

ENACTED MARCH 7, 2006

(Repeal and replace Street Opening Ordinance)

AMENDED MARCH 6, 2007

AMENDED MAY 5, 2009

AMENDED MAY 8, 2012

AMENDED MAY 7, 2013

AMENDED May 3, 2022

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Section 67.01 I. GENERAL INFORMATION

Article 68.A. Purpose

This Ordinance has been enacted by the Town of Mount Desert to regulate the use of public rights-of-way in the interest of public safety and convenience, and to protect public infrastructure. It is applicable under the terms of a Right-of-way Opening Permit issued for an intended use; it is also applicable in the absence of a Right-of-way Opening Permit regardless of if one is required or not for an intended use. This Ordinance is necessary to preserve the integrity, operational safety, and function of the right-of-way, which includes the public traveled way.

Section 68.01 B. Definitions: The following definitions pertain to both this Ordinance and the Application for Public Right-of-way Opening Permit.

1. Town shall mean the Town of Mount Desert.
2. Director shall mean the Director or Designee.
3. Contractor shall mean anyone working in the right-of-way under a Town Right-of-way Opening Permit.
4. Emergency shall mean any event, which may threaten public health or safety, where action is necessary to prevent personal injury, death or the loss or disruption of a private or public utility or service. The burden of proof of such emergency rests with the applicant.
5. Excavation shall mean any operation in which earth, rock, paving or like material, on, or below the surface of the ground, is moved, displaced, dug, trenched, tunneled or in any similar manner disturbed, except the agricultural tilling of soil or gardening.
6. Applicant shall mean a person applying for a permit required by this Ordinance.
7. Permittee shall mean a person who has obtained a permit as required by this Ordinance. A An applicant may be any natural or corporate person, business association or other business entity including, but not limited to, a partnership, a sole proprietorship, a political subdivision, a public or private agency of any kind, a utility, a successor or assign of any of the foregoing, or any other legal entity.
8. Right-of-way shall mean the entire width of every way and place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of traffic, except for private roads and private ways. The definition shall include the area on, above and below the right-of-way, dedicated to public use, and any dedicated, but unaccepted street or way. The definition shall also include any publicly owned space or park. A right-of-way does not include the airwaves above a right-of-way ~~with regard to~~ relative to cellular or other non-wire telecommunications or broadcast service. The specific right-of-way will be as is described in the Town's Road Book on file at the town office and/or as established by the Board of Selectmen and/or as established by State Statute, as applicable.
9. Public Right-of-way shall mean the right-of-way.
10. Entrance shall mean direct vehicular access to property abutting the right-of-way.
11. M.D.O.T shall mean the Maine Department of Transportation.
12. Technical and Design Standards shall mean the standards cited herein and adopted by the Town including the Maine Department of Transportation (MDOT) Standards and Specifications for Highways and Bridges, latest edition.

13. Utility shall mean a public utility, as defined in 35-A M.R.S.A. § 102 as it may be hereinafter amended and shall specifically include the non-regulated activities of such a utility.
14. Traveled way shall mean the portion of the right-of-way that is typically paved and is used for vehicular traffic.
15. Pavement, paving, paved, pave, etc. shall refer to asphalt based hot mix bituminous concrete.
16. Designee shall mean an individual authorized by the Director to act temporarily in the Director's capacity.

C. Regulations

Pursuant to the authority contained in the appropriate and applicable Statutes of the State of Maine, the following items, terms, ~~instructions~~ instructions, and conditions shall be and are hereby adopted to regulate and control the application and issuance of Right-of-way Opening Permits granted by the Town, its agents and authorized employees, and the excavation, use and repair of rights-of-way by holders of Right-of-way Opening Permits.

D. Permits

A site visit by the Director to the proposed work area is required for any and all work proposed to be performed in the right-of-way and/or for any work located within 10-feet of the edge of the respective traveled way located in the right-of-way. A Right-of-way Opening Permit shall be obtained before any work is conducted within the aforementioned areas, except for emergency maintenance of an existing facility. If an opening is made for emergency purposes a written permit shall be obtained on the first business day thereafter. Work requiring a permit includes, but is not limited to:

- Potable water, Water, sanitary sewer and electrical, telephone and internet utility work
- Storm water management measures
- Landscaping including earthen berms, shrubbery, ~~pavers~~ pavers,
- Fencing, ~~Fencing~~
- Any work within the right-of-way.

Issuance of a Right-of-way Opening Permit does not constitute an approval by any other Local, State or Federal entity. The Permittee is responsible for obtaining any and all other permits and approvals related to the proposed right-of-way opening. The Permittee shall bear, and be responsible for, all costs associated with the permits addressed herein.

E. Prohibitions

1. Private Utilities: New aboveground or belowground private utilities are to be constructed primarily on private property. Any utility construction that is parallel to the public right-of-way shall be on private property to the maximum extent possible, such extent to be determined by the Director and in conformance with this ordinance. Any construction parallel to the centerline of the traveled way shall be on the Permittee's property to the extent possible and feasible. Construction is not permitted inside the public right-of-way and parallel to the centerline of the traveled way shall be approved on a case-by-case basis by the Director. Crossings of the traveled way shall be at a ninety-degree angle wherever possible and will be reviewed by the Director and Permittee or on a case-by-case basis. The Director shall

evaluate each proposed crossing ~~case-by-case basis~~ and make a determination based on information available at the time. Private utilities are not allowed to be placed or constructed in any Town-owned and maintained structures e.g., roadway stone drains, roadway culverts, driveway culverts, open ditches, etc.

2. Public Utilities: The Town will review any construction proposed by a public entity, such as ~~either than the Town e.g.,~~ the Mount Desert Water District or Versant Power, with representatives of the public entity and a mutual location for the new construction shall be agreed upon. New construction of said public entity's assets, be they aboveground or belowground, will be prohibited from inside any Town-owned and maintained structures e.g., roadway stone drains, roadway culverts, driveway culverts, etc.

3. Reconstruction of existing aboveground or belowground utilities, be they public or private, will not be allowed inside any Town-owned and maintained structures e.g., roadway stone drains, roadway culverts, driveway culverts, etc. Any existing utilities inside said structures at the time of utility reconstruction are to be relocated outside of the Town-owned and maintained structures e.g., roadway stone drains, roadway culverts, driveway culverts, etc. and are to be constructed in conformance with this ordinance.

F. Violations

Any person, firm, corporation, or entity that violates, disobeys, refuses to comply with or resists enforcement of any provision of this ordinance shall be fined not less than \$100.00 or more than \$2,500.00 for each offense. Each day in which a violation is proved to exist shall constitute a separate offense under this ordinance.

II. PERMIT APPLICATION

A. All applications shall be made on appropriate forms supplied by the Town. Instructions for completing the application are included on the application itself. If an opening requires a Town Location Permit, it must be applied for or obtained before the Opening Permit will be authorized. The Location Permit application can also be obtained form the Town.

B. All applications shall be made and signed by and in the name of the person, persons, firm, corporation, or district for whom the work is to be done (i.e., the owner of the proposed facility) or the authorized agent for the same.

C. Every application shall contain:

- a) The name and address of the applicant or applicants,
- b) The type of work requiring the opening,
- c) An estimated schedule of when construction will begin and be completed. The estimated time the excavation will remain open,
- d) A sketch plan showing the location and size of the cuts to be made,

e) An agreement that the applicant shall comply with all applicable rules, regulations and statutes of this State which pertain to highway and right-of-way openings; such agreements to be joint and several with multiple applicants,

f) An estimate of the square yards of roadway and shoulder area to be opened,

g) An estimated cost to replace the impacted areas of the right-of-way, based on the schedule included as part of the application. This amount shall be known as the "Total Permit Fee", and

h) Every application shall be accompanied by a check ~~or cash~~ in the amount of the estimated Total Permit Fee. This application fee is non-refundable. The Permittee shall be responsible for all final restoration of the affected area to the satisfaction of the Town. Upon satisfactory completion of the repairs, the permit shall be deemed complete. If satisfactory repairs are not done in a timely fashion and upon reasonable notice to the Permittee to do the same, the Town will accomplish the final restoration and bill the Permittee for the cost.

III. ADMINISTRATION

A. Issuance. The Director ~~shall review the completed~~ ~~may execute and issue a~~ Right-of-way Opening Permit ~~application on behalf of the Town. If found to be in order, the Director shall initial and date the application and provide it to the code enforcement officer for review and consideration of issuing the permit if the application is found to be in conformance with all applicable local, state and federal requirements.~~

B. Limitation. Permits for any portion of the right-of-way, the paved construction (shim or higher type construction) of which was completed within five (5) years prior to the date of the permit, must be referred to the Director before the permit is granted. Except in the case of an emergency, no work shall be done on any such section of the right-of-way until the Director has approved the permit. If the applicant can show that the need for an opening permit could not have been reasonably anticipated before that portion of the right-of-way was paved and has ~~made an effort to investigate~~ investigated alternate installation procedures, an "emergency" permit may be issued. For any Right-of-way Opening Permit issued within the 5-year period mentioned above, the Town may attach special conditions to the opening permit for which the Permittee will bear all associated costs.

C. Location. ~~No Right-of-way Opening Permit shall be issued for an installation for which the Town may also issue a Location Permit, without prior approval of the Director.~~ In no case shall a Right-of-way Opening Permit be issued to an applicant who does not hold a Location Permit, if one is required, for the same installation. Regulations and conditions pertaining to Location Permits will be provided in another agreement.

IV. PERMIT GENERAL CONDITIONS

1. Compliance with the terms and conditions of this permit shall be the responsibility of the Permittee. Costs associated with the terms and conditions of compliance will be borne in whole by the Permittee. The Town will not assume any liability for damages arising out of or

resulting from a violation of the permit terms nor will the Town be responsible for any costs associated with the Permittee's compliance with this ordinance.

2. All costs associated with any and all portions of the construction related to this permit shall be borne by the Permittee.

3. The Town reserves the right to limit the permit by setting the time within which the work must be accomplished and may also prohibit work on Saturdays, Sundays, and holidays.

4. All work will conform to the most recent edition of the State of Maine DOT Standard Specifications Highways and Bridges, unless otherwise stated.

5. The Right-of-way Opening Permit will be applicable from the time the Town lifts the winter posting of its roads to the end of the first full week in November ~~October 31~~ of each year. A Winter Right-of-way Opening Permit will be applicable the rest of the year. The latter will only be issued in an emergency or on a case-by-case basis upon recommendation by the Director to the Code Enforcement officer of the Town. If the Code Enforcement Officer disagrees with the recommendation of the Director, a Winter Right-of-Way Opening Permit may or may not be issued. If a permit is not issued, this decision by the Code Enforcement Officer may be appealed ~~In any particular case, the applicant for a permit may appeal to the Town to the Selectboard with a request to make an exception to the time period and dates specified above.~~ The appeal shall be accompanied by supporting data adequate to show why an exception should be granted. The Town may consider the appeal and the supporting data, may make an exception to the applicable date, and may specify the terms and conditions of the exception or, deny the appeal.

If a Winter Right-of-way Opening Permit is issued, the ~~Town~~ Director, at his/her discretion may require the Permittee to provide temporary paving and to maintain the trench until the frost is out of the ground.

6. Permit conditions may include, but not be limited to, the following:

a) For right-of-way openings parallel to the centerline of the traveled way, a paved shim and overlay of the affected travel lane extending from the edge of the existing pavement to the centerline of the traveled way may be required. A butt joint, minimum depth of 1-inch and 12-inches in width, adjacent to the center of the traveled way the entire length of the project area prior to paving will be required in this instance.

b) In addition, if, as determined by the Director ~~representatives of the Town~~, the area to the opposite side of the centerline from the work lane has been damaged, a shim and overlay of the entire width and length of the roadway in the construction area will be required. e.g., if blasting lifts a section of the roadway the road; if there are excessive excavator bucket teeth marks in the pavement from removing side-cast fill material or if there are track marks in the pavement from the metal tracks of construction equipment and activities.

c) The final decision related to roadway repair and scheduling of said repairs, will be at the discretion of the Director. ~~representatives of the Town.~~

~~7. The Total Permit Fee assessed to the Permittee is dependent on the damage done to the right-of-way.~~

~~7~~8. In general, there is no opening fee if an installation is made completely within the area of and during Town initiated construction of portions of the right-of-way. Although an opening fee may not be charged, the Permittee will be billed for any damage to Town assets located in the right-of-way.

If traffic is to pass over the location, the trench shall be capped with 2-inches (2") ~~3-inches~~ of cold mix bituminous pavement for openings made before construction of the Town project commences and ~~construction and~~ shall be subject to the highway contract specifications made in effect during construction of the Town project. The Permittee shall be responsible for maintaining the trench area until such time that the roadway falls under jurisdiction of the Town construction project.

~~8~~ 9. Installations to be made under paved areas shall be designed to use the shortest possible distance under the pavement consistent with the particular installation involved. The Town may require, or the Permittee may propose, a method of installation (such as tunneling or jacking) that will not cause damage to or opening of the pavement. When such method is required or proposed, the method to be used shall be developed by the Permittee for review and approved by the Town. Approval by the Town will not relieve the Permittee of their responsibility for performing the work in a satisfactory manner.

~~9~~ 10. The Permittee shall give due consideration to the installation of a conduit or sleeve of adequate design to permit the operating facility to be removed for repair or replacement without opening the right-of-way in the future.

~~10~~ 11. Private electric power and cable/internet/television crossings shall be placed in a suitable pipe sleeve extending not less than two-feet past the edge-of-pavement.

~~11~~ 12. All installations under pavement and shoulders shall have not less than 24 inches of soil cover. Elsewhere cover shall be not less than 12 inches. Installations subject to freezing shall be sufficiently deep so that it will not be damaged by frost penetration.

~~12~~ 13. All curb and sidewalk construction/restoration addressed with this permit shall comply with the Americans with Disabilities Act.

~~13~~ 14. If the work covered by this permit disturbs or removes any existing property or right-of-way monumentation, the Permittee shall retain the services of a professional land surveyor licensed to practice in the State of Maine to reset the same.

V. OPENING LOCATION CONDITIONS

1. Public or privately owned existing ~~Existing~~ installations may be adjusted in place upon approval from the Director to clear Permittee construction within the right-of-way, except when replacement of a substantial portion of the existing installation is required, or when prohibited from adjusting it because of specific regulations or physical constraints e.g., ledge or slope of a pipe.

2. New installations, unless otherwise clearly indicated, shall mean proposed new installations or replacement of existing installations.
3. New installation under the normal paved traveled way will be permitted only where the applicant can show that a similar installation under or outside the shoulder (or outside the travel lane if there is no shoulder) is not practical and upon approval of the Director.
4. If portions of the infrastructure located within the right-of-way might be reconstructed in the foreseeable future, new installations shall be made at locations agreed upon between the Director Town and the Applicant Permittee in consideration of the proposed future construction. The location of the Applicant's proposed assets shall be identified by the Applicant for discussion purposes.
5. The Director shall consider the condition of the road, the type of installation, the size of trench, the proposed methods of construction, etc. and the experience of the Permittee Applicant's proposed contractor when reviewing the application for a permit to open the road. ~~and shall make such adjustments in this policy as may be justified.~~
6. New installations will not be permitted under and parallel to Town sidewalks. Crossings perpendicular to sidewalks are required.
7. Exceptions to the above locations may be made on a case-by-case basis upon approval of the Director. ~~representatives of the Town.~~

VI. TECHNICAL SPECIFICATIONS

1. The traveling public shall be adequately protected.
 - a) At least one-way traffic shall be maintained at all times during any work conducted in the right-of-way.
 - b) Work shall be signed, lighted and traffic control flaggers ~~officers~~ will be supplied when necessary. The Town will have final say when traffic control flaggers ~~officers~~ are needed. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration.
 - c) All Town signs that are removed or disturbed as a result of the work covered by this permit shall be temporarily relocated and shall remain in service until work is complete, as applicable. They will then be returned to their original locations.
2. Construction methods shall be such that excessive excavation and excessive destruction of pavement will be avoided. Pavements shall be cut in advance along the proposed edges of excavation and a second time prior to final paving of trenches or the roadway, full depth of the pavement. ~~All trench work shall comply with current OSHA regulations.~~ The Permittee shall reestablish the original lines and grades of the right-of-way to preconstruction conditions.

3. The backfill material shall be as follows:

a) General: Materials shall be natural soil or rock. All materials shall be free of organic or other weak or compressible materials, rubbish, trash, clay, vegetation, building rubble or frozen matter and other deleterious matter. The Director shall have final determination of what is suitable backfill material.

b) Aggregate Subbase Material (the layer from seven-to-18 inches below the bottom of the pavement) shall be sand or gravel consisting of hard durable particles as described in a) above, one hundred percent of which will pass a four-inch (4") square mesh sieve. The gradation of the portion that will pass a three-inch (3") square mesh sieve shall meet the requirements of the following table:

<u>Sieve Size</u>	<u>Percent Passing by Weight</u>
¼-inch	25-70
No. 40	0-30
No. 200	0-7

c) Aggregate Base Material (the six-inch (6") thick layer just below the bottom of the pavement) shall be sand or gravel consisting of hard durable particles as described in a) above, one hundred percent (100%) of which will pass a two-inch (2") square mesh sieve. The gradation shall meet the requirements of the following table:

<u>Sieve Size</u>	<u>Percent Passing by Weight</u>
2-inch	100
½-inch	45-70
¼-inch	30-55
<u>No. 40</u>	<u>0-20</u>
<u>No. 200</u>	<u>0-5</u>
No. 40	0-20
No. 200	0-5

d) All other backfill shall be equivalent to material removed, except that special backfill of suitable material may be used immediately around pipe, cable, conduit, etc. or to replace material that cannot be compacted to the required compaction specifications.

4. Backfill material shall be uniformly distributed in layers of not more than nine-inches (9") and thoroughly compacted to the required compaction specifications by use of approved mechanical compactors before successive layers are placed. ~~Water shall be added when~~

necessary to increase the moisture content of the backfill material in order to obtain adequate compaction. Puddling or jetting of backfill will not be allowed.

5. Restoration of all All curb and sidewalk areas disturbed during construction construction/restoration ~~will~~ shall match preconstruction conditions unless otherwise directed by the Director.

6. Surplus material shall be removed from the site and the area shall be left in a clean, presentable condition.

7. The edges of the proposed trench are to be cut full depth of the existing pavement prior to commencing any excavation work and prior to trench repair and final paving. Cuts are to be made parallel and/or perpendicular to the centerline of the traveled way. Angled cuts will not be accepted. Permanent pavement shall be replaced to the full depth and extent of the existing pavement removed or as directed by the Director.

8. Pavement (hot bituminous concrete) for repairs is to conform to the following specifications:

If the repair is made with a mechanical paving machine or by handwork:

a) Binder course (Base pavement): One 1.5-inch (1.5") ~~Two-inch (2")~~ thick layer of 42.5 mm 9.5 mm coarse hot mix.

b) Surface course: One 1.5-inch (1.5") ~~One-inch (1")~~ thick layer of 9.5 mm coarse hot mix.

c) Sidewalks: As in a) and b) above or as directed by Director.

If the repair is made using handwork:

a) ~~Two 1.5 inch (1.5") layers of 9.5mm coarse hot mix for a total thickness of three inches (3"). E.g. the mix must be placed in two layers.~~

9. a) All openings of any kind made in the pavement ~~bituminous concrete (hot mix pavement)~~ of any Town public way under this opening permit,

- shall be temporarily repaired with a minimum ~~two~~ of one 2-inch (2") thick ~~(2)-inch~~ layer of cold patch within 24 hours of the opening being made unless other arrangements are agreed upon in advance with the Director and
- permanently repaired with pavement ~~hot mixed bituminous concrete (hot mix pavement)~~ within 14 calendar days of the opening being made provided the nearest pavement ~~bituminous concrete plant (hot mix plant)~~ is in operation. If it is not, the cold patch trench repair will suffice until the ~~hot mix plant~~ is open. The cold patch shall be replaced with pavement ~~hot mix pavement~~ within 14 calendar days after the nearest ~~hot mix plant~~ is open for business.
- All work is to be performed in conformance with the Town of Mount Desert's Public Right-of-Way Opening Ordinance in affect at the time of issue of the Public Right-of-Way Opening Permit.

b) Heavy equipment with metal tracks, including but not limited to, excavators and bulldozers, of any size:

- Shall not be unloaded directly from e.g., a trailer onto pavement ~~bituminous concrete (hot mix pavement)~~ surfaces owned and maintained by the Town, including but not limited to, roadways and parking lots. The pavement must be protected by rubber tracks on the equipment plywood or other means to prevent scarring or other damage to the pavement.
- Shall not be driven or "walked" on the pavement ~~bituminous concrete (hot mix pavement)~~ surfaces owned and maintained by the Town, including but not limited to, roadways and parking lots. The pavement must be protected by rubber tracks on the equipment plywood or other means to prevent scarring or other damage to the pavement.

10. The Town reserves the right, after due notice in writing to the Permittee:

- a) To provide such supervision and inspection as it may deem necessary.
- b) To re-excavate and backfill as may be necessary.
- c) To clean up the area if the area is improperly and unsatisfactorily cleaned up.
- d) To charge the holder of the permit the cost of all work performed under reservations (a, b, and c above); which charge will be in addition to the normal fee for opening the right-of-way and said charge will be included in an invoice ~~the bill~~ to the Permittee from the Town.

11. After the excavation has been made and backfilled, the actual square yardage of disturbed area, including any areas adjacent to the installation disturbed by blasting or other similar cause, will be measured by a representative of the Town. If the final permit fee based upon actual measurements differs from the estimated permit fee, an adjustment will be made either in the form of a refund or bill showing the additional amount due.

12. All disturbed areas located in the right-of-way shall be repaired to preconstruction or better condition. This includes, but is not limited to, lawns, curbing, sidewalks, drainage conditions, sight distances and roadway surfaces. The Director ~~Town~~ shall determine the acceptability of the repairs.

13. The Permittee shall on a regular basis, or after notice by the Director, remove and sweep clean any dirt, mud, silt, or any other debris that accumulates on the pavement in the area of the project. Such action by the Permittee shall be done to the satisfaction of the Director and whenever deemed necessary by the Director.

14. The Permittee shall conduct all operations and maintain the area of all activities, including sweeping and implementing generally accepted dust control measures in and ~~sprinkling of~~ streets and at the construction building site, as necessary, ~~so as~~ to minimize the creation and suppression of dust. The Permittee shall control dust through periodic sweeping and wetting of project area or through the use of straw mulch in some cases, as applicable.

15. The Permittee shall maintain services of any and all private or public entities during the course of the work. Required interruptions shall be scheduled in advance with the affected parties and the work performed continuously so as to minimize the duration of interruption.

16. No gutters or ditches shall be obstructed ~~so as to~~ that interfere with surface drainage. ~~Take temporary~~ Temporary measures for runoff control shall be put in place to prevent sediment from discharging into the storm drainage system and from leaving the construction site. Such measures shall conform to the most recent edition of "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices" as prepared by the Cumberland Country SWCD. Such measures may include, but not be limited to, straw bale or stone dikes, silt fencing, temporary swales, and sediment traps.

17. All existing paved edges and existing paved underlying layers are to be tacked prior to the construction of any new pavement against them or on top of them.

VII. ABANDONED STRUCTURES

In general, private structures located in the right-of-way that are no longer in use shall be removed to minimum eighteen-inches (18") below the adjacent ground surface. The structure, if applicable, excavation shall be filled with backfill material described elsewhere in this ordinance. ~~as required for backfill in Right-of-way Opening Permits. In some cases, the Permittee may require the entire structure be removed and the disturbed area be repaired in accordance with the terms of this permit.~~

VIII. RELOCATING EXISITING UTILITIES

Any replacement of existing private assets and infrastructure shall be done in accordance with this ordinance as ~~Property owners have three years from the date this ordinance is adopted to relocate their existing utilities from the prohibited areas described in Section I.E above. to areas in conformance with the guidelines of this ordinance. All costs associated with this relocation shall be borne by the property owner. Failure to do so will constitute a violation under this ordinance and, as such, the property owner will be subject to the terms of Section I.F of this ordinance.~~

IX. PUBLIC RIGHT-OF-WAY OPENING PERMIT FEE

The ~~Total~~ total Public Right-of-way Opening Permit Fee will be as calculated on the "Application for a Right-of-way Opening Permit". After completion of the work described in the permit and the excavation has been made and backfilled, the actual square yardage of disturbed area, including any areas adjacent to the installation disturbed by blasting or other similar cause, will be measured by the Director ~~a representative~~ of the Town. If the final permit fee based upon actual measurements differs from the estimated permit fee, an adjustment will be made either in the form of a refund or bill showing the additional amount due.

EXCEPTION: The Mount Desert Water District, a tax-exempt, quasi-municipal corporation doing business in the Town is exempt from the fees described herein. The water district customers are also taxpayers in the Town. As such, the cost of any fees imposed on the water district would likely be reflected in higher water rates to the users (ratepayers a.k.a. taxpayers). This exception does not absolve the water district from conforming with all other requirements of this ordinance e.g., they must conform to all other requirements of this ordinance.

X. WARRANTY TERMS

The Permittee is responsible for and agrees to guarantee all work to be free from defects in workmanship and material for a period of two (2) years from the completion of the work. The completion date for the work shall be agreed upon between the ~~Town~~ Director and the Applicant Permittee. The Permittee is responsible for contacting the Director to establish the effective completion date for the work; otherwise, it will be established by the Director.

If any settlement, cracking, pavement deterioration or similar problem occurs the Permittee shall promptly repair such defect at no expense to the Town. If the Permittee fails to repair a defect upon notice from the Director ~~Town~~ that such a repair is required, the Town reserves the right to cause the repairs to be made with all costs incurred to be the responsibility of ~~at the expense of~~ the Permittee.

~~XI. PERIOD OF ORDINANCE~~

~~This ordinance shall remain in effect for a period of fifteen (15) years from the effective date.~~

**MUNICIPAL OFFICER'S CERTIFICATION OF
OFFICIAL TEXT OF A PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Mount Desert:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of amendments to an ordinance entitled Sewer Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 3, 2022.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Giver under our hands at Mount Desert the _____ day of _____ 2022,
a majority of the Selectmen of the Town of Mount Desert:

John B. Macauley, Chairman

Matthew J. Hart, Vice Chairman

Wendy H. Littlefield, Secretary

Martha T. Dudman

Geoffrey Wood

TOWN OF MOUNT DESERT
SEWER ORDINANCE
(Repeals and Replaces the Town Sewers and Drains Ordinance adopted October 25, 1988)
ENACTED MARCH 1, 2004
AMENDED MARCH 6, 2007
AMENDED MAY 8, 2012
AMENDED May 5, 2020 (postponed to August 11, 2020)

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TOWN OF MOUNT DESERT
SEWER ORDINANCE
RULES AND REGULATIONS

It is the intent of these rules and regulations to promote the general welfare, to prevent disease and to promote health, and to provide for the public safety by regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer systems, and providing penalties for violations thereof in the Town of Mount Desert, County of Hancock, State of Maine.

Article 1– DEFINITIONS

1.01 CONSTRUCTION OF LANGUAGE –

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance will be as follows:

1.02 DEFINITIONS

1.03.1 Abbreviations

A.S.T.M. - American Society for Testing and Materials.

B.O.D. - (denoting Biochemical Oxygen Demand) –The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty (20) degrees Centigrade, expressed in parts per million by weight.

C. E. O. – Code Enforcement Officer

D.E.P. – Maine Department of Environmental Protection.

L. P. I. - Local Plumbing Inspector

pH – The logarithm of the reciprocal of the concentration of the hydrogen ions in grams-ionic weight per liter of solution, and is a term used to express the relative acidity or alkalinity of a substance or solution.

1.03.2 AGENT – The Public Works Director or the individual designated by the Board of Selectmen to perform this function, or the authorized deputy, agent, or representative of this individual.

1.03.3 BUILDING DRAIN - The part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage

pipes within the footprint of the building and conveys it to the building sewer beginning eight (8) feet outside the inner face of the building wall.

- 1.03.4 BUILDER** - Any person, persons, or corporation who undertakes to construct, either under contract or for resale, any habitable building.
- 1.03.5 BUILDING SEWER** – The extension from the building drain to the public sewer or other place of disposal.
- 1.03.6 CODE ENFORCEMENT OFFICER** – Person appointed by the Town and certified by the State of Maine to locally administer State Statutes and local codes in the areas of Shoreland Zoning, Comprehensive Planning and Land Use, Internal Plumbing, Subsurface Wastewater Disposal, and Building Standards.
- 1.03.7 COMBINED SEWER** - A sewer receiving both surface runoff and sewage.
- 1.03.8 CONTRACTOR** - Any person, firm, or corporation approved by the Selectmen to do work in the Town.
- 1.03.9 DEPARTMENT** – The Mount Desert Public Works Department.
- 1.03.10 DEVELOPER** - Any person, persons, or corporation who undertakes to construct simultaneously more than one housing unit on a given tract or land subdivision.
- 1.03.11 DINING AREA** - That area commonly known as the “Dining Room,” being the gross area used for the consumption of food within a restaurant, including aisles and walkways used by the diners and wait staff for circulation to, from and around dining tables and chairs; but excluding food preparation areas, kitchens, dishwashing areas, wait staff stations, storage rooms, staff break rooms, retail space, cloakrooms, restrooms, offices and checkout counters.
- 1.03.12 GARBAGE** – Solid wastes from the retail preparation, cooking and dispensing of food, and from the retail handling, storage and sale of produce.
- 1.03.13 GOVERNING BODY** – The duly elected Board of Selectmen of the Town of Mount Desert.
- 1.03.13a Gross Retail Area** – The total floor area designed for the retailer’s occupancy and exclusive uses, including any basements and mezzanines. The area of the retailer’s occupancy is measured from the inside wall or building partition wall to the inside of the opposing wall.

- 1.03.14 INDUSTRIAL WASTES** – The liquid wastes from industrial processes as distinct from sewage.
- 1.03.15 LOCAL PLUMBING INSPECTOR** – Person certified by the State of Maine to administer and enforce the State’s internal plumbing code and subsurface wastewater disposal rules.
- 1.03.16 MAY** - is permissive.
- 1.03.17 NATURAL OUTLET** – Any outlet into a watercourse, ditch, pond, lake or other body of surface or ground water.
- 1.03.18 OWNER** – Any individual, firm, company, association, society, or group having title to real property.
- 1.03.19 PERSON** – Any individual, firm, company, association, society or group.
- 1.03.20 PROPERLY SHREDED GARBAGE** - The wastes from the preparation, cooking and dispensing of food or produce that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.
- 1.03.21 PROPERTY LINE** - The property boundary line if the building sewer is to connect with the public sewer in a public street. “Property Line” shall mean the edge of a sewer right-of-way in those instances where the building sewers connect to the public sewer in a right-of-way.
- 1.03.22 PUBLIC SEWER** - A sewer in which all owners of abutting property have equal rights and which is controlled by public authority.
- 1.03.23 SANITARY SEWER** - A sewer that carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- 1.03.24 SCHEDULE 40 - SDR 35 PVC**
- A. **SCH 40:** SCH (schedule) 40 is the designation for polyvinyl chloride (PVC) pipe typically specified for use as gravity sewer lines inside a structure e.g. home, business, etc. and to a distance equal to 10 feet away from the outside face of the structure. It is typically installed to a maximum depth as recommended by the manufacturer. The SCH 40 designation defines the wall thickness of the pipe. Generally accepted specifications associated with SCH 40 pipe include, but are not necessarily limited to, the following: The pipe shall conform to ASTM D-2665 for PVC plastic drain, waste and vent pipe. PVC material used in the manufacturing of this pipe shall conform to ASTM D-1784 specification for Type 1, Grade 1 material.

B. **SDR 35:** SDR (standard dimension ratio) 35 is the designation for polyvinyl chloride (PVC) pipe typically specified for use as gravity sewer lines installed to a maximum depth as recommended by the manufacturer. The SDR 35 notation defines the wall thickness of the pipe based on the relationship between the outside and inside diameters of the pipe. Generally accepted specifications associated with SDR 35 pipe include, but are not necessarily limited to, the following: The pipe shall conform to ASTM D 3034 for sizes 4 to 15 inches in diameter and ASTM for sizes 18 to 27 inches in diameter. PVC resin compound shall conform to ASTM D 1784 and rubber gaskets shall conform to ASTM D 3212 and F 477. Standard laying lengths shall be 13 feet. The pipe shall be colored green to identify it for sewer applications.

- 1.03.25 SEWAGE** – A combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm water that may be present.
- 1.03.26 SEWAGE TREATMENT PLANT** - Any arrangement of devices and structures used for treating sewage and industrial wastes.
- 1.03.27 SEWAGE WORKS** - All Town facilities for collecting, conveying, pumping, treating, and disposing of sewage and industrial wastes.
- 1.02.28 SEWER** – A pipe or conduit for carrying sewage.
- 1.02.29 SHALL** – is mandatory.
- 1.02.30 STANDARD METHODS** - The latest edition of the publication Standard Methods for the Examination of Water and Wastewater, published by A.P.H.A., A.W.W.A, and W.P.C.F.
- 1.02.31 STATE PLUMBING CODE** – The State of Maine Plumbing Code, as amended from time to time.
- 1.02.32 STORM SEWER or STORM DITCH** - A pipe or conduit that carries storm and surface waters and drainage but excludes sewage and industrial wastes.
- 1.02.33 SUITABLE MATERIAL** - In general, suitable materials for fill, backfill, and embankment materials shall be composed of clean, fine earth, rock, or sand, free from grass, roots, brush, or other vegetation. The following types of suitable materials are designated and defined as follows. The DOT Handbook as used below is defined as the State of Maine, Department of

Transportation, Standard Specifications, Highways, and Bridges publication, Revision of April 1995.

- A. Base Gravel: As described in Section 703.06(a) Type A of the DOT Handbook.
- B. Subbase Gravel: As described in Section 703.06(b) Type D of the DOT Handbook.
- C. Common Borrow: Common borrow shall consist of earth, suitable for embankment construction, free from frozen material, perishable rubbish, peat and other unsuitable material. The moisture content shall be sufficient to provide the required compaction and stable embankment. In no case shall the moisture content exceed 4 percent above or below optimum. The optimum moisture content shall be determined in accordance with ASTM D698.
- D. Crushed Stone: Crushed stone shall be durable crushed rock consisting of the angular fragments obtained by breaking and crushing solid or shattered natural rock and reasonably free from thin, flat, elongated, or other objectionable pieces. It shall be reasonably free from sand, clay, loam, chemical decay, or deleterious materials and not more than one percent of materials passing a No. 200 sieve will be allowed to adhere to the crushed stone. The stone shall meet the following gradation requirements:
 - i. $\frac{3}{4}$ -inch crushed stone: 100% passing the 1-inch sieve; 95-100% passing the $\frac{3}{4}$ -inch sieve; 35-70% passing the $\frac{1}{2}$ -inch sieve; 0-25% passing the $\frac{3}{8}$ -inch sieve.
 - ii. $1\frac{1}{2}$ -inch crushed stone: 100% passing the 2-inch sieve; 95-100% passing the $1\frac{1}{2}$ -inch sieve; 35-70% passing the 1-inch sieve; 0-25% passing the $\frac{3}{4}$ -inch sieve.
- E. Sand: Sand shall conform to the gradation requirements as described in Section 703.01 of the DOT Handbook.
- F. Where any of the above materials are to be used for bedding materials, it shall further meet the following additional criteria: bedding material shall be so graded that 100% will pass a 1-inch screen and not more than 10% will pass a 200-mesh sieve. In the event abnormally unstable or wet conditions are encountered, bedding material shall be crushed stone.

1.02.34 SUPERINTENDENT/CHIEF OPERATOR - The individual(s) retained or designated by the Agent to supervise and oversee the operation and

maintenance of the Municipal sewer system and Wastewater treatment facilities.

- 1.02.35** **SUSPENDED SOLIDS** - In general, solids are matter that is suspended, suspended solids, or dissolved, dissolved solids, in water or wastewater. Specifically, solids are as defined in the Environmental Protection Agency's 40 CFR Part 136 and/or Edition 20 of Standard Methods for the Examination of Water and Wastewater, edited by Andrew D. Eaton, Lenores S. Clesceri and Arnold E. Greenberg, and published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.
- 1.02.36** **UNSUITABLE MATERIALS** - Unsuitable materials for fill and backfill materials shall include soils which, when classified under the standard method for "Classification of Soils for Engineering Purposes", ASTM D2487, fall in the classifications of Pt, OH, CH, MH, or OL. Also, any soil, which cannot be made to conform with its intended use, shall be classified as unsuitable.
- 1.02.37** **WATERCOURSE** – A channel in which a flow of water occurs, either continuously or intermittently.

Article 2 – USE OF PUBLIC SEWERS REQUIRED

- 2.01** The owner of any house, building or property used for human occupancy, employment, recreation, or other purpose, situated within the Town of Mount Desert and abutting on any street, alley or right-of-way, in which there is now located, or may in the future be located, a public sanitary sewer of the Town of Mount Desert, is hereby required, at property owner's expense, to install suitable toilet facilities therein, and to connect such facilities, if located within two hundred feet (200') in accordance with § 6.3(1) of the Mount Desert Land Use Zoning Ordinance, to the proper public sewer, in accordance with the provisions of these rules and regulations, within ninety (90) consecutive calendar days after the date of official notice to do so, provided that said public sewer is located opposite to any portion of the frontage of the property to be served by said sewer. Provided, however, that where excavation of the public highway is otherwise prohibited by state law or regulation, or where unusual hardship exists due to the presence of ledge, incompatible elevations, or other causes, the Board of Selectmen may grant exceptions upon specific application of the owner or lessee of such properties, which such conditions as the said Selectmen may impose.

Article 3– PRIVATE SEWAGE DISPOSAL

- 3.01** The Mount Desert Public Works Department is legally responsible for providing wastewater treatment and disposal in the sewered area of the Town of Mount Desert. The Town of Mount Desert, through its Code Enforcement Officer, is responsible for ensuring that private wastewater treatment and disposal systems comply with State laws and regulations and Town ordinances. Sections 3.01 and 3.02 are included here as guidance to direct the reader to the proper government entity for assistance with private sewage disposal.
- 3.02** Where a public sanitary or combined sewer is not available under the provision of Section 2.01, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article and the State of Maine Plumbing Code, Part II, Subsurface Wastewater Disposal Rules 144A CMR 241.
- 3.03** Before commencement of construction of a private wastewater disposal system designed by a qualified individual licensed in the State of Maine, the owner(s) shall first obtain a written permit signed by the Local Plumbing Inspector for the Town of Mount Desert. The application for such permit shall be made on a form furnished by the Division of Health Engineering, Maine Department of Human Services, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the plumbing inspector. A permit and inspection fee shall be paid to the plumbing inspector at the time the application is filed.
- 3.04** The owner shall operate and maintain the private sewage disposal facilities at no expense to the Town.
- 3.05** At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2.01, connection shall be made to the public sewer in compliance with these rules and regulations and any septic tanks, cesspools or similar private sewage disposal facilities shall be abandoned and filled with suitable material at the property owner's expense.
- 3.06** No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Town's Code Enforcement Officer
- 3.07** The type, capacities, location, and layout of a private wastewater disposal system shall comply with the State of Maine's Plumbing Code, Part II – Subsurface Wastewater Disposal Rules and the Minimum Lot Size Law

(Maine Revised Statutes Annotated, Titles 12 Chapter 4807-A). No private wastewater disposal system shall be permitted to discharge to any natural outlet.

Article 4– BUILDING SEWERS AND CONNECTIONS TO PUBLIC SEWERS

4.01 The provisions of this Article shall be deemed to supplement provisions of the State Plumbing Code with respect to Building Sewers and connections thereof to Public Sewers. In the event of a conflict between this Article and the State Plumbing Code, the more restrictive provision shall be deemed to apply. Permits and Fees stipulated hereunder are additional to any permits or fees, or both, required under the State Plumbing Code.

4.02 No person shall uncover, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Local Plumbing Inspector. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Agent at least forty-five (45) consecutive calendar days prior to the proposed change or connection and shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subchapter I, Section 361. Any person violating this section is subject to a minimum fine of \$500 per violation and any Town legal fees.

4.03 There shall be two (2) classes of building sewer permits – (1) for residential service, and (2) for commercial, industrial, and other non-residential service. In either case, the owner or his agent shall make application on a special form furnished by the Local Plumbing Inspector. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Local Plumbing Inspector. All building sewers shall be equivalent to Schedule 40 PVC, SDR-35 PVC, or equivalent in conformance with State of Maine Plumbing Code and have a minimum diameter of four (4) inches, unless otherwise approved by the Department. It shall be the applicant's responsibility to complete the building sewer from the foundation to the sewer line.

4.04 A separate and independent building sewer shall be provided for every principal "building" as defined in Section 8 (Definitions) of the Mount Desert Land Use Zoning Ordinance.

Waivers related to this paragraph of the Sewer Ordinance may be requested in writing from the Public Works Director ("Director"). Final determination of the granting of a waiver will be solely at the discretion of the Director.

In acting on any waiver request, the circumstances to be considered by the Director when considering an application for a waiver include but will not

necessarily be limited to: (A) the ease of access of the proposed building sewer to the public sewer main; (B) whether the connection of the new building sewer to the public sewer will require crossing the public way, or other property, requiring excavation of said public way, or other property, thereby adversely affecting said public way, or other property; (C) the practicality of, and ability to, connect the proposed building sewer to the public sewer main, in the opinion of the Director; and (D) if a building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, in which case the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

The Director may choose to attach conditions to a waiver if one is granted. In the event a waiver is granted, all other portions of the Sewer Ordinance still apply. At a minimum, required conditions for granting a waiver may include, but not necessarily be limited to: (A) the Applicant has proven in writing to the satisfaction of the Director that the existing building sewer is adequate to accommodate the proposed additional discharge; (B) the Applicant has demonstrated to the satisfaction of the Director that the Applicant has the right, title, or interest to use the existing building sewer; (C) the owner(s) of the existing private sewer shall register the connection of the new private building sewer to their existing private sewer with the Hancock County Registry of Deeds within 60 (sixty) calendar days of said connection being made; (D) documentation of the filing of the connection with the Registry shall be provided to the Director and include a copy of the actual registry filing document; and (E) the Applicant agrees in writing to assume all liability for the installation and maintenance of their proposed building sewer and for restoring public areas disturbed by the construction of the proposed building sewer to preconstruction condition.

All costs associated with (A) through (E) above shall be borne by the Applicant.

- 4.05** Existing building sewers may be used in connection with new buildings only when they are found, on examination and test, to meet all requirements of this ordinance.
- 4.06** The building sewer shall be, Polyvinyl Chloride pipe (PVC), or other suitable material approved by the Agent. The quality and weight of materials shall conform to the specifications of the State Plumbing Code. All joints shall be tight and waterproof. Where the building sewer is exposed to damage by tree roots or is installed in filled or unstable ground, the Agent shall have the authority to stipulate such special pipe materials or installation provisions, as he deems necessary for the circumstances. Testing of the building sewer installation shall be done by the

owner/contractor in the presence of the Agent and using such methods as he shall stipulate.

- 4.07** The size and slope of the building sewer shall be subject to the approval of the Agent, but in no event shall the diameter be less than four (4) inches. The slope of a four inch pipe shall not be less than one-quarter (1/4) inch per foot. The slope of a six inch pipe shall not be less than one-eighth (1/8) inch per foot.
- 4.08** Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with approved pipe and fittings.
- 4.09** In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.
- 4.10** All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Agent. Pipe laying and backfill shall be performed in accordance with ASTM specifications C12, as the same may be amended, except that no backfill shall be placed until representatives of the Town have inspected the work.
- 4.11** All pipe shall be Polyvinyl Chloride (PVC) non-pressure sewer pipe or equal as approved by the Agent. All joints shall be tight and waterproof and be an integral part of the pipe bell, as applicable. All pipe fittings are to be of the same material as the pipe and be molded and formed to suit the pipe size and end design. Couplings as manufactured by Fernco, Inc. are permissible. Install pipe, fittings and accessories in conformance with manufacturer's recommendations. Place all pipe on a minimum four-inch deep bedding layer of material in conformance with the lines and grades described elsewhere in this ordinance. Manually chink bedding around pipe haunches for lateral support. Do not mechanically compact crushed stone over the pipe. Install and bed the pipe up to the centerline of the pipe and proceed as described elsewhere in this ordinance. Other jointing materials and methods may be used only by approval of the Agent.
- 4.12** The applicant for the building sewer permit shall notify the Agent when the building sewer is ready for inspection and connection to the public sewer. The Agent shall be available to supervise and inspect the connection within two (2) business days of notification of readiness.
- 4.13** All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets,

sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town of Mount Desert.

- 4.14** Any building sewer serving a school, hospital, or similar institution or public building, or serving a complex of commercial or industrial buildings, or which, in the opinion of the Agent will receive sewage or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. If required, a new manhole shall be installed in the public sewer and the locations of this manhole and the building sewer connection to it or to an existing manhole shall be as specified by the Agent. The cost of such new manhole or connection to an existing manhole will be included in the computation of the connection fee.
- 4.15** All costs and expense incident to the installation, connection, and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of such building sewer.
- 4.16** No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the Agent for purposes of collecting and treating polluted surface drainage.
- 4.17** The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Department or Town, or the procedures set forth in appropriate specification of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 as the same may be amended. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Agent before installation.

Article 5 – SEWER EXTENSIONS

- 5.01** After the date of adoption of this Ordinance, no sewer or sewer extension, other than individual building sewers, shall be constructed within the Town of Mount Desert, unless construction of such sewer or sewer extension has been approved in advance by the Board of Selectmen. It is the intention of this ordinance that all sewers or sewer extensions approved and constructed within the public rights-of-way or upon other property of the Town shall become public sewers of the Town of Mount Desert, upon satisfactory testing, approval and acceptance in accordance with this

Article. Sewers and sewer extensions to be located entirely upon private property and not within the public rights-of-way may be approved by the Selectmen for construction as public or private sewers. If approved for construction as a public sewer, the Selectmen, as a condition of their approval, shall require conveyance of all necessary easements to the Town for this purpose. All sewers and sewer extensions approved by the Selectmen, whether public or private, shall be constructed in accordance with the standards set out in sections 5.02 and 5.03 below. All private sewers and sewer extensions authorized by the Selectmen must satisfy the testing requirements of section 5.05 below, before a permit may be issued allowing connection of the private sewer or sewer extension to the public sewer system.

- 5.02** If the Town does not elect to construct a sewer extension under public contract, the property owner, builder, or developer may construct the necessary sewer extension, if such extension is approved by the Selectmen in accordance with the requirements of Section 5.03. The developers or property owners shall be responsible for all costs associated with any and all sewer extensions thus made, including building sewers. Design of sewers shall be as specified in Section 5.03 of this ordinance. The installation of the sewer extension shall be subject to inspection by the Agent and the owner, builder or developer shall pay for any and all expenses related to this inspection. Before it may be used, the sewer, as-constructed, must pass the exfiltration test required in Section 5.04.
- 5.03** All extensions to the sanitary sewer system shall be properly designed and constructed in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes – Upper Mississippi River Board of State Sanitary Engineers and to the specific requirements of the Town as it may choose to specify. Plans and specifications for sewer extensions shall be submitted to and approval obtained from the Agent before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.
- 5.04** All public sewers shall satisfy requirements of a final exfiltration test before they will be approved and sewage flow accepted from them by the Department. This test can either be conducted hydraulically or pneumatically. The latter is the preferred method.
- 5.05** The hydraulic test consists of filling the pipe with water to provide a head of at least five (5) feet above the tope of the pipe or five (5) feet above groundwater, whichever is higher, at the highest point of the pipe line under test, and then measuring the loss of water from the line by the amount which must be added to maintain the original level. In this test, the line

must remain filled for at least twenty-four (24) hours prior to taking of measurements. Exfiltration shall be measured by the drop of water level in a standpipe with closed bottom end or in one of the sewer manholes available for convenient measuring. When a standpipe and plug arrangement is used in the upper manhole of a line under test, there must be some positive method of releasing entrapped air in the sewer prior to taking measurements. The length of sewer shall in no event exceed one thousand (1,000) feet for either type of test, and in the case of sewers laid on a steep grade, may be limited by the maximum allowable internal pressure on the pipe and joinings at the lower end of the line. The test period, wherein the measurements are taken, shall not be less than two (2) hours in either test and the maximum allowable rate of leakage shall not exceed one hundred (100) gallon per mile of pipe per twenty-four (24) per inch of nominal pipe diameter. For purposes of determining this maximum allowable rate of leakage, manholes shall be considered as a section of forty-eight (48) inch diameter pipe five (5) feet long, and the equivalent leakage allowance shall be 4.5 gallons per manhole per twenty-four (24) hours.

- 5.06** The pneumatic test consists of blocking both ends of the pipe with air locks and introducing air through a mechanism in one of the air lock units to 3.5 pounds per square inch pressure. With a known permeability of the pipe, the only variable is the pipe diameter, and the minimum allowable time in minutes for a 1.0-pound per square inch pressure drop is found by multiplying the pipe diameter in inches by 0.472.
- 5.07** If leakage exceeds the specified amount by either test, the necessary repairs or replacements required shall be made to permanently reduce the leakage to within the specified limit.
- 5.08** All extensions of public sewers constructed at the expense of the property owner, builder, or developer, after approval and acceptance by the Agent, shall become the property of the Town and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed against defects in materials or workmanship for eighteen (18) months, the guarantee being in a form stipulated by the Town. At the sole discretion of the Town, a completion bond or certified check may be demanded as part of the guarantee.

Article 6 – USE OF PUBLIC SEWERS

- 6.01** No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water, to any sanitary sewer.

- 6.02** Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- A. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit.
 - B. Any water or waste which may contain more than one hundred (100) parts per million, by weight, of fat, oil or grease.
 - C. Any gasoline, benzene, naphtha, fuel, oil, lubricating oils, or other flammable or explosive liquids, solids or gases.
 - D. Any garbage that has not been properly shredded.
 - E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
 - F. Any water or wastes having a pH lower than 6.5 or higher than 8.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters or the sewage treatment plant.
 - H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

6.03 Grease, oil and sand interceptors or traps shall be provided when, in the opinion of the Agent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Agent and shall be located so as to be readily and easily accessible for cleaning and inspection.

6.04 Grease and oil interceptors or traps shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

- 6.05** Where installed, all grease, oil and sand interceptors or traps shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
- 6.06** The admission into the public sewers of any waters or wastes having (a) a five (5) day B.O.D. greater than three hundred (300) parts per million by weight, or (b) containing more than three hundred fifty (350) parts per million by weight of suspended solids, or (c) containing any quantity of substances having the characteristics described in Section 6.01, or (d) having any average daily flow greater than two percent (2%) of the average daily flow of an individual plant shall be subject to the review and approval of the Agent. Where necessary in the opinion of the Agent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to three hundred (300) parts per million, or (b) reduce the suspended solids to three hundred fifty (350) parts per million by weight, or (c) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 6.02, or (d) control the quantities and rates or discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Agent and of the Department of Environmental Protection of the State of Maine. No construction of such facilities shall be commenced until said approvals are obtained in writing.
- 6.07** Where preliminary treatment facilities are provided for any waters or wastes, the owner at his expense shall maintain them continuously in satisfactory and effective operation.
- 6.08** All industries discharging into a public sewer shall perform such monitoring of their discharges as the Agent and/or other duly authorized employees of the Town may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Agent. Such records shall be made available upon request by the Agent or to other Agencies having jurisdiction over discharges to the receiving waters.
- 6.09** All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 6.02 and 6.06 shall be determined in accordance with "Standard Methods for the Examination of Water and Wastewater", and shall be determined at the control manhole provided for in Section 4.15, or upon suitable samples taken at said control structure.
- 6.10** For industrial wastes of unusual volume, strength or character as defined in Section 6.06, special agreements shall be required between the

Department and the industry concerned providing for the acceptance of such wastes in the municipal system.

Article 7 – PROTECTION FROM DAMAGE

7.01 No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the Department sewage works. Any person violating this provision shall be subject to immediate arrest under charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 22, Section 806.

7.02 A contractor must present a certificate showing proof of liability insurance to the Code Enforcement Officer before a permit will be issued for construction of building sewer or sewer extensions.

Article 8 – POWERS AND AUTHORITY OF INSPECTIONS

8.01 The Agent and other duly authorized employees of the Department bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observations and measurement sampling and testing in accordance with the provisions of these rules and regulations.

Article 9 – PENALTIES AND ENFORCEMENT

9.01 Any person found to be violating any provision of these rules and regulations, except Section 7.01, shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

9.02 Any person who fails to comply with the provisions of these rules and regulations other than those provisions pertaining to the payment of charges for services established herein shall, upon conviction, be subject to a fine not exceeding five hundred dollars (\$500) for each offense. The continued violation of any provision of any section of these rules and regulations, other than those pertaining to the payment of charges for services established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue and such fines may be assessed on a per diem basis

9.03 Upon violation of these rules and regulations, the proper authorities of the Town, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, construction or maintenance of cesspools, septic tanks, sewage disposal

systems, pipes or drains, to restrain, correct, or abate such violation, or to prevent the occupancy of any buildings, structure or land where said violations of these rules and regulations are found.

9.04 Any person violating any of the provisions of these rules and regulations shall be liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such violation.

9.05 This ordinance may be enforced under 30-A M.R.S. A. Section 4452 and appropriate sections of the Mount Desert Code.

Article 10– VALIDITY OF RULES AND REGULATIONS

10.01 All prior rules and regulations or parts thereof in conflict herewith are hereby repealed.

10.02 The validity of any section, clauses, sentence or provision of these rules and regulations shall not affect the validity of any other part, which can be given effect without such invalid part or parts.

Article 11 – RULES AND REGULATIONS

11.01 These rules and regulations shall be in full force and effect from and after their passage, approval, and recording.

Article 12 – ESTABLISHMENT OF SEWER CONNECTION FEES

12.01 Sewer Connection Permits and Fees:

Permit Required: No person shall connect a building sewer to the public sewer, increase the flow of their existing sewer connection or change the use of any property connected to the sewer without first receiving a connection permit from the Agent and paying the appropriate connection fee if any.

12.02 Establishment of Sewer Connection Fee Rate:

From time to time, the Board of Selectmen shall, following a public hearing, establish a sewer connection fee rate to remain in effect until such rate is further revised pursuant to this ordinance.

12.03 Application:

All persons required by this ordinance to obtain a connection permit shall apply to the Agent on forms provided by the Agent. Said application shall state the name and service address of the owner, the proposed use of the property, the estimated volume of the waste, a copy of any required building permit, and such other information as the Agent may reasonably deem

necessary to administer this ordinance. The Agent shall either approve or deny the application within thirty (30) calendar days of receipt of a complete application. The permit shall not be issued until the connection fee, if any, has been paid.

12.04 Calculation of Connection Fee:

The connection fee shall be calculated by multiplying the sewer connection fee rate established by the Board of Selectmen by the daily design flow of the proposed facility as determined by the Agent with reference to the following.

12.05 New Facility:

For any new facility, the Agent shall determine the daily design flow by referring to the Design Flows for Facilities table in Article 13 and assuming the maximum estimated population. In cases where the proposed use is not listed, the Agent shall make his/her determination of a reasonable design flow, after consultation with the Maine Department of Human Services and any other appropriate authorities or references.

12.06 Increase of Volume or Change of Use of Existing Facility:

For the expansion of a facility or use, increase of sewage, discharge or change of use of a property, the Agent shall determine whether the proposed design flow will increase over the current flow, the current flow being the highest design flow based on the actual use of the property in the past two (2) years. The Agent shall first calculate the proposed design flow using the method outlined in section 12.05, and then subtract there from the current design flow which shall be calculated using the same method used to calculate the proposed design flow. The resulting number shall be the design flow on which the connection fee shall be based.

12.07 Inspection Permitted:

The Agent or Code Enforcement Officer may inspect any system for which a permit is granted pursuant to this ordinance to ensure continued compliance with same. Upon the finding of a violation, such official shall take all necessary enforcement action.

12.08 Appeals:

The Board of Appeals may, upon written application of an aggrieved party received by the Planning Board within thirty calendar days (30) of the Agent's decision on a connection permit, hear appeals from said decision. All appeals procedures shall be as provided by Mount Desert Land Use Ordinance –Administrative Appeals. Connection fee appeals shall be as handled as in Title 30-A MRSA sec. 3424, which provides for a mandatory arbitration process. Assessment disputes shall be handled under 30-A MRSA sec. 3443, which also provides for a mandatory arbitration process.

- 12.09 Term of Permit:**
A connection permit shall expire and all fees shall be forfeited eighteen (18) months from the date the permit was issued if within such time (a) the new building sewer is not connected to the public sewer, (b) the flow of the existing sewer connection is not increased, or (c) the use of the property has not changed: as provided in the connection permit application.
- 12.10 Refunds:**
Within eighteen (18) months from the date of issuance the Treasurer may refund to the permit tee the connection fee paid, less a \$100 administrative fee, upon the return of the unused connection permit. A permit shall be considered unused if, within eighteen (18) months from the date the permit was issued, (a) the new building sewer is not connected to the public sewer, (b) the flow of the existing sewer connection is not increased, or (c) the use of the property has not changed; as provided in the connection permit application. Upon payment of the refund, the sewer connection permit shall become null and void.
- 12.11 Denial of Permit:**
The Agent shall deny a sewer connection permit if the sewer lines or any pump stations servicing the subject property have insufficient capacity to carry the proposed flow or if the proposed project will provide sewage which would cause the wastewater treatment plant to receive influent in excess of its design capacity for flow, biochemical oxygen demand or other design parameter.

Article 13 - DESIGN FLOWS FOR FACILITIES

The design flows for facilities shall be based on the resultant daily flows of wastewater as determined from the following table:

Type of Facility	GPD Design Flow
SINGLE FAMILY RESIDENTIAL	
Each one or Two Bedroom Unit	180/unit
Each Additional Bedroom	90/Bedroom
MULTIPLE FAMILY RESIDENTIAL	
Boarding Houses (incl. meals)	50/bedroom
Rooming Houses (without meals)	40/bedroom
Transient Accommodations with:	
Shared bathrooms	60/bedroom
Private bathrooms	100/bedroom
Mobile Home Parks	235/site
Multifamily Homes (except retirement homes):	
1 bedroom unit	120/unit
2 bedroom unit	180/unit

3 bedroom unit	270/unit
Multifamily Homes (retirement homes limited to persons older than 50 yrs.)	
Each 1-2 bedroom unit	120/unit
COMMERCIAL ESTABLISHMENTS	
Beauty Salon (E)	10/customer
Bus Service Areas (E)	
Factories & Plants (e)	
With showers	15/person
Without showers	25/person
Laundry, self-service	600/washer
Offices (E)	15/person
Restaurants:	
Eat in with conventional utensils (B)	30/15 sq. ft.
Eat in with disposable utensils (B)	15/15 sq. ft.
24 hour operation (B)	50/15 sq. ft.
Take-out only (C)	8/15 sq. ft.
Retail (D)	6/100 sq. ft.
Service Station (F)	125/vehicle
Tavern (B)	20/15sq.ft.
Tennis, Racquetball Courts	300/court
Visitor Center	6/visitor/day
INSTITUTIONAL	
Assembly Halls, Public Buildings	5/seat
Churches	5/seat
Hospitals	150/bed
Institutions: (other than hospitals)	100/bed
Nursing Homes	1.76/sq. ft.
Schools (Boarding)	100/bed
Schools (Day) (E)	75/bed
Elementary	7/student +15/employee
Junior High	9/student +15/employee
SEASONAL COMMERCIAL	
Camps: (E)	
Day (no meal served)	10/person
Day (only lunch served)	15/person
Resort (limited plumbing)	50/bed
Fairgrounds, Parks and Picnic Areas (w/ bath, showers, & Toilets) (E)	10/person
Swimming Pools & Bathhouses (E)	10/person
Campgrounds:	
No sewer hookups	50/site
With sewer hookups	75/site

Design Flow Notes

- A. For facilities that constitute a composite of one or more of the following types of facilities, the design flow shall be calculated by adding the design flow for each type of facility that comprise the entire facility.
- B. Sq. Ft. refers to the square feet of the dining area as defined by this ordinance.
- C. Sq. ft. refers to square feet of serving area.
- D. Sq. ft. refers to square feet of gross retail area as defined in this Sewer Ordinance.
- E. Estimated maximum occupancy per day, as shown on Land Use Ordinance permit, application, or site plan.
- F. Per vehicle that can be fueled simultaneously.

GPD means Gallons per Day.

Article 14 – EFFECTIVE DATE AND DURATION

14.01 This Ordinance shall become effective after its adoption by the municipality.

~~**14.02** This Ordinance shall remain in effect for a period of fifteen (15) years from the effective date.~~

AMENDMENT TO ADDENDUM 1

ABOVEGROUND PRIVATE SEWERS

PURPOSE:

This is an addendum to the Town of Mount Desert's Sewer Ordinance, and is hereby incorporated into and made a part of such Ordinance. It presents mandatory requirements related to the inspection, maintenance, and construction of aboveground private sewers. Any person in violation of this Addendum is subject to penalties and enforcement as provided for in Article 9 of this Ordinance.

DEFINED TERMS IN THIS ADDENDUM:

Benefitted Owner– An owner who is connected to a private sewer.

Private Sewer – Any sanitary sewer other than a public sewer. The term, “aboveground private sewer” refers to a private sewer which is not entirely buried.

Responsible – Means to inspect, repair, maintain and/or replace, and, as used in connection with an owner/benefitted owner, means performance of the duty to inspect, repair, maintain and/or replace as such duty is imposed upon that owner/benefitted owner pursuant to this Ordinance.

INSPECTIONS:

All private sewers, any portion of which is above the surface of the ground, on private and/or public lands, shall be subject to an annual inspection over the entire aboveground length. The length of the aboveground private sewer is equal to the distance measured along the horizontal access of the pipe, through and including any and all fittings, comprising the sewer. Aboveground private sewer inspections are to be conducted by the responsible property owner or benefitted owner(s) and shall be completed on or before June 1st of each and every year.

MULTIPLE BENEFITTED OWNERS OF A PRIVATE SEWER AND BENEFITTED OWNER(S) OF A PRIVATE SEWER ON THE PROPERTY OF ANOTHER:

An owner upon whose property any portion of an aboveground private sewer is located is responsible under this Ordinance for the entire portion of said aboveground private sewer located on such owner's property regardless of the number of sewers that are connected to it, on or off said owner's property, unless the owner is not a benefitted owner of the aboveground private sewer, in which instance the benefitted owner(s) of the private sewer shall be responsible for the portion of an aboveground private sewer located on the property of an owner who is not a benefitted owner.

REPORTING:

An owner upon whose property an aboveground private sewer is located but who is not a benefitted owner shall notify the Town of such in writing. The notice shall additionally state the names of the benefitted owner(s) known to the owner giving notice, and a copy of such notice shall be provided to those benefitted owners at the time of mailing.

Following completion of the aboveground private sewer inspection, and prior to June 15th of each year, a written report, in the form prescribed and furnished by the Town, presenting the results of the inspection and any action taken as a result of the inspection is to be submitted by the responsible owner or benefitted owners to the Town's Code Enforcement Officer.

REPAIRS AND CORRECTIONS:

Repairs and corrections of identified deficiencies of the aboveground private sewers shall be in conformance with generally accepted construction methods and materials and in conformance with all Local, State and Federal regulations. Upon a benefitted owner's discovery or notification that an aboveground private sewer is broken, cracked, disjointed, leaking, etc. or otherwise releases or poses a material risk of releasing sewage in violation of applicable laws or regulations, the private sewer must be repaired within 24 hours.

CONSTRUCTION:

Construction of new aboveground private sewers or reconstruction of an existing aboveground private sewer shall conform to all Local, State and Federal regulations. Prior to construction or reconstruction of an aboveground private sewer, benefitted owners shall submit to the Town an agreement, in substance and form acceptable to the Town, among the benefitted owners addressing inspections, maintenance and compliance with this Ordinance.

SEWER PIPE MATERIALS AND INSTALLATION:

Materials for sewer pipe composition shall be high-density polyethylene (HDPE) or PVC (polyvinylchloride) or ductile iron as described below.

A. HDPE single wall sewer pipe:

1. The pipe shall be made from high density, extra high molecular weight compounds equaling a PE 3408 designation and conforming to ASTM-1248 and ASTM-3350 with a cell classification of 345434C.
2. HDPE pipe and fittings shall be from the same manufacturer and shall be resin compatible and shall be for the application at hand.
3. The pipe shall be a minimum of SDR17.
4. The individual sections of pipe and HDPE fittings comprising the sewer shall be butt-welded using the fusion welding process.
5. Ductile iron mechanical joint fittings may be used in place of HDPE fittings. Fernco-style couplings are not allowed.
6. Fittings specifically manufactured for HDPE pipe are allowed.

B. DR-25 PVC Pressure Pipe:

1. The pipe shall conform to AWWA C-900 and shall be UL and FM approved.
2. The pipe shall be bell and spigot, push on joint type.
3. The fittings shall be PVC pressure fittings for C-900 PVC pipe or ductile iron mechanical joint fittings.

C. Class 51 Ductile Iron Pipe:

1. The pipe shall be Tyton Joint pressure class manufactured in conformance with all AWWA and ANSI standards.
2. The fittings shall be ductile iron mechanical joint fittings.

D. Regardless of the type of pipe used for sewer construction:

1. Expansion joints are to be used to minimize the effects of thermal expansion and contraction of the sewer.

2. The sewer shall be constructed to minimize the number of joints from its beginning to its end and shall be sufficiently supported to maintain the required lines and grades and to reduce tension of the sewer joints.

PROHIBITED PRACTICES:

A. Except with prior Town approval and as necessary to connect a private sewer to a public sewer, new aboveground private sewers shall be constructed solely on private property, outside of any Town right-of-way, whether owned in fee by the Town or held as easement.

Private sewers are not allowed to be constructed in any Town-owned and maintained drainage structures e.g. roadway stone drains, roadway culverts, driveway culverts, etc.

B. Reconstruction of an existing aboveground private sewer will not be allowed within any Town way or inside any Town-owned and maintained drainage structures e.g. roadway stone drains, roadway culverts, driveway culverts, etc. Any existing private sewers inside such a structure at the time of sewer reconstruction shall be relocated outside of the Town right-of-way on private property in conformance with part A above of the "Prohibited Practices".

LAST PAGE OF SEWER ORDINANCE

**MUNICIPAL OFFICER'S CERTIFICATION OF
OFFICIAL TEXT OF A PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Mount Desert:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of amendments to an ordinance entitled Land Use Zoning Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 3, 2022.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Giver under our hands at Mount Desert the _____ day of _____ 2022,
a majority of the Selectmen of the Town of Mount Desert:

John B. Macauley, Chairman

Matthew J. Hart, Vice Chairman

Wendy H. Littlefield, Secretary

Martha T. Dudman

Geoffrey Wood

WARRANT ARTICLE XX - Shall an ordinance dated May 3, 2022, entitled "Amendments to the Land Use Zoning Ordinance Section 4.5 Non-conforming Lots" be enacted as set forth below?

Explanation: This amendment will address an ambiguity in case law regarding non-conforming lots to clarify that if a nonconforming lot is altered by adding acreage, but not enough acreage is added to make it conforming, the lot will retain its grandfathered status. Due to Shoreland Zoning rules, this will only apply to lots that are not wholly or partially in the Shoreland Zone.

SECTION 4 NON-CONFORMITIES.

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4.5 Non-conforming Lots

1. **Non-conforming Lots:** A non-conforming lot of record as of the effective date of this Ordinance or amendment thereto may be built upon, without the need for a variance, provided that such lot is in separate ownership and not contiguous with any other lot in the same ownership, and that all provisions of this Ordinance except lot area, lot width and shore frontage can be met. Variances relating to setbacks shall be obtained by action of the Board of Appeals.

A. The lot lines or acreage of a legally existing nonconforming lot of record may modify without causing the lot to lose its grandfathered status provided that the lot is not located in whole or in part within the Shoreland Zone and that such a modification does not make the lot more non-conforming.

WARRANT ARTICLE XX - Shall an ordinance dated May 3, 2022, and entitled "Amendments to Section 7.4 Permit Application regarding photographic evidence for permits within the Shoreland Zone" be enacted as set forth below?

Explanation: This Article amends the LUZO to require pre and post construction photographs for permits in the shoreland zone.

7.4 Permit Application

1. **Written application.** Every applicant for a permit shall submit a written application, including a scaled site plan, on a form provided by the municipality, to the Code Enforcement Officer. The following items, when appropriate, shall be included on the application.
 1. The shape, size and location of the lot to be built upon and structure(s) to be erected, altered or removed.
 2. Any structure(s) already on the lot.
 3. Setbacks of structure(s).
 4. Statement of intended use.
 5. Any other information needed by the Code Enforcement Officer, Planning Board, or the Board of Appeals to determine compliance with the provisions of this Ordinance.
 6. Documentation that the applicant has right, title or interest in the property.
2. **Signature.** All applications shall be signed by an owner of the property or individual who can show evidence of right, title or interest in the property, or the owner's legal agent, representative, tenant or contractor of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information on it is complete and accurate. If the person signing the application is not the owner or lessee of the property, then that person shall submit a letter of authorization from the owner or lessee.
3. **Application to be dated.** All applications shall be dated, and the Code Enforcement Officer or Planning Board, as appropriate, shall note upon each application the date and time of its receipt.
4. **Plumbing Permit & Subsurface Wastewater Disposal Permit.** If the property is not served by a public sewer, a valid plumbing permit or a completed application for a plumbing permit and/or subsurface wastewater disposal permit including the site evaluation approved by the Plumbing Inspector, shall be submitted whenever the nature of the proposed structure or use would require the installation of a subsurface wastewater disposal system.

WARRANT ARTICLE XX - Shall an ordinance dated May 3, 2022, entitled "Amendments to the Land Use Zoning Ordinance Regarding Accessory Dwelling Units for Lots Outside the Shortland Zone" be enacted as set forth below?

Explanation: This Article amends the Section 6B.11 to clarify that only one (1) accessory dwelling unit is allowed per lot for lots that are totally outside the shoreland zone.

SECTION 6 STANDARDS FOR USES, PERMITS AND APPROVALS

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6B.11 Lots

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3. Requirements for lots wholly outside the Shoreland Zone

- 1. Lots abutting more than one road.** Lots which abut more than one road shall have the required setbacks along each road used as an entrance or exit.
- 2. Additional one-family or two-family dwellings.** One-family and two-family dwellings are allowed in all districts, as indicated in Section 3.4. For each additional one-family or two-family dwelling on a lot, all dimensional requirements shall be met separately for each one-family or two-family dwelling.

EXCEPTION:

For any existing or new lot that is wholly outside the Shoreland Zone, one accessory residential dwelling unit is allowed per lot without an increase in the minimum lot size requirement. Accessory residential dwelling units are incidental and subordinate to the principal use or structure and may be no more than 75 percent of the living area of the primary dwelling unit. The accessory residential dwelling shall meet town and state standards for wastewater disposal and the lot on which the accessory residential dwelling is located shall conform to current minimum lot size standards.

WARRANT ARTICLE XX - Shall an ordinance dated May 3, 2022, entitled "Amendments to the Land Use Zoning Ordinance to change the Land Use District designation of Tax Map 009: Lot 010-006" be enacted as set forth below?

Explanation: This Article removes the RP zone on Tax Map 009, Lot 010-006 as the Resource Protection Zoning District overlay is not consistent with State Shoreland Zoning standards for RP Districts.

SECTION 3 LAND USE DISTRICTS

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3.3 Map Changes: Amended at:

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Town Meeting May 3, 2022, change Tax Map 009, Lot 010-006 from Resource Protection and Shoreland Residential 5 to Shoreland Residential 5.

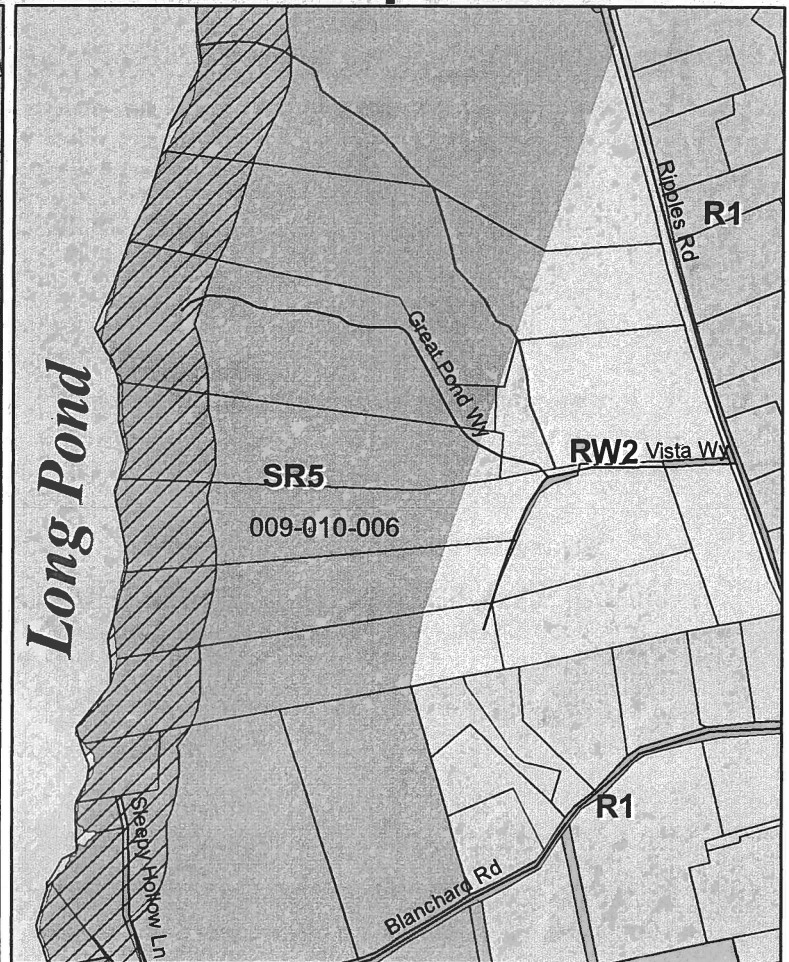
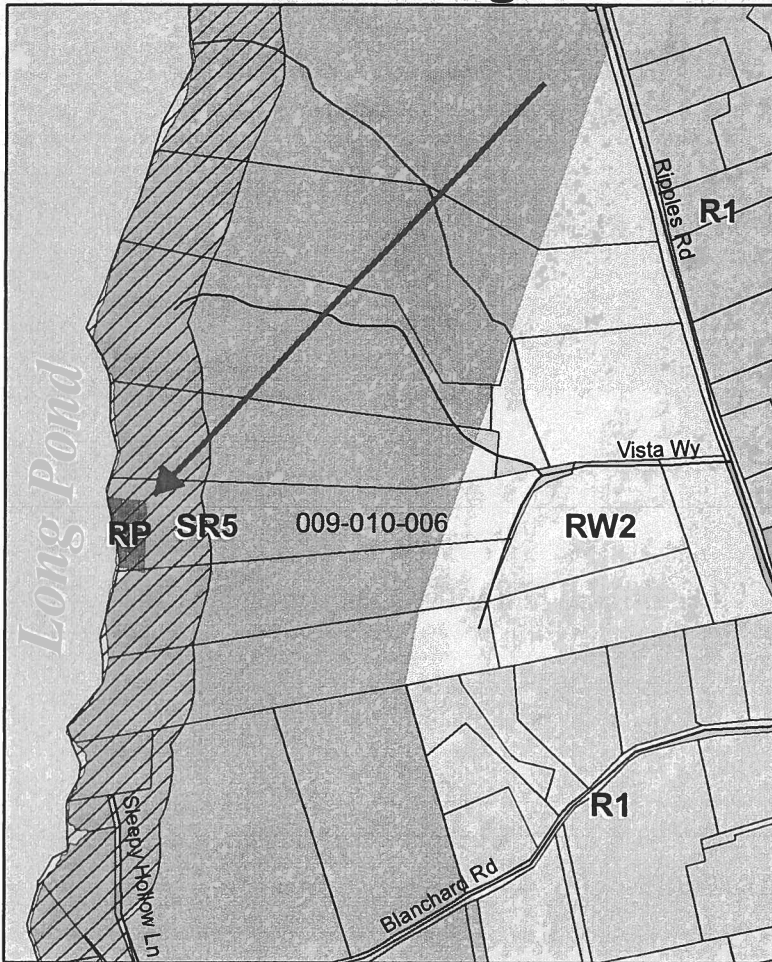
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NEED TO ADD MAP

Shoreland Residential 5 and Resource Protection to Shoreland Residential 5

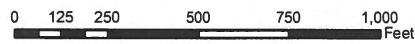
Existing

Proposed



Zoning Districts

Conservation	Shoreland Commercial	Village Residential 1	250' Shoreland Buffer
Residential 1	Shoreland Residential 1	Village Residential 2	75' Stream Protection Buffer
Residential 2	Shoreland Residential 2	Village Residential 3	Inland Waterfowl and Wading Bird Habitat
Resource Protection	Shoreland Residential 3	Acadia Nat'l Park	Tidal Waterfowl and Wading Bird Habitat
Rural Woodland 2	Shoreland Residential 5		
Rural Woodland 3	Village Commercial		

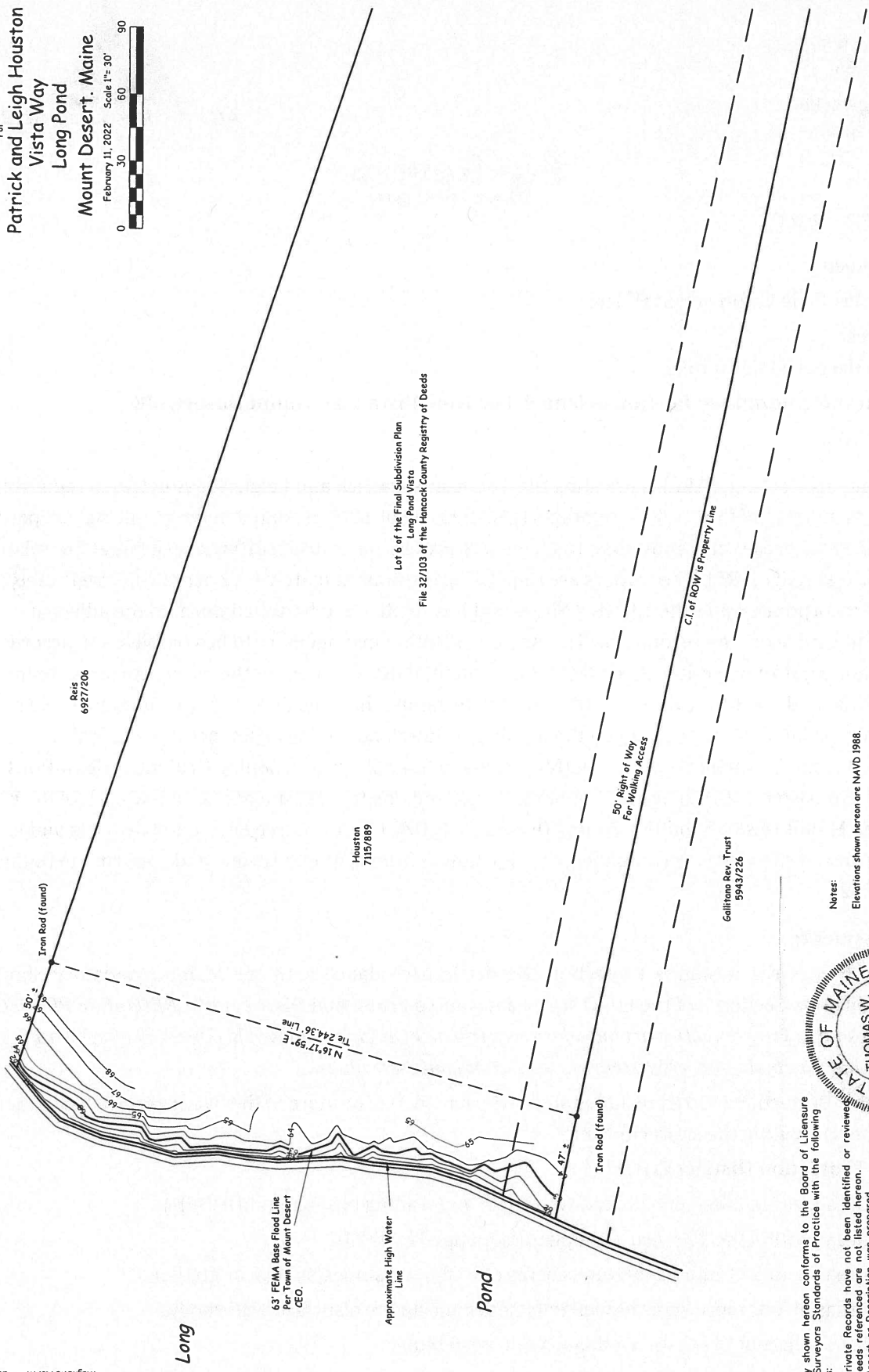


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Plan
Showing
FEMA Base Flood Line
For
Patrick and Leigh Houston
Vista Way
Long Pond
Mount Desert, Maine

February 11, 2022 Scale 1" = 30'



Let 6 of the Final Subdivision Plan
Long Pond Vista
File 32/103 of the Hancock County Registry of Deeds

Reis
6927/206

Houston
7115/689

50' Right of Way
For Walking Access

C.I. of ROW is Property Line

Gallitans Rev. Trust
5943/226

63' FEMA Base Flood Line
Per Town of Mount Desert
CEO.

Approximate High Water
Line

Pond

Long

The survey shown hereon conforms to the Board of Licensure
for Land Surveyors Standards of Practice with the following
exceptions:

- All Private Records have not been identified or reviewed.
- All Deeds referenced are not listed hereon.
- No Report or Description was prepared.

Notes:

Elevations shown hereon are NAVD 1988.
Base flood elevation is 62.9' per Kim Kane, CEO per LOMA's on Long Pond. The
63' contour shown hereon depicts the 8FE.



Thomas W. Benson, PLS #2262
T.W. Benson Land Surveying, Inc.
7 Freeman Ridge Road
Southwest Harbor, Maine 04679
207-244-7820

Atlantic Resource Co, LLC
PO Box 76
Bass Harbor, ME 04653
Tel 207.944.7288
roger@arc-env.com
www.arc-env.com



For Review
12/30/2021 4:41:51 PM

DECEMBER 30, 2021

Kimberly Keene
Mount Desert Code Enforcement Officer
21 Sea Street
Northeast Harbor, Maine 04662

RE: Request for Rezoning: Portion of Map 9, Lot 10-6, Vista Way Mount Desert, ME

Dear Kimberly,

Atlantic Resource Co, LLC (ARC) is assisting the Applicants, Patrick and Leigh Houston with a request for rezoning of a portion of their 5.04 acre property, shown as Lot 10-6 on Map 9 in the municipal tax parcel database. A small area is currently zoned as Resource Protection District (RP) within a larger Shoreland Residential 5 District (SR5). The owners are requesting the approximately 0.42 acre Resource Protection District be incorporated into the adjacent Shoreland Residential 5 to better conform to the adjacent districts and land uses. The rezoning will allow for vegetation management to be completed in accordance with the shoreland zoning criteria as part of the residential development of the parcel. An assessment of the parcel in 2020 and 2021 to review the RP district determined this area does not appear to meet the criteria for inclusion in the RP District based on the municipal shoreland zoning ordinance and the Maine Department of Environmental Protection (MDEP) Mandatory Shoreland Zoning Ordinance definitions. The assessment consisted of GIS analysis of published data and onsite assessments to review each of the criteria listed in the Mount Desert Land Use Zoning Ordinance (LUZO) for Resource Protection districts and is outlined below. A site visit was completed with Jon Cullen from MDEP to review and confirm the findings in March of 2021.

Site Assessment:

The LUZO defines the Resource Protection District in accordance with the Maine Mandatory Shoreland Zoning Ordinance. Section 3 of the LUZO states a Resource Protection District as “...*RESOURCE PROTECTION (RP) The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values.....*”

The Resource Protection District includes areas which meet one or more of the five criteria listed in the LUZO when they occur within the shoreland zone:

Resource Protection District Criteria:

1. Areas within 250 feet of inland waterfowl and wading bird habitat (IWWH)
2. Areas within the 100 year floodplain as mapped by FEMA
3. Areas with 2 or more contiguous acres of sustained slopes of 20% or greater
4. Areas of 2 or more acres of wetlands not connected to a surface waterbody
5. Land adjacent to coastal wetlands with steep bluffs



Atlantic Resource Co, LLC

LUZO Definition: “Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater or coastal wetland as defined, and which are not surficially connected to a water body during the period of normal high water. “

Subject Site: The subject parcel includes a small forested wetland, approximately 1,930 square feet or 0.043 acres with wetland vegetation and hydric soils. This forested wetland is shown on the 2004 subdivision plan with detailed onsite wetland delineations as part of the submission. A field review in 2020 by a professional wetland scientist from ARC confirmed the limits of the wetland are consistent with that shown on the plan. See Exhibit 4 attached. This area is not connected to a water body, but is less than 2 acres. This criteria does not apply.

Criteria 5. Land adjacent to coastal wetlands with steep bluffs

This criteria for RP Districts protect areas of steep slopes subject to coastal erosion along the ocean.

LUZO Definition: “Land adjacent to coastal wetlands which are subject to severe erosion or mass movement, such as steep coastal bluffs.”

Subject Site: The parcel is not located within a coastal area and so not located in an area subject to erosion. See Exhibit 5 attached. This criterion does not apply.

Summary:

This 0.42 acre Resource Protection district mapped on the parcel is not in conformance with the Mount Desert Land Use Ordinance definitions for Resource Protection. The small area does not meet any of the criteria outlined for Resource Protection and is not consistent with the other districts along the eastern side of Long Pond. This area would be more appropriately zoned as Shoreland Residential 5 district to better conform to the adjacent districts and land uses. Correcting this discrepancy will not adversely affect water quality, productive habitat, biological ecosystems or scenic and natural values. The Applicants respectfully request the Town consider this amendment to the official Shoreland Zoning Map. Rezoning will allow the owners to get the full enjoyment and use of the property and bring the district into conformance with the Land Use Zoning Ordinance.

Sincerely,

Roger St. Amand,

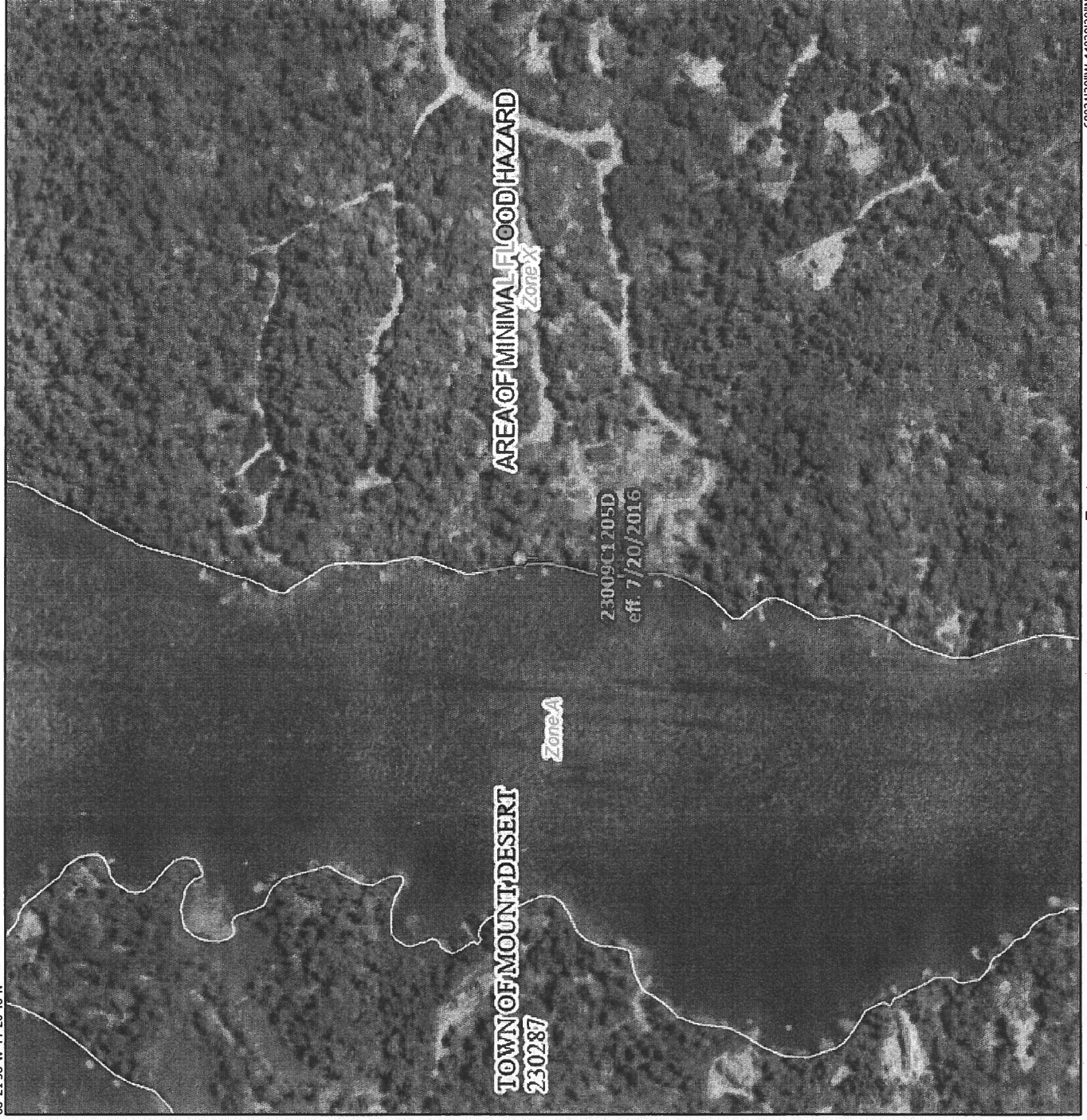
PRINCIPAL, ATLANTIC RESOURCE CO, LLC

RST/ Encl.

National Flood Hazard Layer FIRMette



68°21'58"W 44°20'46"N



68°21'20"W 44°20'20"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) - Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes. Zone X

Area with Flood Risk due to Levee. Zone D

OTHER AREAS OF FLOOD HAZARD

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

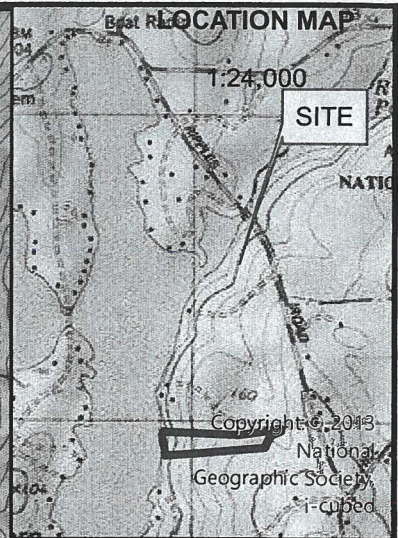


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/24/2021 at 9:16 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Long Pond

Area Proposed for Rezoning to SR5

Shoreland Residential 5

Resource Protection

Resource Protection
0.42 Ac.

1.34 AC.

0.73 AC.

Rural or Woodland 2

Residential 1

Maxar, Microsoft

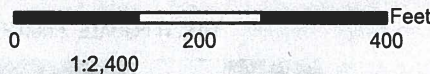
Map Legend

- Slopes > 20% near RP Zone
- 2 FT LIDAR Contour
- SUBJECT TAX PARCEL
- Shoreland Zones
- EDGE OF WATER

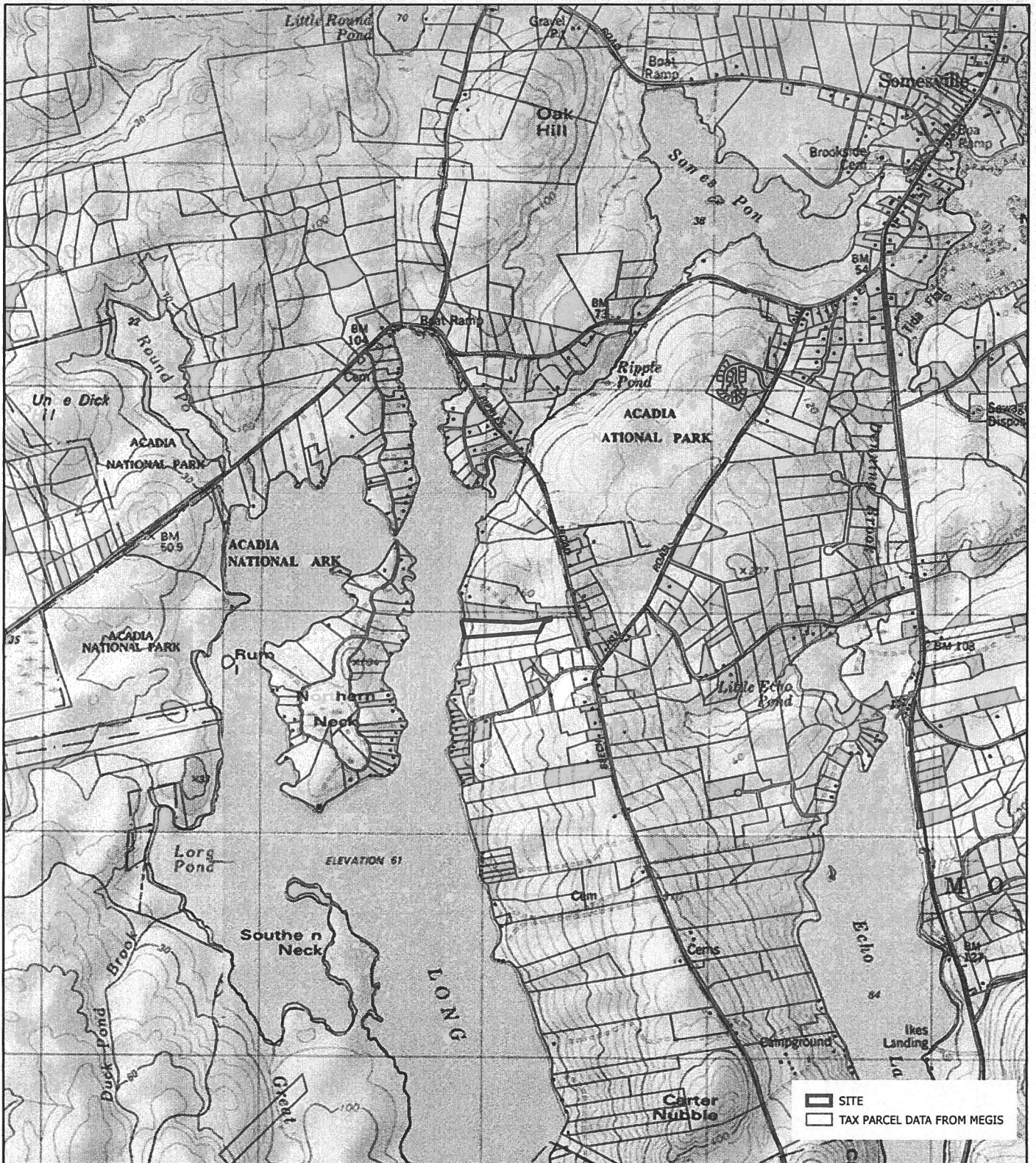
Mount Desert Zoning

ZONE_NAME

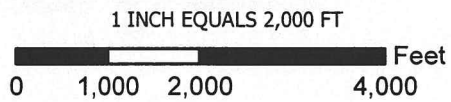
- ANP
- Conservation
- Residential 1
- Residential 2
- Resource Protection
- Rural or Woodland 2
- Rural or Woodland 3
- Shoreland Residential 1
- Shoreland Residential 2
- Shoreland Residential 3
- Shoreland Residential 5
- Shoreland Commercial
- Village Commercial
- Village Residential 1
- Village Residential 2
- <all other values>
- MDIF&W IWWH



**STEEP SLOPE MAP
HOUSTON PARCEL
VISTA WAY
MAP 9 LOT 10-6
MOUNT DESERT, ME
EXHIBIT 4**



CREATED 2020.09.16, MR
NOT A LEGAL SURVEY



LOCATION MAP
VISTA WAY
MOUNT DESERT, ME

EXHIBIT 7

HOUSTON PARCEL – SITE PHOTOS
MOUNT DESERT, MAINE



Figure 3: Existing condition at northern edge of RP District. Photo looking west uphill.

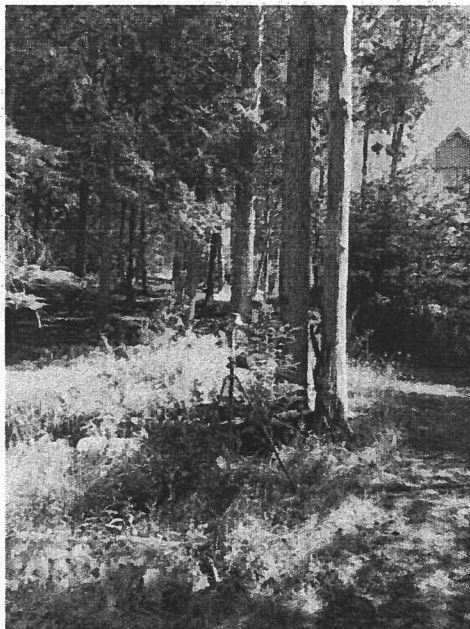
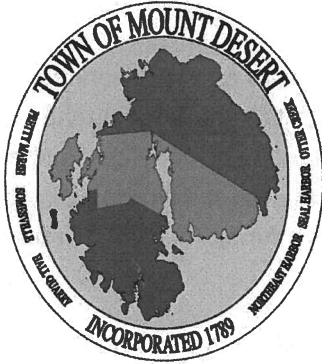


Figure 4: edge of forested wetland and southern section of mapped RP District.



Town of Mount Desert
Jake Wright, Finance Director
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248

Telephone 207-276-5531 Fax 207-276-3232
Web Address www.mtdesert.org
financedirector@mtdesert.org

Selectboard,

The following represents the relevant portions of the State and Local Fiscal Recover Funds (SLFRF) Final Rule published by the Secretary of the Treasury effective April 1, 2022.

Final Rule states: "...the ARPA provides that SLFRF funds may be used... to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers".

Premium Pay: "The statute defines premium pay as "an amount of up to \$13 per hour . . . , in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID-19 public health emergency [entire period of performance, not an annual cap]. Such amount may not exceed \$25,000 with respect to any single eligible worker.""

Eligible workers: "those workers needed to maintain continuity of operations of essential critical infrastructure..."

Essential work: "...work that (1) is not performed while teleworking from a residence and (2) involves either (i) regular, in-person interactions with patients, the public, or coworkers of the individual that is performing the work or (ii) regular physical handling of items that were handled by, or are to be handled by, patients, the public, or coworkers of the individual that is performing the work".

Responds to: "the final rule provides that premium pay is responsive to eligible workers performing essential work during the public health emergency if each eligible worker who receives premium pay falls into one of three categories: (1) the worker's pay is below the wage threshold [150 percent of their residing state or county's average annual wage for all occupations] , (2) the worker is not exempt from the FLSA overtime provisions, or (3) the recipient has submitted a written justification to Treasury"

Written Justification: "Treasury has also updated the final rule to clarify that written justification means a brief, written narrative justification of how the premium pay or grant is responsive to workers performing essential work during the public health emergency. This could include a description of the essential workers' duties, health or financial risks faced due to COVID-19, and why the recipient determined that the premium pay was responsive despite the workers' higher income"

The Final Rule clearly establishes that the Town may issue premium (hazard) pay to essential workers doing essential work, provided that the payments are responsive to the goals set by the SLFRF. In the event that premium pay is made to an employee that falls outside of the three categories defined in the responsiveness section, a written justification must be provided to the Treasury. This justification should describe how the payment is responsive to “workers performing essential work during the public health emergency”.

The proposed premium payments would benefit 53 employees. Only current, active employees at the time of final preparation of the proposal have been deemed eligible for premium pay awards. The period used to analyze eligibility is March 1, 2020 through June 30, 2021, defined by Town Manager Lunt. \$2,000 payments are proposed for full-time public safety employees that were employed for the entire analyzed period. \$1,000 payments are proposed for other full-time employees that were employed for the entire analyzed period. For current full-time employees that were not employed during the entirety of the analyzed period and on-call fire fighters, premium pay was determined by applying a pro-rata allocation of \$1,000 for non-public safety or \$2,000 for public safety employees based on the percentage of time worked as compared to a full-time employee employed for the entirety of the analyzed period. In speaking with Fire Chief Bender, it was determined that this allocation did not adequately compensate on-call fire fighters for the crucial role that many played in securing adequate, essential coverage during the pandemic. The same rationale was applied to full-time employees, public safety and non, to account for the critical part that employees filling pandemic vacancies played in the Town’s ability to continue providing essential services. As such, the following base tier system was devised to account for these factors.

Hours worked in analyzed period equal at least	Base Award
0	\$0
10	\$100.00
100	\$200.00

The sum of the base award and pro-rata allocation was determined to adequately compensate pandemic new-hires and on-call fire fighters for the risk posed to them for essential work during the analyzed period.

The premium pay proposal consists of the following:

- 14 full-time public safety employees employed for the entirety of the analyzed period in a total amount of \$28,000
- 21 other full-time public employees employed for the entirety of the analyzed period in a total amount of \$21,000
- 5 full-time pandemic new hires awarded using pro-rata allocation and base tier application in a total amount of \$4,082.96

- 14 on-call firefighters awarded using pro-rata allocation and base tier application in a total amount of \$4,298.39

The total premium pay proposal represents 53 unique employee awards in the total amount of \$57,381.35. One employee will receive premium pay for their work as a full-time employee as well as an on-call firefighter.

In reviewing the BLS data, the average annual pay in Maine for 2020 (last available) was \$51,952. As such the wage threshold for premium pay requiring no written justification is \$77,928. Per review of employee records, five of the fifty-four proposed premium pay recipients earn salaries that exceed the wage threshold. If the proposed premium pay distributions are approved by the Board, a written justification will be drafted, reviewed by counsel, and transmitted to the Treasury. It is our opinion that the methodology for distributing premium pay, which was also applied to these five employees, is responsive to the goal of premium pay as outlined in the SLFRF Final Rule. The methodology chosen correlates premium pay awards to the unique risk(s) posed to the employee(s) for providing essential work during the pandemic.

Thank you,

Jake Wright

Finance Director

	A	B	C	D	E
1	ARPA Costs Premium Pay Proposal				
2					
3					
4	ARPA initial Grant Award				\$ 111,583.10
5					
6	Eligible full time	PS	14	\$ 28,000.00	
7		Other	21	\$ 21,000.00	
8					
9	Eligible pro-rata		5	\$ 4,082.96	
10					
11	On call Firefighters		14	\$ 4,298.39	
12	10 hours worked minimum				
13	Employee in multiple categories		-1		
14	ARPA Total		53		\$ 57,381.35
15					
16	Grant Remaining				\$ 54,201.75

Currently active employees as of 12/7/21

Row Labels	Sum of Hire Date	Sum of Permanent Date	Employee number	% of time worked by Hire date	3/1/2020	6/30/2021	% of time worked by Permanent date	Pro-Rata Share of \$1,000 or \$2,000 (ES)	Base Pay Rate for Partial	Total Award
105	12/19/2016	12/19/2016	105	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
VED ELIZABETH	12/19/2016	12/19/2016								
13	9/18/2014	1/8/2011	13	100.00%	100.00%		100.00%	2,000.00	0	2,000.00
BLACKMAN AMILLE	9/18/2014	1/8/2011								
134	10/21/2013	1/3/2000	134	100.00%	100.00%		100.00%	2,000.00	0	2,000.00
EDGECOMB KEVIN	10/21/2013	1/3/2000								
144	10/7/2014	2/28/2012	144	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
FROST COREY	10/7/2014	2/28/2012								
16	10/31/2005	10/31/2005	16	100.00%	100.00%		100.00%	2,000.00	0	2,000.00
BENDER MICHAEL	10/31/2005	10/31/2005								
162	8/20/2013	12/3/2007	162	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
GORDON ROYCE	8/20/2013	12/3/2007								
163	3/11/2019	3/15/2019	163	100.00%	100.00%		100.00%	2,000.00	0	2,000.00
HARRINGTON LAAM	3/11/2019	3/15/2019								
166	4/22/2021	7/1/2021	166	14.20%			-0.21% Not eligible		0	
GROVER GENVA	4/22/2021	7/1/2021					Approved by BOS for full time work on 6/21/21 / worked part time through June 2021			
174	5/27/2019	5/27/2019	174	100.00%	100.00%		100.00%	2,000.00	0	2,000.00
PAYSON KALEB	5/27/2019	5/27/2019								
181	10/20/2013	10/18/2005	181	100.00%	100.00%		100.00%	2,000.00	0	2,000.00
GUILDFORD LEIGH	10/20/2013	10/18/2005								
198	9/25/2020	9/25/2020	198	57.20%	57.20%		57.20%	572.02	200	772.02
FRENCH DECATUR	9/25/2020	9/25/2020								
202	8/22/2016	8/22/2016	202	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
HIGGINS DAVID	8/22/2016	8/22/2016								
205	11/30/2020	11/30/2020	205	43.62%	43.62%		43.62%	872.43	200	1,072.43
THURSTON ADAM	11/30/2020	11/30/2020								
206	7/22/2013	1/11/2002	206	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
JACOBS BENJAMIN	7/22/2013	1/11/2002								
207	1/19/2021	1/19/2021	207	33.33%	33.33%		33.33%	333.33	200	533.33
SARGENT JONATHAN	1/19/2021	1/19/2021								
209	5/17/2021	4/27/2021	209	9.05%			13.17%	90.53	200	290.53
WRIGHT JACOB	5/17/2021	4/27/2021					Use 9.05% based on 5/17/21 date / 4/27/21 date incorrect			
215	11/29/2004	11/29/2004	215	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
KEENE KIMBERLY	11/29/2004	11/29/2004								
223	10/20/2015	9/30/2011	223	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
LEEMAN ALBERT	10/20/2015	9/30/2011								
23	7/18/2016	1/01/1900	23	100.00%	100.00%		100.00%	2,000.00	0	2,000.00
MCFARLAND CHAPIN	7/18/2016	1/01/1900								
232	8/2/2010	8/2/2010	232	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
LUNT DJURLIN	8/2/2010	8/2/2010								
235	6/19/2017	11/3/2014	235	100.00%	100.00%		100.00%	1,000.00	0	1,000.00
LUNT GABRIEL	6/19/2017	11/3/2014								
237	10/21/2013	11/22/2002	237	100.00%	100.00%		100.00%	2,000.00	0	2,000.00

53,082.96
53,082.96
crossfoot

1,000.00

52,082.96

count if 100% 35

3/1/2020 6/30/2021 486 00 days 70 weeks 40 hour week 2800 Full time hour estimate over period

Public Safety/Police Dispatch, Fire/RMS, on-call PE, Harbor Master, Dept. Harbor Master, Asst. Harbor Master

hrs Tier System for pro-rata base \$

0	0
10	\$ 100.00
100	\$ 200.00

From 0 to 99 hours, ineligible
From 10 to 99 hours, base amount of \$100
From 100 hours on, base amount of \$200

Job Class Description ON CALL FIREFIGHTER

Rate Labels	Sum of Quantity	Total Hours 3.1.20 - 6.30.21	Percentage of Full Time Hour Estimate	Pro-Rate Share of \$2,000	Base Per Tier	Total Award
24	172.50	6.10%	\$ 123.21	\$ 200.00	\$ 323.21	
46	66.75	2.38%	\$ 47.68	\$ 100.00	\$ 147.68	
54	0.50	0.02%	\$ -	\$ -	\$ -	
112	16.50	0.59%	\$ 11.79	\$ 100.00	\$ 111.79	
138	307.25	10.97%	\$ 219.46	\$ 200.00	\$ 419.46	
140	372.75	13.31%	\$ 266.25	\$ 200.00	\$ 466.25	
148	114.75	4.09%	\$ 81.96	\$ 200.00	\$ 281.96	
158	2.00	0.07%	\$ -	\$ -	\$ -	
161	5.00	0.18%	\$ -	\$ -	\$ -	
178	62.25	2.22%	\$ 44.46	\$ 100.00	\$ 144.46	
202	30.75	1.10%	\$ 21.96	\$ 100.00	\$ 121.96	
208	37.50	1.34%	\$ 26.79	\$ 100.00	\$ 126.79	
210	27.50	0.98%	\$ 19.64	\$ 100.00	\$ 119.64	
243	8.00	0.29%	\$ -	\$ -	\$ -	
254	6.00	0.21%	\$ -	\$ -	\$ -	
261	301.00	10.75%	\$ 215.00	\$ 200.00	\$ 415.00	
280	623.50	22.27%	\$ 445.96	\$ 200.00	\$ 645.96	
609	307.00	10.96%	\$ 219.29	\$ 200.00	\$ 419.29	
612	497.25	17.78%	\$ 355.54	\$ 200.00	\$ 555.54	
Grand Total	2959.25		\$ 2,098.39	\$ 2,200.00	\$ 4,298.39	

3/1/2020 6/30/2021 486.00 days 70 weeks 40 hour week 2800 Full-time hour estimate over period

Tier System
 0 base \$
 10 \$ 100.00
 100 \$ 200.00

From 0 to 9.99 hours, ineligible
 From 10 to 99.99 hours, base amount of \$100
 From 100 hours on, base amount of \$200

**U.S. BUREAU OF LABOR STATISTICS**

Databases, Tables & Calculators by Subject

Change Output Options: From: 2010 ▼ To: 2020 ▼ **GO** include graphs include annual averages[More Formatting Options](#) ➔

Data extracted on: March 30, 2022 (9:51:27 AM)

Quarterly Census of Employment and Wages

Series Id: ENU2300050010**Series Title:** Average Annual Pay in Total Covered Total, all industries for All establishment sizes in Maine -- Statewide, NSA**State:** Maine**Area:** Maine -- Statewide**Industry:** Total, all industries**Owner:** Total Covered**Size:** All establishment sizes**Type:** Average Annual PayDownload: [.xlsx](#)

Year	Annual
2010	37338
2011	38020
2012	38606
2013	39279
2014	40442
2015	41791
2016	42596
2017	43911
2018	45370
2019	47188
2020	51952

U.S. BUREAU OF LABOR STATISTICS Postal Square Building 2 Massachusetts Avenue NE Washington, DC 20212-0001

Telephone:1-202-691-5200_ Telecommunications Relay Service:7-1-1_ www.bls.gov [Contact Us](#)

NEW BUSINESS



**BAR HARBOR & MOUNT DESERT
POLICE DEPARTMENTS**
James K. Willis, Chief of Police
jwillis@mdpolice.org



BHPD
37 Firefly Lane
Bar Harbor, Maine 04609
Tel: 207-288-3391

MDPD
21 Sea Street, PO Box 248
NE Harbor, ME 04662
Tel: 207-276-5111

MEMO

To: Town Manager Lunt
From: Captain David Kerns
Subject: Interview Room Camera System
Date: March 28, 2022

We would like to purchase one new Watchguard interview room camera system with multiple cameras for the Mount Desert Police Department. The cost for the interview room camera system would be \$6,490 to include software and hosting for the 1st year. Installation estimates are approximately \$1,000. We are including a contingency of approximately 10% for unanticipated issues that may arise. Total cost for the project is \$8,239.00

Watchguard Video was recently purchased by Motorola, a company that also sells our communications equipment and Spillman, our records management system. Future integration between the Motorola-owned products continues to be likely and I recommend system acclimation whenever possible.

This project would replicate Bar Harbor PD's booking room camera system, which was upgraded as part of their recent PD renovation project. The integration of these camera systems will allow the police department to maintain consistency in providing investigative case videos for discovery for prosecutors. In addition, all cruisers in both agencies' fleet have been outfitted with the same brand video system. As is the case with Bar Harbor's system, all video from these cameras would be hosted in our existing cloud, utilizing Watchguard's hosting service. These upgrades have been responsive to the existing goal in the Shared Chief of Police Agreement of continuing information technology integration and securing remote access capabilities.

Watchguard Video should be considered a *single source bidder* as described under *Exemptions from Competitive Bidding* according to the Town's purchasing policy, as Watchguard Video equipment is only sold by the manufacturer.

Will you please add this item on the April 4, 2022 Selectman's agenda where I will ask for authorization to release and expend an amount not to exceed \$8,239.00 from the Police Capital Reserve account, 4040100-24405. The unencumbered balance is \$94,619.08, leaving a remaining balance of \$86,380.08. I am also asking for authorization for the police department to sign and execute necessary documents to complete this project.



MOTOROLA SOLUTIONS

Quote For:

Mount Desert Police Department

Attn: David Kerns

Reference:

Interview room with panoramic camera using ELC

Quote By:

WatchGuard Video / Motorola Solutions

Ron Taylor

Date: 02-15-22

Serving Law Enforcement with the Most Compelling, Quality Video Products

WatchGuard Video
 415 E. Exchange
 Allen, TX 75002
 (P) 800-605-6734 (F) 212-383-9661



Prepared For:
 Mount Desert Police Department - Attention: David Kerns
 Interview room with panoramic camera using ELC

QUOTATION - BJI-0527-01

DATE: 02-15-22

PROJECT QUOTATION

We at WatchGuard Video are pleased to quote the following systems for the above referenced project:

Deliverables / Materials / Services	Qty	Sell Price	Amount
Warranty, 4RE, In-Car, 1st Year (Months 1-12) WGW00124	1	\$0.00	\$0.00
4RE Interview Room System with Dome Camera INT-4RE-1-D 4RE Interview Room Camera System Dome Camera w/ cabling Touch Screen Display Integrated 200GB automotive grade hard drive 16GB USB removable thumb drive Remote viewing software 1 Yr Hardware Warranty 4RE Firmware Record-After-the-Fact® (RATF) technology Multiple Resolution Encoding H.264 High Profile Video Compression	1	\$4,995.00	\$4,995.00
Evidencelibrary.com, Software and Hosting, Unlimited Assigned, Annually per device WGC01001	1	\$495.00	\$495.00
Front Camera, 4RE, HD Panoramic, (Reduced EMI) WGA00543-200	1	\$1,000.00	\$1,000.00
Cable, 4RE, HDMI, (HD Mini Zoom, Panoramic, ZSL) Straight, 15' WGP01963-001	1	\$0.00	\$0.00

Total Price

\$6,490.00

Notes:

1. This Quote is valid for 90 days from the Quote Date. Pricing may change thereafter.
2. Any sales transaction resulting from this Quote is based on and subject to the applicable Motorola's Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents.
3. Motorola's Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.
4. Payment Terms: Equipment-Net 30 days upon shipment; Installation-Net 30 days upon completion; Services and Subscription Agreements-Net 30 days from receipt of Order.
5. The pricing in this Quote does not include any applicable taxes (e.g. sales/use tax).
6. UNLESS OTHERWISE NOTED IN THIS QUOTE / ORDER, INSTALLATION OF EQUIPMENT IS NOT INCLUDED
7. NO INTERVIEW ROOM INSTALLATION
8. Installation services for the 4RE Interview Room Solution are not included in this quote. The agency may install the system on their own, but we highly recommend having the system installed by a qualified CCTV installer to ensure the best experience possible while using our interview room solution.
9. Interview room live streaming is not supporting in ELC

Quoted by: Ron Taylor - 800-605-6734 - ronald.taylor1@motorolasolutions.com



**BAR HARBOR & MOUNT DESERT
POLICE DEPARTMENTS**
James K. Willis, Chief of Police
jwillis@mdpolic.org



BHPD
37 Firefly Lane
Bar Harbor, Maine 04609
Tel: 207-288-3391

MDPD
21 Sea Street, PO Box 248
NE Harbor, ME 04662
Tel: 207-276-5111

MEMO

To: Durlin Lunt, Town Manager
From: David Kerns, Captain
Date: March 28, 2022
RE: Integrating Parking Enforcement Systems (Kiosk for Paid Parking and Permit Setup)

In our efforts to integrate the Town of Mount Desert's Parking Enforcement system with Bar Harbor's, which was requested and approved last summer, the Mount Desert Police Department would like to purchase a parking kiosk hosted and administered by IPS Group. The cost for the multi-space pay station (kiosk) would be \$7,142.35, which includes mounting and installation hardware. Installation of a cement mounting pad and associated ground work is estimated to be \$500.

For the parking permit integration, there is an initial one-time cost of \$4500 for IPS Group permitting management setup and any customization of the site is an additional \$200 per hour. I would anticipate three hours of customization, to ensure clear distinction of Mount Desert's and Bar Harbor's permits, both for the end users applying for the permits and for the clarity in financial reports for the Mount Desert Finance Director. Total cost for permit setup and customization would be approximately \$5100.

We would like to also include a contingency of approximately 10% for unanticipated issues that may arise for both projects.

IPS Group should be considered a *single source bidder* as described under *Exemptions from Competitive Bidding* according to the Town's purchasing policy, as IPS Group equipment is only sold by the manufacturer.

Will you please add this item on the Selectman's agenda where I will ask for authorization to release and expend an amount not to exceed \$14,016.59 from the Police Capital Reserve account, 4040100-24405. The unencumbered balance is \$94,619.08, leaving a remaining balance of \$80,602.49. I am also asking for authorization for the police department to sign and execute necessary documents to complete these projects.



QUOTE FOR:

**TOWN OF BAR HARBOR, ME / MOUNT DESERT
3/28/2022**

Permit Management System Fee Schedule

Permits	Units	Unit Price
One Time Setup	Per Unit	\$4,500.00
Per Letter (Includes Postage)	Per Unit	\$1.25
Per Permit Fee	Per Permit	\$2.00
Physical Permit (will be quoted based on Agencies specs)	Per Unit	TBD
Online Over the counter, & IVR Secure Credit Card Payments - Gateway Fee *Charged to the Public - assumes the use of the Client Merchant Account ONLY IF IPS IS TAKING PAYMENTS	Per Transaction	\$2.00 or 3% whichever is higher
Optional: Hosted Merchant Account- Interchange Plus Fees referenced Note: Charged to the Public	Per Transaction	\$2.00 or 3% whichever is higher
Any Customizations Outside of Original Scope of Work	Per Hour	\$200.00

Signature:

Date:



IPS-2021-120196367



7737 Kenamar Court,
San Diego, CA 92121

IPS Sales Quote

Date	Quote #	Customer	Sub-Contractor
03/11/2022	IPS-2021-120196367	IPS Group (1)	None

Bill To
Mt. Desert 21 Sea Street Northeast Harbor, ME 04662

Ship To
Mt. Desert 21 Sea Street Northeast Harbor, ME 04662

Rep	P.O. No.	Terms	FOB	Contract
MB		Net 30	San Diego	

Item	Description	Qty	Price	Total
767-295	MS1/MS3 Standard Mounting Pedestal	1	\$00.00	\$00.00
767-296	MS1/MS3 Standard Mounting Plinth	1	\$00.00	\$00.00
767-089	MS1/MS3 Installation Hardware	1	\$00.00	\$00.00
767-055-2	MS 1 Pay by Plate with EMV - USA	1	\$6,249.00	\$6,249.00
Notes-Freight	+ FREIGHT CHARGES (SHIPPING_FREIGHT_ECONOMY)	1	\$893.35	\$893.35

Subtotal	\$7,142.35
Tax Exempted (0.00%)	\$0.00
Grand Total	\$7,142.35

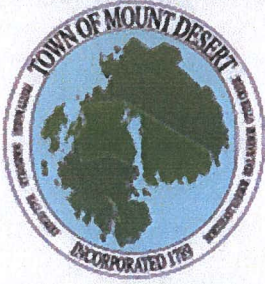
Order Remarks:

TERMS AND CONDITIONS:

- Quote is stated in USD. Shipping and sales tax charges may apply.
- Orders will not be submitted until a Purchase Order has been issued or a signed copy of the quote is received by IPS Group, Inc. If your company uses a blanket purchase order, please write the number in the 'P.O. No.' box near the top of the quote.
- A signed copy of this quote must be returned to your sales representative for further processing. Notification will be sent once the order is submitted for processing.
- This quote expires 90 days after the date it was issued.
- Additional installation services required will be charged \$950/day per technician.
- Training and Commissioning will be \$1000 minimum on a new installation if applicable.
- If you have any questions, or require further assistance please contact customer support by submitting your questions to the email address below.

Phone #	Fax #	E-mail
858-568-7648	858-408-7839	customersupport@ipsgroupinc.com

Signature _____



Mount Desert Fire Department

Michael Bender, Fire Chief
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248

Telephone 207-276-5111 Fax 207-276-5732

Web Address www.mtdesert.org

firechief@mtdesert.org

Memo

To: Durlin Lunt, Town Manager

From: Mike Bender, Fire Chief

CC:

Date: March 29, 2022

Re: Mutual Aid Agreement

I would like to request authorization to have the Mount Desert Fire Department enter into a mutual aid agreement with the Southwest Harbor – Tremont Ambulance Service, effective April 5, 2022, and authorize the Fire Chief to sign said agreement.

The agreement is a result of the fire department soon becoming a licensed transport emergency medical service, eventually replacing the Northeast Harbor Ambulance Service as the primary EMS response agency. The agreement is a standard mutual aid agreement where each agency will provide requested resources only when available.

Thank you

Mutual Aid Agreement

Southwest Harbor - Tremont Ambulance Service

&

Mount Desert Fire Department

This agreement is made on April 5 in the year 2022, by and between the Southwest Harbor - Tremont Ambulance Service and the Mount Desert Fire Department, with both services located in Hancock County of the State of Maine.

For the purpose of improving patient care and maximizing resources, the undersigned representatives agree to the following:

1. Upon receiving notification from the service in need of assistance, the requested service shall respond to the incident scene, if available, and provide mutual aid.
2. In the event that the requested agency is unable to respond, the requesting agency will be notified immediately.
3. The responding crew shall be under the direction of their own policies and procedures, unless directed otherwise by Incident Command.
4. The responding crew shall be covered under their own service insurance, liabilities, licensures, and other applicable coverages, regardless of geographical or jurisdictional boundaries.

This agreement shall remain in effect with no expiration, unless either service notifies the other, in writing, that the agreement is null and void.

Andrew Braley, Service Chief
Southwest Harbor - Tremont Ambulance

Michael Bender, Fire Chief
Mount Desert Fire Department



Town of Mount Desert

Jake Wright, Finance Director
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248

Telephone 207-276-5531 Fax 207-276-3232

Web Address www.mtdesert.org
financedirector@mtdesert.org

Selectboard,

History

At the March 8, 2022 Special Town Meeting, Article 9, which authorized the issuance of a general obligation bond or note in a principal amount not to exceed one million dollars (\$1,000,000) to finance costs associated with the improvements to the Somesville Fire Station (project #3000055), was passed.

On March 4th, 2022, requests for proposals were sent out by Bond Counsel to surrounding institutions to be submitted by March 17th. The following bids were received:

Bank	15 Year Term	20 Year Term
Androscoggin Bank	3.79%	4.30%
Bar Harbor Bank & Trust	N/A	3.09%
Camden National Bank	N/A	3.59%
First National Bank	N/A	3.86%
Key Government Finance	4.50%	4.68%
Machias Savings Bank	N/A	4.15%

The statutory public notice of this action ran in the Ellsworth American on March 24th, 2022.

Recommendation:

I recommend that the Bond award be made to Bar Harbor Bank & Trust Company in the principal amount of \$1,000,000 at 3.09% (paid and based upon an actual/365-day basis) with no prepayment penalty for a term of twenty years. Installments would begin July 1, 2023. Subsequent to acceptance by the Board, the bond is set to close on April 11, 2022.

Thank you. **Jake Wright**, Finance Director



March 14, 2022

Mr. Jake Wright
Finance Director
Town of Mount Desert
PO Box 248
Northeast Harbor, ME 04662

Re: PROPOSAL FOR LOAN
Town of Mount Desert
2022 General Obligation Bond - \$1,000,000

Dear Mr. Wright,

Thank you for allowing Bar Harbor Bank & Trust the opportunity to serve the Town of Mount Desert's financial needs. We are pleased to offer the following simple interest rate option for the 2022 General Obligation Bond assuming the entire balance is drawn on March 28, 2022 and repaid with 20 annual installments beginning July 1, 2023.

Interest Rate	Repayment
3.09% Fixed	20 Annual Payments

The Bank will also consider an interest-only period if the Town requests that option, and the above interest rate would apply to lump sum or as needed advances. One note would be required for this borrowing. The interest rate will be paid and based upon an actual/365 day basis. There will be no prepayment penalty. The Bank will require Bond Counsel at the Town's expense.

Default. The Borrower will be in default under this proposed obligation upon the occurrence of any one or more of the following events:

- (1) Any payment is not made within ten (10) days of the date when due, or
- (2) The Borrower is in default under the terms of any agreement or document evidencing any security for this promissory note or evidencing or securing any other obligations of the Borrower to the Lender, or
- (3) The Borrower dies or, if the Borrower is not a natural person, the Borrower ceases or suspends the transaction of business, is dissolved, or is a party to a merger or consolidation without the written consent of the Lender, or
- (4) The Borrower institutes, or there is instituted against the Borrower, any bankruptcy or insolvency proceedings of any nature, or
- (5) The Lender reasonably believes that the prospects for payment of this promissory note have been significantly impaired.

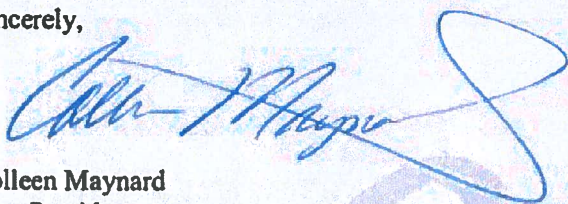
If the Borrower is in default, the Lender may, at any time, without prior demand upon the Borrower, accelerate the maturity of this promissory note, in which event the principal balance

and all interest and other charges shall become due and payable at once. Upon such acceleration, the Lender may set off against or deduct from any other funds or property of the Borrower all or any portion of the amounts due pursuant to this promissory note. Any failure or delay by the Lender in exercising this right of acceleration or any other right under this promissory note shall not be construed, under any circumstances, as a waiver of any right. During any period when the Borrower is in default under this promissory note, the interest rate may be increased to a new rate which is 4.00 percent per year greater.

This bid shall remain firm for acceptance by the Town until March 22, 2022.

Thank you again for the opportunity to offer this service to Town of Mount Desert. If you should have any questions about this offer, please do not hesitate to contact me at 207-288-2641.

Sincerely,



Colleen Maynard
Vice President
Bar Harbor Bank & Trust



BAR HARBOR
BANK & TRUST

**RESOLUTIONS OF THE TOWN OF MOUNT DESERT, MAINE
AUTHORIZING ISSUANCE OF ITS \$1,000,000
2022 GENERAL OBLIGATION BOND**

WHEREAS, The Town of Mount Desert, Maine (the “Issuer”) is authorized to borrow money and issue its bond therefore; and

WHEREAS, the Issuer has previously approved issuing its bond to finance the renovations to the Somesville fire station in the Town of Mount Desert (the “Project”); and

WHEREAS, the Issuer desires to issue, for purposes of financing the Project, its 2022 General Obligation Bond in the amount of \$1,000,000 (the “Bond”) to pay for so much of the Project as is not financed with funds on hand; and

WHEREAS, there has been submitted to the Issuer in final but undated form, the form of a 2022 General Obligation Bond which is to be issued to Bar Harbor Bank and Trust

NOW, THEREFORE, be it voted and resolved by the Board of Selectmen of the Issuer as follows:

RESOLVED: The issuance, sale and delivery of the Bond are authorized for the purpose of providing funding for the Project. The form of the Bond attached hereto is hereby approved. The Bond shall be subject to call and prepayment in whole or in part at any time without penalty, and shall otherwise be in such form as evidenced in the attachment hereto.

RESOLVED: The Bond be and hereby is sold and awarded to Bar Harbor Bank and Trust.

RESOLVED: The Selectmen and officers of the Issuer and each of them singly are authorized and directed and empowered in its name and on its behalf, to do or cause to be done all such actions and things and to execute and deliver all certificates and other documents as may be necessary and proper in connection with the financing for the Project, including signing such certificates, returns and other materials as they deem convenient for that purpose, the issuance and delivery of the Bond and such other actions as may be necessary in carrying out the purposes of this Resolution.

RESOLVED: The Bond is hereby designated as a “qualified tax exempt obligation” within the meaning of Section 265(b)(3) of the Internal Revenue Code.

RESOLVED: The law firm of Eaton Peabody is hereby designated as Bond Counsel for the Municipality to advise the Municipality with respect to the issuance and sale of the Bond, and to prepare documents and render

opinions as may be necessary or convenient for that purpose; and

RESOLVED: If any officer or official of the Issuer who has signed or sealed the Bond(s) shall cease to be such officer or official before the Bond(s) have been authenticated or delivered by the Issuer, such Bond(s) nonetheless may be authenticated, issued and delivered with the same force and effect as though the person or persons who signed or sealed such Bond(s) had not ceased to be such officer or official; and any such Bond(s) may be signed and sealed on behalf of the Issuer by those persons who, at the actual date of the execution of such Bond(s) shall be the proper officers and officials of the Issuer, although at the nominal date of such Bond(s) such person or persons shall not be such officer or official.

RESOLVED: These Resolutions shall take effect immediately.

[The remainder of this page is intentionally left blank.]

APPROVED: April 4, 2022, by the Board of Selectmen of the Issuer, at a meeting duly noticed, convened and conducted.

A true copy, attest:

Claire Woolfolk, Clerk

(SEAL)

\$1,000,000

April 11, 2022

UNITED STATES OF AMERICA
STATE OF MAINE

TOWN OF MOUNT DESERT

2022 GENERAL OBLIGATION BOND

For value received, the Town of Mount Desert, Maine (the "Town") promises to pay to Bar Harbor Bank and Trust (the "Bank") or its registered assigns the principal sum of

ONE MILLION DOLLARS
(\$1,000,000)

in annual principal amounts set forth below, together with interest calculated at the rate of 3.09% per annum on the outstanding principal balance, calculated based on actual elapsed days over a 365-day year, both principal and interest being payable annually to Bar Harbor Bank and Trust, Bar Harbor, Maine.

<u>Date</u>	<u>Principal</u>
July 1, 2023	\$ 50,000
July 1, 2024	\$ 50,000
July 1, 2025	\$ 50,000
July 1, 2026	\$ 50,000
July 1, 2027	\$ 50,000
July 1, 2028	\$ 50,000
July 1, 2029	\$ 50,000
July 1, 2030	\$ 50,000
July 1, 2031	\$ 50,000
July 1, 2032	\$ 50,000
July 1, 2033	\$ 50,000
July 1, 2034	\$ 50,000
July 1, 2035	\$ 50,000
July 1, 2036	\$ 50,000
July 1, 2037	\$ 50,000
July 1, 2038	\$ 50,000
July 1, 2039	\$ 50,000
July 1, 2040	\$ 50,000
July 1, 2041	\$ 50,000
July 1, 2042	\$ 50,000

TOTAL: \$1,000,000

Both principal and interest will be paid in lawful money of the United States of America at the offices of the Bank. This security is subject to call for redemption, in whole, or in part, without premium, by delivery of payment to the holder or its nominee, whereupon this security shall be satisfied to the extent of any such Payment.

This Bond is a general obligation of the Town and is being issued to finance the renovation of the Somesville fire station in the Town (the "Project") under the Constitution and Laws of the State of Maine, authority of Title 30-A, Section 5772 of Maine Revised Statutes, as amended, and pursuant to action taken at a town meeting by the voters of the Town on March 8, 2022, and action taken by the Board of Selectmen of the Town at a meeting duly called and legally held on April 4, 2022.

It is hereby certified that every requirement of law relating to the issue hereof has been duly complied with, and that this Bond is a valid general obligation of the Town. All acts, formalities and conditions essential to the validity of this Bond have been performed and complied with and this Bond is within every debt and other limit and regulatory authorization prescribed by law or by votes of the Town or its municipal officers.

This Bond has been and is hereby designated a "qualified tax-exempt obligation" of the Town in accordance with Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon presentation to the Treasurer of the Town with a written assignment fully acknowledged or proved. No transfer hereof shall be effective unless made on the books of the Town kept by the Treasurer as transfer agent and noted thereon by the Treasurer with a record of payments as provided hereon. The Town shall have the right to prepay, without penalty or premium, all or any portion of the principal amount of this Bond at any time prior to the maturity hereof.

It is hereby certified that all acts, formalities and conditions essential to the validity hereof have been performed and complied with, and for the assignment, collection and payment of taxes to pay the same, when due, the full faith and credit of the Town are hereby irrevocably pledged.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the Town has caused this Bond to be signed in its name and behalf by its Treasurer and countersigned by a majority at least of the members of its Board of Selectmen, with the corporate seal of the Town impressed hereon and attested by the Town Clerk, all as of this 11th day of April, 2022.

TOWN OF MOUNT DESERT

By: _____
Town Treasurer

Countersigned By: _____
Chairman, Board of Selectmen

Selectman

(SEAL)

Selectman

Selectman

Selectman

Seal attested by:

Town Clerk

CERTIFICATE OF REGISTRATION OF TRANSFER

This Bond is registered in the name of the transferee noted hereon on the books of the Town kept by the Town Treasurer as transfer agent.

<u>Name of Registered Owner or Transferee</u>	<u>Date of Registration of Transfer</u>	<u>Date to Which Interest Paid</u>	<u>Aggregate Principal Paid</u>	<u>Balance of Principal Due</u>	<u>Signature of Town Treasurer</u>
Bar Harbor Bank & Trust	4/11/2022	None	None	All	_____



Town of Mount Desert

Durlin E. Lunt, Town Manager
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248

Telephone 207-276-5531 Fax 207-276-3232

Web Address www.mtdesert.org
manager@mtdesert.org

To: Selectboard

From: Town Manager

Date: March 23, 2022

Subject: *Thoughts on Mask policy in Town Office Admin area*

While most of us are ready to be done with COVID-19 it is unlikely that COVID-19 is ready to be done with us, at least in the long term. New variants are being identified, new booster shots are being developed, mask requirements are being eliminated in some quarters (non-medical) leaving us fatigued as well as confused as how to handle the ebbs and flows as this pandemic hopefully recedes into endemic status.

As was referenced at the March 21, 2022, Selectboard meeting, Mount Desert adopted a policy of following Maine and Federal CDC guideline in June 2020s to deal with the pandemic. However, these are largely non-prescriptive and much of the data is not localized. Over that time frame the Board has established policies concerning the wearing of masks in the Town office administrative and meeting areas. As circumstances have changed, so have these policies. Last summer for example, vaccinated individuals were not required to wear masks. As COVID cases spiked in the fall masks were once again required. Now mask mandates have been dropped in our local schools.

As cases are likely to rise again as new variants are identified and as we move back indoors next fall and winter, it makes sense to be able to react quickly as infection data changes. A useful tool is the CDC report on COVID transmission rates (updated weekly) for each County. They are rated as having a transmission rate of low, medium, and High, like the system of the Forest Service to identify fire danger rates.

This data could be used to determine when masks should be worn in the Town Office. Information would be posted in the Town Office, as well as on the website and our Facebook page. A transmission rate of low could be listed as masks optional, medium masks recommended for individuals at high risk for severe illness, and high masks required. As usual we would have masks available for those without them. For example, the week of March 21-25 Hancock County had a medium transmission rate so masks would be recommended, but not required.

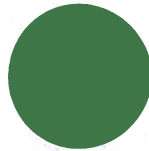
I believe that adopting this policy would provide a logical rationale as when to wear masks, help to protect both the public and the municipal employees, and provide respite to a mask weary populace when circumstances warrant.

HANCOCK COUNTY

COVID-19 TRANSMISSION

RATE

LOW



MASKS OPTIONAL

HANCOCK COUNTY

COVID-19 TRANSMISSION

RATE

MEDIUM



MASKS RECOMMENDED

**FOR THOSE AT HIGH RISK FOR SEVERE
ILLNESS**

HANCOCK COUNTY

COVID-19 TRANSMISSION RATE

HIGH



MASKS REQUIRED

TREASURER'S WARRANTS

Warrants for BOS Agenda:

BOS Agenda:

4/4/2022

	Description	#	Date	Amount
A. Warrants to be Approved and Signed:				
	Town Invoices			
		AP#2256	04/05/22	144,710.95
				<u>\$ 144,710.95</u>
B. Authorized Warrants to be Signed: (Wendy needs to abstain) (Prior Electronic or Manual Authorization)				
	Town State Fees & P/R Benefits			
		AP#2254	03/23/22	\$ 82,755.67
		AP#2255	03/30/22	\$ 17,137.92
	Town Payroll			
		PR#2221	04/01/22	\$ 115,463.06
				<u>\$ 215,356.65</u>
C. Warrants to be Acknowledged:				
	School Invoices			
	School Payroll			
		#20	04/01/22	\$ 120,034.18
				<u>\$ 120,034.18</u>
TOTAL WARRANTS FOR BOS MEETING				<u>\$ 480,101.78</u>

**TOWN OF MOUNT DESERT
ACCOUNTS PAYABLE WARRANT**

WARRANT AP# 2256

CHECK DATE: April 5, 2022

CHECK NUMBER:	<u>316687</u>	through	<u>316730</u>	\$ <u>103,132.75</u>	Check payments
CHECK NUMBER:	<u>N/A</u>	and	<u>N/A</u>	\$ <u>-</u>	Electronic payments
EFT NUMBER:	<u>2020</u>	through	<u>2229</u>	\$ <u>41,578.20</u>	ACH Payments
EFT or CK NUMBER:	<u>N/A</u>	and	<u>N/A</u>	\$ <u>-</u>	Voided Checks

TOTAL DISBURSEMENTS: \$ 144,710.95

This is to certify that there is due and chargeable to the appropriations listed above
the sum set against each name and you are directed to pay unto the parties
named in this schedule.

Selectmen:

John B Maccauley, Chairman

Martha T Dudman

Matthew J Hart, Vice Chairman

Geoffrey V Wood

Wendy H Littlefield, Secretary



1
P apcshdsb
NET

03/31/2022 13:41
6905lyou
Town of Mount Desert
A/P CASH DISBURSEMENTS JOURNAL
CASH ACCOUNT: 100 10100
CHECK NO CHK DATE TYPE VENDOR NAME Ckg-BH General Fund 8066 INVOICE

INVOICE DTL DESC	INV DATE	PO	WARRANT	NET
2220 04/05/2022 EFT Invoice: 1209375	02/24/2022	AP2256	74.23	74.23
792 COASTAL ENERGY				
30.8 GALS Com. LP Gas Sea Street PS Heating-EM HEATING FUEL				
1209375				
74.23 1550666 53400				
COASTAL ENERGY				
Invoice: 1211392	03/17/2022	AP2256	64.93	64.93
26.5 GALS Com. LP Gas Sea Street PS Heating-EM HEATING FUEL				
1211392				
64.93 1550666 53400				
COASTAL ENERGY				
Invoice: 1210923	03/09/2022	AP2256	151.20	151.20
792 COASTAL ENERGY				
54.0 GALS LP Gas#7 NEH WWTP-EM HEATING FUEL				
1210923				
151.20 1550666 53400				
COASTAL ENERGY				
Invoice: 1208925	02/15/2022	AP2256	83.19	83.19
792 COASTAL ENERGY				
35.4 GALS Com. LP Gas NEH WWTP-EM HEATING FUEL				
1208925				
83.19 1550666 53400				
COASTAL ENERGY				
2221 04/05/2022 EFT Invoice: X100005275:01	02/23/2022	AP2256	-2,262.24	-2,262.24
124 COLWELL DIESEL SERVICE & GARAGE I X100005275:01				
returned special order parts GEN REPAIRS & MAINT				
X100005275:01				
-2,262.24 1550100 55400				
COLWELL DIESEL SERVICE & GARAGE I X100005818:01				
Invoice: X100005818:01	03/17/2022	AP2256	47.39	47.39
124 COLWELL DIESEL SERVICE & GARAGE I X100005818:01				
1/2 REAMER BJ GEN REPAIRS & MAINT				
X100005818:01				
47.39 1550100 55400				
COLWELL DIESEL SERVICE & GARAGE I X100005762:01				
Invoice: X100005762:01	03/09/2022	AP2256	336.95	336.95
124 COLWELL DIESEL SERVICE & GARAGE I X100005762:01				
WINDOWS SASH STORM BUS 6 MD ELEMENTARY SCHOOL				
X100005762:01				
336.95 1990100 59200				
COLWELL DIESEL SERVICE & GARAGE I X100005843:01				
Invoice: X100005843:01	03/22/2022	AP2256	1,335.50	1,335.50
124 COLWELL DIESEL SERVICE & GARAGE I X100005843:01				
BOLTS,NUTS AND FLANGES BJ GEN REPAIRS & MAINT				
X100005843:01				
1,335.50 1550100 55400				
COLWELL DIESEL SERVICE & GARAGE I X100005795:02				
Invoice: X100005795:02	03/23/2022	AP2256	740.59	740.59
124 COLWELL DIESEL SERVICE & GARAGE I X100005795:02				
SPRING BRACKETS BJ GEN REPAIRS & MAINT				
X100005795:02				
740.59 1550100 55400				
COLWELL DIESEL SERVICE & GARAGE I X100005795:01				
Invoice: X100005795:01	03/22/2022	AP2256	2,829.33	2,829.33
124 COLWELL DIESEL SERVICE & GARAGE I X100005795:01				
SPRINGS BJ GEN REPAIRS & MAINT				
X100005795:01				
2,829.33 1550100 55400				
COLWELL DIESEL SERVICE & GARAGE I X100005836:01				
Invoice: X100005836:01	03/22/2022	AP2256	392.16	392.16
124 COLWELL DIESEL SERVICE & GARAGE I X100005836:01				
AIR CANS BJ GEN REPAIRS & MAINT				
X100005836:01				
392.16 1550100 55400				
COLWELL DIESEL SERVICE & GARAGE I X100005881:01				
Invoice: X100005881:01	03/28/2022	AP2256	92.42	92.42
124 COLWELL DIESEL SERVICE & GARAGE I X100005881:01				
TR#14 U-BOLTS AL GEN REPAIRS & MAINT				
X100005881:01				
92.42 1550100 55400				
COLWELL DIESEL SERVICE & GARAGE I X100005863:01				
Invoice: X100005863:01	03/24/2022	AP2256	164.78	164.78
124 COLWELL DIESEL SERVICE & GARAGE I X100005863:01				
X100005863:01				
2220 TOTAL:	CHECK	2220 TOTAL:	373.55	373.55



INVOICE	INV DATE	PO	WARRANT	NET
164.78	1550100	55400		
TR#14 U-JOINTS AL GEN REPAIRS & MAINT				
71.70	1550100	55400	AP2256	71.70
TR#14 AIR HOSES AL GEN REPAIRS & MAINT				
CHECK 2221 TOTAL: 3,748.58				

966.59	1220500	57400	AP2256	966.59
New Laptop - Finance Director - Old one dying EQUIPMENT-TECH HDWE				
CHECK 2222 TOTAL: 966.59				

237.00	1220770	54500	AP2256	671.50
434.50	1220770	54900		
CEO- non conforming lot & Planning Consultant LEGAL PLANNING CONSULTANT				
CHECK 2223 TOTAL: 2,289.50				

140.00	1220900	54533	AP2256	1,880.00
400.00	6010100	54500		
1,340.00	1220110	54500		
Legal Marina and HR CONSULTANT-ADMIN LEGAL				
CHECK 2224 TOTAL: 2,289.50				

-249.00	1220110	54500	AP2256	-262.00
-13.00	1220110	54500		
EATON PEABODY ATTORNEYS AT LAW 596664C Service billed twice, inv. 596664 & 596705+Misc CR LEGAL				
CHECK 2224 TOTAL: 456.08				

456.08	1550100	55200	AP2256	456.08
SUMP REPAIR BJ BLDG REPAIR & MAINT				
CHECK 2224 TOTAL: 456.08				

105.00	1221000	54250	AP2256	105.00
IT Support Municipal Office IT/TECH FEE				
CHECK 2224 TOTAL: 456.08				

19,743.78	3000039	57710	AP2256	19,743.78
Main St admin & inspection ts Construction-Budget				
CHECK 2224 TOTAL: 175.90				

19,743.78	3000039	57710	AP2256	175.90
Main St admin & inspection ts Construction-Budget				
CHECK 2224 TOTAL: 175.90				



03/31/2022 13:41
69051you
Town of Mount Desert
A/P CASH DISBURSEMENTS JOURNAL
CASH ACCOUNT: 100
CHECK NO CHK DATE TYPE VENDOR NAME Ckg-BH General Fund 8066 INVOICE

INVOICE DTL DESC	INV DATE	PO	WARRANT	NET
IT setup for mini computer in FD office EQUIP-TECH HARDWARE				
It Support NEH WWTP IT/TECH FEE	03/17/2022		AP2256	162.47
IT support Police Department IT/TECH FEE	03/17/2022		AP2256	368.66
CHECK		2225	TOTAL:	20,555.81
Station 1 project engineering ENGINEERING	03/18/2022		AP2256	2,069.42
CHECK		2226	TOTAL:	2,069.42
Pest control - pd fd ts GEN REPAIRS & MAINT	03/22/2022		AP2256	93.45
CHECK		2227	TOTAL:	93.45
lp gas Harbormaster HEATING FUEL	03/15/2022		AP2256	850.47
CHECK		2228	TOTAL:	850.47
ON ROAD DIESEL BU VEHICLE FUEL	03/15/2022		AP2256	10,174.75
CHECK		2229	TOTAL:	10,174.75
Climate Action Plan TECH SVCS-GEN CONTINGENCY CONTINGENCY TECHNICAL SVCS TECHNICAL SVCS	02/21/2022		AP2256	4,815.00

Invoice: 20221339

Invoice: 20221346

Invoice: 20221345

2226 04/05/2022 EFT
Invoice: 20002A-9

2227 04/05/2022 EFT
Invoice: 5220962

2228 04/05/2022 EFT
Invoice: 305072

2229 04/05/2022 EFT
Invoice: 516890

316687 04/05/2022 PRPD
Invoice: 022122



10100 10100 Kpg-BH General Fund 8066 INVOICE

TYPE VENDOR NAME INV DATE PO WARRANT NET

INVOICE DTL DESC CHECK 316687 TOTAL: 4,815.00

316688 04/05/2022 PRTD 2843 A. RIFKIN COMPANY 4221006 03/11/2022 AP2256 389.97
Invoice: 4221006 Courier meeting material bags for Selectboard CONTINGENCY

316689 04/05/2022 PRTD 1477 ABM MECHANICAL INC 59873 03/22/2022 AP2256 213.40
Invoice: 59873 Boiler drain ts GEN REPAIRS & MAINT

316690 04/05/2022 PRTD 1306 ACADIA FUEL LLC 204040 03/16/2022 AP2256 381.70
Invoice: 204040 179.2 GALS Heating Oil SV WWTP-EM HEATING FUEL

316691 04/05/2022 PRTD 1306 ACADIA FUEL LLC 204069 03/17/2022 AP2256 230.25
Invoice: 204069 108.1 GALS Heating Oil NEH WWTP-EM HEATING FUEL

316692 04/05/2022 PRTD 1306 ACADIA FUEL LLC 204070 03/17/2022 AP2256 275.62
Invoice: 204070 129.4 GALS SH WWTP Heating Oil-EM HEATING FUEL

316693 04/05/2022 PRTD 1306 ACADIA FUEL LLC 203821 03/11/2022 AP2256 406.40
Invoice: 203821 190.8 GALS Heating Oil SH WWTP-EM HEATING FUEL

316694 04/05/2022 PRTD 1952 ACADIA FUEL LLC 204071 03/17/2022 AP2256 389.36
Invoice: 204071 Stat. 2 heating fuel HEATING FUEL-S2 SH

316695 04/05/2022 PRTD 1953 ACADIA FUEL LLC 204041 03/16/2022 AP2256 289.89
Invoice: 204041 Stat. 3 heating fuel HEATING FUEL S3 SV

CHECK 316688 TOTAL: 389.97

CHECK 316689 TOTAL: 213.40

CHECK 316690 TOTAL: 381.70

CHECK 316691 TOTAL: 230.25

CHECK 316692 TOTAL: 275.62

CHECK 316693 TOTAL: 406.40

CHECK 316694 TOTAL: 1,293.97

CHECK 316695 TOTAL: 389.36

CHECK 316696 TOTAL: 289.89

CHECK 316697 TOTAL: 289.89



CASH ACCOUNT: 100 10100 Ckg-BH General Fund 8066 INVOICE PO INV DATE WARRANT NET
CHECK NO CHK DATE TYPE VENDOR NAME

INVOICE DTL DESC	INVOICE	INV DATE	PO	WARRANT	NET
ME Emerg Mgt Agency reporting fee ts SALT & SAND	125.00 1550100 53200				
CARDMEMBER SERVICES	0136 EBAY	03/16/2022		AP2256	126.58
BATTERIES BJ GEN REPAIRS & MAINT	126.58 1550100 55400				
CARDMEMBER SERVICES	2602 APPLE.COM/BILL	03/19/2022		AP2256	.99
iCloud storage ts CELL PHONES	.99 1550100 55130				
CARDMEMBER SERVICES	0415 MSFT	02/16/2022		AP2256	53.60
Microsoft Azure EMAIL/INTERNET	53.60 1221000 55140				
CARDMEMBER SERVICES	5693 MSFT	03/02/2022		AP2256	300.00
Online Services EMAIL/INTERNET	300.00 1221000 55140				
CARDMEMBER SERVICES	6759 MSFT	03/02/2022		AP2256	89.57
Online Services EMAIL/INTERNET	89.57 1221000 55140				
CARDMEMBER SERVICES	7223 MSFT	03/02/2022		AP2256	135.00
Online services EMAIL/INTERNET	135.00 1221000 55140				
CARDMEMBER SERVICES	7490 MSFT	03/15/2022		AP2256	126.00
Online Services Police Department EMAIL/INTERNET	126.00 1221000 55140				
CARDMEMBER SERVICES	7423 MSFT	03/05/2022		AP2256	55.89
Microsoft Azure EMAIL/INTERNET	55.89 1221000 55140				
CARDMEMBER SERVICES	9110 AMZN	03/21/2022		AP2256	15.76
flags EQUIPMENT	15.76 6010100 57100				
CARDMEMBER SERVICES	0468 SOLO	03/14/2022		AP2256	-750.00
merchandise/ service return TRAINING	-750.00 1440330 54100				
CARDMEMBER SERVICES	0448 RS Hughes-EM	03/01/2022		AP2256	166.59
Microflex DGP Lab Gloves-EM LAB EQUIP	166.59 1550552 53820				
CARDMEMBER SERVICES	0047 First Express	03/22/2022		AP2256	39.04
Shipping for AC Testing Samples/WET POSTAGE	39.04 1550552 53140				
CARDMEMBER SERVICES	0501 HARMON'S CAR	WA03/21/2022		AP2256	17.00



Town of Mount Desert
A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 100 10100 Ckg-BH General Fund 8066 INVOICE INVOICE DATE PO WARRANT NET
CHECK NO CHK DATE TYPE VENDOR NAME

		INVOICE		INVOICE DTL DESC		NET	
Invoice: 0501	HARMON'S CAR WA	17.00	1440110	55100	4109	Chief - car wash VEHICLE REPAIR-17 FORD EXP ADM	
Invoice: 1663	MSFT	13.19	1440110	1663	MSFT	03/15/2022 Microsoft monthly subscription charge COMPUTER PKG PURCHASE	13.19
Invoice: 4832	EB TECC LEO	187.29	1440110	4832	EB TECC LEO	02/28/2022 Harrington - TECC LEO training TRAINING	187.29
Invoice: 5529	AXON	375.00	1440110	5529	AXON	03/02/2022 Axon - T. Cake Taser Training TRAINING	375.00
Invoice: 3465	Amazon.com	21.44	1440800	3465	Amazon.com	03/07/2022 Amazon - dishwand refills OFFICE SUPPLIES	21.44
Invoice: 0533	USPS	26.95	1440110	0533	USPS	03/16/2022 USPS overnight shipping of title POSTAGE	26.95
Invoice: 3092	Kindl Unltd	10.54	100	3092	Kindl Unltd	03/02/2022 Personal Expense Reimbursed Clearing	10.54
Invoice: 5009	DUNKIN	8.90	100	5009	DUNKIN	03/03/2022 Personal Expense - Reimbursed Clearing	8.90
Invoice: 8633	ELLSWORTH JEWEL	50.00	1220001	8633	ELLSWORTH JEWEL	03/03/2022 Boston Cane Engraving CONTINGENCY	50.00
Invoice: 1424	TST* Franks Bak	16.99	1220001	1424	TST* Franks Bak	03/05/2022 Baked Goods for Boston Cane Award CONTINGENCY	16.99
Invoice: 6493	MAINE.GOV	50.00	1220220	6493	MAINE.GOV	03/21/2022 NOTARY PUBLIC RENEWAL FEE DUES & MEMBERSHIPS	50.00
Invoice: 0444	BESTBUYCOM	31.63	1221000	0444	BESTBUYCOM	02/24/2022 USB CABLES EQUIP-TECH HARDWARE	31.63
Invoice: 9551	MRS CONFERENCE	225.00	1220660	9551	MRS CONFERENCE	03/10/2022 MRS CONFERENCE REG FEE TRAINING	225.00
				3020	ZOOM.US	03/13/2022	90.00



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Town of Mount Desert
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Invoice: 3020 ZOOM.US

CASH ACCOUNT: 100
CHECK NO CHK DATE

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Ckg-BH General Fund 8066

TYPE VENDOR NAME

INVOICE

INVOICE DTL DESC

INV DATE

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INVOICE	INVOICE DTL DESC	INV DATE	PO	WARRANT	NET
90.00	1221000 55330 890 ZOOM CLOUD STORAGE & LARGE MEETINGS SOFTWARE -ZOOM				
6.51	1220500 53140 CARDMEMBER SERVICES 3492 USPS	03/04/2022		AP2256	6.51
1,512.40	1220500 54100 CARDMEMBER SERVICES 3766/3774 United Flights to/from Tyler Conference TRAINING	03/21/2022		AP2256	1,512.40
			CHECK	316699 TOTAL:	7,136.26
180.00	1550100 55400 59 B C M CONSTRUCTION INC 223418	03/15/2022		AP2256	180.00
			CHECK	316700 TOTAL:	180.00
818.35	1220331 53950 1736 ELECTION SYSTEMS AND SOFTWARE, LL CD2019929	03/17/2022		AP2256	818.35
321.30	1220331 53950 ELECTION SYSTEMS AND SOFTWARE, LL CD2019436	03/11/2022		AP2256	321.30
			CHECK	316701 TOTAL:	1,139.65
82.20	1550100 55400 1398 FASTENAL COMPANY MEBAN127905	03/10/2022		AP2256	82.20
			CHECK	316702 TOTAL:	82.20
249.12	1440110 55130 2443 AT&T MOBILITY 02282022	02/22/2022		AP2256	437.70
48.03	1440110 55130 CELL PHONES 81911	Feb 2022			
46.79	1440110 55130 CELL PHONES-ADMIN ASSIST 81911	Feb 2022			
19.15	1440110 55130 CELL PHONES-POLICE LT 84648	Feb 2022			
28.73	2140115 55130 CELL PHONES-POLICE CHIEF 84088	Feb 2022			
45.88	1440110 55130 CELL PHONES-POLICE BAR HBR PD 84088	Feb 2022			
			CHECK	316703 TOTAL:	437.70



INVOICE	INVOICE DTL DESC	INV DATE	PO	WARRANT	NET
316704 04/05/2022 PRTR Invoice: 0206724	218 FISHER SCIENTIFIC CO LLC 80.08 1550552 53820	03/02/2022 Cidehol 70 IPA 1 Gallon-EM LAB EQUIP	AP2256		80.08
316705 04/05/2022 PRTR Invoice: 976622	2833 FRED'S COFFEE COMPANY, INC. 71.70 1440800 53000	03/16/2022 March 2022 coffee delivery OFFICE SUPPLIES	AP2256		71.70
316706 04/05/2022 PRTR Invoice: 30232	345 JOHN GOODWIN JR 105.00 1550100 53730	03/16/2022 GRAVEL BJ MISC-MATERIALS	AP2256		105.00
316707 04/05/2022 PRTR Invoice: 9240846023	254 GRAINGER 183.68 1440330 53110	03/10/2022 Batteries GENERAL SUPPLIES	AP2256		183.68
316708 04/05/2022 PRTR Invoice: 7950863	207 H P FAIRFIELD 6,623.42 1550100 55400	03/11/2022 HYDO TRANSMISSION FOR TRACKLESS BJ GEN REPAIRS & MAINT	AP2256		6,623.42
316709 04/05/2022 PRTR Invoice: 5305547	2592 HAMMOND LUMBER COMPANY 678.75 6010100 55400	03/14/2022 marina repair supplies GEN REPAIR & MAINT	AP2256		678.75
Invoice: 5335040	HAMMOND LUMBER COMPANY 29.99 1550100 55400	03/24/2022 SHOP HOLE SAW AL GEN REPAIRS & MAINT	AP2256		29.99
Invoice: 5301449	HAMMOND LUMBER COMPANY 239.93 6010300 55400	03/11/2022 marina supplies GEN REPAIRS & MAINT	AP2256		239.93
		CHECK 316704 TOTAL:			80.08
		CHECK 316705 TOTAL:			71.70
		CHECK 316706 TOTAL:			105.00
		CHECK 316707 TOTAL:			183.68
		CHECK 316708 TOTAL:			6,623.42
		CHECK 316709 TOTAL:			678.75
		CHECK 316707 TOTAL:			29.99
		CHECK 316709 TOTAL:			239.93
		CHECK 316709 TOTAL:			948.67



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Town of Mount Desert
A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 100
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Ckg-BH General Fund 8066

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TYPE VENDOR NAME

INVOICE

INVOICE DTL DESC

INV DATE PO

WARRANT

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INVOICE	INVOICE DTL DESC	INV DATE	PO	WARRANT	NET
316714 04/05/2022 PRTR Invoice: 0523-052422	870 MBOIA Confrenc	03/28/2022	AP2256		195.00
	195.00 1220770 54100	TRAINING			
316715 04/05/2022 PRTR Invoice: 46907	1012 MORRIS FIRE PROTECTION INC	03/15/2022	AP2256		64.60
	46907	Refill Discharged Fire Extinguisher-EM			
	64.60 1550552 53900	OTHER EQUIPMENT			
		CHECK 316714 TOTAL:			195.00
316716 04/05/2022 PRTR Invoice: 3182043 Marina	468 MOUNT DESERT ISLAND HOSPITAL & HE	03/25/2022	AP2256		250.00
	3182043 Marina	Eilon coast guard physical			
	250.00 6010100 54100	TRAINING			
Invoice: 3182043 FD	MOUNT DESERT ISLAND HOSPITAL & HE	03/18/2022	AP2256		70.00
	3182043 FD	TB testing for staff member			
	70.00 1440330 52400	MEDICAL TESTING			
		CHECK 316715 TOTAL:			64.60
316717 04/05/2022 PRTR Invoice: 512202	2160 COASTAL AUTO PARTS	03/10/2022	AP2256		178.38
	512202	E4 exhaust repair			
	178.38 1440330 55100 4304	VEHICLE REPAIR-06 SMEAL E4			
Invoice: 511014	COASTAL AUTO PARTS	03/07/2022	AP2256		199.13
	511014	E4 exhaust repair			
	199.13 1440330 55100 4304	VEHICLE REPAIR-06 SMEAL E4			
Invoice: 515655	COASTAL AUTO PARTS	03/18/2022	AP2256		178.04
	515655	HOSE END FITTINGS BJ			
	178.04 1550100 55400	GEN REPAIRS & MAINT			
Invoice: 515456	COASTAL AUTO PARTS	03/18/2022	AP2256		73.82
	515456	DRILL BITS BJ			
	73.82 1550100 55400	GEN REPAIRS & MAINT			
Invoice: 515258	COASTAL AUTO PARTS	03/21/2022	AP2256		25.05
	515258	DRILL BITS BJ			
	25.05 1550100 55400	GEN REPAIRS & MAINT			
Invoice: 515216	COASTAL AUTO PARTS	03/16/2022	AP2256		316.99
	515216	HAMMER DRILL BJ			
	316.99 1550100 55400	GEN REPAIRS & MAINT			
Invoice: 514508	COASTAL AUTO PARTS	03/21/2022	AP2256		147.49
	514508	PAINT AND SUPPLIES BJ			



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CASH ACCOUNT: 100 10100 Ckg-BH General Fund 8066 INVOICE PO WARRANT NET
CHECK NO CHK DATE TYPE VENDOR NAME

INVOICE DTL DESC	INV DATE	PO	WARRANT	NET
147.49 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	01/25/2022		AP2256	399.99
Invoice: 493958	GREASE BJ			
399.99 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/11/2022		AP2256	196.13
Invoice: 513059	truck repair			
196.13 6010100 55100 VEHICLE REPAIRS				
COASTAL AUTO PARTS	03/22/2022		AP2256	5.00
Invoice: 516727	PAINT CANS BJ			
5.00 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/22/2022		AP2256	69.52
Invoice: 516715	SILICON BJ			
69.52 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/21/2022		AP2256	660.93
Invoice: 516201	AIR FILTERS BJ			
660.93 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/22/2022		AP2256	11.50
Invoice: 516805	SUPER GLUE BJ			
11.50 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/21/2022		AP2256	107.64
Invoice: 516484	BRAKE CLEANER BJ			
107.64 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/15/2022		AP2256	162.84
Invoice: 513941	new battery for truck			
162.84 6010100 57100 EQUIPMENT				
COASTAL AUTO PARTS	03/17/2022		AP2256	223.84
Invoice: 515058	NAPA Non-Deter Oil 30 QT, Delvac 15W40 1 GAL-EM			
103.92 1550552 55210 PUMP STATION MAINT				
119.92 1550552 55405 GENERATOR SVCS				
COASTAL AUTO PARTS	03/24/2022		AP2256	75.21
Invoice: 518219	TR#14 WIRING BOX AL			
75.21 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/24/2022		AP2256	170.16
Invoice: 517949	TR#14 PIPE FITTING AL			
170.16 1550100 55400 GEN REPAIRS & MAINT				
COASTAL AUTO PARTS	03/15/2022		AP2256	-120.39
Invoice: 514245	return muffler			
-120.39 1440330 55100 4304 VEHICLE REPAIR-06 SMEAL E4				



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CASH ACCOUNT: 100
CHECK NO CHK DATE TYPE VENDOR NAME

1706 ONLINE MOORING, LLC
Ckg-BH General Fund 8066

INVOICE

INVOICE DTL DESC

INV DATE PO

WARRANT

NET

3,081.27

CHECK NO	CHK DATE	TYPE	VENDOR NAME	AMOUNT	INVOICE	INVOICE DTL DESC	INV DATE	PO	WARRANT	NET
316718	04/05/2022	PRTD	794 OLIVER ASSOCIATES, INC	11667	11667	03/08/2022 Pump station improve CCA-I ts Construction	03/08/2022	AP2256	AP2256	4,903.05
				4,903.05	3000048	57710				
										4,903.05
316719	04/05/2022	PRTD	1706 ONLINE MOORING, LLC	P22502	P22502	02/28/2022 online mooring fees IT/TECH FEE	02/28/2022	AP2256	AP2256	1,596.00
				1,596.00	6010100	54250				
										4,903.05
316720	04/05/2022	PRTD	1367 PITNEY BOWES	3315456700	3315456700	03/22/2022 Postage Meter Lease POSTAGE	03/22/2022	AP2256	AP2256	180.06
				180.06	1220110	53140				
										180.06
316721	04/05/2022	PRTD	2827 T BUCK CONSTRUCTION INC	App #3 Gil Cove VIP	App #3 Gil Cove VIP	03/18/2022 Pump station improvements ts Construction Retainage Payable	03/18/2022	AP2256	AP2256	24,138.63
				25,409.09	3000048	57710				
				-1,270.46	300	24560				
										24,138.63
316722	04/05/2022	PRTD	1387 TREASURER, STATE OF MAINE	BIL0317220000002435	BIL0317220000002435	03/17/2022 03/2022 Telco Circuit Charges IT/TECH FEE	03/17/2022	AP2256	AP2256	120.30
				120.30	1440800	54250				
										120.30
316723	04/05/2022	PRTD	1213 TREASURER, STATE OF MAINE	0222	0222	03/22/2022 Unemployment compensation UNEMPLOYM ENT	03/22/2022	AP2256	AP2256	712.00
				712.00	1220800	52130				
										712.00
316724	04/05/2022	PRTD	2511 CHARTER COMMUNICATIONS	715785501032222	715785501032222	03/22/2022 Internet Joy Road Communications CABLE/INTERNET-POLICE DEPT	03/22/2022	AP2256	AP2256	30.00
				30.00	1221000	55150				
					1771	1771				30.00



CASH ACCOUNT: 100
CHECK NO CHK DATE

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TYPE VENDOR NAME

Ckg-BH General Fund 8066

INVOICE

INV DATE PO

WARRANT

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INVOICE	INVOICE DTL DESC	INVOICE	INV DATE	PO	WARRANT	NET
10057328-4	030922 03/09/2022 LED STREET LIGHTS BJ STREET LIGHTS-LED	657.60	1440600	55011	AP2256	657.60
10545196-3	030622 03/06/2022 40 HARBOR DR UNIT CHRGR BJ ELECTRICITY-EVSE CHG STA	27.44	1553000	55010	AP2256	27.44
10057323-3	030622 03/06/2022 yachtsmen power ELECTRICITY	59.63	6010100	55010	AP2256	59.63
10558315-3	030522 03/05/2022 marina power ELECTRICITY	685.43	6010100	55010	AP2256	685.43
10558316-5	030522 03/05/2022 marina power ELECTRICITY	2,999.44	6010100	55010	AP2256	2,999.44
10003320-2	030622 03/06/2022 marina power ELECTRICITY	6,285.08	6010100	55010	AP2256	6,285.08
10057341-1	030722 03/07/2022 Electricity Joy Road Pool MD ELEMENTARY SCHOOL	18.30	1990100	59200	AP2256	18.30
10003319-0	030722 03/07/2022 37880 KWH NEH WWTP Electric-EM ELECTRICITY	8,910.00	1550666	55010	AP2256	8,910.00
10057322-1	030822 03/08/2022 36 KWH SGT Drive PS Electric-EM ELECTRICITY	25.98	1550666	55010	AP2256	25.98
10057329-6	030722 03/07/2022 6611 KWH GILPAT Cove PS Electric-EM ELECTRICITY	1,436.25	1550666	55010	AP2256	1,436.25
10057343-5	030722 03/07/2022 1345 KWH Garry Moore PS Electric-EM ELECTRICITY	306.74	1550666	55010	AP2256	306.74
10057334-6	030622 03/06/2022 4241 KWH Sea Street PS Electric-EM ELECTRICITY	1,582.16	1550666	55010	AP2256	1,582.16
10057337-3	030622 03/06/2022 3475 KWH Bracy Cove PS Electric-EM ELECTRICITY	766.46	1550668	55010	AP2256	766.46



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Town of Mount Desert
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CASH ACCOUNT: 100 10100 10100
CHECK NO CHK DATE TYPE VENDOR NAME Ckg-BH General Fund 8066

INVOICE INVOICE INVOICE INVOICE INVOICE
INVOICE DTL DESC

Invoice: 10003318-8 031722
VERSANT POWER
10003318-8 031722 03/17/2022 AP2256 75.51
267 KWH SH Hill PS Electric-EM
ELECTRICITY CHECK 316729 TOTAL: 23,836.02

Invoice: 10003318-8 031722
VERSANT POWER
10003318-8 031722 03/17/2022 AP2256 75.51
267 KWH SH Hill PS Electric-EM
ELECTRICITY CHECK 316729 TOTAL: 23,836.02

316730 04/05/2022 PRTD 1745 WAGeworks INC
Invoice: INV3583386
INV3583386 54532 FSA Admin Fee 03/23/2022 AP2256 70.00
ADMIN-SE125 CHECK 316730 TOTAL: 70.00

NUMBER OF CHECKS 54 *** CASH ACCOUNT TOTAL *** 144,710.95

TOTAL PRINTED CHECKS 44 103,132.75
TOTAL EFT'S 10 41,578.20

*** GRAND TOTAL *** 144,710.95

Town of Mount Desert
A/P CASH DISBURSEMENTS JOURNAL
JOURNAL ENTRIES TO BE CREATED

CLERK: 69051you

YEAR PER	JNL	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT	EFF DATE					LINE DESC			
2022 10	18								
APP 100-20000	04/05/2022	AP2256	AP2256			Accounts Payable		78,807.11	
APP 100-10100	04/05/2022	AP2256	AP2256			AP CASH DISBURSEMENTS JOURNAL			144,710.95
APP 600-20000	04/05/2022	AP2256	AP2256			Ckg-BH General Fund 8066			
APP 300-20000	04/05/2022	AP2256	AP2256			AP CASH DISBURSEMENTS JOURNAL		15,020.23	
APP 200-20000	04/05/2022	AP2256	AP2256			Accounts Payable		50,854.88	
						AP CASH DISBURSEMENTS JOURNAL		28.73	
						GENERAL LEDGER TOTAL		144,710.95	144,710.95
APP 100-35060	04/05/2022	AP2256	AP2256			DT-MARINA		15,020.23	
APP 600-35010	04/05/2022	AP2256	AP2256			DT Gen fund			15,020.23
APP 100-35030	04/05/2022	AP2256	AP2256			DTF-CAP IMP		50,854.88	
APP 300-35010	04/05/2022	AP2256	AP2256			DT Gen fund			50,854.88
APP 100-35020	04/05/2022	AP2256	AP2256			DTF-SPEC REV		28.73	
APP 200-35010	04/05/2022	AP2256	AP2256			DT Gen fund			28.73
						SYSTEM GENERATED ENTRIES TOTAL		65,903.84	65,903.84
						JOURNAL 2022/10/18		210,614.79	210,614.79
						TOTAL			

JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
100 General Fund	2022 10	18	04/05/2022	Ckg-BH General Fund 8066		144,710.95
100-10100				Accounts Payable	78,807.11	
100-20000				DTF-SPEC REV	28.73	
100-35020				DTF-CAP IMP	50,854.88	
100-35030				DT-MARINA	15,020.23	
100-35060				FUND TOTAL	144,710.95	144,710.95
200 Special Revenue	2022 10	18	04/05/2022	Accounts Payable	28.73	
200-20000				DT Gen fund		28.73
200-35010				FUND TOTAL	28.73	28.73
300 Capital Projects	2022 10	18	04/05/2022	Accounts Payable	50,854.88	
300-20000				DT Gen fund		50,854.88
300-35010				FUND TOTAL	50,854.88	50,854.88
600 Marina	2022 10	18	04/05/2022	Accounts Payable	15,020.23	
600-20000				DT Gen fund		15,020.23
600-35010				FUND TOTAL	15,020.23	15,020.23

03/31/2022 13:41
69051you

Town of Mount Desert
A/P CASH DISBURSEMENTS JOURNAL

JOURNAL ENTRIES TO BE CREATED

P 19
apcshdsb

FUND	DUE TO	DUE FROM
100 General Fund	65,903.84	
200 Special Revenue		28.73
300 Capital Projects		50,854.88
600 Marina		15,020.23
TOTAL	65,903.84	65,903.84

** END OF REPORT - Generated by Lisa Young **

TOWN OF MOUNT DESERT
PAYROLL WARRANT

WARRANT PR# 2221

CHECK DATE: April 1, 2022

ADVICE NUMBERS: 13645 through 13695

CHECK NUMBERS: 65487 through 65496

TOTAL DISBURSEMENTS: \$ 115,463.06

This is to certify that there is due and chargeable to the appropriations listed above
the sum set against each name and you are directed to pay unto the parties
named in this schedule.

Selectmen:

John B Macauley, Chairman

Martha T Dudman

Matthew J Hart, Vice Chairman

Geoffrey V Wood

TOWN OF MOUNT DESERT
BMV, STATE & PR ACCOUNTS PAYABLE WARRANT

WARRANT AP# 2255

CHECK DATE: March 30, 2022

CHECK NUMBER:	<u>316686</u>	through	<u>316686</u>	\$	<u>17,137.92</u>	Check payments
CHECK NUMBER:	<u>N/A</u>	and	<u>N/A</u>	\$	<u>-</u>	Electronic payments
EFT NUMBER:	<u>N/A</u>	through	<u>N/A</u>	\$	<u>-</u>	ACH Payments
EFT or CK NUMBER:	<u>N/A</u>	and	<u>N/A</u>	\$	<u>-</u>	Voided Checks

TOTAL DISBURSEMENTS: \$ 17,137.92

This is to certify that there is due and chargeable to the appropriations listed above the sum set against each name and you are directed to pay unto the parties named in this schedule.

Selectmen:

John B Macauley, Chairman

Martha T Dudman

Matthew J Hart, Vice Chairman

Geoffrey V Wood

Lisa Young

From: Geoffrey Wood
Sent: Wednesday, March 30, 2022 12:11 PM
To: Lisa Young
Subject: Re: Warrant AP#2255 & PR#2221 Approval Request

Hello Lisa,

I approve the listed warrants, #2255 and #2221.

Best,

Geoff

Get [Outlook for iOS](#)

From: Lisa Young <financeclerk@mtdesert.org>
Sent: Wednesday, March 30, 2022 10:35:03 AM
To: Geoffrey Wood <gwood@mtdesert.org>; jbmacauley3@gmail.com <jbmacauley3@gmail.com>; Martha Dudman <martha.dudman@gmail.com>; Matt Hart <matt@theneighborhoodhouse.com>
Cc: Jake Wright <financedirector@mtdesert.org>
Subject: Warrant AP#2255 & PR#2221 Approval Request

Greetings,

Attached are the following warrants for approval:

Accounts Payable	#2255	total of	\$17,137.92
Payroll	#2221	total of	\$115,463.06

Please indicate your authorization to release the funds for these warrants by approving or rejecting.

I will “will reply to all” when the first approval comes in so that you know that we have the one required email approval.

Thank you!

Lisa Young



Lisa Young,
Finance Clerk, Tax Collector
Town of Mount Desert
(207) 276-5531 (T) (207) 276-3232 (F)

TOWN OF MOUNT DESERT
BMV, STATE & PR ACCOUNTS PAYABLE WARRANT

WARRANT AP# 2254

CHECK DATE: March 23, 2022

CHECK NUMBER:	<u>316685</u>	through	<u>316685</u>	\$ <u>8,457.50</u>	Check payments
CHECK NUMBER:	<u>N/A</u>	and	<u>N/A</u>	\$ -	Electronic payments
EFT NUMBER:	<u>2219</u>	through	<u>2219</u>	\$ <u>74,298.17</u>	ACH Payments
EFT or CK NUMBER:	<u>N/A</u>	and	<u>N/A</u>	\$ -	Voided Checks

TOTAL DISBURSEMENTS: \$ 82,755.67

This is to certify that there is due and chargeable to the appropriations listed above the sum set against each name and you are directed to pay unto the parties named in this schedule.

Selectmen:

John B Macauley, Chairman

Martha T Dudman

Matthew J Hart, Vice Chairman

Geoffrey V Wood

Lisa Young

From: Geoffrey Wood
Sent: Tuesday, March 22, 2022 1:51 PM
To: Lisa Young
Subject: Re: Warrant AP#2254 State Fees/Payroll Benefits

Hello Lisa,

I approve this warrant - #2254.

Geoff

Get [Outlook for iOS](#)

From: Lisa Young <financeclerk@mtdesert.org>
Sent: Tuesday, March 22, 2022 12:30:31 PM
To: Geoffrey Wood <gwood@mtdesert.org>; jbmacauley3@gmail.com <jbmacauley3@gmail.com>; Martha Dudman <martha.dudman@gmail.com>; Matt Hart <matt@theneighborhoodhouse.com>
Cc: Jake Wright <financedirector@mtdesert.org>
Subject: Warrant AP#2254 State Fees/Payroll Benefits

Greetings,

Attached is Accounts Payable Warrant #2254 (for Payroll and/or State Fees) in the amount of \$82,755.67 for your approval.

Please indicate your authorization to release the funds for this warrant by approving or rejecting.

I will "reply to all" when the first approval comes in so that you know that we have the one required email approval.

Thank you!

Lisa Young



Lisa Young,
Deputy Treasurer, Tax Collector
Town of Mount Desert
(207) 276-5531 (T) (207) 276-3232 (F)

Mount Desert School Department PAYROLL WARRANT REGISTER

Report # 16169

Include Authorization Codes: Yes
Batch: 10689
Check Dates: (Earliest) - (Latest)
Cash Account Number:
Minimum Check Amount: \$0.00
Sorted By: Check Number

Check #	Check Date	Code	Name	Chk Grp	Gross Pay	Net Pay	Direct Deposit	Check Amt	Void
	04/01/2022	IRS	INTERNAL REVENUE SERVIC		13,351.11	13,351.11	0.00	0.00	
	04/01/2022	STAT	TREASURER, STATE OF MAIN		3,846.00	3,846.00	0.00	0.00	
48282	04/01/2022	495	ASHLEY GRAVES	1	750.00	646.43	0.00	646.43	
48283	04/01/2022	506	HANNAH E. AVERILL	1	914.90	737.96	737.96	0.00	
48284	04/01/2022	149	MARIAH D. BAKER	1	2,015.00	1,615.08	1,615.08	0.00	
48285	04/01/2022	11	KELLY S. BEAULIEU	1	2,623.07	1,723.90	1,723.90	0.00	
48286	04/01/2022	463	RENE L. BECKER	1	1,964.60	1,467.64	1,467.64	0.00	
48287	04/01/2022	266	JULIANNA R. BENNOCH	1	2,738.46	2,022.24	2,022.24	0.00	
48288	04/01/2022	491	SANDRA G. BOYCE	1	1,323.48	1,015.15	1,015.15	0.00	
48289	04/01/2022	314	ANDREW J. CARLSON	1	1,777.11	1,268.69	1,268.69	0.00	
48290	04/01/2022	18	JANICE P. CARROLL	1	1,376.70	908.84	908.84	0.00	
48291	04/01/2022	337	AMBER G. CHARRON	1	2,166.84	1,504.42	1,504.42	0.00	
48292	04/01/2022	596	KAREN L. CROSTON	1	1,360.45	1,096.56	1,096.56	0.00	
48293	04/01/2022	91	JUDITH CULLEN	1	2,136.73	1,559.34	1,559.34	0.00	
48294	04/01/2022	499	BOBBIE JO DAY	1	1,362.96	969.81	969.81	0.00	
48295	04/01/2022	308	Gloria A. Delsandro	1	3,961.65	2,850.65	2,850.65	0.00	
48296	04/01/2022	504	CRISTINA DEVORA	1	1,668.26	1,096.77	1,096.77	0.00	
48297	04/01/2022	43	SARAH R. DUNBAR	1	1,865.02	1,378.08	1,378.08	0.00	
48298	04/01/2022	505	HALEY ESTABROOK	1	1,737.30	1,214.39	1,214.39	0.00	
48299	04/01/2022	52	WANDA J. FERNALD	1	2,584.61	1,678.11	1,678.11	0.00	
48300	04/01/2022	146	CECILIA R. GARRITY	1	1,236.02	706.44	706.44	0.00	
48301	04/01/2022	63	HEATHER M. GRAVES	1	2,500.00	1,589.74	1,589.74	0.00	
48302	04/01/2022	65	GAYLE M. GRAY	1	2,623.07	1,850.84	1,850.84	0.00	
48303	04/01/2022	331	RUSSELL W. GRAY	1	1,477.50	1,228.98	1,228.98	0.00	
48304	04/01/2022	92	ABIGAIL A. HARMON	1	1,548.32	1,062.09	1,062.09	0.00	
48305	04/01/2022	595	WILLIAM HERRMANN	1	1,318.05	1,022.33	1,022.33	0.00	
48306	04/01/2022	485	TASHA L. HIGGINS	1	1,598.26	1,037.90	1,037.90	0.00	
48307	04/01/2022	477	ANGELIQUE E. HODGDON	1	1,996.30	1,114.40	1,114.40	0.00	
48308	04/01/2022	244	KRISTIN D. HOLLEY	1	1,409.67	1,043.50	1,043.50	0.00	
48309	04/01/2022	313	ANDREA W. HOWELL	1	2,024.00	1,625.32	1,625.32	0.00	
48310	04/01/2022	293	Amy L. James	1	3,238.46	2,164.26	2,164.26	0.00	
48311	04/01/2022	90	REBECCA A. JARVIS	1	2,413.46	1,631.01	1,631.01	0.00	
48312	04/01/2022	312	BETHANY G. JOHNSON	1	1,783.65	1,314.64	1,314.64	0.00	
48313	04/01/2022	291	PATRICIA A. KELLEY	1	1,570.10	1,085.28	1,085.28	0.00	
48314	04/01/2022	335	CYNTHIA A. LAMBERT	1	2,930.76	1,865.87	1,865.87	0.00	
48315	04/01/2022	487	BENJAMIN MACKO	1	2,968.23	2,211.39	2,211.39	0.00	
48316	04/01/2022	292	TARA MCKERNAN	1	2,303.26	1,674.03	1,674.03	0.00	
48317	04/01/2022	490	ANNA D. MONTE	1	1,106.98	643.06	643.06	0.00	
48318	04/01/2022	461	JANET NORDELUS	1	1,987.10	1,372.11	1,372.11	0.00	
48319	04/01/2022	237	JUSTIN B. NORWOOD	1	2,298.07	1,790.45	1,790.45	0.00	
48320	04/01/2022	238	WENDELL L. OPPEWALL	1	1,286.46	737.69	737.69	0.00	
48321	04/01/2022	240	JEANNE C. OTT	1	2,786.53	1,946.00	1,946.00	0.00	
48322	04/01/2022	138	AMY Y. PHILBROOK	1	2,689.04	1,854.32	1,854.32	0.00	
48323	04/01/2022	74	LEON E. SARGENT	1	2,231.85	1,504.58	1,504.58	0.00	
48324	04/01/2022	120	KAREN L. SHARPE	1	3,188.09	2,035.57	2,035.57	0.00	
48325	04/01/2022	350	ANNA E. SILVER	1	1,230.45	936.26	936.26	0.00	
48326	04/01/2022	502	MARIA E. SIMPSON	1	1,972.11	1,613.69	1,613.69	0.00	
48327	04/01/2022	503	RACHEL M. SINGH	1	2,236.15	1,806.32	1,806.32	0.00	
48328	04/01/2022	507	DANIELLE A. STANLEY	1	1,132.95	1,018.60	1,018.60	0.00	
48329	04/01/2022	404	KERRY L. TAYLOR	1	2,738.46	2,004.11	2,004.11	0.00	
48330	04/01/2022	501	MICHAEL J. TINKER	1	2,087.75	1,364.72	1,364.72	0.00	
48331	04/01/2022	459	SHANNON L. WESTPHAL	1	2,056.53	1,576.05	1,576.05	0.00	
48332	04/01/2022	448	JACQUELINE A. WHEATON	1	2,542.30	1,777.86	1,777.86	0.00	

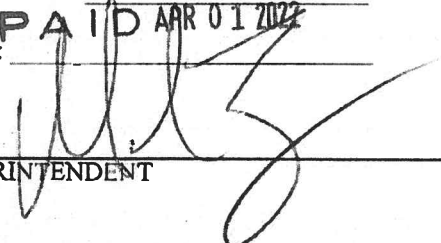
Mount Desert School Department PAYROLL WARRANT REGISTER

Report # 16169

Check #	Check Date	Code	Name	Chk Grp	Gross Pay	Net Pay	Direct Deposit	Check Amt	Void
					<u>120,034.18</u>	<u>90,160.58</u>	<u>72,317.04</u>	<u>646.43</u>	

Check Authorization Summary			
Type	Description	Count	Amount
Employee	Checks	1	646.43
	Voided Checks	0	0.00
	Direct Deposits (Fully Distributed)	50	72,317.04
	ACH Employee Credits	50	72,317.04
	ACH Employee Debits (Voids)	0	0.00
	Deduction	Checks	0
Voided Checks		0	0.00
ACH Vendor Credits		0	0.00
ACH VendorDebits (Voids)		0	0.00
ACH Online Payments		0	0.00
Taxes		EFTPS Payment - Debit	2

WARRANT # 20
 PAID APR 01 2022
 DATE: _____



 SUPERINTENDENT

 FINANCE OFFICER

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