



Town of Mount Desert
Selectboard
Agenda

Regular Meeting
Monday, March 20, 2023

Location: Meeting Room, Town Hall, Northeast Harbor; Meetings will continue to be offered via Zoom see final page for connection details.

Per Maine CDC, COVID transmission rate is MEDIUM; masks are not required, but are recommended for those at risk of severe illness

- I. **Call to order at 6:30 p.m.**
Public please hold comments until the Selectboard Chairman opens the agenda items for public comment. When addressing the Board, state your FULL NAME (both in person and on Zoom). It is suggested that you enter your full name as your ID on Zoom.
- II. **Minutes**
A. Approval of minutes from February 27, 2023 meeting
- III. **Appointments/Recognitions/Resignations**
None presented
- IV. **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.)*
None presented
- V. **Selectboard's Reports**
- VI. **Unfinished Business**
 - A. Discussion of Short-term Rental Ordinance (Noel Musson)*
 - B. Stanley Lane Streetlight update Captain by David Kerns*
 - C. Update on MRC's solid waste processing facility in Hampden by MRC member Tony Smith*
- VII. **New Business**
 - A. Consideration of Stone/Matheson Steamboat Wharf Utility Location Permit*
 - B. Discussion and consideration of an underground installation for the new electrical service lines to the town office building as an alternative to an aerial installation and, if approved, authorize the Fire Chief to sign and execute the change order using project contingency funds to pay for said change order. The new electrical service line installation is part of the NEH fire station expansion project*
 - C. Consideration to release up to \$22,000.00 from the Fire Equipment Reserve account, # 4040300-24471, and authorize the Fire Chief to use such funds for the purpose of purchasing structural firefighting gear*
 - D. Consider amending sections 5.2.4 and 5.3 of the non-union personnel policy as shown in redlined version following memo from Jake Wright, Finance Director*

New Business continued

- E. Review and Sign Ordinance Certifications for May 1 and 2, 2023 Annual Town Meeting
- F. Review and Sign Warrant for May 1 and 2, 2023 Annual Town Meeting

VIII. 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

IX. Treasurer's Warrants

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

Town Invoices	AP#2360	03/21/2023	\$784,423.03
Total			\$784,423.03

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

State Fees & PR Benefits	AP#2358	03/08/2023	\$3,279.53
	AP#2359	03/15/2023	\$45,524.42
Town Payroll	PR#2322	03/17/2023	\$147,446.74
Total			\$196,250.69

- C. Acknowledge Treasurer's Town Voided Disbursements & School Board AP/Payroll Warrants as shown below:

School Invoices	AP#		\$0
School Payroll	PR#19	03/17/2023	\$93,500.47
Voided Disbursements	V#		\$0
Total			\$93,500.47

Grand Total			\$1,074,174.19
--------------------	--	--	-----------------------

X. Adjournment

The next regularly scheduled meeting is at 6:30 p.m., Monday, April 3, 2023 in the Meeting Room, Town Hall, Northeast Harbor

Selectboard Meeting Agenda March 20, 2023

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=RmozZjBOVWhUTQrRXR5QzFEZEEyQT09>

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 BS meeting now has a password.

MINUTES

1 **Town of Mount Desert Selectboard**
2 **Special Meeting Minutes**
3 **February 27, 2023**

4
5 Board Members Present: Chair John Macauley, Geoffrey Wood, Rick Mooers, Martha
6 Dudman

7
8 Board member Wendy Littlefield was not in attendance.
9

10 Town Officials Present: Town Manager Durlin Lunt, Tax Assessor Kyle Avila, Finance
11 Director Jake Wright, Town Clerk Claire Woolfolk, Public Works Director Brian Henkel
12

13 Members of the Public were also present.
14

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

16 Chair Macauley called the Meeting to order at 6:30PM.
17

18 **II. Selectmen's Reports**

19 There were no Selectmen's Reports presented.
20

21 **III. Unfinished Business**

22 *A. Presentation of Service Groups/Non-profit Agency Funding Requests (M-Z)*
23 *Budget FY 2024*

24 **Downeast Community Partners** – Sharon Catus presented. Downeast Community Partners
25 is requesting \$3,187.00. The amount equals 5% of the \$63,000.00 provided in services to the
26 Town of Mount Desert. Downeast Community Partners spans Hancock and Washington
27 Counties.
28

29 Warrant Committee Member Katrina Carter noted the amount is a 48% increase. The
30 increase is approximately 5% across all towns, but that figure varies, depending on the
31 services used per town.
32

33 **Mount Desert Chamber of Commerce** – Sue Spelhof presented. The Chamber of
34 Commerce operates the Town's visitor center. 6400 people visited the center last year.
35 Additionally, the Chamber assists with the Christmas festival and fundraisers. The Chamber
36 serves 131 businesses. The Chamber is asking for \$28,500.00, an increase of \$1,000.00 from
37 last year. The funds will be used for seasonal help.
38

39 Mr. Wood noted the Town finances 50% of the Chamber's cost, plus provides a free
40 building. The dues received are less than the Town provides. Ms. Spelhof explained the
41 Chamber tries to keep the dues affordable. The visitor's center is staffed six days a week in
42 the summer and two days a week in the off-season.
43

44 **Mount Desert Island Campfire Coalition** – Anne-Marie Hart presented. The program
45 provides heating assistance to needy families. Last year 67 households were assisted, 13 of

1 those households in Mount Desert. 97 households have been assisted so far this year. There
2 are no administrative fees; 100% of the funds received go to heating assistance.

3
4 Ms. Carter noticed there was virtually no financial information presented as requested. Ms.
5 Hart explained that the fiscal parent of the program is the Harbor House and there are no
6 administrative costs. This results in very little financial information.

7
8 **Mount Desert Island Historical Society** – Lisa Murray presented. The Historical Society
9 operates two campuses; the school and the Somesville Museum. They care for historic
10 collections and host the 3rd grade classroom program. The society offers historic publications
11 on broader island history.

12
13 The Historical Society is requesting \$15,500.00. This is a significant increase. The funds
14 will be used to maintain the Somesville bridge and museum. Welch Painting provided the
15 cost estimate presented. The Society will pay for replacing windows on the museum
16 building. Additionally, the funds requested will also provide wi-fi to the area and a port-a-
17 potty for the summer season.

18
19 Ms. Carter noted the 3rd grade program is now open to all 3rd graders on the island; will the
20 Historical Society expand their fundraising to reach out to other Towns? Ms. Murray
21 reported that they would not expand to fundraising in other Towns at this time. There are
22 other, similar organizations in other towns and they would be hesitant about encroaching.
23 They do supplement their finances through grants as well.

24
25 **Mount Desert Nursery School** – Sarah Hinckley presented. 60% of the families served by
26 the Nursery School are in Mount Desert. Other towns served are Southwest Harbor and Bar
27 Harbor. The school is asking for funding to assist with necessary capital improvements, door
28 replacement being the primary project. Additionally, food cost has increased.

29
30 Mr. Wood asked if this cost could be offset by tuition. Ms. Hinckley noted the employee
31 salaries are dependent on tuition.

32
33 Warrant Committee member Carmen Sanford noted the school has 22 volunteers; perhaps
34 they could help offset the cost of the door replacement? Ms. Hinckley agreed those
35 volunteers would likely help with the work.

36
37 Some fundraising activities are planned for this year. Additionally, they have applied for
38 grants.

39
40 Mr. Wood asked if the school's request was based on estimates received for the work. Ms.
41 Hinckley explained the school was unable to get an estimate.

42
43 **Mount Desert Nursing Association** – Angela Balacco presented. The Nursing Association
44 is requesting \$35,000.00. This amount is unchanged from last year's request. She pointed
45 out that Bar Harbor received a 60% request increase. The funds go for offsetting costs;
46 Medicare pays the organization .66 on the dollar. The Nursing Association is expanding into

1 Trenton and Lemoine. They engage in fundraising events, and they rely on donors. The
2 Nursing Association has a loan closet for adaptive equipment that is otherwise expensive to
3 procure. 65 of their patients are from Mount Desert.

4
5 Warrant Committee member Jaime Blaine noted the net income included in their financials
6 was a negative number. It was explained that the Nursing Association is doing some
7 financial cleanup. Mistakes were made in past years when the organization was using a
8 patchwork of temporary employees. This year they have succeeded in resolving some bad
9 debt. A new system has been implemented to ensure the organization is collecting what is
10 due in a timely manner.

11
12 **Northeast Harbor VIS** – Jerry Suminsby presented. The VIS is requesting \$5,000.00. This
13 has not changed since last year. The funds go to keeping clear the vistas on Sargent Drive
14 and on the corner of Peabody Drive. A tree service is now required for the work. Yearly
15 expenses run about \$10,000.00 to \$30,000.00 based on the work needed. The organization
16 has some endowments.

17
18 **Pretty Marsh Community Corporation** – Ellie Panco presented. The organization is
19 requesting \$2,500.00 to have a structural assessment of the building done.

20
21 **Seal Harbor VIS** – Christopher Willis presented. The VIS is responsible for Seal Harbor
22 Beach and the Village Green. They have three employees, one full time. Much of the
23 necessary funds are covered by private donations. They are asking for \$55,000.00, which is
24 unchanged from last year.

25
26 **SPCA of Hancock County** – Rhiannon Lewis presented. The SPCA is 100% funded by the
27 community; they receive no state or federal funds. They assist with pet adoption and receive
28 pet surrenders. They offer spay and neuter clinics, micro chipping and nail clipping service.
29 They have a pet food pantry as well. They are requesting \$2,000.00 this year.

30
31 Ms. Carter asked if requests to other towns have also increased. Ms. Lewis noted they
32 requested this amount from Mount Desert last year, but were approved for \$1,000.00. They
33 do not receive support from all Towns.

34
35 **WIC Nutrition Program** – No one was available to present.

36
37 *B. DRAFT Warrant articles for review and votes*

38
39 **Article 3. To see if non-voters shall be allowed, when recognized, to speak during the 2023**
40 **Annual Town Meeting.**

41 MOTION: Mr. Wood moved, with Mr. Mooers seconding, recommending for passage Article 3 titled
42 “To see if non-voters shall be allowed, when recognized, to speak during the 2023 Annual Town
43 Meeting” as presented.
44 Motion approved 4-0.

45
46 **Article 5. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Town of**
47 **Mount Desert Harbor Ordinance” be enacted?**

1 Clerk Woolfolk reminded the Board the only change to the Ordinance was the number of days required
2 for residency, changing from 180 to 183.

3
4 MOTION: Ms. Dudman moved, with Mr. Wood seconding, recommending for passage Article 5 titled
5 “Amendments to the Town of Mount Desert Harbor Ordinance” as presented.
6 Motion approved 4-0.

7
8 **Article 31. To see if the Inhabitants of the Town of Mount Desert will authorize the Board of**
9 **Selectmen, to negotiate and enter into an agreement with the Neighborhood House Club, Inc. for**
10 **management and maintenance of the municipal swimming pool, for a term of one (1) year**
11 **beginning July 1, 2023 under such terms and conditions as the Board of Selectmen, in its sole**
12 **discretion, deems to be in the best interests of the Town.**

13 MOTION: Mr. Mooers moved, with Mr. Wood seconding, recommending for passage Article 31 titled
14 “To see if the Inhabitants of the Town of Mount Desert will authorize the Board of Selectmen, to
15 negotiate and enter into an agreement with the Neighborhood House Club, Inc. for management and
16 maintenance of the municipal swimming pool, for a term of one (1) year beginning July 1, 2023 under
17 such terms and conditions as the Board of Selectmen, in its sole discretion, deems to be in the best
18 interests of the Town.” as presented.
19 Motion approved 4-0.

20
21 **Article 33. Shall the voters of the Town of Mount Desert authorize the Selectboard to negotiate**
22 **and complete the sale of the 2013 ambulance received by the Town by gift of the Northeast Harbor**
23 **Ambulance Service (“NEHAS”) on or about April 26th, 2022 by returning it to NEHAS for \$1**
24 **pursuant to the terms of the gift instrument by which NEHAS donated it to the Town?**

25 MOTION: Mr. Mooers moved, with Ms. Dudman seconding, recommending for passage Article 33 titled
26 “Shall the voters of the Town of Mount Desert authorize the Selectboard to negotiate and complete the
27 sale of the 2013 ambulance received by the Town by gift of the Northeast Harbor Ambulance Service
28 (“NEHAS”) on or about April 26th, 2022 by returning it to NEHAS for \$1 pursuant to the terms of the
29 gift instrument by which NEHAS donated it to the Town?” as presented.
30 Motion approved 4-0.

31
32 **Article 36. To see if the Inhabitants of the Town of Mount Desert will amend the policy adopted**
33 **March 1986 and amended May 4, 2010 and May 3, 2016 and entitled Town of Mount Desert**
34 **Investment Policy as described and deleted through strikethrough markings.**

35 MOTION: Mr. Mooers moved, with Mr. Wood seconding, recommending for passage Article 36 titled
36 “To see if the Inhabitants of the Town of Mount Desert will amend the policy adopted March 1986 and
37 amended May 4, 2010 and May 3, 2016 and entitled Town of Mount Desert Investment Policy as
38 described and deleted through strikethrough markings.” As presented.
39 Motion approved 3-0-1 (Dudman in Abstention).

40
41 **Article 37. To see if the Inhabitants of the Town of Mount Desert will vote to establish a new Debt**
42 **Service Operating Reserve Account. The Selectboard shall be authorized to use funds appropriated**
43 **to the Debt Service Operating Reserve Account to meet the goals of minimizing year to year**
44 **fluctuations in debt service expense and utilizing pro-rata allocation of net interest/dividends within**
45 **the Town’s reserve investment portfolio to subsidize future debt service payments. Said reserve**
46 **may not be used for debt service attributable to enterprise fund(s).**

47 MOTION: Mr. Mooers moved, with Mr. Wood seconding, recommending for passage Article 37 titled
48 “To see if the Inhabitants of the Town of Mount Desert will vote to establish a new Debt Service
49 Operating Reserve Account. The Selectboard shall be authorized to use funds appropriated to the Debt
50 Service Operating Reserve Account to meet the goals of minimizing year to year fluctuations in debt

1 service expense and utilizing pro-rata allocation of net interest/dividends within the Town’s reserve
2 investment portfolio to subsidize future debt service payments. Said reserve may not be used for debt
3 service attributable to enterprise fund(s).” as presented.
4 Motion approved 3-0-1 (Dudman in Abstention).
5

6 **Article 57. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the**
7 **Selectboard to transfer up to two hundred and fifty thousand dollars (\$250,000) from the Capital**
8 **Gains Reserve Account #400-24202 to reduce the 2023 – 2024 tax commitment. The exact amount,**
9 **as limited by the aforementioned maximum value, shall be determined by the Selectboard’s timely**
10 **assessment of current and expected market conditions.**

11 MOTION: Mr. Wood moved, with Mr. Mooers seconding, recommending for passage Article 57 titled
12 “To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to transfer
13 up to two hundred and fifty thousand dollars (\$250,000) from the Capital Gains Reserve Account #400-
14 24202 to reduce the 2023 – 2024 tax commitment. The exact amount, as limited by the aforementioned
15 maximum value, shall be determined by the Selectboard’s timely assessment of current and expected
16 market conditions.” As presented.
17 Motion approved 4-0.
18

19 **Article 59. To see if the Inhabitants of the Town of Mount Desert will vote to ratify the overdraft**
20 **that occurred in Public Works for the year ended June 30,2022, in the amount of \$42,183.37. Said**
21 **overage was primarily caused by expenditures in Department 515, Waste Management exceeding**
22 **budgeted expectations by \$48,215.62 and Department 520, Buildings & Grounds exceeding**
23 **budgeted expectations by \$18,125.51. The overdraft was charged to the Undesignated Fund**
24 **Balance. Total appropriations for departments 501, 515, 520, 525, and 530 Highways, Waste**
25 **Management, Buildings & Grounds, Parks & Cemeteries, and Environmental Sustainability for the**
26 **fiscal year ended June 30, 2022 were \$2,729,726 and total expenditures recognized in said fiscal**
27 **year amount to \$2,771,909.37.**

28 MOTION: Mr. Mooers moved, with Mr. Wood seconding, recommending for passage Article 59 titled
29 “To see if the Inhabitants of the Town of Mount Desert will vote to ratify the overdraft that occurred in
30 Public Works for the year ended June 30,2022, in the amount of \$42,183.37. Said overage was primarily
31 caused by expenditures in Department 515, Waste Management exceeding budgeted expectations by
32 \$48,215.62 and Department 520, Buildings & Grounds exceeding budgeted expectations by \$18,125.51.
33 The overdraft was charged to the Undesignated Fund Balance. Total appropriations for departments 501,
34 515, 520, 525, and 530 Highways, Waste Management, Buildings & Grounds, Parks & Cemeteries, and
35 Environmental Sustainability for the fiscal year ended June 30, 2022 were \$2,729,726 and total
36 expenditures recognized in said fiscal year amount to \$2,771,909.37.” as presented.
37 Motion approved 4-0.
38

39 **Article 61. To see if the Inhabitants of the Town of Mount Desert will vote to amend**
40 **appropriations for department 801 Debt Service within the general operating fund for the fiscal**
41 **year ending June 30, 2023 from \$1,736,705 to \$1,746,000. The difference in original and revised**
42 **appropriations will be charged to the Undesignated Fund Balance, subject to actual variance(s) in**
43 **audited activity. Such amendment in appropriations is necessitated primarily by the difference in**
44 **interest expense budgeted for and actually incurred for Bond Series 2018 Road Projects.**

45 MOTION: Mr. Wood moved, with Mr. Mooers seconding, recommending for passage Article 61, titled
46 “To see if the Inhabitants of the Town of Mount Desert will vote to amend appropriations for department
47 801 Debt Service within the general operating fund for the fiscal year ending June 30, 2023 from
48 \$1,736,705 to \$1,746,000. The difference in original and revised appropriations will be charged to the
49 Undesignated Fund Balance, subject to actual variance(s) in audited activity. Such amendment in
50 appropriations is necessitated primarily by the difference in interest expense budgeted for and actually

1 incurred for Bond Series 2018 Road Projects.” as presented.
2 Motion approved 4-0.

3
4 **Article 72. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and**
5 **appropriate for Department 801 Debt Service for the 2023 – 2024 Town Budget.**

6 MOTION: Mr. Mooers moved, with Mr. Wood seconding, recommending for passage Article 72 titled
7 “To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for
8 Department 801 Debt Service for the 2023 – 2024 Town Budget.” As presented.
9 Motion approved 4-0.

10
11 **Article 74. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and**
12 **appropriate for Department 991 Capital Improvement Plan transfers for the 2023 – 2024 Town**
13 **Budget.**

14 MOTION: Mr. Mooers moved, with Mr. Wood seconding, recommending for passage Article 74 titled
15 “To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for
16 Department 991 Capital Improvement Plan transfers for the 2023 – 2024 Town Budget.” As presented.
17 Motion approved 4-0.

18
19 **IV. Other Business (Addendum items may be considered at the Selectboard’s**
20 **discretion via majority vote to do so under Other Business or out of order.)**

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

22 There was no Other Business.

23
24 **V. Adjournment**

25 MOTION: Mr. Mooers moved, with Mr. Wood seconding, to adjourn.
26 Motion approved 4-0.

27
28 The Meeting adjourned at 7:28PM.

29
30
31 Respectfully Submitted,

32
33
34
35 Geoffrey Wood

UNFINISHED BUSINESS

MEMO

To: Durlin Lunt, Jr., Town Manager
From: Tony Smith, Member, MRC Board of Directors
Re: Update on the MRC-owned Municipal Solid Waste Processing Facility located in
Hampden, Maine
Date: March 16, 2023

On March 8, 2023, representatives of the MRC and the State's Environment & Natural Resources Committee met to discuss the history, status and needs of the referenced subject and its relevancy to the MRC membership area. A PowerPoint (PPT) presentation was provided to those in attendance, a copy of which is enclosed with this memo. Also included is a brief of the information used in conjunction with the slides in the PPT presentation. This information gives a very good, concise summary of where we were and where we are now.

The PPT slides are not numbered. To be able to cross-reference the notes to the slides, I have included them by their numerical order in the brief as they appear in the PPT just ahead of the discussion points associated with them.

I will be available Monday to participate in the meeting.

Enc.
cc. Claire Woolfolk, Town Clerk

MRC Environment & Natural Resources Committee Briefing March 8, 2023

The following is information that was presented by representatives of the MRC to the State's Environment & Natural Resources Committee on March 8, 2023. This written material was presented in conjunction with a PowerPoint presentation, a copy of which is enclosed. The PowerPoint slides are not numbered so I have identified them as shown below along with the title of each slide.

1. Slide 1: Municipal Waste Solutions, Hampden, ME

2. Advanced Recycling and Waste Processing for Central, Northern, and Central Maine

3. Slide 2: Introduction and history

- Karen Fussell, MRC President
- Mike Carroll, MRC Executive Director

4. Good morning, thank you so much for having us here. My name is Karen Fussell. I am the President of the Municipal Review Committee Board of Directors. With me today is MRC's Executive Director Mike Carroll.

5. Our plan today is for me to take about 15 or 20 minutes to provide a broad overview of the situation with the \$80 million advanced recycling and waste processing facility in Hampden and then bring in Mike, who knows more about the facility than anyone, to help answer any specific questions you may have.

6. We are here today to introduce you to our organization and educate you on the Hampden facility's critical role in waste management and landfill diversion in central, eastern, and northern Maine.

7. We will explain why the plant was developed in the first place, how it recycles and repurposes waste, why it closed in May of 2020, and how the factors that led to its closure no longer exist. We'll tell you about the efforts to restart the facility and the negative environmental and economic implications if the plant is not re-opened.

8. But most importantly, we are here to ask for your help. As you will hear, MRC is finally in the driver's seat with regard to the future of the facility, but our efforts to secure private sector funding to restart it have not yet succeeded and we are running out of time to return its 180,000 tons per year of waste processing capacity to a part of the state that desperately needs it.

9. We are not looking for a handout. Rather, we are looking for assistance in securing a loan, which we will be able to pay back with interest once the plant is up and running.

Slide 3: Municipal Review Committee

10. First, let me tell you who we are.
11. The Municipal Review Committee is a nonprofit that manages waste disposal for 115 towns and cities stretching from Lincoln County to Aroostook and Washington Counties. We've provided a copy of our member map in your packet.
12. Since its inception 32 years ago, MRC's mission has been to provide long term, affordable, environmentally sound disposal of our members' waste.
13. A few of you may remember the circumstances back in the early nineties that led to MRC's formation. PERC, the privately developed waste to energy incinerator in Orrington, had opened in 1988, but quickly found itself in financial distress, declaring the need for higher tip fees to remain solvent. Towns and cities, who all had individual 30-year contracts with PERC, realized they could be much more effective working together, and MRC was formed.
14. PERC operated successfully for many years with MRC support, buoyed financially by a favorable power sales agreement worth over \$10 million annually. As the 2018 expiration date of the power purchase arrangement and our members' waste contracts approached, MRC looked to the future.

15. Slide 4: History of the Hampden Facility

16. MRC's goal was to move our region to the next generation of waste management and higher on Maine's solid waste hierarchy—to a model that would substantially increase recycling and diversion from landfills. One that would rely on less waste and be more appropriately sized to our needs.
17. PERC's private partners, however, did not share this vision and were not interested in looking at new ways to operate, preferring instead to pursue government subsidies and tip fee increases to support the status quo.
18. This led MRC to undertake a solicitation process for alternative waste processing technologies that resulted in the construction of the facility in Hampden.

19. Slide 5: Process schematic

20. The \$80 million plant is designed to divert 70-80% of incoming waste from landfill by removing recyclables from MSW at the front end, creating pulp and other commodities out of fiber waste and other residuals, and converting organics into biogas.
21. This rough schematic gives you a sense of the set up, but photos of the facility and its equipment show you its real heft and scale.

22. **Slide 6: Here is the 144,000 sq ft building.** You can see the admin offices in the lower right and the truck scales and anaerobic digestion tanks to the left.

23. Slide 7: Front end – Materials Recovery Facility (MRF)

24. Inside, the front end MRF uses optical sorters and other mechanical processes to separate the waste into various commodity streams.

25. Slide 8: Tip Floor

26. Tip floor where the MSW is dumped upon delivery to the facility.

27. Slide 9: Mechanical Separation

28. Material separation by mechanical means for processing.

29. Slide 10: Baled recyclables

30. Baled recyclables: plastics on the left and cardboard on the right.

31. Slide 11: Trailer load of pulp

32. Waste fiber like diapers, paper towels, and food covered pizza boxes too contaminated for traditional recycling get sent to the pulper. Here you can see the end product.

33. Slide 12: Pulp & Plastic Fuel Briquettes

34. Pulp (on the left) produced from soiled paper and cardboard and plastic fuel briquettes (on the right) made from recovered saran wrap and garbage bag type materials.

35. Slide 13: Organic slurry & Anaerobic digestion tanks

36. Wash water laden with organics is sent to the anaerobic digester and converted into biogas.

37. Slide 14: Air scrubbers and digestion tanks & Biogas flare

38. A recent tour of the plant showing air scrubbers, anaerobic digestion tanks and a biogas flare.

39. Slide 15: Why did the plant close?

40. The facility began accepting waste from MRC members in 2019 and operated at a commercial level for seven months before shutting down in May 2020. During that time, the plant passed its performance tests and demonstrated this new waste processing concept could work. In these startup months it produced diversion rates of over 50%—keep in mind that the State average is around 30%—and demonstrated it was capable of much higher.

41. The plant was on the cusp of moving to higher diversion levels when the owners ran out of money. There were four primary factors that led them there:
1. Construction of the facility took longer and cost more than anticipated.
 2. The drastic drop in recycling markets brought on by China's National Sword program.
 3. Lack of a MDEP permit to sell the pulp the facility produced, which meant the pulp was a cost rather than an income source—and pulp makes up about a third of what the plant produces.
 4. The final nail in the coffin was the inability of the owners to close on a \$10 million loan to implement a targeted profit improvement plan, pay some creditors, and have sufficient working capital until the PIP was complete. The onset of COVID and concerns about management caused the bondholders to pull out of the deal at the 11th hour.
42. In the end, the owners were undercapitalized and did not have the appropriate cash reserves to weather these issues.
43. So, in the summer of 2020, the senior creditor—the bondholders, who were owed \$52 million—placed the Hampden facility in receivership for the purpose of finding a new owner. It is an understatement to say that the bondholders did not feel the sense of urgency we did, and the process took two very long years to complete.

44. Slide 16: MRC takes over

45. Even though we didn't own it, MRC secured and took care of the facility during this period. It was only last August (TS: 2022) that MRC finally gained ownership of the plant.
46. Overall, MRC and its members have invested over \$13 million in the Hampden facility. This includes purchase of the land, development of the road and utilities, maintaining the plant these last three years so it could be reopened, and the \$1.5 million cost to purchase the facility from the bondholders.
47. On the plus side, we now own processing equipment that operated for seven months that is assessed by the Town of Hampden at \$27 million, a 144,000 sq foot building assessed at \$11 million, and land assessed at \$300,000, but that we estimate is worth closer to \$2 million since it is now developed for industrial use with road access and utilities.
48. Our problem is that we are quickly running out of time to access the \$20 million we estimate will be needed to restart the plant. Our hope had been to find private sector funding; however, to date that has not succeeded, and if MRC does not have a defined path within the next 2-3 months, we will be forced to sell the facility to someone who will not use it to process waste and our 115 member communities will need to seek other arrangements for waste disposal.

Slide 17: We don't want this (landfilling)

49. The problem is that those other arrangements mean landfilling for most, if not all, of our 115 members' 110,000 tons of waste for the foreseeable future. The alternatives to landfill—in our region and across the state—are limited. PERC, the incinerator in our area, no longer has the capacity to accommodate our volume of waste and they themselves have not processed waste since November. The State's other incinerators—ecomaine in Westbrook and MMWAC in Auburn—are also at capacity.

50. Slide 18: What is the difference now?

51. MRC is confident the Hampden facility will work and will make money once it is up and running. Multiple independent engineering reviews have confirmed this. And the factors that led to the plant's closure no longer exist.

52. For one, the facility is no longer saddled with \$80 million in debt that needs to be repaid, with interest.

53. Two, the recycling markets have rebounded.

54. Three, the facility now has the DEP permit to sell the pulp, so 30% of the plant's product will be a revenue item rather than an expense.

55. Four, MRC has the expertise needed and has identified well qualified operators to restart and run the facility.

56. Lastly, MRC understands the restart financing needs to include sufficient working capital to get through the 18-24 months it will take the facility to achieve profitability.

57. Slide 19: The search for funding

58. Because we believe in this facility—seen it in action and know that it works— MRC has been doing everything in its power to get it reopened. While we have talked with numerous state and federal agencies, commercial lenders, and even our own members about funding, our focus from the outset has been to seek private investment rather than rely on governmental support.

59. We are just wrapping up our fifth solicitation process seeking proposals to restart the plant. During the first three, the bondholders were in control but they were prone to inaction and the plant was weighed down by a complex legal ownership structure, significant debt, and a long list of creditors.

60. Since MRC bought it out of receivership in August and cleared it of most of its liabilities, we have conducted two solicitations. After the first one last summer, MRC entered into an exclusive agreement with Revere Capital Advisors, a New York private investment firm, to partner with the MRC and reopen the plant. Although the firm expended significant effort

and resources to pursue the partnership, they missed multiple closing deadlines and, ultimately, could not provide proof they had access to the full amount of funding needed to restart the facility. Revere's exclusivity lapsed at the end of January, and MRC immediately began another round of solicitation.

61. Our board meets later (TS: March 8, 2023) today to evaluate whether any of the latest proposals received are viable. However, even if the board votes to explore a partnership with another entity, MRC must simultaneously pursue an alternate source of funding in case the private sector option does not yield results. MRC is down to the end of its resources and if a path to restart funding is not clear by early summer, we will be forced to liquidate the facility. Our time is running perilously short.

62. Slide 20: MRC's loan access challenge

63. As I stated at the beginning, MRC is not in need of a handout. Our projections show the facility will be able to repay principal and interest on a loan. Our challenge, however, is getting access to one.

64. We all know that lenders require collateral to secure a loan. They need to have a way to recoup their funds if the borrower cannot repay them. This is true whether you are dealing with a commercial bank or a federal or state loan program such as through USDA Rural Development, the Finance Authority of Maine, or the Maine Municipal Bond Bank.

65. The way lenders confirm that your proposed collateral provides sufficient coverage in the case of the loan default is through an appraisal. However, this has proven to be a major roadblock for us.

66. For one, an appraisal of a facility like ours would be expensive—in the hundreds of thousands. Two, such an appraisal would take a significant amount of time, which we don't have—upwards of 8 months--in part because there are very few people in the US that would be qualified to conduct such an appraisal due to the facility's uniqueness.

67. And because the facility is unique and not operating, there is uncertainty over the value an appraisal might confirm. The bondholders sold it to MRC for \$1.5 million. They were owed \$52 million. Would they have done that if they could have gotten substantially more money selling it another way?

68. The value is undoubtedly higher now that the facility and the land are owned by the same entity (the MRC), but is it fully enough to collateralize a \$20 million loan? Probably not.

69. When the plant was operating, an appraisal would have included a fairly straight forward cash flow analysis with appropriate Present Value calculations, and assumptions about the existence of markets the plant can support with the products it makes. But with the plant not running, a lender cannot reasonably rely on future revenue from operation to support a loan.

70. MRC has discussed seeking an appraisal several times over the last three years, however, with our extremely limited resources, we could not justify that outlay given the uncertainty of the outcome and the length of time involved.

71. Slide 21: Restart funding

72. An alternative to securing a loan using the facility as collateral is to obtain the pledge of a government to guarantee payment of the loan.

73. This approach has a number of advantages, including the fact that it requires no cash appropriation up front. The guarantee simply acts as a backstop down the road in the unlikely event that some portion of the debt not be paid back. A governmental full faith and credit pledge would also encourage favorable loan rates because it is considered very secure.

74. The MRC has considered asking its members to collectively provide this credit backing; however, like the issue of the appraisal, practically speaking, it has not been viable.

75. Between the legislative and voter approval processes required by each community, not to mention the education and outreach on the issue that would be needed, such an undertaking would require a minimum of 6 months.

76. More importantly, it was not possible to pursue a member ownership model at the same time as we were working with private investors.

77. So, we find ourselves at a critical juncture and here today seeking support for a solution. Could the state help MRC access a loan for \$20 million?

78. This chart shows the rough breakdown of funds and the timeframe in which we expect they would be needed.

79. There is a need to stem the flow of waste to landfills in the northern half of the state, and we have a facility in Hampden poised to address that need.

80. In closing, I would just like to say that MRC and its volunteer board has never worked harder for its members and the future of waste disposal in our region than we have over the last three years. We would not be fighting for this plant if there were an easier or better long term solution to our region's waste problem. We stand behind it because we know the technology works and can provide recycling and waste processing that will be cost-effective for our members and help the state achieve its solid waste diversion goals.

81. Slide 22: Thank you for your time

82. Questions?

Municipal Waste Solutions

Hampden, ME

Advanced Recycling and Waste Processing
for Central, Northern and Eastern Maine



Karen Fussell, MRC President Mike Carroll, MRC Executive Director

- ▶ Who is the MRC?
- ▶ Origin of the Hampden facility
- ▶ How the plant recycles
- ▶ Why the plant closed
- ▶ Efforts to restart the plant
- ▶ Consequences should plant not reopen
- ▶ MRC's plan

Municipal Review Committee

Ensuring affordable, long term, and environmentally sound disposal of MSW

- ▶ Formed by Maine towns in 1991
- ▶ Born out of PERC's startup crisis
- ▶ Represents 115 communities from Wiscasset to Jonesboro
- ▶ One employee
- ▶ Volunteer board of directors
- ▶ Nonprofit

History of the Hampden Facility

2010: MRC and PERC begin discussing contract extension beyond 2018.
MRC begins review of emerging technology.

2011: PERC owner floats proposal for 15 year extension at over \$100 per ton.
MRC requests alternatives.

2013: MRC solicits proposals for alternative waste processing technologies.
PERC owner declines to participate.

2014: MRC reviews 15 proposals, visits 5 facilities.

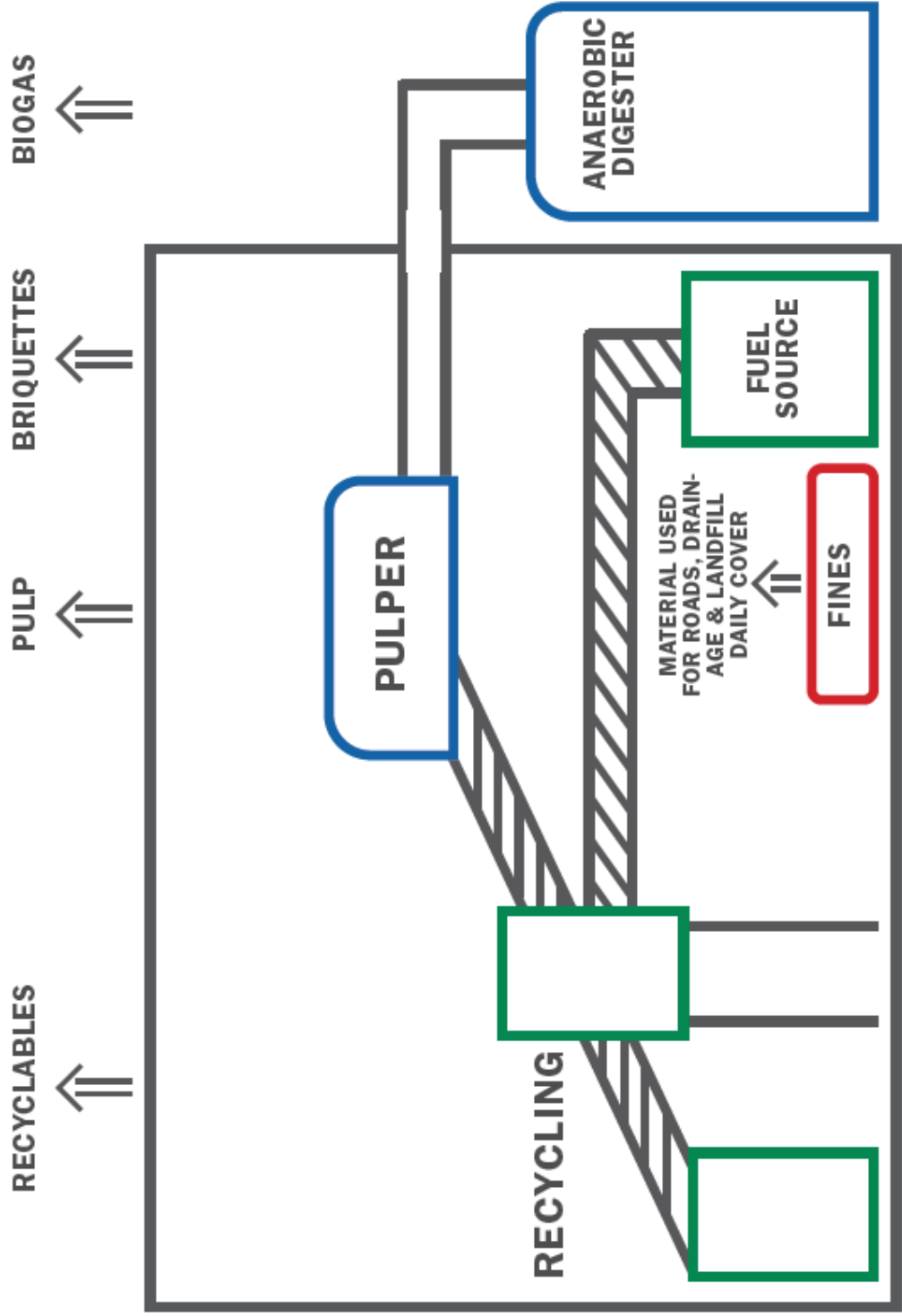
2015: MRC and Fiberight sign development agreement.

2016: Fiberight closes on financing and begins construction.



THE SITE: 95 acres
THE FACILITY: 144,000 sf building
 MSW processing equipment & tankage
 Modular office space
CONSTRUCTED: 2018
THE COST: \$80 million (\$52M debt; \$28M equity)

COMMERCIAL OPERATIONS: Nov. 1, 2019 thru May 27, 2020
PURCHASED BY MRC: August 10, 2022
MRC PURCHASE PRICE: \$1.5 million
CURRENT PLANT DEBT: 6 liens (settlement agreements are in place w/ all)





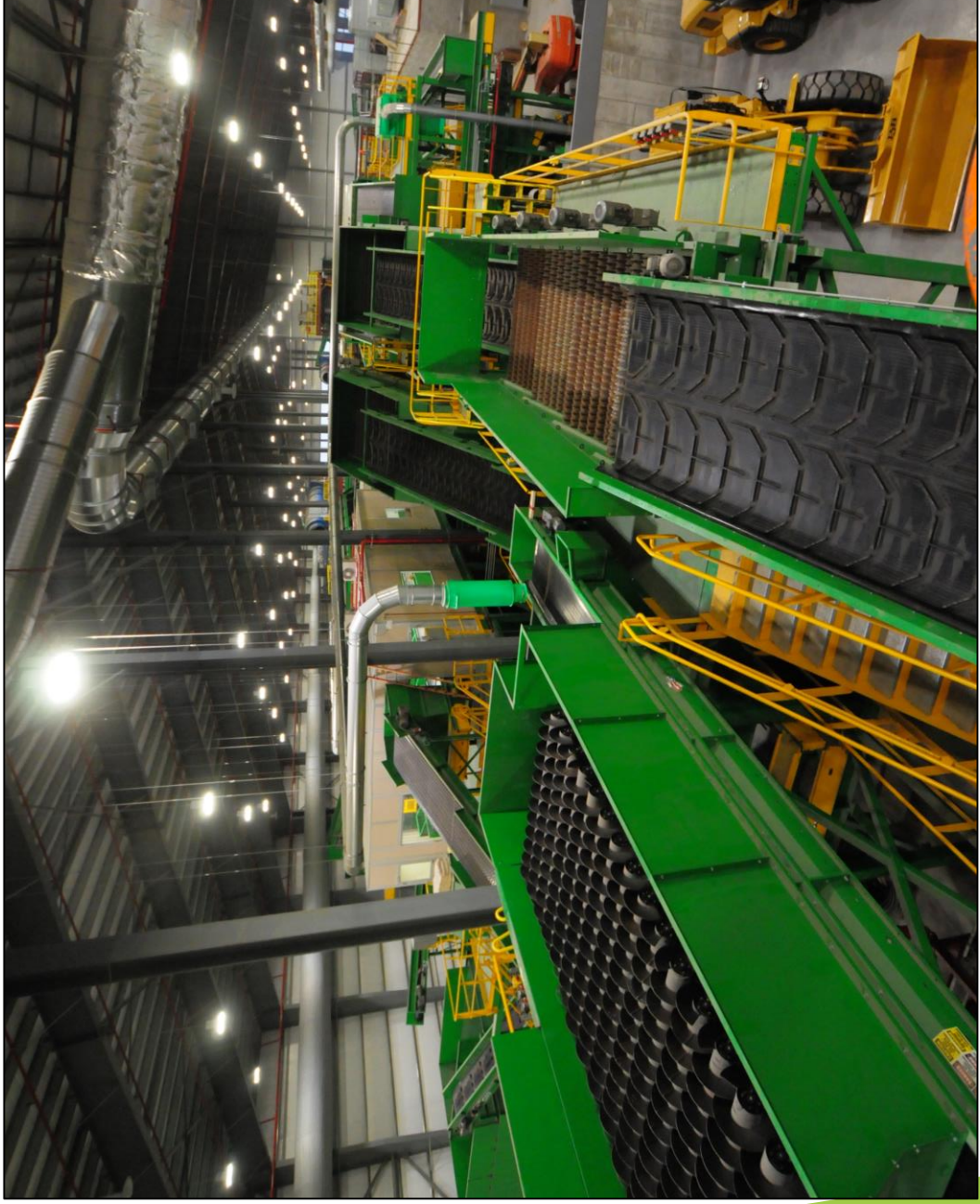
Front end - Materials Recovery Facility (MRF)



Tip floor



Mechanical separation



Baled recyclables



Trailer load of pulp



Pulp



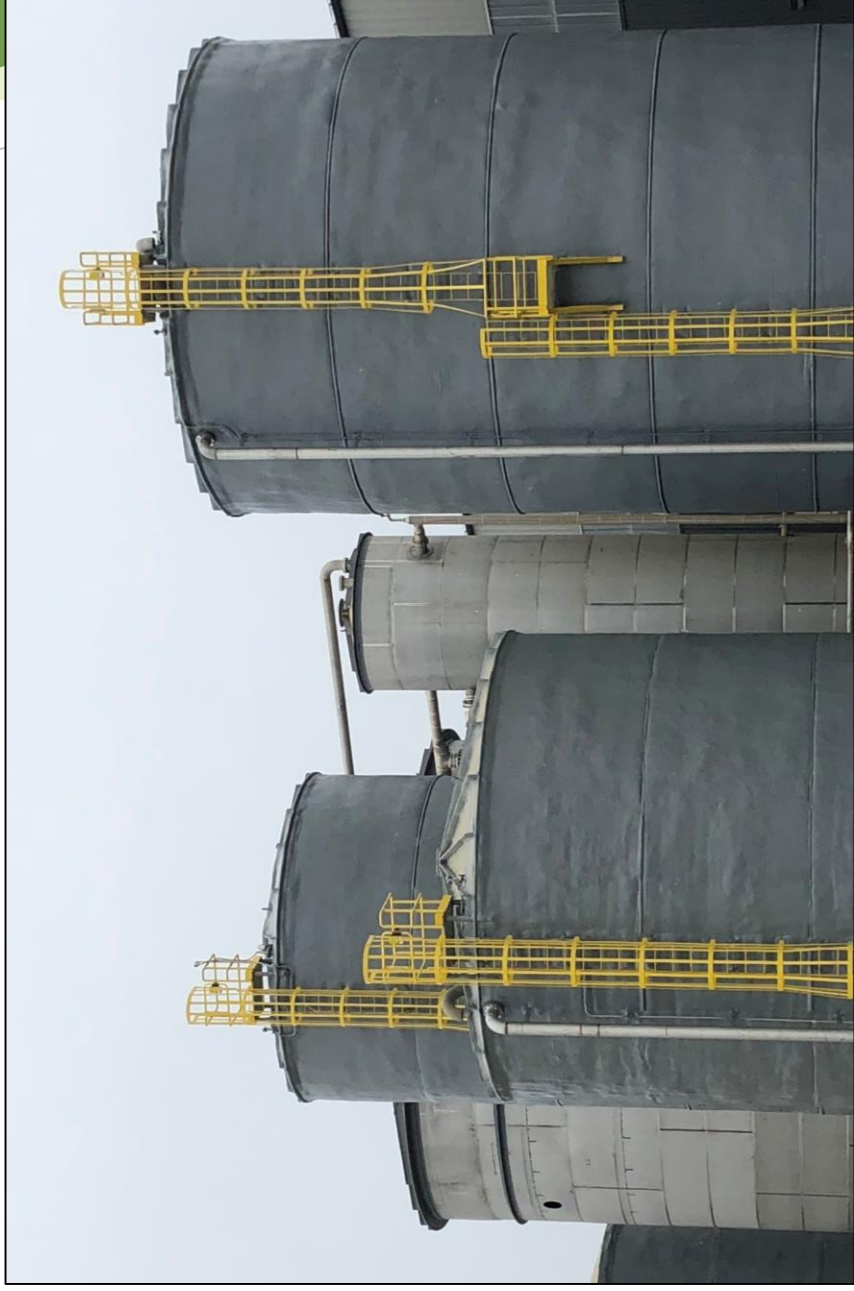
Plastic Fuel Briquettes



Organic slurry



Anaerobic digestion tanks



Air scrubbers and digestion tanks



Biogas flare



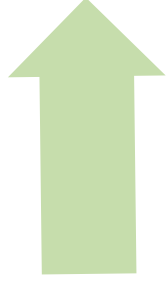
Why did the plant close?

- ▶ Construction delays and cost overruns
- ▶ Collapse of world recycling markets
- ▶ Lack of MDEP permit to sell pulp
- ▶ Key loan pulled at the last minute
- ▶ Lack of cash reserves to weather the challenges

MRC takes over

MRC
secures
facility

+



MRC
member
investment
to date
\$13m

Assets*
\$27m equipment
\$11m building
\$300k land

*Town of Hampden assessed values

We don't want this



What is different now?

Factors Leading to Closure	Now
Construction cost overruns/ high debt load	No equity or bondholder debt/ just 6 liens (settlements in place)
Collapsed recycling markets	Recycling markets reestablished
Lack of MDEP permit	MDEP permit received
Poor oversight / lack of facility general manager	MRC has the expertise and will take active role in oversight

The search for funding

- ▶ Private investment focus rather than government support
- ▶ 5 solicitation processes since 2020
 - ▶ 3 while under plant was in receivership
 - ▶ 2 since MRC gained control in August 2022
- ▶ Loan needed if private option not successful

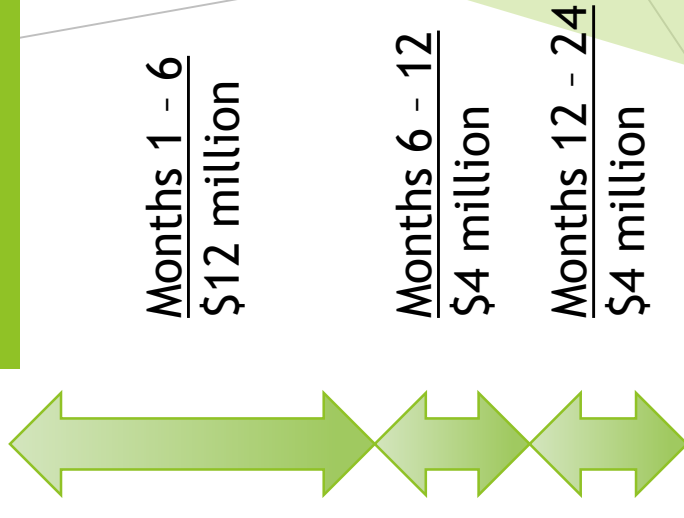
MRC's loan access challenge

- ▶ Need to secure the loan - collateral vs. loan guarantee
- ▶ Appraisal of Hampden facility asset is problematic
 - ▽ High cost (est. up to \$250k)
 - ▽ Long time to complete (est. 6-8 months)
 - ▽ Unique facility (few appraisers, no easy comps)
 - ▽ Value unlikely to match loan need
- ▶ Governmental credit pledge to guarantee a loan
 - △ No cash from guarantor required up front
 - △ Acts as backstop if portion of debt repayment is not fulfilled
 - △ Value of facility would lower potential liability
 - △ Would enable MRC to access loan at a favorable rate

Restart funding

Amount	Use
\$ 1,000,000	Redevelopment costs-design/engineering/procurement, permitting, finance acquisition
\$ 4,000,000	Restart costs-labor and outside services prior to COD + initial materials, rentals, utilities, etc
\$ 8,000,000	Profit Improvement Plan capital upgrades
\$ 4,000,000	Cash flow to cover losses until profitability
\$ 3,000,000	Contingency
\$20,000,000	

Estimated Timing



Thank you for your time!

Questions?

www.mrcmaine.org

execdirector@mrcmaine.org

kfussell@brewervermaine.gov

NEW BUSINESS



Memorandum

To: Board of Selectmen
From: Brian Henkel, Public Works Director
Re: Stone/Matheson Steamboat Wharf Utility Location Permit
Date: March 16, 2023

G.F. Johnston & Associates (Engineer) have submitted a Utility Location Permit Application (Application) on behalf of Finley B Matheson Et Al and Las Piedras LLC. The Application is to relocate existing power and communications lines from their current overhead location to an underground location within the Steamboat Wharf Road Right of Way as described within the letter, Application, and design plans from G.F. Johnston & Associates dated February 24, 2023 and included with Agenda Item VIII A on the Town of Mount Desert Board of Selectmen Agenda dated March 20, 2023. The Town requires Utility Location Permits when locating utilities within Town Rights-of-Way. The Permit application process allows the Town to assess the proposed utility work to ensure conformance with Town standards.

The Engineer has met and discussed this Application with Public Works on multiple occasions and has provided adequate information in the Application. Public Works recommends approval of the Permit.

Cc: Durlin Lunt, Town Manager
Ben Jacobs, Highways Superintendent
Claire Wolfolk, Town Clerk



G.F. Johnston & Associates
*Civil Engineers and
Land Use Consultants*

12 Apple Lane, P.O. Box 197 Southwest Harbor, Maine 04679
207-244-1200 Phone /Fax

February 24th, 2023

Board of Selectman
Brian Henkel-Public Works Director
21 Sea Street
PO Box 248
Northeast Harbor, ME 04662

RE: Stone/Matheson Steamboat Wharf Utility Location Permit
LUO Section 3.4
Roadside Distribution Less than 34.5 kva


Dear Mr. Chairman, Members of the Board and Mr. Henkel:


We have attached a completed utility location permit application for your review. The project is the relocation of the existing overhead power and communication lines to below grade along the applicants' west property lines. The properties are south of the Town's lift station on Steamboat Wharf Road and extend to the north side of the Yacht Club. The applicant's properties sit high above the road. The power and communication lines are even with the eye when looking out to the Harbor from the owners' residences. The proposal is to bury approximately 400 feet of power lines from Matheson's north line to the Stones south line. The power lines would rise up above grade at an existing pole on the east side of Steamboat Wharf Road opposite the Yacht Club. There are no individual services connections between the two properties, thus no need for intermediate structures. The buried lines will be encased in concrete and will be continuous without interruption from pole to pole below grade. Once the lines are below grade the poles and wires can be removed. We have coordinated fully with the power and communication providers in the area (Versant Consolidated and Spectrum). We have met them several times onsite and solicited their feed back in developing the attached plan. There is an existing pole along the route that is planned to be removed which contains a streetlamp. The lamp will be reset on a black lamp pole (not a power pole) at a similar height as it exists today.

The end result of the project will be the removal of the visual nuisances but also the vehicle and plowing challenges the poles create in this stretch of Steamboat Wharf Road. The timing of this project is planned such that the conduits may be installed this winter prior to the paving planned in the spring. We will be available at the next regularly scheduled Board of Selectman meeting to answer any questions you may have. We thank you in advance for the time you will spend in consideration of this request.

Sincerely,

Greg Johnston P.E.
Registered Civil Engineer
G.F. Johnston & Associates

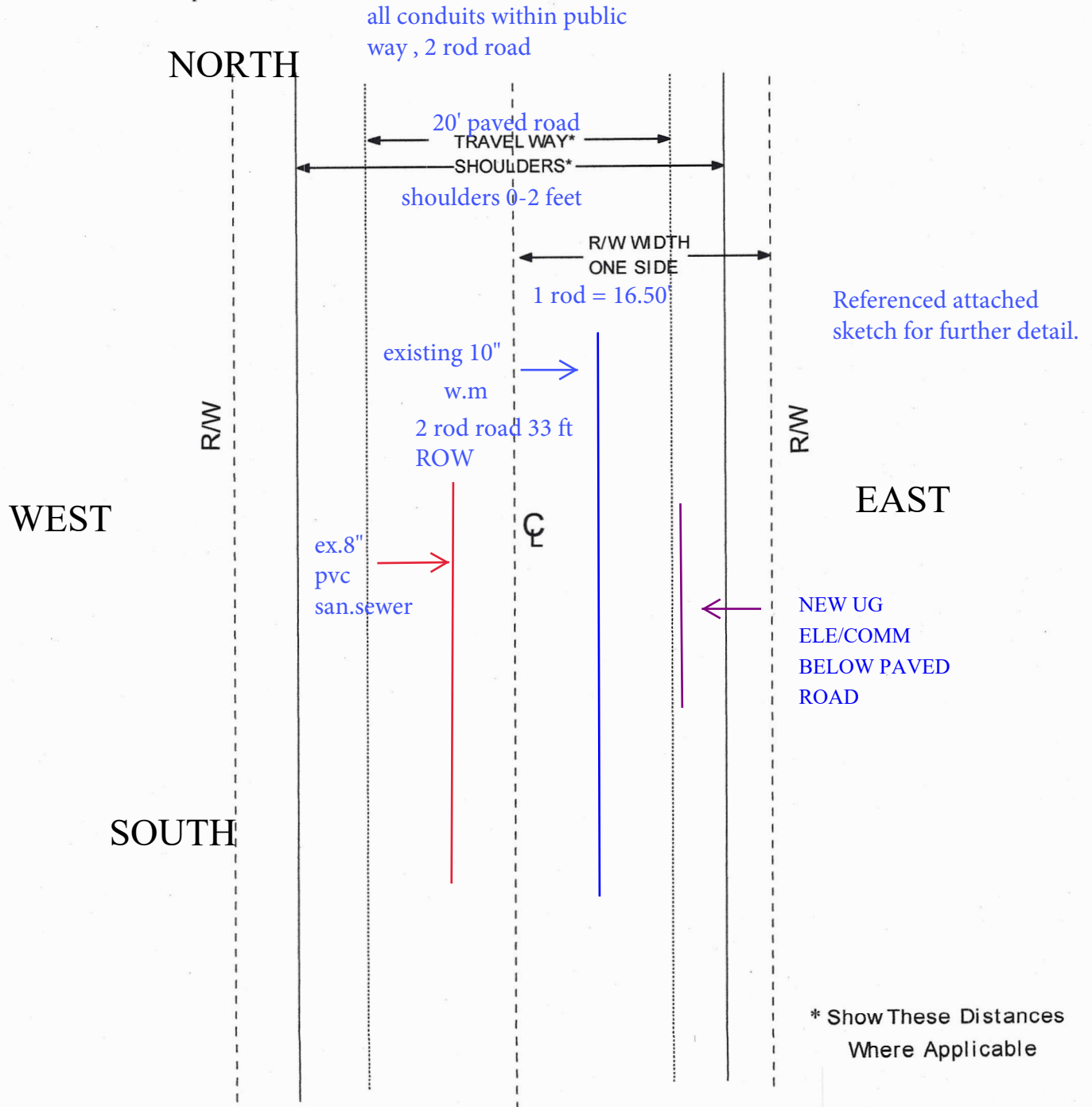
Utility Location Permit Application		Town Use: Permit Number
Town of Mount Desert		
Property Owner (Applicant) Information:		
Name Finley B Matheson Et Al, Trustee Michael and Anne Matheson		
Phone	Cell 352-205-3859	E-mail mathesonlucie@aol.com
Local Street Address 7 New County Road		
Village Seal Harbor	Mailing Address: P. O. Box 1045	
Town	Mount Dora, Florida 32756	State ME 04675 de
Permit Applicant Information if Not Owner e.g. Agent for Owner:		
Name G. F. Johnston & Associates, Consulting Civil Engineers (Agent)		
Phone 207-244-1200	Cell 207-460-6153	E-mail greg@gfjcivilconsult.com
Local Street Address PO Box 197		
Village		
Town Southwest Harbor,	State ME	Zip Code 04679
Proposed Installation (sketch next page)		
Work to be undertaken in Village of Seal Harbor		
Street Name Steamboat Wharf Road		
Type of Work (sewer, water, cable, I-net, etc.,) Underground Power and Communication Line		
Minimum Depth of Cover Over Asset 36"		
Maximum Pressure (PSI, if applicable) N/A		
GPS Coordinates (Optional):	Latitude (decimal)	Longitude (decimal)
Starting Point	44 degree 17'38" N	68 degree 14'16" W
Ending Point	44 degree 17'35" N	68 degree 14'14" W
Expected Construction Schedule Start April 2023 Completion June 1, 2023		
Location Description: On (street name) <u>Steamboat Wharf Road</u> , beginning at a point approximately (a distance, including units) <u>950 feet</u> <u>feet/miles</u> <u>south</u> (north, south, east, west) from <u>of fountain, 60' south of Library</u> (a reference point e.g. pole with number, intersection, hydrant, etc.) and extending in a <u>south</u> (north, south, east, west) direction for a distance of <u>400 feet</u> (a distance, including units) <u>feet/miles.</u> to a point east of Yacht Club on Steamboat Wharf Road		
By signing this for Utility Location Permit Application, the undersigned hereby certifies/understands: a) that he/she is a duly authorized agent/representative of the entity identified above ("Applicant"); b) that, to the best of their knowledge, the information provided herein is true and accurate; c) they are responsible for contacting all other utilities in the area, Dig Safe and all entities that might have assets in the proposed excavation area; d) should the Town decide that it needs the location approved by the permit for its own assets, the Applicant shall move, adjust or relocate the asset described herein at the Applicants own cost and; e) that the Applicant will maintain its facilities in accordance with the Town of Mount Deserts applicable ordinances and all other applicable laws.		
Signature		Date 2/24/23
Printed Name Gregory F. Johnston		

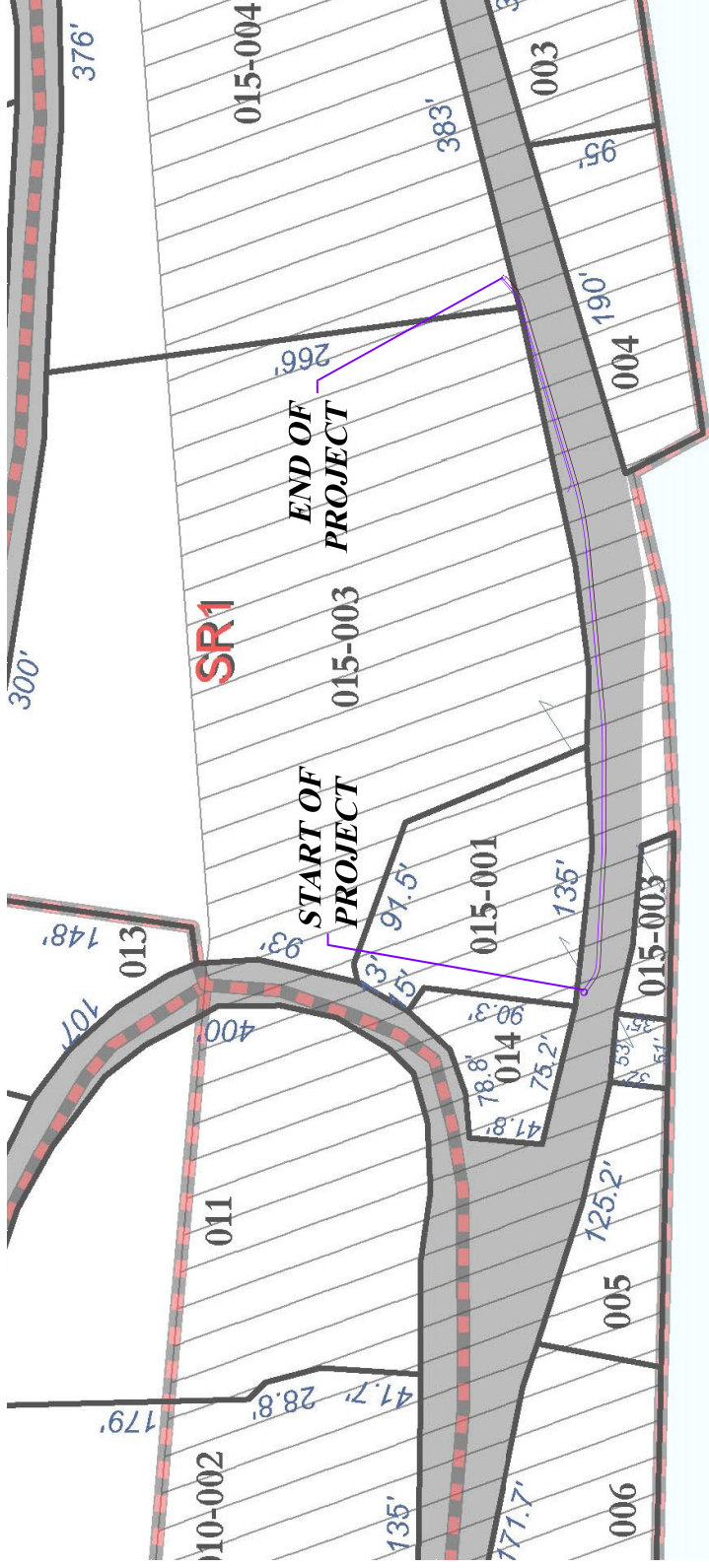
Utility Location Permit Application		Town Use: Permit Number
Town of Mount Desert		
Property Owner (Applicant) Information:		
Name	Las Piedras LLC, C/O Jessie Stone	
Phone	Cell 1-917-282-7354	E-mail jessie@softpowerhealth.com
Local Street Address	9 New County Road	
Village	Seal Harbor	Mailing Address: P.O. Box 166 Seal Harbor
Town	Mount Desert	State ME Zip Code 04675
Permit Applicant Information if Not Owner e.g. Agent for Owner:		
Name	G. F. Johnston & Associates, Consulting Civil Engineers (Agent)	
Phone	207-244-1200	Cell 207-460-6153 E-mail greg@gfjcivilconsult.com
Local Street Address	PO Box 197	
Village		
Town	Southwest Harbor,	State ME Zip Code 04679
Proposed Installation (sketch next page)		
Work to be undertaken in Village of	Seal Harbor	
Street Name	Steamboat Wharf Road	
Type of Work (sewer, water, cable, I-net, etc.,)	Underground Power and Communication Line	
Minimum Depth of Cover Over Asset	36"	
Maximum Pressure (PSI, if applicable)	N/A	
GPS Coordinates (Optional):	Latitude (decimal)	Longitude (decimal)
Starting Point	44 degree 17'38" N	68 degree 14'16" W
Ending Point	44 degree 17'35" N	68 degree 14'14" W
Expected Construction Schedule	Start April 2023	Completion June 1, 2023
Location Description: On (street name) <u>Steamboat Wharf Road</u> , beginning at a point approximately (a distance, including units) <u>950 feet</u> <u>feet/miles</u> <u>south</u> (north, south, east, west) from <u>of fountain, 60' south of Library</u> (a reference point e.g. pole with number, intersection, hydrant, etc.) and extending in a <u>south</u> (north, south, east, west) direction for a distance of <u>400 feet</u> (a distance, including units) <u>feet/miles.</u> to a point east of Yacht Club on Steamboat Wharf Road		
By signing this for Utility Location Permit Application, the undersigned hereby certifies/understands: a) that he/she is a duly authorized agent/representative of the entity identified above ("Applicant"); b) that, to the best of their knowledge, the information provided herein is true and accurate; c) they are responsible for contacting all other utilities in the area, Dig Safe and all entities that might have assets in the proposed excavation area; d) should the Town decide that it needs the location approved by the permit for its own assets, the Applicant shall move, adjust or relocate the asset described herein at the Applicants own cost and; e) that the Applicant will maintain its facilities in accordance with the Town of Mount Deserts applicable ordinances and all other applicable laws.		
Signature		Date 2/24/23
Printed Name	Gregory F. Johnston	

Utility Location Permit Application: Sketch Plan
Town of Mount Desert

Permit Number: _____
(Town Use Only)

The purpose of the sketch is to show the location of the proposed opening in relation to the public right-of-way. It is not necessary to sketch to scale but accurate locations relative to reference points such as fire hydrants, utility poles or intersections is required. All start and end point, reference points, offset distances and lengths must be accurately indicated. A separate sheet or formal plan sheet is a suitable substitute for the sketch plan. (Note: Traveled way is paved surface; shoulders include grass, pavement or gravel; R/W is the roadway right-of-way. Please contact Town officials for the width per street).





PEASLEY, ROBERT

9:40 AM (21 minutes ago)

to me, JASON

Greg your plan reflects what we discussed and agreed upon in the field when we last met.

Good luck with your meetings with the town on your project.

From: Greg Johnston <gfcivilconsult@gmail.com>

Sent: Thursday, January 19, 2023 11:57 AM

To: PEASLEY, ROBERT <robert.peasley@versantpower.com>; FITZGERALD, JASON <jason.fitzgerald@versantpower.com>

Subject: Steamboat Wharf, Matheson Stone



Matheson/ Stone Pole Removal Photos Steamboat Wharf moving North to South



Existing Pole at Matheson Library Line to
remain



Pole to be removed in Fore ground



Pole with Light to be removed in background
Light to remain on standard 20' mounted black
lamp post



Pole to be Riser Pole and remain
Service to Yacht club remain



Transformer from Matheson Deck



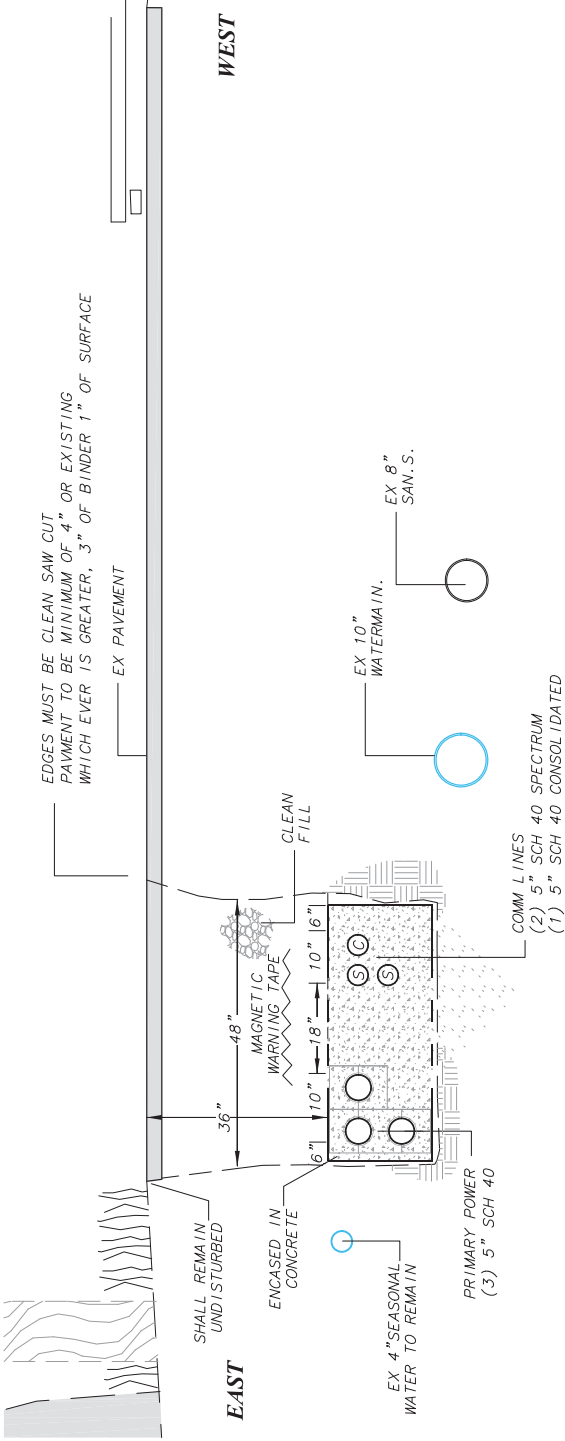
Lines and Poles from Stone Residence



Lines and poles near Matheson Stone Line



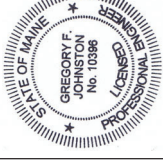
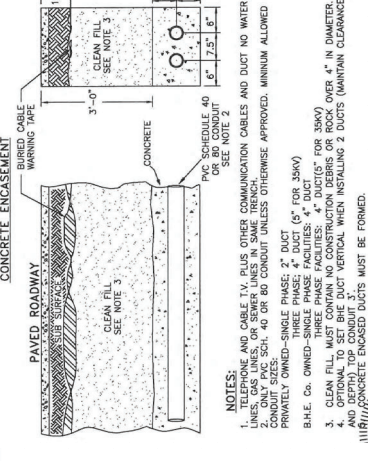
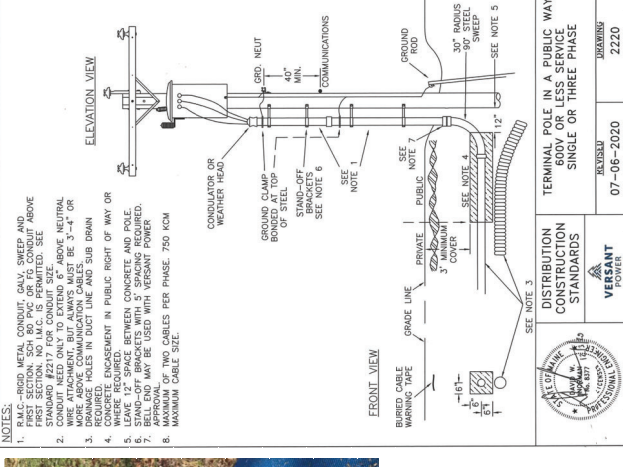
Transformer and pole at Stone South line to remain



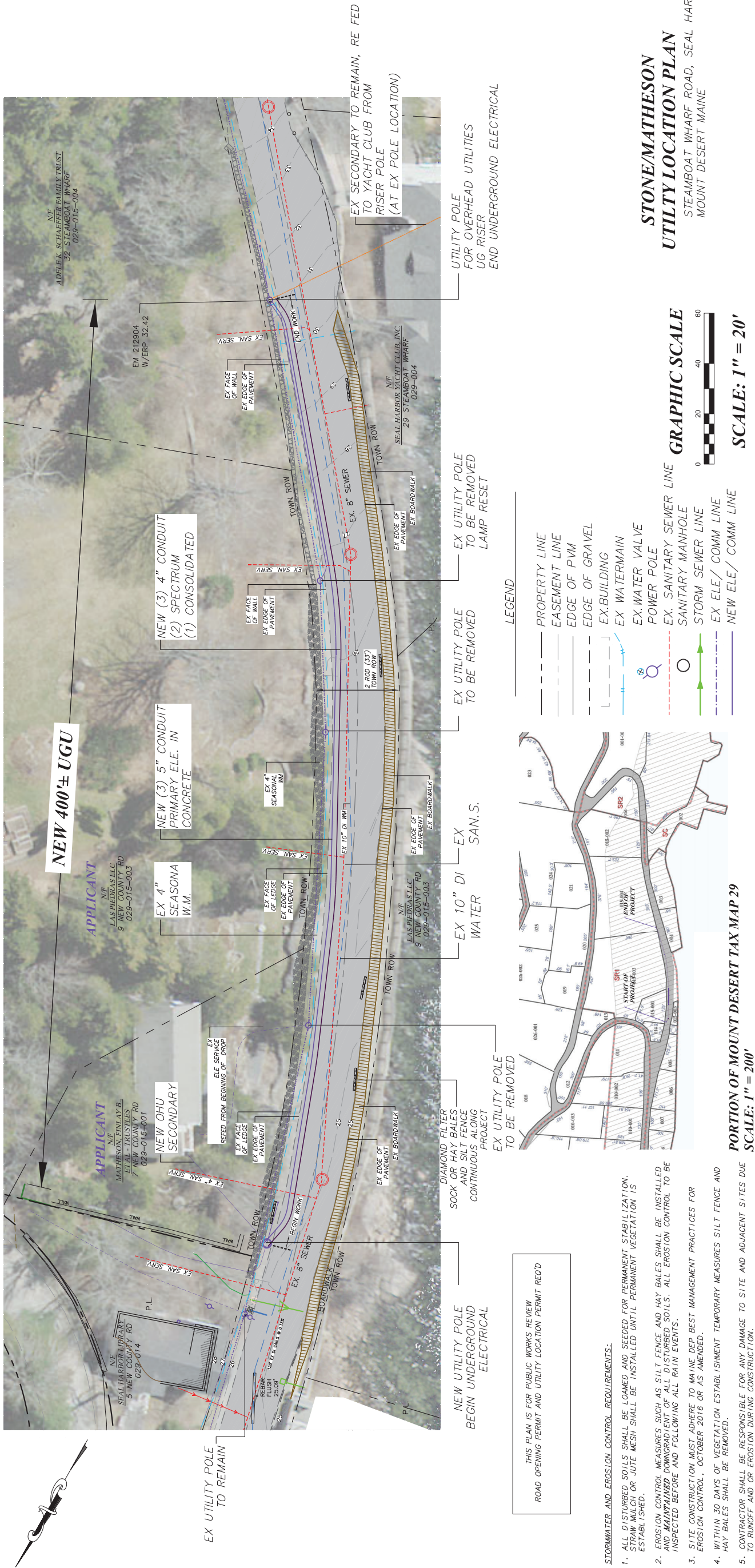
TYPICAL TRENCH DETAIL
SCALE: N.T.S.



DIAMOND FILTER SOCK



DATE:	JANUARY 19, 2023
SCALE:	1" = 20'
PROJECT ID #	C-0845.1
DRAWN BY:	FMV
CHECKED BY:	
SHEET NO.:	C1



LEGEND

- PROPERTY LINE
- EASEMENT LINE
- EDGE OF P/W
- EDGE OF GRAVEL
- EX. BUILDING
- EX. WATERMAIN
- EX. WATER VALVE
- POWER POLE
- EX. SANITARY SEWER LINE
- SANITARY MANHOLE
- STORM SEWER LINE
- EX ELE/ COMM LINE
- NEW ELE/ COMM LINE

GRAPHIC SCALE
0 20 40 60

SCALE: 1" = 20'

STONE/MATHESON
UTILITY LOCATION PLAN
STEAMBOAT WHARF ROAD, SEAL HARBOR
MOUNT DESERT MAINE

- STORMWATER AND EROSION CONTROL REQUIREMENTS:**
- ALL DISTURBED SOILS SHALL BE LOAMED AND SEEDED FOR PERMANENT STABILIZATION. STRAW MULCH OR JUTE MESH SHALL BE INSTALLED UNTIL PERMANENT VEGETATION IS ESTABLISHED.
 - EROSION CONTROL MEASURES SUCH AS SILT FENCE AND HAY BALES SHALL BE INSTALLED AND MAINTAINED DOWNGRADIENT OF ALL DISTURBED SOILS. ALL EROSION CONTROL TO BE INSPECTED BEFORE AND FOLLOWING ALL RAIN EVENTS.
 - SITE CONSTRUCTION MUST ADHERE TO MAINE DEP BEST MANAGEMENT PRACTICES FOR EROSION CONTROL, OCTOBER 2016 OR AS AMENDED.
 - WITHIN 30 DAYS OF VEGETATION ESTABLISHMENT TEMPORARY MEASURES SILT FENCE AND HAY BALES SHALL BE REMOVED.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO SITE AND ADJACENT SITES DUE TO RUNOFF AND/OR EROSION DURING CONSTRUCTION.

THIS PLAN IS FOR PUBLIC WORKS REVIEW
ROAD OPENING PERMIT AND UTILITY LOCATION PERMIT REQ'D

PORTION OF MOUNT DESERT TAX MAP 29
SCALE: 1" = 200'



Town of Mount Desert

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 16, 2023

Re: Burying Town Office Electrical Service Lines

I had a resident asked if we could get a proposal to install the new 3-phase electrical service lines that come into the town office building underground versus the usual overhead attachments. There was concern that the sight of 3 electrical cables crossing over Sea Street from north to south as they enter the town office would be unsightly for those navigating Sea Street, especially heading east looking down towards the marina area.

I told the individual I would get a cost estimate for this change order (CO) and bring the matter to the Board of Selectmen for discussion and if approved, seek authorization to use project contingency funds for the work. Estimated costs for this CO is \$23,872.00.

This CO will have no impact on the overall project except for using contingency funds. At this point in construction, it is my opinion that there are sufficient funds in the contingency line to cover the costs if BOS wishes to approve this.

I would request that you ask the BOS for direction with this and if approved, authorization to sign the CO.

Thank you.



KING CONSTRUCTION SERVICES


Main Office
63 Dublin Street Ste 4
Machias, ME 04654
Ellsworth Office
210 Main Street
Ellsworth, ME 04605
207.497.2312

CHANGE PROPOSAL	Date: 1/24/2023	Change Proposal No.: 11
Project: Mount Desert Fire Station #1 Renovation		Location: Mount Desert, Maine
Contractor: King Construction Services, Inc.		

Description of Change Proposal: Underground Electrical	
1. Request from town, to run the electrical service underground from the existing service pole across the street on Sea Street.	
RF Jordan- Traffic Control, Saw Cut and Removal of existing asphalt, Excavation and Backfill for new Electrical Service, Concrete Encasement, and Asphalt Restoration.	\$15,980.00
MCM Electric- Extend electrical across the street to pole underground. Delete new pole.	\$5,722.00

The following change order proposal is for the additional material and labor cost for the requested changes to the contract documents.

Description	Price
Subtotal Subcontractor	\$21,702.00
Subcontractor Markup (10%)	\$2,170.00
Subtotal Subcontractor including markup	\$23,872.00
KCS	\$0.00
Subtotal Contractor	\$0.00
Contractor Markup (15%)	\$0.00
Subtotal Contractor including markup	\$0.00
Total cop amount	\$23,872.00


Justin T. King, *President*

R. F. JORDAN

& SONS

CONSTRUCTION, INC.

Office (207) 667-5236 - Fax (207) 667-9321

85 WATER STREET - ELLSWORTH, ME 04605

www.rfjordanandsons.com

1/19/2023

Casey Eaglin
King Construction

Re: Electrical Service Relocation

We are providing pricing reflecting the proposed changes and impacts of relocating the electrical service underground from the Sea St.pole. Pricing is in addition to original scope. Please note the following:

Includes:

- Traffic Control Including Utilizing Steel Road Plates as Needed
- Sawcut and Removal of Pavement
- Excavation and Backfill for Underground Electrical Conduits From the Pole on Sea St. to the Building
- Concrete Encasement as Needed (Chairs to be Provided by Others)
- Pavement Restoration

Price

Total Additional Cost to Contract : \$ 15,980

Exclusions

- Permits
- Temp Pavement
- Utility Conflicts
- Ledge or Relic Concrete Conditions
- Any work not specifically listed on this proposal
- Winter Conditions Including but Not Limited to Ground Heating and Frost Protection
- Chairs for Conduits



Benjamin Sekulich
Estimator/Project Manager

MCM Electric, Inc.

49 Hall Quarry Road
Mt. Desert, ME 04660
Tel: (207) 244-7454
Fax: (207) 244-0241
e-Mail: Mike@mcmelectric.com

PROPOSAL

Send via:	<input type="checkbox"/> U.S. Mail	<input checked="" type="checkbox"/> e-Mail	<input type="checkbox"/> Fax
Date	1/24/2023	Proposal Number	2023-11A
Job Name / Location			
NEH Fire Station #1			
Job Phone	497-2312	Customer Fax	

TO
Casey Eaglin King Construction Services, Inc.

WE hereby submit specifications and estimates for:

Item	Description	Total
	Proposal #2023-11: to extend new underground across Sea Street	8,922.00
	To delete line Item J: all materials and labor needed to set pole	-3,200.00
	NOT INCLUDED: concrete to go over conduits if necessary	

\$5,722.00

OFFER OF PROPOSAL

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alterations or deviation from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon delays beyond our control. Owner to carry fire and other necessary insurance. Our workers are fully covered by required insurance.

Authorized
Signature _____

NOTE: This proposal may be withdrawn by us if not accepted within **30** days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be as outlined above.

Signature _____

Signature _____

Date of Acceptance _____



Town of Mount Desert
Michael Bender, Fire Chief, Emergency
Management Director
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 16, 2023

Re: Authorization to Release Funds from Account #4040300-24471(Fire Equipment Reserve)

I would like to request consideration from the Board of Selectman to release an amount not to exceed \$22,000.00 from account #4040300-24471(Fire Equipment Reserve), and authorization to use such funds for the purpose of purchasing 5 sets of structural firefighting gear from Bergeron Protective Clothing. Each ensemble will include pants, coat, boots, protective hood, and 2 pair's gloves. The unencumbered balance of the Fire Equipment Reserve as of January 31, 2023, is \$486,574.66.

Most of this new gear order is for the recently hired full-time staff with one set for per diem firefighters who have been filling open shifts. This did not go out to bid because it is the same brand of gear we have now and I would like to have all our structural firefighting gear to be consistent in fit, color and especially safety features.

Thank you.



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,

In reviewing personnel policy language, sections 5.2.4 and 5.3 were identified for proposed language change, as shown in the subsequent pages. The proposed amendment to section 5.2.4 aims to ensure consistent application for rate changes associated with promotions and compensate employees for the additional job duties and responsibilities that come with the promotion. The proposed amendment to section 5.3 serves to differentiate more appropriately between new-hire probation and the probation associated with promotions or job transfers of existing employees. This is accomplished by specifying that the degree and nature of change in position will determine the need for such probation.

Thank you,

Jake Wright

Finance Director

CURRENT

5.2.1 PROMOTIONS

5.2.1 Promotion All full-time promotional positions will be filled by the competitive selection process. The Town shall always seek the best-matched person for the particular job. Where Town employee and outside applicants have equal qualifications; the Town employee will be given preference. Department heads shall have the authority to recommend promotions, subject to the approval of the Town Manager. Promotion shall mean when a Town employee moves to a position in a higher pay range and/or increased responsibilities.

5.2.2 If an employee is advanced to a position of increased responsibility, his/her compensation level may advance to the entry level of the new position to which the employee was promoted as approved by the Town Manager.

5.2.3 Advancement from one salary grade to a higher salary grade shall be considered a promotional increase, granted for the assumption of significant additional responsibilities and subject to a satisfactory performance review rendered by the employee's department head.

5.2.4 When an employee is promoted to a higher-rated position, he or she may enter it at the minimum rate for the position, or his or her present rate, whichever is higher or a mutually agreed rate between the Town and the employee.

5.2.5 Reclassification On occasion, the title or rank given to a particular position is not appropriate for the tasks being performed. In these cases, a reclassification may be necessary. A reclassification shall mean the change of title or rank of a position with no change or no substantive change in job duties (job description). This may or may not involve a pay change.

5.3 NEW HIRE PROBATIONARY PERIOD

The first six months of employment of a new employee is considered an evaluation period as a requirement for full or part-time employment. It is intended to assist both the supervisor and the employee in discussing specifics of the job, how they are executed and to allow the employee to become proficient in their execution as well as establishing and developing important relationships between both parties.

This probationary period gives new employees time to find out if they are pleased with their surroundings and are adaptable to the work assigned. This period gives the town administration time to determine whether the employee is capable of performing the duties assigned and meets the requirements of the job classification. If the employee is not adaptable or acceptable for the work assigned, a recommendation shall be made by the supervisor to the town manager that the employee's employment with the town shall be terminated. Consideration may be

given to an extension of the probationary period based on a recommendation for an extension provided by the supervisor to the town manager with a description of the reasons why an extension is warranted.

Employees who are promoted or move into another job in the Town will begin and complete a new probationary period in the new position.

PROPOSED

5.2.1 PROMOTIONS

5.2.1 Promotion All full-time promotional positions will be filled by the competitive selection process. The Town shall always seek the best-matched person for the particular job. Where Town employee and outside applicants have equal qualifications; the Town employee will be given preference. Department heads shall have the authority to recommend promotions, subject to the approval of the Town Manager. Promotion shall mean when a Town employee moves to a position in a higher pay range and/or increased responsibilities.

5.2.2 If an employee is advanced to a position of increased responsibility, his/her compensation level may advance to the entry level of the new position to which the employee was promoted as approved by the Town Manager.

5.2.3 Advancement from one salary grade to a higher salary grade shall be considered a promotional increase, granted for the assumption of significant additional responsibilities and subject to a satisfactory performance review rendered by the employee's department head.

5.2.4 When an employee is promoted to a higher-rated position, ~~he or she may enter it at the minimum rate for the position, or his or her present rate, whichever is higher or a mutually agreed rate between the Town and the employee.~~ **said employee shall be entitled to compensation commensurate with the new position and the employee's years of service to the Town.**

5.2.5 Reclassification On occasion, the title or rank given to a particular position is not appropriate for the tasks being performed. In these cases, a reclassification may be necessary. A reclassification shall mean the change of title or rank of a position with no change or no substantive change in job duties (job description). This may or may not involve a pay change.

5.3 NEW HIRE PROBATIONARY PERIOD

The first six months of employment of a new employee is considered an evaluation period as a requirement for full or part-time employment. It is intended to assist both the supervisor and the employee in discussing specifics of the job, how they are executed and to allow the employee to become proficient in their execution as well as establishing and developing important relationships between both parties.

This probationary period gives new employees time to find out if they are pleased with their surroundings and are adaptable to the work assigned. This period gives the town administration time to determine whether the employee is capable of performing the duties assigned and meets the requirements of the job classification. If the employee is not adaptable or acceptable for the work assigned, a recommendation shall be made by the supervisor to the town manager that the employee's employment with the town shall be terminated. Consideration may be

given to an extension of the probationary period based on a recommendation for an extension provided by the supervisor to the town manager with a description of the reasons why an extension is warranted.

Upon promotion or transfer to a different position within the Town, employees may be subject to a new probationary period in accordance with the nature of the alteration in responsibilities, duties, and/or work scope. ~~Employees who are promoted or move into another job in the Town will begin and complete a new probationary period in the new position.~~



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 16, 2023

TO: Board of Selectmen

FROM: Town Clerk Claire Woolfolk

RE: Warrant for Special Town Meeting and
Municipal Officer's Certification of Official Text of Proposed Ordinances

Maine law requires that a majority of the full number of municipal officers sign the Town Meeting warrant in a public meeting. I will have a complete warrant for you to sign at Monday night.

Maine law also requires that the Municipal Officers certify to the Town Clerk the official text of any amended or new ordinances presented at Town Meeting. In turn, the Town Clerk must keep the certified copies on file and make them available for public inspection and must make copies available for distribution to the voters from the time they are certified. Furthermore, copies of the proposed ordinances must be made available at the Town Meeting. I will have the certificates with the official text for you to sign Monday night.

**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 Solid Waste Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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

**SOLID WASTE ORDINANCE
of the
TOWN OF MOUNT DESERT**

**ENACTED MAY 6, 2014
Revised and Enacted May 8, 2018
Amended May 2, 2023**

SECTION 1: AUTHORITY

This Ordinance is created under the authority granted to the Town of Mount Desert (hereinafter the “Town”) by Title 38 M.R.S.A., §1301 et seq. (the Maine Hazardous Waste, Septage and Solid Waste Management Act) and the Town’s home rule authority pursuant to the Maine Constitution and 30-A M.R.S. § 3001 et seq.

SECTION 2: PURPOSE

- 2.1. To protect the health, safety and general well-being of the citizens of the Town.
 - 2.2. To enhance and maintain the quality of the environment, conserve natural resources and prevent water and air pollution by providing a comprehensive, rational and effective means of regulating the disposal of solid waste.
 - 2.3 To recognize that the use of single use plastic bags typically provided by vendors is not an environmentally sound use of resources and residents of and visitors to the Town are striving to use alternate means such as reusable cloth bags and other reusable items to collect and transport their goods.
 - 2.4. To encourage and expand solid waste recycling and waste reduction.
 - 2.5. To control solid waste in the Town by establishing limitations, prohibiting certain acts generating solid waste and to enforce the provisions of this Ordinance.
 - 2.6. To control the costs of solid waste management to the taxpayers of the Town.
-

SECTION 3: DEFINITIONS

3.1. Terms used in this Ordinance that are defined in 38 M.R.S.A. §1303-C as may be amended from time to time, shall have the meaning prescribed in §1303-C and that meaning shall be controlling, notwithstanding any contrary definition in the Ordinance or in any dictionary. The §1303-C definitions are set forth in Appendix A to this Ordinance; Appendix A shall be updated regularly (at least annually). Any word not otherwise defined shall have its customary dictionary meaning.

This Ordinance provides the following definitions:

Acceptable Waste - solid waste (as defined herein) that is capable of processing at the Town's designated processing facility and/or otherwise handled by the Town's solid waste collection service.

Authorized Individual - means any person, partnership, corporation or other entity that either owns, rents, leases (on a permanent or temporary basis) a dwelling or operates a commercial establishment in Town.

Agricultural Solid Wastes - wastes produced from the raising of plants and animals for food, including manure, plant stalks, hulls and leaves.

Ash - residue, including cinders and fly ash from the burning of solid fuels for cooking and heating, and from on-site incineration of refuse materials.

Bulky Objects - abandoned vehicles, stoves and refrigerators, large furniture, tree trunks, stumps and brush.

Commercial Solid Wastes - wastes that originate in wholesale, retail, or service establishments, such as office buildings, stores, markets, theaters, hotels and warehouses.

Construction and Demolition Debris (CDD) - solid waste resulting from construction, remodeling, repair, and demolition of structures, and as specifically defined in 38 MRS § 1303-C (see Appendix A attached).

EMR - Eastern Maine Recycling located in Southwest Harbor, Maine, is a licensed solid waste transfer station that also provides solid waste recycling services.

Fiberight dba Coastal Resources of Maine, LLC - Fiberight is a licensed facility located in Hampden, Maine, licensed by the Maine DEP for solid waste processing.

Garbage - every accumulation of waste (animal, vegetable, and/or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including but not by way of limitation, used food containers and all putrescible or easily decomposable waste animal or vegetable matter that is likely to attract flies or rodents), except (in all cases) any matter included in the definition of bulky waste, construction and demolition debris, dead animals, hazardous waste, rubbish or stable matter.

Green Wood - land clearing debris that is reasonably free of soil material and rock and bark, shavings, slash, and plant and vegetable matter from gardens and landscapes.

Hazardous Waste/ Universal Waste – shall be as defined by 38 M.R.S. §1303-C (Appendix A attached).

Industrial Waste - wastes generally discarded from industrial operations or derived from manufacturing processes but not including a) hazardous waste or b) special waste which by reason of its composition, characteristics or other properties is not ordinarily acceptable for disposal at sites licensed for disposal of municipal solid waste. Excluded special waste shall include, but not be limited to friable asbestos and oil-contaminated soil.

Municipal Wastes - the combined residential and commercial wastes generated within the Town.

Non-Resident - a person who does not reside in or pay property taxes to the Town.

Refuse – a broad term and is synonymous with “solid waste” and shall be defined as any of a wide variety of solid materials as well as some liquids in containers, which are discarded or rejected as being spent, useless, worthless, or in excess.

Resident - a person who resides in or occupies a residential property and/or pays property taxes to the Town.

Residential Waste - waste generated in houses, apartments and other dwelling units, including paper, cardboard, beverage and food cans, plastics, food wastes, and glass containers.

Sewerage Treatment Wastes - screenings, grease, scum and grit from the Town of Mount Desert Publicly Owned Treatment Works.

Solid Waste—waste as defined in 38 MRS § 1303-C (see Appendix A attached).

Special Wastes- waste as defined in 38 MRSA 1303-C (see Appendix A attached)

Tipping Fee - the fee charged to the Town by a facility such as EMR or, Fiberight, etc. for transport or disposal of solid waste.

Unacceptable Waste - solid waste of a type that municipalities are authorized to regulate under 38 MRS § 1305, as amended, and that are prohibited at EMR (for transport to the Town’s designated acceptable waste processing facility) or at that designated waste processing facility.

Wood Waste - means brush, lumber, bark, wood chips, shavings, slabs, edgings, slash, sawdust, and wood from production rejects that are not mixed with other solid or liquid waste. For the purpose of this definition, “lumber” is entirely made of wood and is free from metal, plastics, and coatings. Wood Waste does not include painted wood or pressure treated wood. These would be included with Construction and Demolition Debris, as defined. Wood Waste also does not include Green Wood, as defined.

SECTION 4: REGULATED ACTIVITY

4.1. The accumulation, collection, transportation and disposal of acceptable wastes and unacceptable wastes generated within the Town shall be regulated in the following manner:

4.1.1 All acceptable waste generated within the Town shall be deposited roadside at locations designated by the Town in appropriate containers and collected by the Town or appropriate licensed commercial hauler.

4.1.2 All unacceptable waste, including hazardous waste, special waste, universal waste, CDD waste, hot loads, and certain wood wastes, shall be subject to the

Materials Disposal Restrictions set forth in Section 4.3 below and shall be handled by licensed firms and deposited at licensed facilities out of Town consistent with Section 4.2 below. Violations of this Section 4 shall be subject to enforcement under Section 8 and related provisions of this Ordinance.

4.2. General Requirements

4.2.1. All solid waste shall be handled and disposed in accordance with this Ordinance.

4.2.2. The Board of Selectmen shall have the authority to restrict or modify the disposal of all types and volumes of solid waste, if deemed in the best interests of the Town.

4.2.3. No person, partnership or corporation, shall dispose of any refuse on any public property or roads except as allowed by this ordinance.

4.3. Materials Disposal Restrictions

The following waste materials or containers of waste materials as described below shall not be handled or disposed within the boundaries of the Town:

4.3.1. Materials classified as hazardous waste in 38 MRS § 1303-C (see Appendix A attached) unless:

- Within a Town sanctioned public collection event or effort, if handled by a person or firm licensed to handle and transport hazardous waste and if disposed at a facility licensed for hazardous waste disposal outside the Town; or
- Handled and transported by a commercial entity licensed to handle and transport hazardous waste if taken to a licensed facility outside the Town.

4.3.2. Materials classified as universal waste by 38 MRS § 1303-C (see Appendix A attached) unless:

- Within a Town sanctioned public collection event or effort, if handled by a person or firm licensed to handle and transport universal waste and if disposed at a facility licensed for universal waste disposal outside the Town; or

- Handled and transported by a commercial entity licensed to handle and transport universal waste if taken to a licensed facility outside the Town.

4.3.3. Ash at a combustible temperature or other hot loads.

4.3.4. Trees, limbs of trees, or tree trunks more than 4 inches in diameter and/or 3 feet in length or stumps except by a commercial entity licensed to handle and transport woody waste and disposed at a licensed wood waste facility outside the Town

4.3.5. All Commercial Demolition Debris as defined herein, except by a commercial entity licensed to handle such CDD waste if disposed at a licensed facility outside the Town.

4.3.6. All Special Waste as defined herein, except by a commercial entity licensed to handle Special Waste if disposed at a licensed facility for disposal of Special Waste outside the Town

4.3.7. All Green Wood and Wood Waste as defined herein, except by a commercial entity licensed to handle such Wood Waste if disposed at a licensed facility outside the Town.

SECTION 5: HANDLING AND DISPOSAL OF SOLID WASTE

Authorized Individuals (including Residents) shall handle and dispose of acceptable solid waste by only one of the following methods:

5.1. Town-provided collection service:

Materials disposed at curbside are limited to solid waste acceptable to the Town's contracted transfer station or solid waste processing facility. Materials must be placed in secured bags, secured containers and/or secured receptacles adequate to prevent loss of control of the solid waste. Those disposing of the solid waste are responsible for picking up and cleaning up of unsecured solid waste regardless of the cause.

Curbside solid waste collection occurs by summer and winter schedules promulgated by the Town. Solid waste must be at curbside by 7 AM on the scheduled day to ensure pick up.

5.2. Authorized Individuals at the Town of Mount Desert area designated at EMR.

5.3. Hire a Private Hauler.

Authorized Individuals may contract at their cost with a private hauler for disposal of acceptable solid waste. All waste collected by private haulers shall be delivered to EMR and credited to the Town's guaranteed annual tonnage.

5.4 Town Sponsored Solid Waste Disposal at EMR

Authorized Individuals have a Town sponsored solid waste disposal account at EMR allowing up to two thousand (2,000) pounds of solid waste annually per Town physical address delivered by the Authorized Individual or their private licensed hauler. Authorized Individuals shall be responsible for all costs associated with a private hauler. This allowance provides for the disposal of all solid waste; particularly green wood, bulky objects allowed by EMR and CDD (construction and demolition debris) except special, hazardous and universal waste. This allowance may expire at such time the inhabitants of the Town choose to eliminate the practice.

SECTION 6: FEES

Authority: The Town Meeting may establish fees for solid waste disposal to promote recycling and improve the efficiency of the management of solid waste and to support the cost of solid waste collection and disposal.

SECTION 7: LICENSES

7.1 No person, firm or corporation shall transport on a commercial basis any acceptable waste for disposal outside the Town without obtaining a license to transport such waste within the Town from the Town Manager. The license shall be in effect for 24 (twenty-four) months from date of issue and must be renewed on or before its expiration date.

7.2. Any person, firm or corporation required by this Ordinance to obtain an annual license shall make application to the Town Manager. A nonrefundable license application fee as determined by the Board of Selectmen shall accompany each application. The fee structure shall be reviewed every two (2) years by the Town

Manager or designee with a recommendation being made by the Town Manager or designee to the Board of Selectmen as to its appropriateness or if it should be changed. The existing fee or any changes to it shall go into effect July 1 of each new fiscal year. A copy of the application form is available from the Town Office.

7.3. The application shall contain all information required by it, including, but not limited to, a description of the activity/activities engaged in, e.g., collection and transport of acceptable, recyclable/storable and/or unacceptable waste; types and estimated amount(s) of waste handled in each service area and; a description of the facility/facilities operated and used. The applicant’s signature on the application verifies the applicant’s intended compliance with this Ordinance. Incomplete applications will not be processed.

7.4. Licenses shall not be transferable.

7.5. All licenses shall expire two (2) years from the date of issue unless revoked or suspended sooner in accordance with the provisions of this Ordinance.

7.6. In the event that the Town Manager denies a license application, the applicant shall be notified of the reasons for the denial of the license. The applicant may appeal the Town Manager’s decisions to the Board of Selectmen.

7.7. Suspension and Revocation

Any license issued may be suspended or revoked by the Town Manager for cause, including the following reasons:

- a. Violation of this Ordinance;
- b. Violation of any provision of any state or local law, ordinance, code or regulation which relates directly to the provisions of this Ordinance;
- c. Violation of any license condition(s); and
- d. Falsehoods, misrepresentations or omissions in the license application.

Suspension or revocation of a license may be appealed to the Board of Selectmen.

SECTION 8: VIOLATIONS & PENALTIES

8.1. Disposal generally prohibited; disposal of rubbish, garbage, solid waste and debris on public or private property:

No person shall throw or place or cause to be thrown or placed upon any premises located within the limits of the Town any rubbish, garbage, solid waste or debris of any kind, except in full conformance with this Ordinance, nor shall any owner or occupant of any such premises suffer any such rubbish, garbage, solid waste or debris to remain on said premises after receiving notice from the Chief of Police or Code Enforcement Officer or their designees. Any person or persons so failing to remove any such rubbish, garbage, solid waste or debris for a period of seven days after receipt of said notice shall be subject to enforcement.

8.2 Limited Exemption:

Disposal of rubbish, garbage, solid waste and debris during the Spring Clean-up Week shall not constitute a violation of this Ordinance and shall not be subject to enforcement.

8.3. Any person, including, but not limited to, a landowner, the landowner's agent or a contractor, who violates any of the provisions of this ordinance shall be subject to enforcement and liable to the remedies, fines, and civil penalties as stated below in Sections 8.4, 8.5 and 8.6.

8.4. Monetary penalties may be assessed on a per-day basis and are civil penalties. The minimum penalty for a specific violation is \$100, and the maximum penalty is \$2,500.

8.5. Municipal Costs of Enforcement: In addition to the foregoing penalty provisions, any person violating any provision of this ordinance shall be liable to reimburse the Town for costs of enforcement including reasonable attorney fees and court costs. The Town is also authorized to seek and obtain equitable relief.

8.6. Violations of this ordinance shall also be enforced under the provisions of the Maine anti-littering statute at 17 M.R.S. §§ 2264-A, 2264-B, and 2264-C, as may be amended from time to time. A copy of those laws is attached as Appendix B and shall be updated as those laws are amended.

SECTION 9: SPECIAL COLLECTION EFFORTS

9.1. The Board of Selectmen or designee may authorize seasonal or other solid waste collection efforts in addition to those described in this ordinance. Such

events shall be advertised by the Town so as to inform as many residents as practical.

SECTION 10: SEVERABILITY

If any section, sentence, clause, or phrase of this Ordinance shall be held invalid for any reason, the remainder of that section and all other sections shall continue in full force and effect.

SECTION 11: EFFECTIVE DATE; SUNSET

This Ordinance shall become effective upon the date of enactment ~~for a period not to exceed 15 years, unless amended or repealed prior to the expiration of this 15 year period.~~

SECTION 12: AMENDMENT

This Ordinance may be amended in the same manner as any other Ordinance of the Town.

ADOPTED by Annual Town Meeting this 8th day of May 2018.

Claire Woolfolk, Town Clerk

Attest: A true copy

Appendix A

38 M.R.S.A. § 1303-C

§ 1303-C. Definitions

Effective: July 1, 2012

As used in this chapter or in chapter 24,¹ unless the context otherwise indicates, the following terms have the following meanings.

1. Repealed. Laws 1995, c. 656, § A-19.

1-A. Biomedical waste. “Biomedical waste” means waste that may contain human pathogens of sufficient virulence and in sufficient concentrations that exposure to it by a susceptible human host could result in disease or that may contain cytotoxic chemicals used in medical treatment.

1-B. Repealed. L. 2005, c. 612, § A-21, eff. Jan. 1, 2007.

1-C. Bypass. “Bypass” means any solid waste that is destined for disposal, processing or beneficial use at a solid waste facility but that cannot be disposed of, processed or beneficially used at that facility because of the facility’s malfunction, insufficient capacity, inability to process or burn, downtime or any other comparable reason.

2. Repealed. Laws 1989, c. 890, § B-225.

2-A. Class I liquid. “Class I liquid” means any liquid having a flash point below 100° Fahrenheit.

2-B. Class II liquid. “Class II liquid” means any liquid having a flash point at or above 100° Fahrenheit and below 140° Fahrenheit.

3. Closing reserve fund. “Closing reserve fund” means a fund created for the purpose of financing the closing and maintenance after closing of a waste facility.

4. Commercial hazardous waste facility. “Commercial hazardous waste facility” means:

A. A waste facility that handles hazardous wastes generated off the site of the facility; or

B. A facility that, in the handling of a waste generated off the site, generates hazardous waste.

5. Commercial landfill facility. “Commercial landfill facility” means a commercial solid waste facility that is used for the burial of solid waste.

6. Commercial solid waste disposal facility. “Commercial solid waste disposal facility” means a solid waste disposal facility except as follows:

A. Deleted. Laws 2007, c. 338, § 2.

A-1. Repealed. Laws 2005, c. 612, § 2, eff. Jan. 1, 2007.

A-2. A solid waste facility that is owned by a public waste disposal corporation under section 1304-B, subsection 5:

(1) As long as the public waste disposal corporation controls the decisions regarding the type and source of waste that is accepted, handled, treated and disposed of at the facility; and

(2) If the facility is a solid waste landfill, the facility accepts only waste that is generated within the State unless the commissioner finds that the acceptance of waste that is not generated within the State provides a substantial public benefit pursuant to section 1310-AA, subsection 1-A;

B. Deleted. Laws 2007, c. 338, § 2.

B-1. Repealed. Laws 2005, c. 612, § 2, eff. Jan. 1, 2007.

B-2. A solid waste facility that is owned by a municipality under section 1305:

(1) As long as the municipality controls the decisions regarding the type and source of waste that is accepted, handled, treated and disposed of at the facility; and

(2) If the facility is a solid waste landfill, the facility accepts only waste that is generated within the State unless:

(a) The commissioner finds that the acceptance of waste that is not generated within the State provides a substantial public benefit pursuant to section 1310-AA, subsection 1-A; and

(b) Acceptance of waste that is not generated within the State is approved by a majority of the voters of the municipality by referendum election;

C. Deleted. Laws 2007, c. 338, § 2.

C-1. Repealed. Laws 2005, c. 612, § 2, eff. Jan. 1, 2007.

C-2. A solid waste facility that is owned by a refuse disposal district under chapter 17:

(1) As long as the refuse disposal district controls the decisions regarding the type and source of waste that is accepted, handled, treated and disposed of at the facility; and

(2) If the facility is a solid waste landfill, the facility accepts only waste that is generated within the State unless the commissioner finds that the acceptance of waste that is not generated within the State provides a substantial public benefit pursuant to section 1310-AA, subsection 1-A;

D. Beginning January 1, 2007, a solid waste facility owned and controlled by the Department of Administrative and Financial Services, Bureau of General Services under chapter 24;

D-1. Repealed. Laws 2005, c. 612, § 2, eff. Jan. 1, 2007.

E. A solid waste facility owned and controlled by a single entity that:

(1) Generates at least 85% of the solid waste disposed of at a facility, except that the facility may accept from other sources, on a nonprofit basis, an amount of solid waste that is no more than 15% of all solid waste accepted on an annual basis; or

(2) Is an owner of a manufacturing facility that has, since January 1, 2006, generated at least 85% of the solid waste disposed of at the solid waste facility, except that one or more integrated industrial processes of the manufacturing facility are no longer in common ownership, and those integrated industrial

processes will continue to generate waste that will continue to be disposed of at the solid waste facility. This exemption only applies if the source and type of waste disposed of at the solid waste facility remains the same as that previously disposed of by the single entity.

For the purposes of this paragraph, “single entity” means an individual, partnership, corporation or limited liability corporation that is not engaged primarily in the business of treating or disposing of solid waste or special waste. This paragraph does not apply if an individual partner, shareholder, member or other ownership interest in the single entity disposes of waste in the solid waste facility. A waste facility receiving ash resulting from the combustion of municipal solid waste or refuse-derived fuel is not exempt from this subsection solely by operation of this paragraph.

For purposes of this paragraph, “integrated industrial processes” means manufacturing processes, equipment or components, including, but not limited to, energy generating facilities, that when used in combination produce one or more manufactured products for sale; or

F. A private corporation that accepts material-separated, refuse-derived fuel as a supplemental fuel and does not burn waste other than its own.

For purposes of this subsection, “waste that is generated within the State” includes residue and bypass generated by incineration, processing and recycling facilities within the State or waste whether generated within the State or outside of the State if it is used for daily cover, frost protection or stability or is generated within 30 miles of the solid waste disposal facility.

7. Repealed. Laws 1999, c. 525, § 2, eff. June 17, 1999.

A. to F. Repealed. Laws 1999, c. 525, § 2, eff. June 17, 1999.

8. Construction and demolition debris. “Construction and demolition debris” means debris resulting from construction, remodeling, repair, and demolition of structures. It excludes asbestos and other special wastes.

9. Contingency reserve fund. “Contingency reserve fund” means a fund maintained for the purpose of meeting unexpected contingencies in the operation of a waste facility.

10. Conveyance. “Conveyance” means any aircraft, watercraft, vehicle or other machine used for transportation on land, water or in the air.

11. Repealed. Laws 1989, c. 890, § B-225.

12. Disposal. “Disposal” means the discharge, deposit, dumping, spilling, leaking or placing of hazardous, biomedical or solid waste, waste oil, refuse-derived fuel, sludge or septage into or on land, air or water and the incineration of solid waste, refuse-derived fuel, sludge or septage so that the hazardous, biomedical or solid waste, waste oil, refuse-derived fuel, sludge or septage or a constituent of the hazardous, biomedical or solid waste, waste oil, refuse-derived fuel, sludge or septage may enter the environment or be emitted into the air, or discharged into waters, including ground waters.

13. Generation. “Generation” means the act or process of producing hazardous, biomedical or solid waste, waste oil, sludge or septage.

13-A. Repealed. Laws 1991, c. 520, § 4.

14. Handle. “Handle” means to store, transfer, collect, separate, salvage, process, recycle, reduce, recover, incinerate, dispose of or treat.

15. Hazardous waste. “Hazardous waste” means a waste substance or material, in any physical state, designated as hazardous by the board under section 1319-O. It does not include waste resulting from normal household or agricultural activities. The fact that a hazardous waste or part or constituent may have value or other use or may be sold or exchanged does not exclude it from this definition.

15-A. Hazardous waste incinerator. “Hazardous waste incinerator” means an enclosed device using controlled flame combustion to thermally break down hazardous waste.

15-B. Host community. “Host community” means any town, township or city that is the geographic site of a solid waste disposal facility or any immediately contiguous town, township or city if such town, township or city can demonstrate to the department that it incurs a direct financial impact related to any necessary development or maintenance of infrastructure or to any necessary provision of services as a result of the location or operation of that solid waste disposal facility.

16. Incineration facility. “Incineration facility” means a facility where municipal solid waste or refuse-derived fuel is disposed of through combustion, including combustion for the generation of heat, steam or electricity.

17. Inert fill. “Inert fill” means clean soil material, rocks, bricks, and cured concrete, which are not mixed with other waste, and which are not derived from an ore mining activity.

18. Land clearing debris. “Land clearing debris” means solid wastes resulting from the clearing of land and consisting solely of brush, stumps, soil material and rocks.

19. Manifest. “Manifest” means the form used for identifying the quantity, composition and the origin, routing and destination of hazardous waste during its transport.

19-A. Material-separated, refuse-derived fuel. “Material-separated, refuse-derived fuel” means a binder-enhanced, pelletized, solid fuel product made from the combustible fraction of a municipal solid waste stream that has been processed to remove the recyclable material before combustion. The product may not contain more than 6% by weight of plastic, metal, glass or food waste. In addition, the production of material-separated, refuse-derived fuel may not exceed 40% by weight of the total municipal solid waste stream from which it was derived.

19-B. Primary sand and gravel recharge area. “Primary sand and gravel recharge area” has the same meaning as in section 562-A, subsection 16-B.

19-C. Repealed. Laws 2011, c. 655, § GG-8, eff. July 1, 2012.

20. Recyclable. “Recyclable” means possessing physical and economic characteristics that allow a material to be recycled.

21. Recycle. “Recycle” means to recover, separate, collect and reprocess waste materials for sale or reuse other than use as a fuel for the generation of heat, steam or electricity.

22. Recycling. “Recycling” means the collection, separation, recovery and sale or reuse of materials that would otherwise be disposed of or processed as waste or the

mechanized separation and treatment of waste, other than through combustion, and the creation and recovery of reusable materials other than as a fuel for the generation of electricity.

23. Refuse-derived fuel. “Refuse-derived fuel” means municipal solid waste which has been processed prior to combustion to increase the heat input value of the waste.

24. Regional association. “Regional association” means 2 or more municipalities that have formed a relationship to manage the solid waste generated within the participating municipalities and for which those municipalities are responsible. The relationship must be formed by one or more of the following methods:

A. Creation of a refuse disposal district under chapter 17;²

B. Creation of a nonprofit corporation that consists exclusively of municipalities and is organized under Title 13, chapter 81³ or Title 13-B, for the purpose, among other permissible purposes, of owning, constructing or operating a solid waste disposal facility, including a public waste disposal corporation under section 1304-B, or whose members contract for the disposal of solid waste with a solid waste disposal facility, including, but not limited to, a qualifying facility as defined in Title 35-A, section 3303;

C. Creation of a joint exercise of powers agreement under Title 30-A, chapter 115;⁴ or

D. Contractual commitment.

For the purposes of this chapter, a regional association and the entities described in paragraphs B and C may include counties and quasi-municipal corporations as members provided the counties or quasi-municipal corporations, when acting by themselves within their own jurisdictions, are capable of exercising all of the powers of the regional association.

25. Residue. “Residue” means waste remaining after the handling, processing, incineration or recycling of solid waste including, without limitation, front end waste and ash from incineration facilities.

25-A. Responsible party. For the purposes of subchapter II-A⁵ only, “responsible party” means any or all of the following persons:

- A. The owner or operator of an uncontrolled tire stockpile; and
- B. Any person who owned or operated an uncontrolled tire stockpile from the time any tire arrived at that stockpile.

26. Resource recovery. For the purposes of section 1304-B only, “resource recovery” means the recovery of materials or substances that still have useful physical or chemical properties after serving a specific purpose and can be reused or recycled for the same or other purposes.

27. Septage. “Septage” means waste, refuse, effluent, sludge and any other materials from septic tanks, cesspools or any other similar facilities.

27-A. Significant ground water aquifer. “Significant ground water aquifer” has the same meaning as in section 562-A, subsection 19-A.

28. Site. “Site” means the same or geographically contiguous property which may be divided by a public or private right-of-way, provided that the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access is also considered site property.

28-A. Sludge. “Sludge” means nonhazardous solid, semisolid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or wet process air pollution control facility or any other waste having similar characteristics and effect. The term does not include industrial discharges that are point sources subject to permits under the federal Clean Water Act, 33 United States Code, Section 1342 (1999).

29. Solid waste. “Solid waste” means useless, unwanted or discarded solid material with insufficient liquid content to be free-flowing, including, but not limited to, rubbish, garbage, refuse-derived fuel, scrap materials, junk, refuse, inert fill material and landscape refuse, but does not include hazardous waste, biomedical waste, septage or agricultural wastes. The fact that a solid waste or

constituent of the waste may have value or other use or may be sold or exchanged does not exclude it from this definition.

30. Solid waste disposal facility. “Solid waste disposal facility” means a solid waste facility for the incineration or landfilling of solid waste or refuse-derived fuel. Facilities that burn material-separated, refuse-derived fuel, either alone or in combination with fuels other than municipal solid waste or refuse-derived fuels, are not solid waste disposal facilities.

31. Solid waste facility. “Solid waste facility” means a waste facility used for the handling of solid waste, except that the following facilities are not included:

A. A waste facility that employs controlled combustion to dispose of waste generated exclusively by an institutional, commercial or industrial establishment that owns the facility;

B. Lime kilns; wood chip, bark and hogged fuel boilers; kraft recovery boilers and sulfite process recovery boilers, which combust solid waste generated exclusively at the facility; and

C. An industrial boiler that combusts mixed paper, corrugated cardboard or office paper to generate heat, steam or electricity if:

(1) The mixed paper, corrugated cardboard or office paper would otherwise be placed in a landfill;

(2) The market value of the mixed paper, corrugated cardboard or office paper as a raw material for the manufacture of a product with recycled content is less than its value to the facility owner as a fuel supplement;

(3) The mixed paper, corrugated cardboard or office paper is combusted as a substitute for, or supplement to, fossil or biomass fuels that constitute the primary fuels combusted in the industrial boiler; and

(4) The boiler combusts no other forms of solid waste except as provided in this subsection.

32. Solid waste landfill. “Solid waste landfill” means a waste disposal facility for the disposal of solid waste on or in land. This term does not include land spreading sites used in programs approved by the department.

32-A. Solid waste processing facility. “Solid waste processing facility” means a land area, structure, equipment, machine, device, system or combination thereof, other than an incineration facility that is operated to reduce the volume or change the chemical or physical characteristics of solid waste. “Solid waste processing facility” includes but is not limited to a facility that employs shredding, baling, mechanical and magnetic separation or composting or other stabilization technique to reduce or otherwise change the nature of solid waste.

33. Source separation. “Source separation” means the preparation of materials for recycling by separation from wastes at the point of generation.

34. Special waste. “Special waste” means any solid waste generated by sources other than domestic and typical commercial establishments that exists in such an unusual quantity or in such a chemical or physical state, or any combination thereof, that may disrupt or impair effective waste management or threaten the public health, human safety or the environment and requires special handling, transportation and disposal procedures. Special waste includes, but is not limited to:

- A. Oil, coal, wood and multifuel boiler and incinerator ash;
- B. Industrial and industrial process waste;
- C. Waste water treatment plant sludge, paper mill sludge and other sludge waste;
- D. Debris and residuals from nonhazardous chemical spills and cleanup of those spills;
- E. Contaminated soils and dredge spoils;
- F. Asbestos and asbestos-containing waste;
- G. Sand blast grit and nonliquid paint waste;
- H. Deleted. Laws 1989, c. 869, § A-5.

I. High and low pH waste;

J. Spent filter media and residue; and

K. Other waste designated by the board, by rule.

35. State waste management and recycling plan. “State waste management and recycling plan” means the plan adopted by the former Maine Waste Management Agency pursuant to chapter 24, subchapter 2,⁶ subsequent plans developed by the former State Planning Office pursuant to Title 5, former section 3305, subsection 1, paragraph N and the department pursuant to section 2122 and may also be referred to as “state plan.”

36. Storage. “Storage” means the containment of hazardous wastes, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of the hazardous wastes.

37. Substantially expand. “Substantially expand” means the expansion of an existing licensed hazardous waste facility by more than 25%, as measured by volume of waste or affected land area, from the date of its initial licensed operation.

38. Transport. “Transport” means the movement of hazardous or solid waste, waste oil, sludge or septage from the point of generation to any intermediate points and finally to the point of ultimate disposition. Movement of hazardous waste on the site where it is generated or on the site of a licensed waste facility for hazardous waste is not “transport.” Movement of waste oil on the site where it is generated or on the site of a licensed waste oil dealer’s facility is not “transport.”

39. Treatment. “Treatment” means any process, including but not limited to incineration, designed to change the character or composition of any hazardous waste, waste oil or biomedical waste so as to render the waste less hazardous or infectious.

39-A. Uncontrolled tire stockpile. “Uncontrolled tire stockpile” means an area or location, whether or not licensed, where used motor vehicle tires are or were handled, stored or disposed of in such a manner as to present a significant fire hazard or a threat to public health or to the quality of a classified body of surface

water or a significant sand and gravel aquifer or fractured bedrock aquifer as defined in section 1310-N, subsection 2-A.

39-B. Used oil. “Used oil” means waste oil, as defined in subsection 42.

39-C. Used oil collection center. “Used oil collection center” means a site or facility where used oil is accepted from the public and collected or stored in an aboveground tank for recycling.

40. Waste facility. “Waste facility” means any land area, structure, location, equipment or combination of them, including dumps, used for handling hazardous, biomedical or solid waste, waste oil, sludge or septage. A land area or structure does not become a waste facility solely because:

A. It is used by its owner for disposing of septage from the owner’s residence;

B. It is used to store for 90 days or less hazardous wastes generated on the same premises;

C. It is used by individual homeowners or lessees to open burn leaves, brush, deadwood and tree cuttings accrued from normal maintenance of their residential property, when such burning is permitted under section 599, subsection 3; or

D. It is used by its residential owner to burn highly combustible domestic, household trash such as paper, cardboard cartons or wood boxes, when such burning is permitted under section 599, subsection 3.

41. Waste management. “Waste management” means purposeful, systematic and unified control of the handling and transportation of hazardous, biomedical or solid waste, waste oil, sludge or septage.

42. Waste oil. “Waste oil” means a petroleum-based or synthetic oil that, through use or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. Waste oil that exhibits hazardous wastes characteristics, or has been contaminated with hazardous wastes in excess of quantities normally occurring in waste oil, is subject to the provisions of this chapter dealing with hazardous wastes.

43. Waste oil dealer. “Waste oil dealer” means any person in the business of transporting or handling more than 1,000 gallons of waste oil for the purpose of resale in a calendar month. A person who collects or stores waste oil on the site of generation, whether or not for the purpose of resale, is not a waste oil dealer.

44. Waste reduction. “Waste reduction” means an action that reduces waste at the point of generation and may also be referred to as “source reduction.”

45. Waste resulting from agricultural activities. “Waste resulting from agricultural activities” means wastes which result from agricultural activities defined in section 361-A, subsection 1-B, which are returned to the soils as fertilizers and includes waste pesticides when generated by a farmer in his own use, provided that he triple rinses each emptied pesticide container in accordance with departmental rules and disposes of the pesticide residues in a manner consistent with the disposal instructions on the pesticide label.

46. Wood wastes. “Wood wastes” means brush, stumps, lumber, bark, woodchips, shavings, slabs, edgings, slash and sawdust, which are not mixed with other waste.

47. Yard wastes. “Yard wastes” means grass clippings, leaves and other vegetal matter other than wood wastes and land clearing debris.

Credits

1989, c. 585, § E, 4; 1989, c. 794, § 2; 1989, c. 869, §§ A-3 to A-5; 1989, c. 878, § H-7, eff. April 20, 1990; 1989, c. 890, § B-225; 1989, c. 929, § 5; 1991, c. 72, §§ 1, 2, eff. May 6, 1991; 1991, c. 220, §§ 6-10, eff. May 31, 1991; 1991, c. 321; 1991, c. 492, §§ 1, 2; 1991, c. 517, § A-1, eff. June 28, 1991; 1991, c. 520, § 4; 1993, c. 355, §§ 46, 47, eff. June 16, 1993; 1993, c. 378, § 4, eff. June 16, 1993; 1993, c. 383, §§ 33, 34; 1993, c. 424, §§ 1, 2; R.R.1993, c. 1, § 131; 1993, c. 732, §§ A-7, A-8, eff. April 20, 1994; 1995, c. 462, §§ A-76, A-90, eff. July 3, 1995; 1995, c. 465, § A-12, eff. July 3, 1995; 1995, c. 573, §§ 1, 2; 1995, c. 625, § C-5, eff. April 8, 1996; 1995, c. 656, §§ A-19 to A-21; R.R.1995, c. 2, § 111; 1997, c. 393, § B-9, eff. June 5, 1997; 1997, c. 602, § 1, eff. March 17, 1998; 1999, c. 334, § 10; 1999, c. 393, § 1; 1999, c. 525, §§ 1, 2, eff. June 17, 1999; 2001, c. 247, § 1; 2005, c. 612, §§ 1, 2; 2007, c. 338, §§ 1, 2; 2007, c. 406, § 1; 2007, c. 414, § 1; 2007, c. 583, § 1; 2011, c. 206, § 20, eff. June 3, 2011; 2011, c. 655, §§ GG-7 to GG-9, eff. July 1, 2012.

Notes of Decisions (4)

Footnotes

¹ 38 M.R.S.A. § 2101 et seq.

² 38 M.R.S.A. § 1701 et seq.

³ 13 M.R.S.A. § 901 et seq.

⁴ 30-A M.R.S.A. § 2201 et seq.

⁵ 38 M.R.S.A. § 1316 et seq.

⁶ 38 M.R.S.A. § 2121 et seq.

38 M. R. S. A. § 1303-C, ME ST T. 38 § 1303-C
Current with emergency legislation through Chapter 453 of the 2013 Second
Regular Session of the 126th Legislature

Appendix B

17 M.R.S.A. Ch. 80, Refs & Annos

Chapter 80, Litter Control, was enacted by Laws 1971, c. 405, § 1.

17 M.R.S.A. § 2261

§ 2261. Title

Currentness

This chapter shall be known and may be cited as the “Maine Litter Control Act.”

Credits

1971, c. 405, § 1.

Notes of Decisions (2)

17 M. R. S. A. § 2261, ME ST T. 17 § 2261

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated

Title 17. Crimes (Refs & Annos)

Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2262

§ 2262. Purposes

Currentness

It is declared and recognized that the proliferation and accumulation of litter discarded throughout this State endangers the free utilization and enjoyment of a clean and healthful environment by the people and constitutes a public health hazard; and recognizing that there has been a collective failure on the part of government, business and the public to accept, plan for and accomplish effective litter control, there is enacted the “Maine Litter Control Act.”

Credits

1971, c. 405, § 1.

17 M. R. S. A. § 2262, ME ST T. 17 § 2262

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2263

§ 2263. Definitions

Currentness

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. “Disposable package” or “container” means any and all packages or containers used for the purpose of containing a product sold or held out for sale for human or animal consumption.

1-A. Repealed. Laws 1989, c. 878, § B-12, eff. April 20, 1990.

1-B. Department. “Department” means the Department of Agriculture, Conservation and Forestry.

1-C. Commercial purpose. “Commercial purpose” means for the purpose of economic gain.

1-D. Abandoned ice-fishing shack. “Abandoned ice-fishing shack” means a temporary structure used for ice fishing and left on property not owned by the person owning the structure without permission of the landowner for more than 15 days after the inland waters on which the shack or structure was located are closed to ice fishing.

2. Litter. “Litter” means all waste materials including, but not limited to, bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, offal, except waste parts or remains resulting from the normal field dressing of lawfully harvested wild game or the lawful use of waste parts or remains of wild game as bait, feathers, except feathers from live birds while being transported, abandoned ice-fishing shacks, old automobiles or parts of automobiles or similar refuse, or disposable packages or containers thrown or deposited as prohibited in this chapter, but not including the wastes of the primary processes of mining, logging, sawmilling, farming or manufacturing.

3. “Litter receptacle” means a container of suitable size which is clearly identified with a sign, symbol or other device as a place where the public may dispose of litter.

4. Vehicle. “Vehicle” means every vehicle which is self-propelled and designed for carrying persons or property or which is used for the transportation of persons, except motorcycles, farm implements and snowmobiles.

4-A. Commercial vehicle. “Commercial vehicle” means a vehicle owned or used by a business, corporation, association, partnership, or the sole proprietorship of any entity conducting business for a commercial purpose.

5. “Person” means any person, firm, partnership, association, corporation or organization of any kind whatsoever.

6. “Public place” means any area that is used or held out for use by the public whether or not owned or operated by public or private interests.

7. “Trailer” means any vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle.

8. “Watercraft” means any type of vessel, boat or craft used or capable of being used as a means of transportation on water.

Credits

1971, c. 405, § 1; 1973, c. 194; 1973, c. 235, § 1; 1975, c. 739, §§ 3 to 6; 1989, c. 820, §§ 2, 3, eff. April 10, 1990; 1989, c. 878, § B-12, eff. April 20, 1990; 1993, c. 144, §§ 3, 4; 1995, c. 667, § A-37, eff. April 11, 1996; 2001, c. 667, § A-33, eff. April 11, 2002.

Notes of Decisions (1)

17 M. R. S. A. § 2263, ME ST T. 17 § 2263

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2263-A

§ 2263-A. Littering

Currentness

1. Prohibited acts. A person may not throw, drop, deposit, discard, dump or otherwise dispose of litter in any manner or amount:

A. In or on public highway, road, street, alley, public right-of-way or other public lands, except in a container or receptacle or on property that is designated for

disposal of garbage and refuse by the State or its agencies or political subdivisions;

B. In freshwater lake, river, stream, tidal or coastal water or on ice over the water. When any litter is thrown or discarded from a watercraft, a person is in violation of this section if that person is:

(1) The operator of the watercraft, unless it is a watercraft being used for the carriage of passengers for hire; or

(2) The person actually disposing of the litter.

This paragraph does not prohibit persons who fish, lobster or otherwise harvest from the water from returning to the water harvested products, bait and similar materials that naturally originate in the water;

C. In or on any private property, unless:

(1) Prior consent of the owner has been given; and

(2) The litter is not a public nuisance or in violation of any state law or local rule;

D. From a trailer or vehicle that is constructed, loaded or uncovered in such a way that the load may drop, sift, leak or otherwise escape. This paragraph applies to vehicles or trailers carrying trash, rubbish or other materials that may be construed as “litter”; or

E. From a vehicle. When any litter is thrown or discarded from a vehicle, a person is in violation of this section if that person is:

(1) The operator of the vehicle, unless it is a vehicle being used for the carriage of passengers for hire; or

(2) The person actually disposing of the litter.

In addition to any penalty under section 2264-A, violation of this subsection is a traffic infraction under Title 29-A, chapter 23, subchapter VI.¹

A record of a violation of this subsection must be forwarded to the Secretary of State who, in accordance with Title 29-A, section 2607, shall add the violation to the department's point system. The violation is counted in determining an individual's total points under the point system of the Department of the Secretary of State, Bureau of Motor Vehicles.

2. Commercial purpose presumed. For the purposes of this chapter, if a person dumps litter from a commercial vehicle, that person is presumed to have dumped the litter for a commercial purpose.

Credits

2003, c. 452, § I-32, eff. July 1, 2004.

Footnotes

1

29-A M.R.S.A. § 2601, et seq.

17 M. R. S. A. § 2263-A, ME ST T. 17 § 2263-A

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2264

§ 2264. Repealed. Laws 2003, c. 452, § I-33, eff. July 1, 2004

Currentness

17 M. R. S. A. § 2264, ME ST T. 17 § 2264

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2264-A

§ 2264-A. Penalties

Effective: September 28, 2011

Currentness

Unless otherwise indicated, a person who disposes of litter in violation of this chapter commits a civil violation for which the following fines apply.

1. Disposal of 15 pounds or less or 27 cubic feet or less of litter. A person who disposes of 15 pounds or less or 27 cubic feet or less of litter commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

1-A. Disposal of 15 pounds or less or 27 cubic feet or less of litter; subsequent offenses. A person who violates subsection 1 after having previously violated subsection 1 commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged.

2. Disposal of more than 15 pounds or more than 27 cubic feet of litter. A person who disposes of more than 15 pounds or more than 27 cubic feet of litter commits a civil violation for which the court:

A. Shall impose a fine of not less than \$500;

B. Shall require the person to pay a party sustaining damages arising out of a violation of this subsection treble the actual damages or \$200, whichever amount is greater, plus the injured party's court costs and attorney's fees if action results in a civil proceeding;

C. Shall require the person to perform not less than 100 hours of public service relating to the removal of litter or to the restoration of an area polluted by litter disposed of in violation of this section. The court shall consult with the Commissioner of Inland Fisheries and Wildlife to determine if there is an opportunity for public service that may improve landowner and sportsman relations;

D. When practical, shall require the person to remove the litter dumped in violation of this subsection;

E. May suspend the person's motor vehicle operator's license for a period of not less than 30 days or more than one year, except as provided in paragraph F. Notwithstanding paragraph F, the court shall suspend all licenses and permits issued under Title 12, Part 13, subpart 4 and recreational vehicle registrations and certificates issued to that person under Title 12, Part 13, subpart 6 for a period of not less than 30 days or more than one year; and

F. May suspend any license, permit, registration or certification issued by a state agency or municipality to the person. A professional license, permit, registration or certification required for that person to operate or establish a business or necessary for the person's primary source of employment may not be suspended unless the items dumped were related to the person's profession or occupation.

2-A. Disposal of more than 15 pounds or more than 27 cubic feet of litter; subsequent offenses. A person who violates subsection 2 after having previously violated subsection 2 commits a civil violation for which the penalty provisions under subsection 2 apply except for subsection 2, paragraph A, and a fine of not less than \$2,000 must be adjudged.

3. Disposal of more than 500 pounds or more than 100 cubic feet of litter for a

commercial purpose. A person who disposes of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose is subject to the penalties under Title 38, section 349.

Credits

1989, c. 820, § 5, eff. April 10, 1990; 1993, c. 140, § 1; 2003, c. 452, §§ I-34 to I-37, eff. July 1, 2004; 2011, c. 208, § 4.

17 M. R. S. A. § 2264-A, ME ST T. 17 § 2264-A

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2264-B

§ 2264-B. Penalty options

Effective: September 28, 2011

Currentness

In addition to the fines imposed in section 2264-A, subsections 1 and 1-A, the court may order a person adjudicated to have violated section 2264-A, subsection 1 or subsection 1-A to:

- 1. Removal of litter.** Remove the litter dumped in violation of section 2264-A;
- 2. Cost of cleanup.** Pay the owner of the property treble the owner's cost of clean up or removal of the litter;
- 3. Damages.** Pay the person sustaining damages arising out of a violation of this

subsection treble the actual damages or \$200, whichever amount is greater, plus the injured party's court costs and attorney's fees if action results in a civil proceeding;

4. Public service. Perform public service relating to the removal of litter, or to the restoration of an area polluted by litter, dumped in violation of section 2264-A; and

5. License suspension. Surrender the person's motor vehicle operator's license, a license or permit issued to that person under Title 12, Part 13, subpart 4 or a recreational vehicle registration or certificate issued to that person under Title 12, Part 13, subpart 6 for a period not exceeding 30 days. The court may suspend an operator's license for any violation of section 2264-A, subsection 1 or subsection 1-A that involves the use of a motor vehicle.

Credits

1989, c. 820, § 5, eff. April 10, 1990; 2003, c. 452, §§ I-38, I-39, eff. July 1, 2004; 2007, c. 651, § 21, eff. April 18, 2008; 2009, c. 424, § 1; 2011, c. 208, §§ 5, 6.

17 M. R. S. A. § 2264-B, ME ST T. 17 § 2264-B

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2264-C

§ 2264-C. Forfeiture

Currentness

All conveyances, including aircraft, watercraft, vehicles, vessels, containers or cranes that are used, or attempted to be used, to dump more than 1,000 pounds or more than 100 cubic feet of litter in violation of section 2264-A are subject to forfeiture as provided in Title 15, chapter 517.¹

Credits

1989, c. 820, § 5, eff. April 10, 1990; 2003, c. 452, § I-40, eff. July 1, 2004.

Footnotes

1

15 M.R.S.A. § 5821 et seq.

17 M. R. S. A. § 2264-C, ME ST T. 17 § 2264-C

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2265

§ 2265. Repealed. Laws 1989, c. 820, § 6, eff. April 10, 1990

Currentness

17 M. R. S. A. § 2265, ME ST T. 17 § 2265

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2266

§ 2266. Repealed. Laws 1989, c. 820, § 7, eff. April 10, 1990

Currentness

17 M. R. S. A. § 2266, ME ST T. 17 § 2266

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2267

§ 2267. Repealed. Laws 1989, c. 820, § 8, eff. April 10, 1990

Currentness

17 M. R. S. A. § 2267, ME ST T. 17 § 2267

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2267-A

§ 2267-A. Submerged motor vehicles, snowmobile and watercraft in waters of the State

Effective: September 12, 2009

Currentness

The following provisions apply when a motor vehicle is submerged or partially submerged in waters of the State or when a snowmobile or watercraft is submerged in the inland waters of the State.

1. Definition. When used in this section the term “motor vehicle” means any self-propelled vehicle designed to carry persons or property or used to transport persons,

except snowmobiles and watercraft. The term “watercraft,” when used in this section, means any type of craft placed on the inland waters of the State, whether used as a means of transportation or for other purposes.

2. Notice of submerged vehicle, snowmobile or watercraft to be given to department. The owner of any motor vehicle that becomes submerged or partially submerged in the waters of the State shall immediately, by the fastest means of communication, notify the Commissioner of Inland Fisheries and Wildlife of the event and the location of the vehicle. The owner of a snowmobile or watercraft that becomes submerged in the inland waters of the State for more than 24 hours shall notify the commissioner as provided in this subsection.

The commissioner shall, upon receiving notice of a submerged or partially submerged vehicle in the waters of the State or a submerged snowmobile or watercraft in the inland waters of the State, notify the Chief of the State Police, the Commissioner of Environmental Protection and any municipality or public utility that regulates the uses of the waters as a source of public water supply pursuant to Title 22, sections 2641 to 2648.

3. Owner legally liable to remove vehicle, snowmobile or watercraft. The owner of the vehicle is legally liable to remove any motor vehicle submerged or partially submerged in the waters of the State and pay any damages resulting from the submersion or removal. The vehicle must be removed within 30 days of the submersion or partial submersion or within 30 days of “ice out” in the body of water unless the commissioner determines that the vehicle creates a health or safety hazard. If the commissioner determines that the vehicle creates a health or safety hazard the commissioner shall order the owner to remove the vehicle immediately. If the owner fails to remove the vehicle upon order of the commissioner, the commissioner shall, in writing, request the court to direct the owner to remove the vehicle immediately. The owner of a snowmobile or watercraft that is submerged in the inland waters of this State for longer than 24 hours shall remove the snowmobile or watercraft in accordance with this subsection.

4. Financial responsibility. A conviction or adjudication of any person for a violation of this section constitutes a violation of state law relative to motor vehicles to which Title 29-A, chapter 13¹ applies.

5. Penalties. A violation of this section is a civil violation for which a forfeiture of \$200 may be adjudged. In addition to a forfeiture, or instead of a forfeiture, the judge may direct the person convicted to remove the vehicle, snowmobile or watercraft.

6. Rules. The commissioner may, in accordance with the provisions of Title 5, chapter 375,² adopt any rules necessary to carry out the purposes of this chapter.

Credits

1981, c. 578; 1995, c. 65, § A-52, eff. May 11, 1995; 2001, c. 536, § 3, eff. March 18, 2002; 2009, c. 340, § 26.

Footnotes

1

29-A M.R.S.A. § 1551 et seq.

2

5 M.R.S.A. § 8001 et seq.

17 M. R. S. A. § 2267-A, ME ST T. 17 § 2267-A

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2268

§ 2268. Enforcement

Currentness

Every law enforcement officer in the State, including but not limited to State Police,

county sheriffs and their deputies, municipal police, wardens of the Department of Inland Fisheries and Wildlife, wardens of the Department of Marine Resources, rangers of the Division of Forestry and liquor inspectors of the Department of Public Safety shall have authority to enforce this chapter.

Political subdivisions of the State may offer rewards for information which lead to the conviction of violators of this chapter.

Credits

1971, c. 405, § 1; 1973, c. 460, § 18; 1973, c. 513, § 22; 1973, c. 537, § 20; 1975, c. 739, § 13.

17 M. R. S. A. § 2268, ME ST T. 17 § 2268

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2269

§ 2269. Repealed. Laws 2003, c. 452, § I-41, eff. July 1, 2004

Currentness

17 M. R. S. A. § 2269, ME ST T. 17 § 2269

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2269-A

§ 2269-A. Litter receptacles; selection and placement

Currentness

1. Procure, place and maintain litter receptacles. A person who owns or operates an establishment or public place in which litter receptacles are required by this chapter shall procure, place and maintain receptacles at the person’s own expense in accordance with this chapter.

2. Required placement. Litter receptacles as defined in section 2263 must be placed at all public places or establishments that serve the public, including, but not limited to: campgrounds, trailer parks, drive-in restaurants, gasoline service stations, parking lots, shopping centers, grocery store parking lots, parking lots of major industrial firms, marinas, boat launching areas, boat moorage and fueling stations, beaches and bathing areas, school grounds and business district sidewalks. The number of receptacles required is as follows:

- A.** For a campground or trailer park for transient habitation, one receptacle at each public rest room facility;
- B.** For a drive-in restaurant, parking lot, shopping center, grocery store parking lot or parking lot of a major industrial firm, one receptacle, plus one additional receptacle for each 200 parking spaces in excess of 50 spaces;
- C.** For a gasoline service station, one receptacle per gasoline pump island;
- D.** For a marina, boat launching area or boat moorage and fueling station, one receptacle at each location;
- E.** For a beach or bathing area, one receptacle at each public rest room facility;

F. For school grounds, one receptacle at each playground area and one at each school bus loading zone; and

G. For business district sidewalks, one receptacle per 1,000 feet of sidewalk curbing.

3. Exception; remote forest campsites. Remote forest campsites operated by the Department of Agriculture, Conservation and Forestry pursuant to Title 12, chapter 220, subchapter 2, are not considered public places or establishments that serve the public if they are designated as “carry-in and carry-out” sites from which users are expected to remove litter and other material upon their departure.

4. Penalties. A person who operates a business of a type described in this section commits a civil violation for which a fine of \$10 for each violation may be adjudged if that person:

A. Fails to place the litter receptacles on the premises in the numbers required; or

B. Fails to comply within 10 days of being notified by registered letter by the Department of Agriculture, Conservation and Forestry that that person is in violation.

Each day a violation continues is a separate offense.

Credits

2003, c. 452, § I-42, eff. July 1, 2004.

17 M. R. S. A. § 2269-A, ME ST T. 17 § 2269-A

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2270

§ 2270. Responsibility for maintenance of litter receptacles

Currentness

Responsibility for the removal of litter from litter receptacles placed at parks, beaches, campgrounds, trailer parks and other publicly owned public places shall remain upon those state and local agencies performing litter removal, and removal of litter from litter receptacles placed upon privately owned public places shall remain the responsibility of the owner of said premises.

Credits

1971, c. 405, § 1.

17 M. R. S. A. § 2270, ME ST T. 17 § 2270

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2271

§ 2271. Local regulations

Currentness

Municipalities of this State may adopt more stringent ordinances, laws or regulations

dealing with subject matter of this chapter. Any less restrictive ordinances, laws or regulations now in effect dealing with the subject matter of this chapter and the minimum standards which it establishes are declared invalid and of no force and superseded by this chapter on September 23, 1971.

Credits

1971, c. 405, § 1; 1971, c. 622, § 61, eff. March 15, 1972.

17 M. R. S. A. § 2271, ME ST T. 17 § 2271

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2272

§ 2272. Promiscuous dumping prohibited

Currentness

No person shall deposit household garbage, leaves, clippings, prunings or gardening refuse in any litter receptacle.

Persons violating the provisions of this section are liable for the same penalties as provided for violation of section 2264-A.

Credits

1975, c. 739, § 15; 2003, c. 452, § I-43, eff. July 1, 2004.

17 M. R. S. A. § 2272, ME ST T. 17 § 2272

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2273

§ 2273. Penalty warning signs

Currentness

Within the limits of its budget, the Department of Transportation may erect one sign within each 100 miles of state highway mileage in each county, warning motorists of the penalties for littering or asking for their cooperation in keeping the highways clean. One such sign shall be located within a reasonable distance of all state highway entry points into this State from other states or countries. If the state highway leads to or from an international border crossing point, the sign shall be bilingual.

Credits

1975, c. 739, § 15.

17 M. R. S. A. § 2273, ME ST T. 17 § 2273

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2274

§ 2274. Fines, distribution

Currentness

All fines levied and collected for violations of this chapter shall be distributed as follows:

If the fine resulted from a complaint by a law officer of a state agency which receives a major share of its financial support from dedicated revenue, the fine, less court costs, shall be reimbursed to that agency; or

If the fine resulted from a complaint of a law officer of a state agency supported primarily by a General Fund appropriation, the fine, less court costs, shall be reimbursed to the department to be used in an anti-litter educational program and shall be in addition to other General Fund money appropriated for that purpose.

Credits

1975, c. 739, § 15; 1989, c. 878, § B-13, eff. April 20, 1990.

17 M. R. S. A. § 2274, ME ST T. 17 § 2274

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)

17 M.R.S.A. § 2275

§ 2275. Driver license and registration procedures

Currentness

The Bureau of Motor Vehicles shall include a summary of this chapter with each reregistration and new vehicle operator license issued.

The Bureau of Motor Vehicles shall include a summary of this chapter in the next revision and printing of the driver license information materials.

Credits

1975, c. 739, § 15; 1989, c. 878, § B-14, eff. April 20, 1990; 1991, c. 837, § A-45, eff. April 8, 1992.

17 M. R. S. A. § 2275, ME ST T. 17 § 2275

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**Maine Revised Statutes Annotated
Title 17. Crimes (Refs & Annos)
Chapter 80. Litter Control (Refs & Annos)**

17 M.R.S.A. § 2276

§ 2276. Local regulations

Currentness

Municipalities of this State may adopt more stringent ordinances, laws or regulations dealing with the subject matter of this chapter. Any less restrictive ordinances, laws or regulations now in effect dealing with the subject matter of this chapter and the minimum standards which it establishes are declared invalid and of no force and superseded by this chapter on its effective date.

Credits

1975, c. 739, § 15.

Solid Waste Ordinance of the Town of Mount Desert

17 M. R. S. A. § 2276, ME ST T. 17 § 2276

Current with emergency legislation through Chapter 453 of the 2013 Second Regular Session of the 126th Legislature

**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 an ordinance entitled Town of Mount Desert Use of Public Places Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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
USE OF PUBLIC PLACES ORDINANCE**

Enacted May 5, 2009

Amended May 2, 2023

1. No person shall use or permit to be used any public thoroughfare, public street, beach, cemetery, public land or any other public place in the Town of Mount Desert for the purpose of overnight accommodation or a temporary or permanent abode or habitation, except with the written permission of the Board of Selectmen of the Town of Mount Desert.
2. In addition, no person shall park any vehicle or trailer, erect any tent, lean-to or similar shelter with the intent to camp or sleep on any public thoroughfare, public street, beach, cemetery, public land or any other public place in the Town of Mount Desert.
3. Any person or corporation who violates, disobeys, refuses to comply with, or resists the enforcement of any provision of this ordinance shall upon conviction, be fined not less than One Hundred Dollars (\$100), nor more than Two Thousand Five Hundred Dollars, (\$2,500) for each offense. Each day that a violation continues after notification shall constitute a separate offense, and each violation shall be deemed a separate offense. 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.A. § 4452), the Town may recover all costs of enforcement of this ordinance, including reasonable attorneys fees.
4. 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.
5. This ordinance is adopted pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, *et seq.*).
6. This ordinance shall be enforced by the Police Department of the Town of Mount Desert.
7. The effective date of this Ordinance is: May 5, 2009.
- ~~8. This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

**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 an ordinance entitled Town of Mount Desert Use of Public Road Acceptance Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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

Public Road Acceptance Ordinance
As adopted May 5, 2009 Annual Town Meeting
Amended May 8, 2018 Annual Town Meeting

The Citizens of the Town of Mount Desert do ordain a Public Road Acceptance Ordinance be adopted as follows:

WHEREAS, the Town has identified several private roads where maintenance including: plowing, sanding, grading and bituminous repairs have been requested of the Town by the private owners, and

WHEREAS, the Board of Selectmen have requested that private/public roads be identified and listed along with an assessment of their condition, size, use, benefit to the public and future need, and

WHEREAS, it is the intention of this ordinance to identify those private roads which by the nature of their condition, use and location would be more appropriate with a "Public" designation.

NOW, THEREFORE BE IT RESOLVED, that to become "public", a road or road section must meet the following conditions:

1. The road must meet the "Street Design and Construction Standards" of the Mount Desert Subdivision Ordinance, which standards are currently listed in Section 5.14.
2. The current private owner(s) are willing to sign over all title, rights and responsibilities without reservations to the 50' wide, right of way. Legal costs of the deed to the own shall be borne by the private owner(s).
3. The current private owner(s) shall ask the Public Works Director to certify in writing to the Board of Selectmen that the above-stated conditions have been met.
4. The current private owner(s) shall provide to the Town Manager evidence of good and marketable title in and to the proposed road in the form of an attorney's title opinion letter or a commitment for title insurance.
5. The Town Manager shall request from an attorney a letter certifying that said attorney's title opinion letter or said title insurance commitment sufficiently protects the Town's interests.
6. Upon receipt of the afore-mentioned two letters, the Selectmen will recommend the request for "Public" Designation as an article in the next succeeding regular Town Warrant. Following Town Meeting approval, the Town of Mount Desert will accept title and all future rights and responsibilities, including maintenance, repair and replacement as necessary and the road shall be deemed "Public". The Selectmen may, at their option, agree to placing potential acceptance of a road on the warrant, contingent on its reconditioning by the private owner(s) after approval by Town Meeting and before becoming "Public".

7. When a road is accepted by the Town Meeting as a “public” road, and after the deed for the land beneath said road has been duly recorded at the Hancock County Registry of Deeds, the road shall be placed on any “Road Inventory” regularly kept by the Town.

NOW THEREFORE BE IT FURTHER RESOLVED should the current owner(s) fail, or be unwilling, to meet the above-stated conditions, then:

1. The road shall remain private;
2. All repairs and maintenance of the road and its appurtenances shall be the responsibility of the owner(s) at the sole cost of the owner(s);

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.

The effective date of this Ordinance is: May 5, 2009; amended May 8, 2018.

~~This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

**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 2, 2023.

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 _____ 2023,
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 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to clarify the dimensional requirements for one-Family and two-family dwellings” be enacted as set forth below?

Explanatory Note: This warrant article amends the LUZO section 6.B.11.3(2) to clarify that the dimensional standards for a duplex are not doubled until a second duplex structure is added.

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

- .
- .
- .

6B.11 Lots

- .
- .
- .

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 Dimensional requirements one-family or two-family dwellings. One-family and two-family dwellings are allowed in all districts, as indicated in Section 3.4, subject to the following:- All dimensional requirements shall be met separately for each and every one-family dwelling on a lot. ~~For each additional or All dimensional requirements shall be met separately for each and every two-family dwelling on a lot, all dimensional requirements shall be met separately for each one-family or two-family dwelling.~~

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance to remove the air landing sites" be enacted as set forth below?

Explanatory Note: This Article removes air landing sites from section 6B in the ordinance.

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

6B.1 Agriculture

In non-shoreland areas, all spreading, or disposal of manure shall be accomplished in conformance with the Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001, and the Nutrient Management Law (7 M.R.S.A. sections 4201-4209). In shoreland areas, all spreading, or disposal of manure shall comply with Section 6C.1.

6B.2 ~~Air Landing Sites~~ RESERVED

~~No air landing site shall be developed or used for such purpose without Conditional Use Approval of the Planning Board.~~

Planning Board recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

NOTE: Need to change table of contents

Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance regarding the definition of Marina and Expansion of Use" be enacted as set forth below?

Explanatory Note: This Article adds language to the definitions for Marina's and Expansion of a Use to clarify that the Harbor Master regulates moorings and that an expansion of use does not include adding moorings.

SECTION 8 DEFINITIONS

.
. .
EXPANSION OF A USE: The additional use of more footprint of a structure, land or water area devoted to a particular use; additional one or more weeks of the use's operating season; or additional business hours of operation. Excludes moorings that are regulated by the harbormaster.

.
. .
MARINA: A business establishment having frontage on navigable water and providing for hire docking facilities or moorings at its location unless such uses are incidental to the principal use of the property. In addition, it may also provide other services such as: boat storage and repair; boat sales; boat hauling and launching; bait and tackle sales; sale of marine supplies and marine fuel. Placement of moorings are exclusively regulated by the Harbor Master consistent with the Harbor Ordinance and Maine Revised Statutes, Title 38, Chapter 1.

Planning Board recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance to amend the deadline for establishment of use" be enacted as set forth below?

Explanation: This Article changes the timeframe for establishment of use for a conditional use from 12 months to 24 months.

SECTION 5 CONDITIONAL USE APPROVAL

5.5 Deadline for establishment of use

Unless more restrictive criteria are required in another section of this Ordinance, the proposed use must be established within ~~twelve (12)~~ twenty-four (24) months of the date of approval of the Conditional Use Application. Otherwise, the approval lapses and a new application is required. The beginning of construction or the commencement of business shall constitute establishment.

Planning Board recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance regarding the footprint limitation for principal and accessory structures in the shoreland zone" be enacted as set forth below?

Explanatory Note: This Article provides a housekeeping change to make the local ordinance consistent with Shoreland Zoning by increases the footprint limitation for principal and accessory structures in the shoreland zone from 15% to 20% which is more consistent with the State guidelines.

SHORELAND ZONING STANDARDS

.
. .

6C.8 Principal and Accessory Structures

.
. .

- 6. **15%~~20%~~ footprint limitation.** The total footprint area of all structures, parking lots and other -vegetated surfaces, within the shoreland zone shall not exceed ~~fifteen~~twenty (~~15~~20) percent of the lot or a portion thereof, located within the shoreland zone, including land area previously developed, except in the Shoreland Commercial District adjacent to tidal waters, where lot coverage shall not exceed seventy (70) percent.

Planning Board recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance to correct the date for when a lot was be created for purposes of applying the access provisions in 6B.11(2)" to be enacted as set forth below?

Explanatory Note: This Article makes a house keeping correction to date for when a lot was be created for purposes of applying the access provisions in 6B.11(2).

6B.11 Lots

1. Minimum lot size. See section 3.5.

2. Access.

1. Lots created on or after ~~June 6~~May 5, 2015. No lot created on or after ~~June 6~~May 5, 2015, shall be built upon or otherwise developed unless it has a private road or driveway for access to a public way by a valid right of way benefiting the lot (or a combination of driveway and/or one or more private roads) or by ownership of land abutting the public way. If more than 2 lots are accessed by the same private road, then it must meet the Street Design and Construction Standards of Section 5.14 of the Subdivision Ordinance. If no more than 2 lots are accessed by the same private road or driveway, then it must meet either the said Street Design and Construction Standards or the Driveway Construction standards of Section 6B.6 of this Ordinance. A pre-existing primary access drive that serves up to 2 existing lots need not meet the requirements of Section 6B.6. All such lots must maintain safe access for fire, police, and emergency vehicles, as determined by the Code Enforcement Officer.

In determining whether lots maintain safe access, the Code Enforcement Office may seek guidance from the Fire Chief.

2. Lots created before ~~June 6~~May 5, 2015. Any lot created before ~~June 6~~May 5, 2015, shall not be further built upon or otherwise further developed unless it has a private road or driveway for access to a public way by a valid right of way benefiting the lot (or a combination of driveway and/or one or more private roads) or by ownership of land abutting the public way, but the said private road or driveway need not meet the requirements of Section 6B.6 of the Land Use Zoning Ordinance. All such lots must maintain safe access for fire, police, and emergency vehicles, as determined by the Code Enforcement Officer. In determining whether lots maintain safe access, the Code Enforcement Officer may seek guidance from the Fire Chief.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

WARRANT ARTICLE XX - Shall an ordinance dated May 2, 2023, entitled "Amendments to the Land Use Zoning Ordinance to change the Land Use District designation of Tax Map 003: Lot 026 and Map 003: Lot 027" be enacted as set forth below?

Explanation: This Article changes Tax Map 003, Lot 26 and Map 3, Lot 27 from Shoreland Residential Two (SR2) to Residential Two (R2).

SECTION 3 LAND USE DISTRICTS

- .
- .
- .

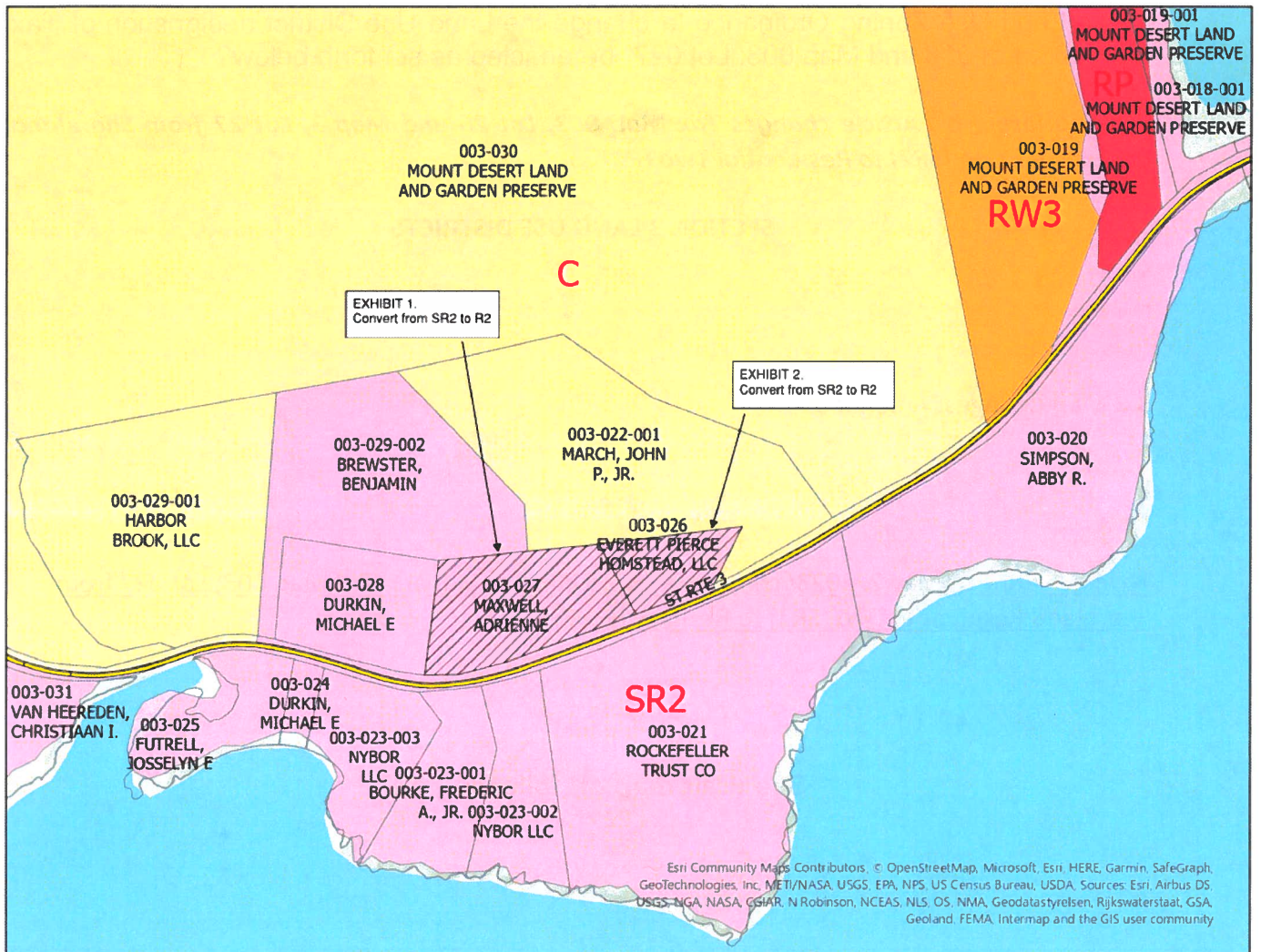
3.3 Map Changes: Amended at:

- .
- .
- .

Town Meeting of May 2, 2023: change Tax Map 003, Lot 026 and Tax Map 003, Lot 027 from Shoreland Residential Two (SR2) to Residential Two (R2).

- .
- .
- .

See draft map on following page



Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance Regarding Lots within the Village Commercial District in the Village of Northeast Harbor" be enacted as set forth below?

Explanation: This Article amends Section 3.5, footnote P to clarify that the minimum lot size of 1000 square feet only applies to lots within the village of Northeast Harbor.

Section 3.5 Dimensional Requirements for Districts: minimum area, width of lots, setbacks, etc.

- .
- .
- .

Notes:

- .
- .
- .

(p) For only those lots in the Village of Northeast Harbor within the Village Commercial District that have public sewer, the minimum lot area required for each dwelling unit on a single lot is 1000 square feet.

- .
- .
- .

Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance to add Residential Storage Building/Shed as permitted uses in Section 3.4" be enacted as set forth below?

Explanation: This Article adds Residential Storage Building/Sheds as allowed uses so that property owners can build these structures without being tied to a residential dwelling unit.

SECTION 3 LAND USE DISTRICTS

3.4 Permitted, Conditional, and Excluded Uses by District:

All land use activities, as indicated in the following table, shall conform with all of the applicable land use standards in Sections 6.A., 6.B., and 6.C. The district designation for a particular site shall be determined from the Official Land Use Zoning map.

- P Use allowed without a permit** (but the use must comply with all applicable land use standards)
- C Use allowed with conditional use approval from the Planning Board** Use allowed with conditional use approval from the Planning Board, except where the code enforcement officer may authorize minor changes in the placement and size of improvements for an approved conditional use permit
- X Use is prohibited**
- CEO Use allowed with a permit from the code enforcement officer**

- VR1 VILLAGE RESIDENTIAL ONE
- VR2 VILLAGE RESIDENTIAL TWO
- VR3 VILLAGE RESIDENTIAL THREE
- R1 RESIDENTIAL ONE
- R2 RESIDENTIAL TWO
- SR1 SHORELAND RESIDENTIAL ONE
- SR2 SHORELAND RESIDENTIAL TWO
- SR3 SHORELAND RESIDENTIAL THREE
- SR5 SHORELAND RESIDENTIAL FIVE
- RW2 RURAL OR WOODLAND TWO
- RW3 RURAL OR WOODLAND THREE
- VC VILLAGE COMMERCIAL
- SC SHORELAND COMMERCIAL
- RP RESOURCE PROTECTION
- C CONSERVATION
- SP STREAM PROTECTION

See table of uses on following pages
Section 3.4 Permitted, Conditional, and Excluded Uses by District

DISTRICTS:			SR 1							
LAND USE:	VR 1 VR 2	R 1 R 2	SR 2 SR 3 SR 5	RW 2 RW 3	VC	SC	C	RP	SP	VR3
RESIDENTIAL										
Dwelling 1 & 2 Family	CEO	CEO	CEO ^(d)	CEO	CEO	CEO ^(d)	C	C ⁸	C ⁴	X
Dwelling, Multiple	C	C	C	C	C	X	C	X	X	X
Accessory Residential Dwelling Unit	CEO	CEO	CEO	CEO	CEO	C	C	C ⁸	C ⁴	C ^e
Accessory structures including structural additions and guest houses ^(e)	CEO	CEO	CEO	CEO	CEO	CEO	C	C ⁸	C ⁴	X
Cluster and Workforce Subdivisions	C	C	X	C	C	X	X	X	X	X
<u>Residential Storage Building/Shed</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>C</u>	<u>C⁸</u>	<u>C⁴</u>	<u>X</u>
Mobile Home Park	C	X	X	X	X	X	X	X	X	X

(c) A separate garage is an accessory structure. A separate garage with a dwelling unit shall be deemed a dwelling unit.

(d) See Section 6B.11.3 (Lots)

(e) Accessory residential dwellings in the VR3 District must be for staff housing only.

See table of uses on following pages

.
.
.

SECTION 8 DEFINITIONS

.
.
.

RESIDENTIAL STORAGE BUILDING/SHED: A structure or building used primarily for storage purposes.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance to **clarify where the setback is measured from a road or right-of-way**" be enacted as set forth below?

Explanatory Note: This Article clarifies where a road setback is measured from.

SECTION 3 LAND USE DISTRICTS

- .
- .
- .

Section 3.5 Dimensional Requirements for Districts: minimum area, width of lots, setbacks, etc.

- .
- .
- .

NOTES:

(b) Refer to setback as defined in Section 8.

(c) Setbacks from pPublic and private roads are measured from edge of road surface, or edge of legally established right of way if no road exists. ~~Where the setback is from a private road or right-of-way, the setback shall be equal to the property line setback requirements of the district in which the property is located.~~

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

WARRANT ARTICLE XX - Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to allow exceptions to the height limitations consistent with State Shoreland Zoning Laws” be enacted as set forth below?

Explanation: *This Article allows an exception to how height is measured when a structure is located within an area of special flood hazard.*

SECTION 4 NON-CONFORMITIES

.
. .

4.3 Non-conforming Structures

- 1. Expansions Outside the Shoreland Zone.** A structure located outside the shoreland zone which is nonconforming with respect to a dimensional requirement may be enlarged or extended in any other direction upon issuance of a building permit, provided that such activities otherwise comply with all provisions of this Ordinance.
- 2. Expansions In the Shoreland Zone.** All new structures in the shoreland zone must meet the applicable shoreline setback requirements contained in Sections 3 (Land Use Districts) and 6 (Standards for Uses, Permits and Approval). A non-conforming structure in the shoreland zone may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure if such addition or expansion does not increase the non-conformity of the structure and is in accordance with the subsections of Section 4.3.2.
 - (a) Expansion of an accessory structure that is located closer to the normal high-water line of a water body, tributary stream, or upland edge of a wetland than the principal structure is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.
 - (b) Expansion of any portion of a structure within 25 feet of the normal high-water line of a water body, tributary stream or upland edge of a wetland is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.
 - (c) Notwithstanding Section 4.3.2(b), if a nonconforming principal structure is entirely located less than 25 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, that structure may be expanded as follows, as long as all other applicable standards of this Ordinance are met, and the expansion is not prohibited by Section 4.3.2 above.
 - (i) The maximum total footprint for the principal structure may not be expanded to an area greater than 800 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater.
 - (ii) The maximum height of the principal structure may not be made greater than 15 feet or the height of the existing structure, whichever is greater.

- (d) All other nonconforming principal and accessory structures that do not meet the water body, tributary stream, or wetland setback requirements may be expanded or altered as follows, as long as other applicable standards of this Ordinance are met and the expansion is not prohibited by Section 4.3.2 and subsections (a), (b) or (c) above.
- (i) For structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to an area greater than 1,000 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater.
 - (ii) For structures located less than 75 feet from the normal high-water line of a water body, tributary stream or upland edge of a wetland, the maximum height of any structure may not be made greater than 20 feet or the height of the existing structure, whichever is greater.
 - (iii) For structures located less than 100 feet from the normal high-water line of a great pond, the maximum combined total footprint for all structures may not be expanded to an area greater than 1,500 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater.
 - (iv) For structures located less than 100 feet from the normal high-water line of a great pond, the maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater.
 - (v) For structures located less than 100 feet from the normal high-water line of a great pond, any portion of those structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height requirements of Sections 4.3.2(d)(i) and (ii).
- (e) In addition to the limitations in Section 4.3.2 and subsections (a), (b) and (c) above, structures that are nonconforming due to their location within the Resource Protection District and are located at less than 250 feet from the normal high-water line of a water body or the upland edge of a wetland may be expanded or altered as follows, as long as other applicable standards of this Ordinance are met:
- (i) The maximum combined total footprint for all structures may not be expanded to an area greater than 1,500 square feet or 30% larger than the footprint that existed at the time the Resource Protection District was established on the lot, whichever is greater.
 - (ii) The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater.
 - (iii) Any portion of the structures located less than 100 feet from the normal high-water line of a great pond or a river flowing to a great pond, must meet the footprint and height requirements of Sections 4.3.2(d)(iii) and (iv).
 - (iv) Any portion of the structures located less than 75 feet from the normal high-waterline of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height requirements of Sections 4.3.2(d)(i) and (ii).
-

(f) Notwithstanding the limitations on height imposed under the paragraphs above, the height of a structure that is a legally existing nonconforming principal or accessory structure may be raised to, but not above, the minimum elevation necessary to be consistent with the local floodplain management elevation requirement or to 3 feet above base flood elevation, whichever is greater, as long as the structure is relocated, reconstructed, replaced or elevated within the boundaries of the parcel so that the water body or wetland setback requirement is met to the greatest practical extent. This paragraph applies to structures that:

(i) Have been or are proposed to be relocated, reconstructed, replaced or elevated to be consistent with the local floodplain management elevation requirement; and

(ii) Are located in an area of special flood hazard.

(f)(g) Any approved plan for expansion of a nonconforming structure under Section 4.3.2 must be recorded by the applicant in the registry of deeds of the county in which the property is located within 90 days of approval. The recorded plan must include the existing and proposed footprint of structures on the property, the existing and proposed height of structures on the property, the shoreland zone boundary and evidence of approval by the permitting authority.

SECTION 8 DEFINITIONS

AREA OF SPECIAL FLOOD HAZARD: Land in a floodplain having a 1% or greater chance of flooding in any given year, as identified in the effective federal flood insurance study and corresponding flood insurance rate maps.

HEIGHT OF A STRUCTURE: The vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area. With respect to existing principal or accessory structures, including legally existing nonconforming structures, located within an area of special flood hazard that have been or are proposed to be relocated, reconstructed, replaced or elevated to be consistent with the minimum elevation required by a local floodplain management ordinance, the vertical distance between the bottom of the sill of the structure to the highest point of the structure, excluding chimneys, steeples, antennas and similar appurtenances that have no floor area.

**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 Harbor Ordinance, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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

Shall an ordinance dated May ==, 2023, and entitled "Amendments to the Town of Mount Desert Harbor Ordinance" be enacted as follows?

Explanatory Note: These amendment to the Harbor Ordinance are to bring the definition of "resident" into line with State statute, 38 M.R.S. § 11(1), and to provide better oversight for moorings located outside the harbors of the Town.

**Town of Mount Desert
Harbor Ordinance**

**Enacted May 2, 2017
Amended May --, 2023**

Article I – Definitions

~~Resident - Any person who owns property in the Town of Mount Desert, or any person who rents property with their boat registered in town and the excise tax paid in town occupies a dwelling within the Town of Mount Desert for more than 180 days in a calendar year.~~

Article VII – Moorings: Assignment, Standards, Specifications, and Waiting List

7.5 - Mooring Registration and Permit

~~All moorings located in all harbors and all other tidal waters of the Town of Mount Desert shall be registered annually, prior to March 1st, with the Harbor Master, and a permit shall be obtained from the Harbor Master. All moorings not registered by April 15th each year shall be removed by the owner, and the mooring privilege shall be revoked. ~~Moorings located outside the harbors of the Town of Mount Desert existing as of the effective date of this Ordinance do no need to register with the Harbor Master. All new moorings placed outside the harbors of the Town of Mount Desert after the effective date of this Ordinance must register annually with the Harbor Master in compliance with this provision.~~~~

.
. .
.

~~14. — This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

**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 Alewife Ordinance, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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
Amended May 2, 2023 Annual Town Meeting

Regulations for the taking of alewives and blue back herring shall be as follows: For the year July 1, 2023 through June 30, 2024 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 an ordinance entitled Town of Mount Desert Public Water Supply Protection Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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
PUBLIC WATER SUPPLY PROTECTION ORDINANCE**

This ordinance, as enacted at the May 2, 2023 Annual Town Meeting, repeals the No Swimming Ordinance enacted May 5, 2009

AND the

Ordinance Limiting Motor Vehicle Access to Great Ponds enacted May 5, 2009

Enacted May 2, 2023

Section 1. Title. This Ordinance shall be known and may be cited as the "Public Water Supply Protection Ordinance"

Section 2. Authority. This Ordinance, is adopted pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, et seq.), specifically 30-A M.R.S.A. § 3009 (1)(E); and Title 22, Subtitle 2, Part 5, Chapter 601, Subchapter 4, Article 141, § 2642 (22 M.R.S.A. § 2642) and 30-A M.R.S.A. §4452.

Section 3. Purpose. The purpose of this ordinance is to protect the water quality of Jordan, Upper and Lower Hadlock Ponds, the Mount Desert drinking water supply and its sources, as well as the health, safety, and welfare of persons dependent upon such supplies. The provisions of this ordinance pertaining to surface water use and water-related activities include any activity in, on, or from the surface water or the frozen water of Jordan, Upper and Lower Hadlock Ponds and their sources.

Section 4. Applicability. The Ordinance shall apply to: Jordan Pond in Seal Harbor and Upper Hadlock Pond and Lower Hadlock Pond in Northeast Harbor (together, the "Ponds"). This Ordinance supersedes and replaces the "No Swimming Ordinance re Upper Hadlock Pond, Lower Hadlock Pond and Jordan Pond" as well as the "Ordinance Limiting Motor Vehicle Access to Great Ponds."

Section 5. Protection of Water Supply Generally

A. It shall be unlawful for any person to pollute, threaten, jeopardize, or render impure, turbid or offensive the waters of the Ponds or their sources.

B. The owner or operator of a motorized vehicle, boat or ice shack that sinks beneath the water or ice of one of the Ponds, or any of their sources, must contact the Mount Desert Water District or Police Department as soon as safety permits.

Section 6. Motor Vehicles Prohibited From Icebound Surface of Ponds. No person shall operate a motor vehicle on the icebound surface of the Ponds and no person shall allow a motor vehicle owned by him or her or under his or her control to enter upon the icebound surface of the Ponds.

Section 7. Definition of Motor Vehicle. For purposes of this Ordinance, the term "motor vehicle" shall be as defined in M.R.S.A 29-A § 101(42), as may be amended from time to time. For convenience, § 101(42) as of the date of adoption of this Ordinance is reproduced below. "Motor vehicle." "Motor vehicle" means a self-propelled vehicle not operated exclusively on tracks but does not include; A. A snowmobile

as defined in Title 12, section 13001; B. An all-terrain vehicle as defined in Title 12, section 13001, unless the all-terrain vehicle is permitted in accordance with section 501, subsection 8 or is operated on a way and section 2080 applies; and C. A motorized wheelchair or an electric personal assistive mobility device.”

Section 8. Water Withdrawal. Water withdrawal from the Ponds and is not allowed. No pumping or siphoning of water out of our drinking water sources by parties other than the Mount Desert Water District or the Town of Mount Desert is allowed unless for fire department use.

Section 9. Boats. Traditional row boats with or without motors less than 10hp, kayaks and canoes are allowed uses on the Ponds. Evolving watercraft including but not limited to sailboats, sailboarding, and paddle boards, as well as boats with motors in excess of 10 hp, are not permitted.

Section 10. Ice Shacks and On-ice Activities.

- A. Ice shacks and other similar structures providing temporary protection on the Ponds are allowed.
- B. Disposal or abandonment of bottles, cans, ash, trash, human waste, pet waste, building materials or equipment on the ice or in the water of the Ponds is prohibited. Anything brought on the ice must be packed out.
- C. Ice Shack placement and removal on the Ponds must follow all state laws. However, the Mount Desert Water District has the right to require ice shacks to be removed from the ice during ice-fishing season when local weather conditions create thinning/poor quality ice potentially causing its source water to be at risk. If the owner or occupant of the shack will not remove the shack voluntarily, the Mount Desert Water District and/or the Town may do so, with any associated costs payable by the person or persons who constructed or occupied the shack.
- D. The Mount Desert Water District or other appropriate municipal staff may inspect temporary structures and their surrounding environments at any time for conformance with this Ordinance.

Section 11. No Swimming. It shall be unlawful:

- A. For any person or persons to swim or wade in the waters of the Ponds.
- B. For the owner or person in control of any domestic animal to allow such domestic animal to enter waters of the Ponds.
- C. To leave any domestic animal waste within the watershed(s) of the Ponds.

Section 12. Penalty and Costs.

Any person or entity violating the provisions of this ordinance shall be liable to a civil penalty in accordance with 30-A M.R.S.A. §4452 as summarized below:

A) Monetary penalties may be assessed on a per-day basis.

1. The minimum penalty for a specific violation is \$100;
2. The maximum penalty outside a resource protection zone is \$2,500;
3. The maximum penalty is \$5,000 for any violation within a resource protection zone;
4. The maximum penalty is increased to \$25,000 when it is shown that there has been a previous conviction of the same party within the past 2 years for a similar violation.
5. The maximum penalty may be increased if the economic benefit resulting from the violation exceeds the applicable penalties

B) In addition to penalties, legal fees may also be awarded as provided by court rule. Any person violating this Ordinance shall also be liable to any other appropriate party for any costs incurred as a result of the violation, including but not limited to costs associated with the salvage of the motor vehicle, ATV, snowmobile, boat, ice-shack or any other foreign object from the pond.

C) The violator may be ordered to correct, abate or mitigate the violations.

D) In setting a penalty, the following shall be considered:

1. Prior violations by the same party;
2. The degree of environmental damage that cannot be abated or corrected;
3. The extent to which the violation continued following an order to stop.

This ordinance is adopted pursuant to the Maine Revised Statutes, Title 30- A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, et seq.), and Title 22, Subtitle 2, Part 5, Chapter 601, Subchapter 4, Article 141, § 2642 (22 M.R.S.A. § 2642).

The original ordinances “No Swimming Ordinance re Upper Hadlock Pond, Lower Hadlock Pond and Jordan Pond” as well as “Ordinance Limiting Motor Vehicle Access to Great Ponds” were, pursuant to 22 M.R.S.A. § 2642, originally adopted by the Board of Selectmen for the Town of Mount Desert on May 23, 1977, and then was ratified by the voters of the Town at a Town Meeting held on May 5, 2009. They are hereby superseded and replaced.

This Ordinance shall be enforced by the Police Department of the Town of Mount Desert. 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.

The effective date of this Ordinance is May 2, 2023.

**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 Dog Ordinance, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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 DOG ORDINANCE

Adopted March 1, 1965

~~**Amended March 2, 1970, March 5, 1973, and**~~

~~**Amended May 5, 2009**~~

Amended March 2, 1970

Amended March 5, 1973

Amended May 5, 2009

Amended May 2, 2023

1) **Purpose**

The purpose of this ordinance is to regulate dogs in the Town of Mount Desert, to mitigate the problems, including property damage, caused by dangerous dogs, dogs running at large and barking dogs, and for the protection of the health, safety, comfort, convenience, and general welfare of the residents of the Town. This ordinance seeks to achieve its purposes without unreasonably restricting owners and their dogs in their normal activities, while holding owners responsible for their dogs.

2) **Definitions**

As used in this ordinance, unless the text clearly indicates otherwise, the following words and phrases have the following meanings.

“**Dog**” includes both male and female dogs.

“**Owner**” means any person or persons, firm, association, or corporation, or other legal entity amenable to civil process, owning, keeping, or harboring, or in possession of, or having the control of a dog; and includes the parent or parents, or guardian, of a minor who owns, keeps, harbors, or is in possession, or control of a dog.

“**Keeper**” means a person in possession or control of a dog.

“**Running at Large**” means off the premises of the dog’s owner and not under the control of an owner or keeper of the dog who is physically capable of controlling and restraining the dog by a leash, cord, or chain, or by “at heel” or other voice or other command control to which the dog is obedient.

“**Voice Command**” means dog control by voice or other command where the dog is obedient and responsive.

“**Town**” means the Town of Mount Desert.

3) **Barking Dogs**

No Owner or Keeper of a dog shall allow the dog to unnecessarily annoy or disturb any person by loud and repeated barking, howling, yelping, or other noises. Upon a signed and sworn written complaint of the person disturbed, any animal control officer or other law enforcement officer may investigate the allegations of the complaint. If the officer finds that there are valid grounds for the complaint, the officer shall serve a written warning upon the Owner or Keeper, notifying them that such annoyance or disturbance must cease. Said written warning shall be served by:

- a) delivering a copy of the warning to the Owner or Keeper, in hand;
- b) leaving a copy with a person of suitable age and discretion at the premises where the dog is kept or where the owner or keeper resides; or
- c) mailing a copy to the owner or keeper at the address shown on the license application for that dog or animal.

Any Owner or Keeper who allows such annoyance or disturbance to continue after notice has been served commits a violation, subject to the penalties set forth in this ordinance.

4) **Running at Large Prohibited**

A. No person shall cause or permit any dog owned or kept to run at large within the Town. And specifically, when on any public way, or municipal property, including but not limited to the Town's parks, municipal sidewalks and recreational and athletic fields, all Owners or Keepers of a dog shall ensure that their dog is:

- i) on a leash or tether at all times; or
- ii) is accompanied by an owner or keeper who is physically or by effective voice or other command able to control and restrain the dog from attacking, who at all times tends the leash or tether or otherwise maintains effective control of their dog, and who does not permit the dog to run at large.

Nothing in this ordinance shall be held to require the Owner or Keeper of a dog to leash their dog while on their private premises.

B. The Owner or Keeper of any dog found running at large in violation of Paragraph A of this section of this ordinance shall be entitled to warnings on the first two alleged violations. On the third and any subsequent alleged violations, the Owner or Keeper of any such dog shall be cited to appear in Court to answer the charge of violating this Ordinance, or another appropriate charge.

5) **Impounding Dogs**

Unlicensed dogs, or dogs found roaming at large, shall be taken up and impounded in a shelter designated by the Town, and there confined in a humane manner for a period of not more than ten days. Any dog impounded under the provisions of this article and not reclaimed by its owner within ten days may be humanely destroyed or placed in the custody of another person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this

Town of Mount Desert Dog Ordinance

article. The Town, or its duly authorized agent, may transfer title of all animals held by it at an animal shelter after the legal detention period has expired and the animal has not been claimed by its owner.

When dogs are found running at large and their ownership is known, such dogs need not be impounded, but the Town through its duly authorized agents may, at its discretion, cite the Owner or Keeper of such dogs to appear in court to answer for their alleged violations of this ordinance.

6) **Penalty and Enforcement**

Any person who violates, disobeys, refuses to comply with, or resists the enforcement of any provision of this ordinance shall upon conviction, be fined not less than One Hundred Dollars (\$100), nor more than Two Thousand Five Hundred Dollars (\$2,500) for each offense. Each violation shall be deemed a separate offense. 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.A. § 4452), the Town may recover all costs of enforcement of this ordinance, including reasonable attorneys fees.

This ordinance shall be enforced by the Town's Police Department, Animal Control Officers appointed by the Town, or by any other duly appointed agents of the Town.

In addition to any other penalty provided by law, the commission of acts prohibited by this Ordinance shall constitute a nuisance and may be abated by the Town seeking an injunction to prohibit further and continued violation thereof.

7) **Separability**

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.

Specifically, this ordinance is in addition to, but does not in any way replace the responsibilities of Owners or Keepers pursuant to, the *Maine Animal Control Act*, Maine Revised Statutes Title 7, Part 9 (7 M.R.S.A. § 3901, *et seq.*), or other Maine law.

8) **Miscellaneous Provisions**

- A) This ordinance, as amended, is adopted pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, *et seq.*), and Title 7, Part 9, Chapter 725, § 3950 (7 M.R.S.A. § 3950).
- B) The effective date of this Ordinance is: May 5, 2009.
- C) ~~This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

**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 an ordinance entitled Town of Mount Desert Building and Street Numbering Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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

**ORDINANCE REGULATING THE BUILDING AND STREET NUMBERING
IN THE TOWN OF MOUNT DESERT**

As adopted at Annual Town Meeting March 6, 7, and 8, 1995 and
As a Amended May 5, 2009
Amended May 2, 2023

WHEREAS, it is the responsibility of the municipality to protect the lives and property of the residents of the Town of Mount of Desert, and

WHEREAS, it is the desire of the municipality to operate efficient and effective public safety services, and

WHEREAS, these efficient and effective public safety operations are inhibited absent building and street numbering;

THEREFORE BE IT ORDAINED by the Inhabitants of the Town of Mount Desert, Maine that the following ordinance entitled "Ordinance Regulating the Building and Street Numbering in the Town of Mount Desert" be enacted.

1. The Town Manager shall designate an Addressing Officer who shall have the sole authorization to assign street numbers to any building or lot within the boundary lines of the Town of Mount Desert. That number shall be the official address used for property identification on Town records.
2. New Address numbers and naming of new roads shall follow the standards as outlined in the publication entitled The Enhanced 911 Addressing Officer Manual issued by the State Public Utilities Commission, Emergency Services Communication Bureau.
3. All roads that serve two or more properties shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare. "Property" refers to any property on which a more or less permanent structure has been or could be placed. New Public road names shall be approved by Town meeting. New Private roads shall be approved by the designated Addressing Officer, Police Chief, and Fire Chief.
4. Whenever any residence or other structure is constructed that requires an assigned number, it shall be the duty of the new owner to procure an assigned number from the currently appointed Addressing Officer at the time of issuance of a building permit. All parcels improved with buildings shall bear a distinctive street number in accordance with and as designated upon the Assessing records on file with the Town of Mount Desert's Assessing Department. The designated Addressing Officer or his designee shall be responsible to maintain and keep current said records.
5. The number shall be displayed on the front of the building and/or on the side facing the street. The number shall be plainly visible from the street. Owners of buildings that are set back out of view from the road shall display numbers on a post/sign, tree, fence or similar feature to the left of the driveway entrance. Said post/sign shall not be considered a structure which must conform to Land Use Zoning Ordinance setbacks. The top of said post/sign shall be a minimum of four (4) feet in height from ground level at the road.
6. For multi-family houses or apartment buildings, the house number shall be displayed as outlined in section 5. Each individual apartment or living unit shall be clearly sub-lettered/numbered.

Building and Street Numbering Ordinance

7. Numbers shall be no less than three (3) inches in height and shall contrast in color with the building or background to which they are attached. The number must be reflective. The bottom of a number or numbers shall be no less than three (3) feet in height from ground level at the road.
8. No person shall affix, or allow to be affixed, a different street number from the one designated on the Assessing records.
9. The provisions of this Ordinance shall be enforced by the Code Enforcement Officer of the Town of Mount Desert. Upon finding a violation of this Ordinance, the Code Enforcement Officer shall give written notice to any or all of the owners, or persons in charge of the residence, business or other building, stating the action necessary to achieve compliance and a compliance date by which such action must be taken. Any person who, after being notified by a Town of Mount Desert Official, fails to comply with any provision of this Ordinance within the time limit of thirty (30) days specified in such Notice, shall reimburse the Town its reasonable costs of installing or causing to be installed a conforming number and number display. Any person or corporation who violates, disobeys, refuses to comply with, or resist the enforcement of any provision of this ordinance shall upon conviction, be fined not less that One Hundred Dollars (\$100), not more than Two Thousand Five Hundred Dollars (\$2,500) for each offense. Each violation shall be deemed a separate offense. 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.A. §4452), the Town may recover all costs of enforcement of this ordinance, including reasonable attorneys fees.
10. This ordinance, as amended, is adopted pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, *el seq.*)
11. Any persons aggrieved by the administration or enforcement of this Ordinance may appeal that action to the Town of Mount Desert Board of Appeals at any time within thirty (30) days of notification, by informing the Town Clerk, in writing, of said appeal. No appeal shall be considered to be a “de novo” action.
12. 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.
13. The effective date of this Ordinance is: May 5, 2009.
14. ~~This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

**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 an ordinance entitled Town of Mount Desert Rural Wastewater Support Program Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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

RURAL WASTEWATER TREATMENT SUPPORT PROGRAM ORDINANCE

OF THE

TOWN OF MOUNT DESERT

ENACTED MARCH 1, 2004

AMENDED MARCH 7, 2006

AMENDED MARCH 6, 2007

AMENDED MAY 5, 2009

AMENDED MAY 2, 2023

**TOWN OF MOUNT DESERT
RURAL WASTE WATER TREATMENT SUPPORT PROGRAM ORDINANCE**

TABLE OF CONTENTS

1.0	Legislative Findings	1
2.0	Purpose of Ordinance	2
3.0	Definitions	2
4.0	Benefit Established: Amount.....	3
5.0	Application Procedure	3
6.0	Additional Eligibility Requirements	5
7.0	Appropriations Required	5
8.0	Period of Ordinance	5

TOWN OF MOUNT DESERT RURAL WASTE WATER TREATMENT SUPPORT PROGRAM ORDINANCE

1.0 Legislative Findings

The Town of Mount Desert hereby finds as follows:

- 1.1. The provision of effective rural wastewater treatment is essential to the health, welfare and quality of life in the community.
- 1.2 The Town currently pays the entire cost of wastewater treatment system.
- 1.3 Homeowners living in the rural parts of town must construct and maintain private wastewater treatment systems at their own expense.
- 1.4 The existence of private wastewater treatment systems in rural areas of the Town has reduced the need for extensions of the Town's taxpayer-funded public wastewater treatment system, thereby resulting in consistent annual cost savings to the Town.
- 1.5 The expense of constructing and maintaining these private systems constitutes a disproportionate financial burden on rural homeowners in areas not served by the Town's public wastewater treatment system.
- 1.6 Rural seasonal residences in the Town of Mount Desert are typically occupied for an average of four months per year, and therefore place less pressure on their private wastewater treatment systems than year round rural residences.
- 1.7 It is important to encourage and support year-round residency in the Town.
- 1.8 A majority of the Town's year-round residents and available housing are in areas of the Town not served by the town's public wastewater treatment system.
- 1.9 Maintenance of clean coastal and inland waters is important to support the Town's economic base as a destination resort area for vacationers seeking to participate in outdoor recreational and scenic activities.

To address these issues, the Town of Mount Desert hereby adopts the following "Rural Wastewater Treatment Support Program Ordinance" to provide financial assistance each year to certain qualifying property owners to assist them in providing and maintaining their own wastewater treatment systems.

2.0 Purpose of Ordinance

This program is designed to achieve the following goals. The Town finds that attainment of these goals constitutes a valid public purpose for expenditure of Town funds, in accordance with 30-A MRSA sec. 3001 and 5721, as amended.

- 2.1 To maintain clean coastal waters, fresh water lakes and safe drinking water in rural areas of the Town in the same manner as public wastewater treatment facilities protect water quality in the developed areas of the Town.
- 2.2 To ensure through regular inspection that privately owned rural wastewater treatment systems are properly maintained and function properly.
- 2.3 To establish better equality in the Town's provision of and financial support for wastewater treatment throughout the entire Town.
- 2.4 To recognize that in general, rural year-round residences put greater pressure on private wastewater treatment systems which thus require more frequent maintenance and repair than private wastewater treatment systems serving rural seasonal residences and rural commercial properties which are also subject to less usage.

3.0 Definitions

For purposes of this ordinance only, the following terms have the meanings stated:

- 3.1 Developed area: All properties within the geographic limits of the Town of Mount Desert connected to the Town's public wastewater treatment system.
- 3.2 LPI: Local Plumbing Inspector
- 3.3 Private wastewater treatment system: An underground holding tank, leach field, septic system, wastewater pumps, or any combination of these or other facilities and associated piping constructed, not connected to the public wastewater treatment system, installed and maintained in accordance with the State Plumbing Code and applicable Town of Mount Desert ordinances, for the purpose of providing wastewater disposal services to one or more individually-owned private residences located in the rural area.
- 3.4 Rural area: All properties within the geographic limits of the Town of Mount Desert served by a private wastewater treatment system.
- 3.5 Seasonal resident: The owner of an individually-owned private residence located in the rural area, who does not qualify as a year-round resident in accordance with section 3.6 below.

3.6 Year-round resident: The owner of an individually owned private residence located in the rural area. For purposes of this definition, all persons owning a private residence located in the rural area must meet the eligibility requirements for the Maine Resident Homestead Tax Exemption program under 36 MRSA sec. 681-689 as amended, to be deemed a year-round resident for that year. The determination of the Town assessor in this respect under 36 MRSA sec. 682 shall be final, subject to section 5.6 below ("Appeals").

4.0 Benefit Established: Amount

4.1 Benefit established: Subject to annual appropriation as provided in section 7 below, and upon application and qualification as provided in this ordinance, the owner of an individually-owned private residence located in the rural area shall receive an annual benefit payment from the Town, for the purpose of maintaining and repairing the private wastewater treatment system serving that residence.

4.2 Benefit Amount: The benefit amount for each year shall be determined annually by the Town Meeting, upon recommendation of the Town Selectmen, Wastewater Treatment Superintendent, and Plumbing Inspector. The intention of this ordinance is that the full benefit amount for each year shall be an amount necessary to provide for annual pump-out, maintenance and repair of a typical private wastewater treatment system serving a single family, year-round residence, including an annual reserve amount for replacement of the system over an amortization period determined by the Town.

4.3 Benefit Limits:

- A. Year round residents. Year round residents, as defined in this ordinance, shall be eligible to receive the full benefit amount established for that year by the Town Meeting.
- B. Seasonal residents. Seasonal residents, as defined in this ordinance, shall not be eligible to receive a benefit.
- C. Other limitations. No more than one full or partial benefit payment may be paid in any year with respect to the same residence.

No benefit payment shall be made with respect to any property located in the developed area.

No benefit payment shall be made with respect to any property that is wholly or partially exempt from property taxation under 36 MRSA sec. 652 or other provisions of law.

5.0 Application Procedure

As amended May ~~5, 2009~~ 2, 2023 Annual Town Meeting

- 5.1** Application required: Applications for benefits under this ordinance must be made in writing, on forms to be prescribed by the LPI's office. Forms for this purpose shall be made available through the LPI's office, the Treasurer's office, and as an enclosure or attachment to the annual Town report.
- 5.2** Application deadline: All initial applications for benefit payments under this ordinance must be received by the Town no later than April 30th to be considered for payment of benefits during that year. Initial applications received after May 1st shall be considered for approval, with approved payments to begin during the next fiscal year following the application date.
- 5.3** Information required:
- A. An initial application under this section must include a copy of the State subsurface wastewater permit and installer's construction data with respect to the system concerned. This requirement may be waived by the Town's LPI, if the information concerned is already on file with the Town at the time of the application, or if the applicant complies with (B) below.
 - B. For any private wastewater treatment system constructed or installed more than four (4) years prior to the application date, the application must include a copy of a recent (less than four years old) inspection report by a LPI or other qualified professional. This requirement may be waived by the Town's LPI, if the information concerned is already on file with the Town at the time of the application.
- 5.4** Processing and approval: Initial applications shall be reviewed by the Town LPI, who shall determine and note on the application whether the applicant qualifies as defined in this ordinance.

The LPI shall approve only those applications for which the application information or the Inspector's personal inspection demonstrates that the residence concerned is located in the rural area, the applicant qualifies for the Maine Resident Homestead Exemption Program as determined by the Tax Assessor, and the system concerned has been constructed or installed and is

functioning in accordance with the State plumbing code and all other applicable code and permit requirements.

Following final approval by the Town LPI, a list of approved applicants shall be forwarded to the Town Treasurer for payment of the appropriate benefit amount.

- 5.5** Subsequent Years: An approved application shall remain in force unless the Town LPI determines that the original applicant or property is no longer eligible for the benefit payment due to title transfer; change of residency; change in use; extension of the Town's public wastewater treatment

system; failure to maintain the private wastewater treatment in compliance with applicable codes and permits; failure to provide inspection reports; or other causes. The LPI shall prepare and annually review list of previously qualified applicants to determine their continuing eligibility.

In addition, as a condition of continuing eligibility, approved applicants shall provide the LPI with a report of inspection of the system concerned by a LPI or other qualified inspector, at least once every four years. An applicant shall not be eligible to receive a benefit payment for any year in which the information or reports required under this section has not been provided. If the applicant requests the LPI to perform inspection of the system, the following shall be required:

- A. The applicant shall notify the LPI that the tank will be pumped 24 hours prior to pumping.
- B. The applicant shall be responsible for uncovering all ports on the top of the tank(s) for inspection.
- C. The tank shall not be covered until it has been inspected by the LPI.
- D. The tank shall be pumped no later than November 15th of the benefit year.

Denial of an application or disqualification of the applicant for a particular year shall not bar a re-application or qualification for subsequent years.

5.6 Appeals: Any applicant whose application is denied under this section, or who has applied as a year-round resident but has been determined to be a seasonal resident, or who is determined to be ineligible for a subsequent year's benefit following approval of an initial application, shall be provided with notice in writing of the denial or determination. In the case of new applications, notice shall be given within thirty (30) days of the application date. Applicants may appeal an adverse decision or determination to the Selectmen within fourteen (14) days of the notice date. A decision on the appeal shall be provided within thirty (30) days after the appeal is filed.

The decision of the Selectmen on the appeal shall be final, with no right of further appeal.

6.0 Additional Eligibility Requirements

6.1 All property taxes must be current.

7.0 Appropriations Required

7.1 All benefits payable under this ordinance are subject the requirement of annual appropriation by the Town Meeting. In the event the amount appropriated for this purpose in any year is insufficient to fund the full amount of benefits payable to eligible applicants for that year, the full and partial benefit amounts payable for that year shall be reduced *pro rata*.

8.0 Period of Ordinance

8.1

The effective date of this Ordinance is: May 5, 2009.

~~8.2~~ This Ordinance shall expire and be of no force or effect on May 7, 2024.

**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 an ordinance entitled Town of Mount Desert Use of Short-term Rental Licensing Ordinance of the Town of Mount Desert, which is to be presented to the voters for their consideration on May 2, 2023.

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 _____ 2023,
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

Short-Term Rental Licensing Ordinance

I. Purpose

The Town of Mount Desert recognizes the desire of some property owners to rent their legal residential unit(s) as short-term rentals. The Town of Mount Desert also recognizes that the ability for some property owners to rent their residential dwelling unit and/or their accessory dwelling unit as a short-term rental has contributed to their ability to remain as a year-round resident of the Town of Mount Desert. At the same time, there are legitimate concerns about the increase in number of short-term rentals and the undue impacts they can have on the quality of life and quiet enjoyment of properties within the vicinity of short-term rentals. It is the intent of this ordinance to allow the continued reasonable short-term rental of legal residential properties in the Town of Mount Desert, while minimizing the negative impacts said short-term rentals could generate. This will be accomplished by a licensing program that enables the Town to monitor and track the number of short-term rentals within its borders and includes modest performance standards intended to protect property owners, renters, and neighbors.

II. Applicability

- A. Permitted short-term rentals. Legally existing residential dwelling units may be used as short-term rentals upon the issuance of a short-term rental license for the premises in accordance with the requirements of this ordinance.
- B. Prohibited short-term rentals. No person may offer for rent, operate, or otherwise use any residential dwelling unit in the Town of Mount Desert for short-term rentals if such person has not secured and maintained a valid short-term rental license for the premises.
- C. Lodging establishments exempt. The following lodging establishment uses are exempt from the licensing requirements and standards of this chapter: hotels, motels, bed-and-breakfasts, boarding houses, and inns.
- D. Hosted home stays exempt. Hosted home stays are exempt from the licensing requirements and standards of this chapter.

III. Validity and Severability

If any section, subsection, clause or phrase of this chapter shall be found to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions of this chapter and, to that end, the provisions of this chapter are hereby declared severable.

IV. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

HOSTED HOME STAY – A residential dwelling unit that is occupied, including overnight, by the Owner during the short-term rental period. In the case of a one-family residential dwelling with a legally permitted accessory residential dwelling unit, the owner shall reside in either unit during the short-term rental period. There is no minimum night stay required for hosted home stay short-term rentals.

OWNER — An individual person or persons or an entity that is the owner of record of real property as documented by deed or other document evidencing ownership recorded at the Hancock County Registry of Deeds or Registry of Probate.

RESIDENTIAL DWELLING UNIT — As defined in the Town of Mount Desert Land Use Zoning Ordinance.

SHORT-TERM RENTAL — The use, control, management or operation of a legally existing dwelling unit offered, in whole or in part, for rent for transient occupancy for dwelling, sleeping or lodging purposes for fewer than 28 consecutive nights, for compensation, directly or indirectly, excluding motels, hotels, bed-and-breakfasts, boarding houses, inns, and hosted home stays. A short-term rental does not include: legally existing dwelling units that are rented no more than twice per calendar year and for less than a total of 14 days in a calendar year; or when relatives and friends stay for no monetary compensation.

SHORT-TERM RENTAL GUEST — Any person who rents, licenses, occupies or has the right to occupy a dwelling unit pursuant to a short-term rental.

V. Requirements

- A. License required. No short-term rental shall be advertised, rented, or operated without first obtaining a short-term rental license. A short-term rental license shall be valid for the calendar year for which the license is issued. The property must remain in compliance with the requirements of this ordinance.
- B. Registration Procedure.
 1. All applications, and associated fees, for short-term rental licenses shall be filed with the Town on forms provided for this purpose.
 2. The applicant shall provide all the information requested on the short-term rental registration application form, including, the following information: owner or owner’s representative contact information, property information, number of short-term rental guests allowed, and emergency contact information.
 3. A proposed short-term rental may only be registered by the legal owner of the proposed short-term rental unit or an authorized representative.
 4. Non-refundable fees for a short-term rental registration/renewal shall be as adopted, by order of the Board of Selectmen for the Town of Mount Desert, and may be amended from time to time. Such fee must be submitted with the registration form at the time of registration and/or renewal.

5. A registration number will be given to each unit registered. Registrations are limited to the dwelling unit for which they are issued and shall not be transferable to a different dwelling unit.
- C. Inspection. Anytime that a short-term rental application is submitted for a property, the short-term rental applicant shall certify on the short-term rental application that the proposed short-term rental property complies with the short-term rental standards in this ordinance and with applicable Building Code requirements. The Code Enforcement Officer may inspect the licensed premises to determine compliance with the short-term standards. However, said inspection shall not be required as a condition of license issuance.
- D. Short-term rental license renewal. Short-term rental licenses shall expire on December 31 of each calendar year. Short-term rental license holders may renew such license by submitting a renewal application, via a renewal process established by the Town. After the effective date of this ordinance, any duly licensed short-term rental may continue operating as long as the license is current and renewed for the current calendar. If the license is not renewed by the expiration date the license expires, and this protection clause no longer applies.
- E. Transferability. Short term rental licenses issued under this ordinance shall be transferable to a new owner as of the day the new owner acquires possession of the property and shall expire on December 31. A new license shall be required the following year.
- F. Notice. The short-term rental license holder must post in plain sight near the entrance of the dwelling a notice that identifies the short-term rental license number and the name, address, phone number(s), email address of the owner of the short-term rental and/or the owner's local contact person, and the maximum number of short-term rental guests allowed.

VI. Standards

- A. At the time of issuance of a license, and at all times during the continuance of a short-term rental license, the property taxes and any applicable water and/or sewer fees associated with the property to be rented as a short-term rental shall not be in arrears.
- B. Street number per Town 911 standards
- C. Smoke alarms. Smoke alarms shall be installed in each bedroom, outside each separate sleeping area in the immediate vicinity of the bedrooms, and on each additional story of the short-term rental unit (including basements and habitable attics).
- D. Carbon monoxide alarms. If a short-term rental unit has an attached garage or a fuel-fired appliance, a carbon monoxide alarm shall be installed outside each bedroom in the immediate vicinity of the bedrooms.
- E. Gas alarms are required per the applicable rules of the State of Maine.
- F. Portable fire extinguishers. At least one appropriately sized portable fire extinguisher shall be mounted in a prominent location within the short-term rental unit.

- G. Parking. Short-term rental guests and their guests are prohibited from parking in a manner that impedes access by emergency vehicles to the property or any other property in the neighborhood. The owner must provide sufficient off-street parking for all overnight short-term rental guest vehicles. The number of short-term rental guest vehicles allowed at the short-term rental shall be limited to the number of off-site parking spaces designated by the applicant. Garage parking spaces not allowed for short-term rental guest use shall not be used to meet this short-term rental parking requirement.
- H. Trash shall be removed from the short-term rental unit on at least a weekly basis while the property is being rented as a short-term rental.
- I. Occupancy limits. The maximum occupancy of a short-term rental shall be limited to no more than two short-term rental guests per bedroom, plus two additional Short-term rental guests total for the entire dwelling unit. By way of example, the maximum capacity for a three-bedroom dwelling short-term rental is eight short-term rental guests (i.e., three bedrooms multiplied by two short-term rental guests, plus an additional two short-term rental guests, for a total of eight short-term rental guests).

VII. Suspension and Revocation of License

A license for a short-term rental may be conditioned, suspended, or revoked by the Board of Selectmen after a public hearing if the Board of Selectmen determine that a violation of this Ordinance, any applicable statute, ordinance, or regulation, or short-term rental license certification, condition, or criterion has occurred.

- A. Violations of this chapter. Violations of this chapter include, but are not limited to, the following:
 - 1. Providing false or misleading information on an application, or renewal application, for a short-term rental license;
 - 2. Failure to comply with the parking provisions of this ordinance;
 - 3. Failure to acquire and/or display the required short-term rental license number or include the license number in any advertising of the licensed premises;
 - 4. Violation of any short-term rental license certification, condition, or criteria;
 - 5. Violation of any statute, ordinance, or regulation applicable to the short-term rental property.
- B. Complaints concerning short-term rentals. The Town shall establish and maintain a log of all complaints for each short-term rental received and substantiated by the Town. The Town shall seek the correction of all substantiated complaints by the short-term rental license holder.
- C. Suspension or revocation of license. The Board of Selectmen may condition, suspend, or revoke a short-term rental license, following a public hearing, on the basis of the licensee's noncompliance with this chapter, any applicable law, ordinance, or regulation, or short-term rental license certification, condition, or criteria. Registrants who have previously had a registration(s) revoked pursuant to this Ordinance, shall be allowed to obtain a license for the subject property in the future only by order of the Board of Selectmen.

- D. Penalties. Any person, including but not limited to a landowner, a landowner's agent or a contractor or firm, or corporation, who violates any provision or requirement of this Ordinance, or disobeys, refuses to comply with, or resists the enforcement of, any provision of this ordinance or who starts construction or under-takes a land use activity without a required permit, shall be penalized in accordance with 30-A M.R.S.A. Section 4452.

- E. Appeal. A decision by the Board of Selectmen to proceed against an alleged violator for violations of this Ordinance is not appealable to the Zoning Board of Appeals.



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 16, 2023

TO: Board of Selectmen

FROM: Town Clerk Claire Woolfolk

RE: Warrant for Special Town Meeting and
Municipal Officer's Certification of Official Text of Proposed Ordinances

Maine law requires that a majority of the full number of municipal officers sign the Town Meeting warrant in a public meeting. I will have a complete warrant for you to sign at Monday night.

Maine law also requires that the Municipal Officers certify to the Town Clerk the official text of any amended or new ordinances presented at Town Meeting. In turn, the Town Clerk must keep the certified copies on file and make them available for public inspection and must make copies available for distribution to the voters from the time they are certified. Furthermore, copies of the proposed ordinances must be made available at the Town Meeting. I will have the certificates with the official text for you to sign Monday night.

Town of Mount Desert

Annual Town Meeting Warrant Fiscal Year 2023 – 2024

**As presented at the
Annual Town Meeting
May 1 & 2, 2023**

**Secret Ballot (Candidate) Election
May 1, 2023 8 a.m. – 8 p.m.
Town Office Meeting Room**

**Open Floor Town Meeting
May 2, 2023
6 p.m.
Neighborhood House
1 Kimball Rd, Northeast Harbor, ME 04662**

Table of Contents

Warrant Committee Report..... 1

Warrant Committee2

Greeting3

Election of Moderator3

Election of Municipal Officers3

Non-Voter recognition3

Ordinances.....4

Gifts 18

Leases, Agreements, Easements, Deeds..... 18

Fiscal Policy22

Municipal Revenue.....32

Municipal Appropriations32

Marina Proprietary Fund.....37

Elementary School Appropriations37

Appendix A: Public Water Supply Protection Ordinance43

Appendix B: Non-conforming Structures (roof height).....46

Appendix C: Short-Term Rental Licensing Ordinance49

Appendix D: Cranberry Isles Parking Lease54

Appendix E: Patterson Hill Subdivision Map.....63

Appendix F: Investment Policy64

Appendix G: Sidewalk Improvement Maps67

Appendix H: Northeast Harbor Tennis & Pickleball Map70

Appendix I: Parking Lot Renovation Maps71

Appendix J: Somesville DOT Route 3/198 Sewer Infrastructure Map73

Appendix K: Beech Hill Cross Road Culvert Map74

Appendix L: Seal Harbor Beach Erosion Map.....75

2023-2024 Estimated Tax Rate.....76

2023-2024 Municipal Property Tax Levy Limit Worksheet (LD 1)77

Municipal Expenditure Budget.....

Municipal Revenue Budget.....

Table of Contents continued

Municipal Capital Improvement Plan
Marina Expenditure Budget
Marina Revenue Budget.....
Marina Capital Improvement Budget
Mount Desert Elementary School Department Budget.....

2023 Warrant Committee Report

The Warrant Committee, created by the Town Charter, is a committee of volunteers appointed by the Select Board, to review and make recommendations to the voters about all warrant articles. We see it as our mission to try to be independent eyes and ears on behalf of the voters. We currently number 22 members and have high meeting attendance and participation rates. Our members bring a diverse range of experiences and perspectives that results in better understanding for all.

For several months before town meeting the warrant committee meets weekly. Each week different town department heads attend our meetings, present their proposed budget and answer our questions. We also review all ordinance changes. We strive to not only understand the budgets and changes, but the circumstances driving them. We try to ask why and how as much as we ask how much.

We would like to express our sincere appreciation to those town and school officials who attend our meetings at our request. Please know that we greatly appreciate the time and effort you put into presenting your budgets and fielding our questions.

We take seriously the recommendations we make to you, the voter, about each warrant article. Our goal is to be able to provide you with the assurance that to the best of our abilities we have thoroughly scrutinized the warrant you will be asked to consider.

Our meetings are always open to the public and copies of the minutes are available. Normally they are Tuesday evenings in January, February and the first weeks of March at the town office

Respectfully submitted,

Phil Lichtenstein

Jerry Miller

Warrant Committee 2023

Phil Lichtenstein, Co-Chair
Jerry Miller, Co-Chair
Owen Craighead, Secretary

Megan Rae Bailey

Lauren Kuffler

Donna Beals

Philip Lichtenstein

Blakeslee Bell

Rosemary Matchak

James Blaine

Marina McGarr

Katrina Carter

Samuel McGee

Owen Craighead Jr

Gerard Miller

Rodney Eason

Kathleen Miller

William Ferm

Timothy Murphy

Jesse Hartson

Michael Olson

Stephanie Kelley-Reece

Craig Roebuck

Allen Kimmerly

Carmen Sanford

Greeting

State of Maine

Hancock County, ss

2023

To: David Kerns, a Constable in the Town of Mount Desert

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Mount Desert, qualified by law to vote in Town affairs, to assemble in the **Town Hall Meeting Room, 21 Sea St. Northeast Harbor, Maine**, on **Monday, the first day of May AD 2023** at **seven-fifty o'clock** in the forenoon, then and there to act on Article 1; and immediately thereafter to act on Article 2 until **eight o'clock** in the evening.

AND to notify and warn said voters to reconvene in the **Neighborhood House, 1 Kimball Rd, Northeast Harbor, Maine** in said Town, on **Tuesday, the second day of May AD 2023** at **six o'clock** in the evening; then and there to act on Articles 3 through 90; all of said Articles being set out below to wit:

Pursuant to Title 21-A, §759(7), absentee ballots will be processed at the polls on May 1, 2023 every half hour beginning at 9:00 AM.

Election of Moderator

Article 1. To elect a Moderator by written ballot.

Election of Municipal Officers

Article 2. To elect two members to the Selectboard for a term of three years, one member to the Mount Desert Elementary School Board for a term of three years, and one trustee to the Mount Desert Island Regional School District for a term of three years.

Non-Voter Recognition

Article 3. To see if non-voters shall be allowed, when recognized, to speak during the 2023 Annual Town Meeting.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Ordinances

For Articles 4 through 25, an underline indicates an addition, and a ~~strikethrough~~ indicates a deletion.

Article 4. Shall an ordinance dated May 2, 2023 and entitled “Town of Mount Desert Alewife Ordinance” be enacted? The ordinance reads, in its entirety, “Regulations for the taking of alewives and blue back herring shall be as follows: For the year July 1, 2023 through June 30, 2024 there shall be no taking of Alewives and Blue Back Herring in the Town of Mount Desert.”

Selectboard recommends passage

Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 5. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Town of Mount Desert Harbor Ordinance” be enacted?

Town of Mount Desert Harbor Ordinance

Enacted May 2, 2017
Amended May 2, 2023

Article I – Definitions

Resident - Any person who ~~owns property in the Town of Mount Desert, or any person who rents property with their boat registered in town and the excise tax paid in town occupies a dwelling within the Town of Mount Desert for more than 183 days in a calendar year.~~

Article VII – Moorings: Assignment, Standards, Specifications, and Waiting List

7.5 - Mooring Registration and Permit

All moorings located in all harbors and all other tidal waters of the Town of Mount Desert shall be registered annually, prior to March 1st, with the Harbor Master, and a permit shall be obtained from the Harbor Master. All moorings not registered by April 15th each year shall be removed by the owner, and the mooring privilege shall be revoked. ~~Moorings located outside the harbors of the Town of Mount Desert existing as of the effective date of this Ordinance do not need to register with the Harbor Master. All new moorings placed outside the harbors of the Town of Mount Desert after the effective date of this Ordinance must register annually with the Harbor Master in compliance with this provision.~~

Explanatory Note: These amendments to the Harbor Ordinance are to bring the definition of “resident” into line with State statute, 38 M.R.S. § 11(1), and to provide

better oversight for moorings located outside the harbors of the Town.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 6. Shall an ordinance dated May 2, 2023 and entitled “Ordinance Regulating the Building and Street Numbering in the Town of Mount Desert” be enacted?

**ORDINANCE REGULATING THE BUILDING AND STREET NUMBERING
IN THE TOWN OF MOUNT DESERT**

**As adopted at Annual Town Meeting March 6, 7, and 8, 1995 and
As aAmended May 5, 2009
Amended May 2, 2023**

.
.
.

~~14. This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 7. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Town of Mount Desert Dog Ordinance” be enacted?

TOWN OF MOUNT DESERT DOG ORDINANCE

**Adopted March 1, 1965
Amended March 2, 1970
Amended March 5, 1973
Amended May 5, 2009
Amended May 2, 2023**

- 1) **Miscellaneous Provisions**
- A) This ordinance, as amended, is adopted pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, *et seq.*), and Title 7, Part 9, Chapter 725, § 3950 (7 M.R.S.A. § 3950).
- B) The effective date of this Ordinance is: May 5, 2009.

C) ~~This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 8. Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Town of Mount Desert Harbor Ordinance" be enacted?

**Town of Mount Desert
Harbor Ordinance**

**Enacted May 2, 2017
Amended May 2, 2023**

Article II – Applicability, Authority, & General Provisions

2.1 - Effective date of the Ordinance

~~This Ordinance shall become effective upon adoption by the legislative body and shall, in compliance with section 5.3 of Town of Mount Desert Charter, remain in effect for a period of fifteen (15) years from the effective date.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 9. Shall an ordinance dated May 2, 2023 and entitled "Town of Mount Desert **Public Water Supply Protection Ordinance**" be enacted? **See Appendix A (pgs.43 - 45) for language**

Explanatory Note: Repeal and replace the No Swimming and Limiting Motor Vehicle Access to Great Ponds Ordinances.

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays; 1 Abstention)

Article 10. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Town of Mount Desert Public Road Acceptance Ordinance” be enacted?

Public Road Acceptance Ordinance

**As adopted May 5, 2009 Annual Town Meeting
Amended May 8, 2018 Annual Town Meeting
Amended May 2, 2023 Annual Town Meeting**

~~This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 11. Shall an ordinance dated May 2, 2023 and entitled “Rural Wastewater Treatment Support Program Ordinance of the Town of Mount Desert” be enacted?

**RURAL WASTEWATER TREATMENT SUPPORT PROGRAM ORDINANCE
OF THE TOWN OF MOUNT DESERT**

**ENACTED MARCH 1, 2004
AMENDED MARCH 7, 2006
AMENDED MARCH 6, 2007
AMENDED MAY 5, 2009
AMENDED MAY 2, 2023**

.
.
.

8.0 Period of Ordinance

8.1

The effective date of this Ordinance is: ~~May 5, 2009.~~ May 2, 2023

~~**8.2**—This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 12. Shall an ordinance dated May 2, 2023 and entitled "Solid Waste Ordinance of the Town of Mount Desert" be enacted?

**SOLID WASTE ORDINANCE
of the
TOWN OF MOUNT DESERT**

**Enacted MAY 6, 2014
Revised and Enacted May 8, 2018
Amended May 2, 2023**

SECTION 11: EFFECTIVE DATE; SUNSET

This Ordinance shall become effective upon the date of enactment ~~for a period not to exceed 15 years, unless amended or repealed prior to the expiration of this 15 year period.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 13. Shall an ordinance dated May 2, 2023 and entitled "Town of Mount Desert Use of Public Places Ordinance" be enacted?

**TOWN OF MOUNT DESERT
USE OF PUBLIC PLACES ORDINANCE**

**Enacted May 5, 2009
Amended May 2, 2023**

.
. .
.

~~1. This Ordinance shall expire and be of no force or effect on May 7, 2024.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 14. Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance Regarding Lots within the Village Commercial District in the Village of Northeast Harbor" be enacted as set forth below?

Explanatory Note: This Article amends Section 3.5, footnote P to clarify that the minimum lot size of 1000 square feet only applies to lots within the village of Northeast Harbor.

Section 3.5 Dimensional Requirements for Districts: minimum area, width of lots, setbacks, etc.

- .
- .
- .

Notes:

- .
- .
- .

(p) For only those lots in the Village of Northeast Harbor within the Village Commercial District that have public sewer, the minimum lot area required for each dwelling unit on a single lot is 1000 square feet.

- .
- .
- .

Planning Board recommends passage

Warrant Committee recommends passage (17 Ayes; 0 Nays)

Article 15. Shall an ordinance dated May 2, 2023, entitled “Amendments to the Land Use Zoning Ordinance to change the Land Use District designation of Tax Map 003: Lot 026 and Map 003: Lot 027” be enacted as set forth below?

Explanatory Note: This Article changes Tax Map 003, Lot 26 and Map 3, Lot 27 from Shoreland Residential Two (SR2) to Residential Two (R2).

SECTION 3 LAND USE DISTRICTS

- .
- .
- .

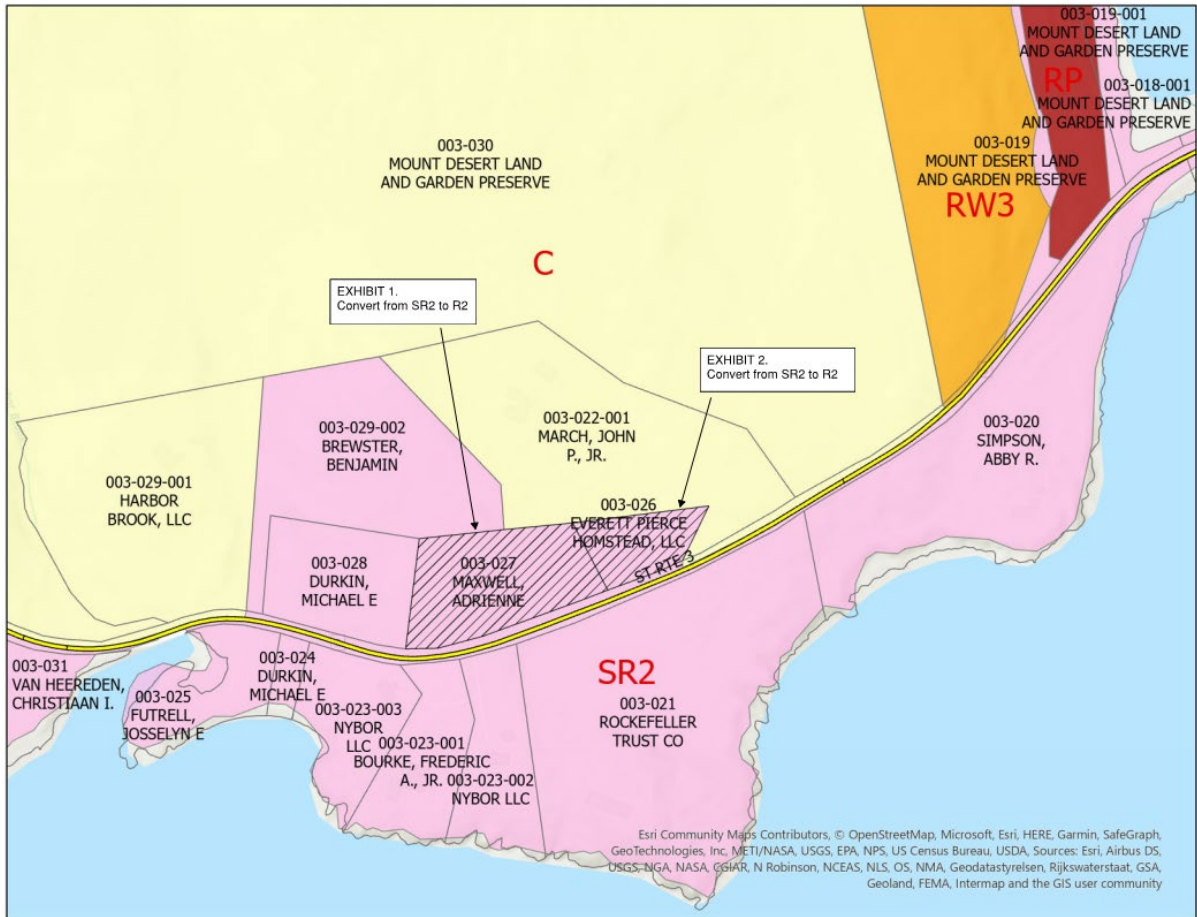
3.3 Map Changes: Amended at:

- .
- .
- .

Town Meeting of May 2, 2023: change Tax Map 003, Lot 026 and Tax Map 003, Lot 027 from Shoreland Residential Two (SR2) to Residential Two (R2).

- .
- .
- .

See draft map on following page



Planning Board recommends passage
 Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 16. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to clarify the dimensional requirements for one-Family and two-family dwellings” be enacted as set forth below?

Explanatory Note: *This warrant article amends the LUZO section 6.B.11.3(2) to clarify that the dimensional standards for a duplex are not doubled until a second duplex structure is added.*

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

- .
- .
- .

6B.11 Lots

- .
- .

.

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 Dimensional requirements~~ one-family or two-family dwellings. One-family and two-family dwellings are allowed in all districts, as indicated in Section 3.4, subject to the following:- All dimensional requirements shall be met separately for each and every one-family dwelling on a lot. For each additional or All dimensional requirements shall be met separately for each and every two-family dwelling on a lot, all dimensional requirements shall be met separately for each one-family or two-family dwelling.

Planning Board recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 17. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to add Residential Storage Building/Shed as permitted uses in Section 3.4” be enacted as set forth below?

Explanatory Note: This Article adds Residential Storage Building/Sheds as allowed uses so that property owners can build these structures without being tied to a residential dwelling unit.

SECTION 3 LAND USE DISTRICTS

.

.

.

3.4 Permitted, Conditional, and Excluded Uses by District:

All land use activities, as indicated in the following table, shall conform with all of the applicable land use standards in Sections 6.A., 6.B., and 6.C. The district designation for a particular site shall be determined from the Official Land Use Zoning map.

- P Use allowed without a permit** (but the use must comply with all applicable land use standards)
- C Use allowed with conditional use approval from the Planning Board Use allowed with conditional use approval from the Planning Board, except where the code enforcement officer may authorize minor changes in the placement and size of improvements for an approved conditional use permit**
- X Use is prohibited**
- CEO Use allowed with a permit from the code enforcement officer**

- VR1 VILLAGE RESIDENTIAL ONE
- VR2 VILLAGE RESIDENTIAL TWO
- VR3 VILLAGE RESIDENTIAL THREE
- R1 RESIDENTIAL ONE
- R2 RESIDENTIAL TWO
- SR1 SHORELAND RESIDENTIAL ONE
- SR2 SHORELAND RESIDENTIAL TWO
- SR3 SHORELAND RESIDENTIAL THREE
- SR5 SHORELAND RESIDENTIAL FIVE
- RW2 RURAL OR WOODLAND TWO
- RW3 RURAL OR WOODLAND THREE
- VC VILLAGE COMMERCIAL
- SC SHORELAND COMMERCIAL
- RP RESOURCE PROTECTION
- C CONSERVATION
- SP STREAM PROTECTION

See table of uses on following pages

Section 3.4 Permitted, Conditional, and Excluded Uses by District

DISTRICTS:										
LAND USE:	VR 1 VR 2	R 1 R 2	SR 1 SR 2 SR 3 SR 5	RW 2 RW 3	VC	SC	C	RP	SP	VR3
RESIDENTIAL										
Dwelling 1 & 2 Family	CEO	CEO	CEO ^(d)	CEO	CEO	CEO ^(d)	C	C ⁸	C ⁴	X
Dwelling, Multiple	C	C	C	C	C	X	C	X	X	X
Accessory Residential Dwelling Unit	CEO	CEO	CEO	CEO	CEO	C	C	C ⁸	C ⁴	C ^e
Accessory structures including structural additions and guest houses ^(c)	CEO	CEO	CEO	CEO	CEO	CEO	C	C ⁸	C ⁴	X
Cluster and Workforce Subdivisions	C	C	X	C	C	X	X	X	X	X
<u>Residential Storage Building/Shed</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>C</u>	<u>C⁸</u>	<u>C⁴</u>	<u>X</u>
Mobile Home Park	C	X	X	X	X	X	X	X	X	X

(c) A separate garage is an accessory structure. A separate garage with a dwelling unit shall be deemed a dwelling unit.

(d) See Section 6B.11.3 (Lots)

(e) Accessory residential dwellings in the VR3 District must be for staff housing only.

DISTRICTS:			SR 1							
LAND USE:	VR 1	R 1	SR 2	RW 2	VC	SC	C	RP	SP	VR3
	VR 2	R 2	SR 3	RW 3						
			SR 5							

.
.
.

SECTION 8 DEFINITIONS

.
.
.

RESIDENTIAL STORAGE BUILDING/SHED: A structure or building used primarily for storage purposes.

.
.
.

Planning Board recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 18. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to remove the air landing sites” be enacted as set forth below?

Explanatory Note: *This Article removes air landing sites from section 6B in the ordinance.*

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

6B.1 Agriculture

In non-shoreland areas, all spreading, or disposal of manure shall be accomplished in conformance with the Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001, and the Nutrient Management Law (7 M.R.S.A. sections 4201-4209). In shoreland areas, all spreading, or disposal of manure shall comply with Section 6C.1.

~~6B.2 Air Landing Sites~~ RESERVED

~~No air landing site shall be developed or used for such purpose without Conditional Use Approval of the Planning Board.~~

Planning Board recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 19. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance regarding the definition of Marina and Expansion of Use” be enacted

as set forth below?

Explanatory Note: This Article adds language to the definitions for Marina's and Expansion of a Use to clarify that the Harbor Master regulates moorings and that an expansion of use does not include adding moorings.

SECTION 8 DEFINITIONS

.
. .

EXPANSION OF A USE: The additional use of more footprint of a structure, land or water area devoted to a particular use; additional one or more weeks of the use's operating season; or additional business hours of operation. Excludes moorings that are regulated by the harbormaster.

.
. .

MARINA: A business establishment having frontage on navigable water and providing for hire docking facilities or moorings at its location unless such uses are incidental to the principal use of the property. In addition, it may also provide other services such as: boat storage and repair; boat sales; boat hauling and launching; bait and tackle sales; sale of marine supplies and marine fuel. Placement of moorings are exclusively regulated by the Harbor Master consistent with the Harbor Ordinance and Maine Revised Statutes, Title 38, Chapter 1.

Planning Board recommends passage

Warrant Committee recommends passage (15 Ayes; 0 Nays; 1 Abstention)

Article 20. Shall an ordinance dated May 2, 2023 and entitled "Amendments to the Land Use Zoning Ordinance to amend the deadline for establishment of use" be enacted as set forth below?

Explanatory Note: This Article changes the timeframe for establishment of use for a conditional use from 12 months to 24 months.

SECTION 5 CONDITIONAL USE APPROVAL

.
. .

5.5 Deadline for establishment of use

Unless more restrictive criteria are required in another section of this Ordinance, the proposed use must be established within ~~twelve (12)~~ twenty-four (24) months of the date of approval of the Conditional Use Application. Otherwise, the approval lapses and a new application is required. The beginning of construction or the commencement of business shall constitute establishment.

Planning Board recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 21. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to correct the date for when a lot was be created for purposes of applying the access provisions in 6B.11(2)” to be enacted as set forth below?

Explanatory Note: This Article makes a house keeping correction to date for when a lot was be created for purposes of applying the access provisions in 6B.11(2).

6B.11 Lots

1. Minimum lot size. See section 3.5.

2. Access.

1. Lots created on or after ~~June 6~~May 5, 2015. No lot created on or after ~~June 6~~May 5, 2015, shall be built upon or otherwise developed unless it has a private road or driveway for access to a public way by a valid right of way benefiting the lot (or a combination of driveway and/or one or more private roads) or by ownership of land abutting the public way. If more than 2 lots are accessed by the same private road, then it must meet the Street Design and Construction Standards of Section 5.14 of the Subdivision Ordinance. If no more than 2 lots are accessed by the same private road or driveway, then it must meet either the said Street Design and Construction Standards or the Driveway Construction standards of Section 6B.6 of this Ordinance. A pre-existing primary access drive that serves up to 2 existing lots need not meet the requirements of Section 6B.6. All such lots must maintain safe access for fire, police, and emergency vehicles, as determined by the Code Enforcement Officer.

In determining whether lots maintain safe access, the Code Enforcement Office may seek guidance from the Fire Chief.

2. Lots created before ~~June 6~~May 5, 2015. Any lot created before ~~June 6~~May 5, 2015, shall not be further built upon or otherwise further developed unless it has a private road or driveway for access to a public way by a valid right of way benefiting the lot (or a combination of driveway and/or one or more private roads) or by ownership of land abutting the public way, but the said private road or driveway need not meet the requirements of Section 6B.6 of the Land Use Zoning Ordinance. All such lots must maintain safe access for fire, police, and emergency vehicles, as determined by the Code Enforcement Officer. In determining whether lots maintain safe access, the Code Enforcement Officer may seek guidance from the Fire Chief.

Planning Board recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 22. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to clarify where the setback is measured from a road or right-of-way” be enacted as set forth below?

Explanatory Note: This Article clarifies where a road setback is measured from.

SECTION 3 LAND USE DISTRICTS

.
. .

Section 3.5 Dimensional Requirements for Districts: minimum area, width of lots, setbacks, etc.

.
. .

NOTES:

(b) Refer to setback as defined in Section 8.

(c) Setbacks from pPublic and private roads are measured from edge of road surface, or edge of legally established right of way if no road exists. ~~Where the setback is from a private road or right of way, the setback shall be equal to the property line setback requirements of the district in which the property is located.~~

Planning Board recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 23. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance regarding the footprint limitation for principal and accessory structures in the shoreland zone” be enacted as set forth below?

Explanatory Note: This Article provides a housekeeping change to make the local ordinance consistent with Shoreland Zoning by increases the footprint limitation for principal and accessory structures in the shoreland zone from 15% to 20% which is more consistent with the State guidelines.

SHORELAND ZONING STANDARDS

.
. .

6C.8 Principal and Accessory Structures

.
. .

6. ~~15%~~20% footprint limitation. The total footprint area of all structures, parking lots and other -vegetated surfaces, within the shoreland zone shall not exceed ~~fifteen~~twenty (~~15~~20) percent of the lot or a portion thereof, located within the shoreland zone, including land area previously developed, except in the Shoreland Commercial District adjacent to tidal waters, where lot coverage shall not exceed seventy (70) percent.

Planning Board recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 24. Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to allow exceptions to the height limitations consistent with State Shoreland Zoning Laws” be enacted as set forth below? **See Appendix B (pgs.46 - 48) for language**

Explanatory Note: This Article allows an exception to how height is measured when a structure is located within an area of special flood hazard.

Planning Board recommends (passage)
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 25. Shall an ordinance dated May 2, 2023 and entitled “Short-Term Rental Licensing Ordinance” be enacted as set forth below? **See Appendix C (pgs.49 - 53) for language**

Selectboard recommends passage
Warrant Committee recommends passage (7 Ayes; 6 Nays; 3 Abstentions)

Gifts

Article 26. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Board of Selectmen to accept Conditional Gifts (MRSA 30-A, §5654), Unconditional Gifts (MRSA 30-A §5655), equipment, proceeds from sale of fire equipment or funds on behalf of the Municipal Fire Department. It is understood that any funds received will be placed in the Fire Equipment Reserve Fund.

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Leases, Agreements, Sales

Article 27. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Board of Selectmen to lease a portion of the so-called Visitor Center at the Northeast Harbor Marina to the Ticket Booth operators for a term of one (1) year beginning July 1, 2023 under such terms and conditions as the Board of Selectmen, in its sole discretion, deems to be in the best interests of the Town.

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 28. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Board of Selectmen, to lease a portion of the so-called Visitor Center at the Northeast Harbor Marina to the Mount Desert Chamber of Commerce for a term of one (1) year

beginning July 1, 2023 under such terms and conditions as the Board of Selectmen, in its sole discretion, deems to be in the best interests of the Town.

Selectboard recommends passage

Warrant Committee recommends passage (15 Ayes; 0 Nays; 1 Abstention)

Article 29. To see if the Inhabitants of the Town of Mount Desert will authorize the Board of Selectmen to enter in to a ten-year (10) lease with the Town of Cranberry Isles, for 123 parking spaces in the Town Office Municipal parking lot, under terms and conditions the Board deems advisable. A copy of the lease document shall be on file at the Town office and available for public inspection no less than seven (7) days prior to the Town Meeting and that copy shall be certified as accurate by the Town Clerk. **See Appendix D (pgs.54 - 62)**

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 30. To see if the Inhabitants of the Town of Mount Desert will authorize the Board of Selectmen, to negotiate and enter into an agreement with the Neighborhood House Club, Inc. for management and maintenance of the municipal swimming pool, for a term of one (1) year beginning July 1, 2023 under such terms and conditions as the Board of Selectmen, in its sole discretion, deems to be in the best interests of the Town.

Selectboard recommends (passage)

Warrant Committee recommends passage (15 Ayes; 0 Nays; 1 Abstention)

Article 31. To see if the Inhabitants of the Town of Mount Desert (Town) will vote to sell a surplus emergency standby Kohler 80 kW Generator to the Mount Desert Island Regional School District (MDI High School) for a lump sum cost of \$12,500 on an as is where is basis, said generator being the same generator that was leased by the MDI High School from the Town for \$1.00 in September 2022, and is presently in place and in use at the MDI High School, with said lease scheduled to terminate on or before June 1, 2023, and further to authorize the Board of Selectmen or their designee to execute any and all contracts and documents and do any and all things necessary or convenient to accomplish the Sale.

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 32. Shall the voters of the Town of Mount Desert authorize the Selectboard to negotiate and complete the sale of the 2013 ambulance received by the Town by gift of the Northeast Harbor Ambulance Service ("NEHAS") on or about April 26th, 2022 by returning it to NEHAS for \$1 pursuant to the terms of the gift instrument by which NEHAS donated it to the Town?

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 33. To see if the Town of Mount Desert will vote to accept **Patterson Hill** Road (exclusive of Clubhouse Way) serving the Patterson Hill Subdivision, as it is defined below and subject to the conditions set forth below.

Section 1. Patterson Hill Road (the “Road”) is a private road located in the Village of Somesville off State Route 102, approximately 1,800 feet in length, including a cul-de-sac. The owners of the Road have offered voluntarily to transfer their interests in the Road to the Town without claim for damages, pursuant to a deed that the said owners have filed with the municipal officers. The Town shall accept the Road as a Public Road in conformance with the Town’s Public Road Acceptance Ordinance (the “Ordinance”) as last amended at the May 8, 2018, annual Town meeting, provided that all conditions of the Ordinance to be met for a private road to become a public road have been met to the satisfaction of the Board of Selectmen as determined at a meeting of said Board on or before April 30, 2024. Said conditions include, but are not limited to, the following:

First, the said owners shall deliver their deed to the Town, duly executed and in proper form for recording, conveying in fee simple, without condition, exception, or reservation, the full title to the land underlying the Road, being a strip of land 50 feet in width or greater, as laid out in the said subdivision. Notwithstanding the delivery of said deed, the deed shall not be deemed to have been accepted until and unless the Board of Selectmen has determined that all of the said conditions have been met, as provided above. The cost of preparing, executing, and delivering said deed shall be paid by the said owners.

Second, the said owners shall have provided to the Town Manager, on or before April 30, 2024, evidence of good title to the Road, as set forth in item “First” above, allowing use of the Road as a Public Road. Such evidence shall be in the form of a commitment for title insurance insuring the Town of the said condition of the title to the Road and the underlying land, issued by a title insurer satisfactory to the Town Manager and at a satisfactory premium. The cost of obtaining such commitment shall be paid by the said owners.

Third, the Town Manager shall have been able to obtain a letter from an attorney satisfactory to the Town Manager, certifying that said commitment for title insurance is sufficient to protect the Town’s interests.

Section 2. The Board of Selectmen or its designee is authorized to execute and undertake all documents and actions necessary or convenient to facilitate the transfer of ownership of the Road to become a Public Road as set forth in this Article.

Section 3. The acceptance of the Road shall occur and be effective only when the Board of Selectmen has made the determination of satisfactory completion of all conditions, as set forth above. Said determination may be made at any date on or before April 20, 2024. **See Appendix E (pg.63)**

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 34. To see if the Town of Mount Desert will vote to accept the existing private sanitary sewer collection and conveyance system serving the **Patterson Hill Subdivision**, as the same is defined below and subject to the conditions and requirements set forth below.

Section 1. Patterson Hill Subdivision is served by an existing private sanitary sewer collection and conveyance system (the "Sewer System") located in Patterson Hill Road, Clubhouse Way, and State Route 102, all in the Village of Somesville, including approximately 1,800 feet in length of private gravity sewer pipe, one private sanitary sewer duplex submersible pump station, and one private pressure pipe approximately 250 feet in length, and not including any building sewers. The owners of the Sewer System have requested the Town to assume ownership and associated future maintenance and repair of the Sewer System. The Town shall accept the Sewer System, making it a public Sewer System, in accordance with the Town's Sewer Ordinance, last amended May 3, 2022, provided that said assumption of ownership shall be conditioned upon the said owners (a) conveying the Sewer System to the Town by satisfactory agreements or other documents and (b) furnishing, installing, and bearing all costs associated with the completion of the following requirements and improvements to the Sewer System with all work to be conducted at mutually agreed upon times between Town staff and Patterson Hill subdivision representatives:

1. Ensure that the pump set-up is a duplex pump station with lead and lag pumps.
2. Slide the two pumps in the pump station up the rails to the surface to provide Town staff the ability to inspect them and to gather information off the metal plates typically found on such pumps.
3. Attempt to determine design flows, flow rates, and power needs of the pumps.
4. Operate each pump independently from the other and also in high flow conditions when both pumps are operating.
5. Inspect the concrete wet well for any structural damage such as cracks.
6. Provide an easement from Patterson Hill Road along Clubhouse Way to and around the pump station to provide access for Town staff on foot and with vehicles ranging in size from small automobiles to large vacuum trucks (the size of a large concrete mixer truck) for inspections, maintenance, and upgrades.
7. Identify the location of the pressure pipe located between the pump station and its discharge point in the gravity sewer in the street and, if at any point the pressure pipe varies from the previously described easement from Patterson Hill Road along Clubhouse Way to and around the pump station described above, the location of this variance in pressure pipe location is to be included in said easement.
8. Replacement/repair of the existing fifteen sanitary manhole chimneys.
9. Furnish and install a Zetron alarm at the pump station compatible with those in use at other pump stations throughout the Town.

Section 2. The Board of Selectmen or its designee is authorized to execute and undertake all documents and actions necessary or convenient to facilitate the transfers of ownership and operation set forth in this Article.

Section 3. The acceptance of the Sewer System shall occur and be effective only when all conditions and requirements, as set forth above, have been met to the satisfaction of the Board of Selectmen as determined at a meeting of said Board on or before April 30, 2025. **See Appendix E (pg.63)**

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Fiscal Policy

Article 35. To see if the Inhabitants of the Town of Mount Desert will amend the policy adopted March 1986 and amended May 4, 2010 and May 3, 2016 and entitled Town of Mount Desert **Investment Policy** as described and deleted through strikethrough markings. **See Appendix F (pgs.64 - 66)**

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 36. To see if the Inhabitants of the Town of Mount Desert will vote to establish a new Debt Service Operating Reserve Account. The Selectboard shall be authorized to use funds appropriated to the Debt Service Operating Reserve Account to meet the goals of minimizing year to year fluctuations in debt service expense and utilizing pro-rata allocation of net interest/dividends within the Town's reserve investment portfolio to subsidize future debt service payments. Said reserve may not be used for debt service attributable to enterprise fund(s).

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 37. To see if the Inhabitants of the Town of Mount Desert will vote to transfer the balance held in the Police Training Cost Reserve account 4040100-24405 to the Police Capital Improvement Reserve account 4040100-24405.

Explanatory Note: Police training went to a fully integrated system with BHPD in 2020. The balance of the Police Training Cost Reserve as of January 30, 2023 is \$66,793.51. The actual transfer amount will differ based on subsequent pro-rata allocation of portfolio performance.

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 38. To see if the Inhabitants of the Town of Mount Desert will vote to transfer the balance held in the Assessor Capital Improvement Reserve account 4020500-24206 to the

Assessor Revaluation Reserve account 4020600-24207.

Explanatory Note: The Vision Server was the only asset assigned to the Assessment Capital Improvement Reserve, which is no longer needed due to cloud hosted service. The balance of the Assessment Capital Improvement Reserve as of January 30, 2023 is \$8,543.63. The actual transfer amount will differ based on subsequent pro-rata allocation of portfolio performance.

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 39. Shall the Town of Mount Desert be authorized to issue general obligation bonds or notes of the Town in a principal amount not to exceed \$50,000.00 to pay for professional technical services including, but not necessarily limited to, topographical survey, design, permitting, and, bidding services for improvements to portions of the Town's sidewalks and curbing, with all sidewalk locations totaling approximately 4,160 feet and collectively referred to as (the "Project"); and further to authorize the Selectboard or its designee to execute any and all contracts and documents and do any and all things necessary or convenient to issue the bond or note of the Town, which may be callable, and to accomplish the Project. Said improvements shall include the following segments: **See Appendix G (pgs.67 - 69)** for maps showing the proposed Project area.

- in the Village of Somesville on the easterly side of State Route 102/Main Street across from the funeral home between the Masonic Hall and the Somesville Union Meeting House, a distance of approximately 800 feet and,
- in the Village of Northeast Harbor on the southerly side of Neighborhood Road from its intersection with Manchester Road to its intersection with Maple Lane, a distance of approximately 1,650 feet and;
- in the Village of Northeast Harbor on the southerly side of Sea Street beginning at the westerly end of the sidewalk in front of the Town office and extending easterly down the hill to, and ending at, Harbor Drive, a distance of approximately 350 feet and;
- in the Village of Seal Harbor on the westerly side of State Route 3/Main Street, beginning approximately 20 feet southerly of the entrance to the Seal Harbor wastewater treatment plant continuing southerly a distance of 85 feet across and in front of the Acadia Outdoor Center to a point approximately 20 feet northerly of the existing sidewalk in front of the Naturalists Notebook for a total length of improvements of 85 feet and;
- in the Village of Seal Harbor on the southerly side (the ocean side) of State Route 3/Peabody Drive, beginning at the paved access point to the Seal Harbor beach from State Route 3/Peabody Drive located across from the Town's public parking lot, then extending easterly along State Route 3/Peabody Drive a distance of approximately 450 feet then turning southerly onto Steamboat Wharf Road and continuing southerly a distance of approximately 885 feet, for a total distance of 1,275 feet ending at or near the northerly end of the existing wooden boardwalk located across from the Somesville Library.

FINANCIAL STATEMENT - TOWN OF MOUNT DESERT

1. Total Town Indebtedness

A.	Bonds outstanding and unpaid as of 5/2/23, unaudited:	\$ 17,775,385.11
B.	Bonds authorized and unissued (estimated):	\$ 0.00
C.	Bonds to be issued under this Town Meeting Article	<u>\$ 50,000.00</u>
D.	(estimate) TOTAL	\$ 17,825,385.11

2. Costs

At an estimated interest rate of 5% for a term of 20 years, the estimated costs of this bond issue will be:

Principal	\$ 50,000.00
Interest	<u>\$ 26,462.33</u>
Total Debt Service	\$ 76,462.33

3. Validity

The validity of the bonds is not affected by any errors in the above estimates or unaudited figures. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.



 Treasurer, Town of Mount Desert, Maine

Selectboard recommends passage
 Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 40. Shall the Town of Mount Desert be authorized to issue general obligation bonds or notes of the Town in a principal amount not to exceed \$210,000.00 to pay for professional technical, and construction services including, but not necessarily limited to, site survey, design, bidding, and construction services for renovations of the two (2) existing Town owned tennis and pickleball courts (the Courts) with said renovation to provide two fully functional tennis and pickleball courts; and further to authorize the Selectboard or its designee to execute any and all contracts and documents and do any and all things necessary or convenient to issue the bond or note of the Town, which may be callable, and to accomplish the renovation Project. See **Appendix H (pg.70)** for a map showing the proposed Project area.

FINANCIAL STATEMENT - TOWN OF MOUNT DESERT

1. Total Town Indebtedness

A.	Bonds outstanding and unpaid as of 5/2/23, unaudited:	\$ 17,775,385.11
B.	Bonds authorized and unissued (estimated):	\$ 0.00
C.	Bonds to be issued under this Town Meeting Article	<u>\$ 210,000.00</u>
D.	(estimate) TOTAL	\$ 17,985,385.11

2. Costs

At an estimated interest rate of 5% for a term of 20 years, the estimated costs of this bond issue will be:

Principal	\$ 210,000.00
Interest	\$ 111,141.78
Total Debt Service	\$ 321,141.78

3. Validity

The validity of the bonds is not affected by any errors in the above estimates or unaudited figures. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.



 Treasurer, Town of Mount Desert, Maine

Selectboard recommends passage
Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 41. Shall the Town of Mount Desert be authorized to issue general obligation bonds or notes of the Town in a principal amount not to exceed \$780,000 to pay for professional, technical, and construction services including, but not necessarily limited to, topographical survey, design, permitting, bidding services, and construction for improvements to three (3) existing Town-owned parking lots (Project), and further to authorize the Board of Selectmen or its designee to execute any and all contracts and documents and do any and all things necessary or convenient to accomplish the Project. Two of the three parking lots are identified as (1) the paved Town of Cranberry Isles Leased Lot southerly of the Town office building and (2) the paved Town Office Lower Level Parking Lot adjacent to the police and fire departments, as to which two said parking lots said improvements shall include, but not necessarily be limited to, reclaiming existing paved surfaces, replacing the existing traffic control islands with new ones, installing new LED dark-sky compliant lighting, and constructing surface water drainage improvements. The third said parking lot is identified as (3) the gravel parking lot located in the Village of Seal Harbor accessed off Route 3/Main Street northerly of the access driveway to the Seal Harbor wastewater treatment plant, as to which third said parking lot said improvements shall include removing existing soil material from the entire footprint of the lot and replacing it with new soil material used in roadway and parking lot construction, drainage improvements, and lighting. In all three of said parking lots, said improvements shall include the construction of new base and surface layers of bituminous concrete (pavement) and other associated work typically recognized by the industry to complete the intent of the Project; and further to authorize the Selectboard or its designee to execute any and all contracts and documents and do any and all things necessary or convenient to issue the bond or note of the Town, which may be callable, and to accomplish the Project. **See Appendix I (pgs.71 - 72)** for maps showing the proposed Project areas.

FINANCIAL STATEMENT - TOWN OF MOUNT DESERT

1. Total Town Indebtedness

A.	Bonds outstanding and unpaid as of 5/2/23, unaudited:	\$ 17,775,385.11
B.	Bonds authorized and unissued (estimated):	\$ 0.00
C.	Bonds to be issued under this Town Meeting Article	<u>\$ 780,000.00</u>
D.	(estimate) TOTAL	\$ 18,555,385.11

2. Costs

At an estimated interest rate of 5% for a term of 20 years, the estimated costs of this bond issue will be:

Principal	\$ 780,000.00
Interest	<u>\$ 412,812.33</u>
Total Debt Service	\$ 1,192,812.33

3. Validity

The validity of the bonds is not affected by any errors in the above estimates or unaudited figures. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.



 Treasurer, Town of Mount Desert, Maine

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 42. *Shall the Town of Mount Desert* be authorized to issue general obligation bonds or notes of the Town in a principal amount not to exceed \$900,000.00 to pay for professional, technical, and construction services including, but not necessarily limited to, topographical survey, design, permitting, bidding services, and construction of the relocation of a portion of the Town’s existing **sanitary sewer infrastructure** consisting of approximately 400-feet of sanitary sewer pipe, manholes, and associated appurtenances to complete the relocation work (Project) in general conformance with industry standards for such work, and further to authorize the Selectboard or its designee to execute any and all contracts and documents and do any and all things necessary or convenient to issue the bond or note of the Town, which may be callable, and to accomplish the Project. Said work is located in the Village of Somesville within the Maine Department of Transportation’s (MDOT) right-of-way of State Route 3/198, and said relocation shall be in accordance with the MDOT requirement to do so, at the Town’s expense, all in conformance with Section 13 of the MDOT Utility Accommodation Rules (17-229 CMR Chapter 210) (Rules) covering Bridges and Other Highway Structures, with said Rules stating that if there is a conflict between the location of infrastructure the Town was previously authorized by the MDOT to construct, and did construct and the anticipated construction of new infrastructure by the MDOT in the Village of Somesville, specifically replacing the existing bridge located in State Route 3/198 that conveys various modes of traffic across Kitteredge Brook including vehicular, cycling, and foot traffic, with a new bridge in the same general location of the existing bridge, then the previously authorized infrastructure must be relocated at the Town’s expense. Said bridge replacement construction activities are tentatively scheduled to

begin in 2023-2024, but if said bridge replacement construction activities are delayed, then the Project described in this Article shall also be delayed. **See Appendix J (pg.73)** for a map showing the proposed Project areas.

FINANCIAL STATEMENT - TOWN OF MOUNT DESERT

1. Total Town Indebtedness

A.	Bonds outstanding and unpaid as of 5/3/23, unaudited:	\$ 17,775,385.11
B.	Bonds authorized and unissued (estimated):	\$ 0.00
C.	Bonds to be issued under this Town Meeting Article	<u>\$ 900,000.00</u>
D.	(estimate) TOTAL	\$ 18,675,385.11

2. Costs

At an estimated interest rate of 5% for a term of 20 years, the estimated costs of this bond issue will be:

Principal	\$ 900,000.00
Interest	<u>\$ 476,321.92</u>
Total Debt Service	\$ 1,376,321.92

3. Validity

The validity of the bonds is not affected by any errors in the above estimates or unaudited figures. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.



 Treasurer, Town of Mount Desert, Maine

Selectboard recommends passage
 Warrant Committee recommends passage (16 Ayes; 0 Nays)

Article 43. Shall the Town of Mount Desert be authorized to issue general obligation bonds or notes of the Town in a principal amount not to exceed \$360,000.00 to finance construction contract administration, inspection, and construction services associated with drainage improvements to the Beech Hill Cross Road (the Road) in the general area where Denning’s Brook crosses under Beech Hill Cross Road, said improvements to be in conformance with the Maine Department of Environmental Protection StreamSmart program requirements and with said repairs to include, but not necessarily be limited to, replacing two corroded metal pipes with a concrete box culvert; placing stone riprap for stabilization and erosion control on the embankments along both sides of the Road; erecting guardrails along the top of the embankments along both sides of the Road and, placing earthen fill, loam and seed in the area and other amenities and appurtenances required to complete the improvements; and further to authorize the Selectboard or its designee to execute any and all contracts and documents and do any and all things necessary or convenient to issue the bond or note of the Town, which may be callable, and to accomplish the Project. **See Appendix K (pg.74)** for a map showing

the proposed Project areas.

FINANCIAL STATEMENT - TOWN OF MOUNT DESERT

1. Total Town Indebtedness

A.	Bonds outstanding and unpaid as of 5/3/23, unaudited:	\$ 17,775,385.11
B.	Bonds authorized and unissued (estimated):	\$ 0.00
C.	Bonds to be issued under this Town Meeting Article	<u>\$ 360,000.00</u>
D.	(estimate) TOTAL	\$ 18,135,385.11

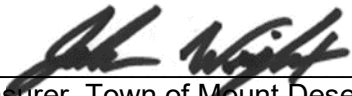
2. Costs

At an estimated interest rate of 5% for a term of 20 years, the estimated costs of this bond issue will be:

Principal	\$ 360,000.00
Interest	<u>\$ 190,528.77</u>
Total Debt Service	\$ 550,528.77

3. Validity

The validity of the bonds is not affected by any errors in the above estimates or unaudited figures. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.



Treasurer, Town of Mount Desert, Maine

Selectboard recommends passage

Warrant Committee recommends passage (15 Ayes; 1 Nays)

Article 44. Shall the Town of Mount Desert be authorized to issue general obligation bonds or notes of the Town in a principal amount not to exceed \$250,000.00 to finance construction related services, including but not necessarily limited to, construction contract administration, inspection, and construction services associated with improvements and repairs to approximately 200-linear feet of **erosion of the Seal Harbor beach** shoreline eroded by a strong storm surge in 2020, said damaged area located in the northeasterly portion of the waters of Seal Harbor per se, and located in general, down over the embankment westerly of the Steamboat Wharf Road with said improvements and repairs to include, but not necessarily be limited to, placing geotextile, anchor boulders, stone riprap, earthen fill, loam and seed and other amenities and appurtenances required to complete the improvements and repairs; and further to authorize the Selectboard or its designee to execute any and all contracts and documents and do any and all things necessary or convenient to issue the bond or note of the Town, which may be callable, and to accomplish the Project. **See Appendix L (pg.75)** for a map showing the proposed Project areas.

FINANCIAL STATEMENT - TOWN OF MOUNT DESERT

1. Total Town Indebtedness

A.	Bonds outstanding and unpaid as of 5/3/23, unaudited:	\$ 17,775,385.11
B.	Bonds authorized and unissued (estimated):	\$ 0.00
C.	Bonds to be issued under this Town Meeting Article	<u>\$ 250,000.00</u>
D.	(estimate) TOTAL	\$ 18,025,385.11

2. Costs

At an estimated interest rate of 5% for a term of 20 years, the estimated costs of this bond issue will be:

Principal	\$ 250,000.00
Interest	<u>\$ 132,311.64</u>
Total Debt Service	\$ 382,311.64

3. Validity

The validity of the bonds is not affected by any errors in the above estimates or unaudited figures. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.



 Treasurer, Town of Mount Desert, Maine

Selectboard recommends (passage)

Warrant Committee recommends passage (16 Ayes; 0 Nays)

~~~~~

**FINANCIAL STATEMENT - TOWN OF MOUNT DESERT**

**(If Articles 39, 40, 41, 42, 43, and 44 are Approved in Total)**

**1. Total Town Indebtedness**

|    |                                           |                       |
|----|-------------------------------------------|-----------------------|
| A. | Bonds outstanding and unpaid:             | \$17,775,385.11       |
| B. | Bonds authorized and unissued:            | \$0.00                |
| C. | Bonds to be issued under Town Meeting     | <u>\$2,550,000.00</u> |
| D. | Articles 39, 40, 41, 42, 43, and 44 TOTAL | \$20,325,385.11       |

**2. Costs**

At an estimated interest rate of 5% for a term of 20 years, the estimated costs of this bond issue will be:

|                    |                       |
|--------------------|-----------------------|
| Principal          | \$2,550,000.00        |
| Interest           | <u>\$1,349,578.77</u> |
| Total Debt Service | \$3,899,578.77        |

**3. Validity**

The validity of the bonds is not affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue (or Amortization) varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.



Treasurer, Town of Mount Desert, Maine

**Article 45.** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to accept and expend on behalf of the Town additional state, federal and other funds (including gifts and grants, as well as funds received under the American Rescue Plan Act and similar legislation) received during the fiscal year 2023-2024 for Town purposes, provided that such additional funds do not require expenditure of local funds not previously appropriated.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 46.** To see if the Inhabitants of the Town of Mount Desert will vote to approve July 1, each year, as the date on which all taxes shall be due and payable providing that all unpaid taxes on September 1, of each year, shall be charged interest at an annual rate of 8% (percent) per year. (*Tax Club members are exempt within the terms and conditions of the Town's Tax Club Agreement.*)

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 47.** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Tax Collector to enter into a standard "tax club" agreement with taxpayers whereby: (1) the taxpayer agrees to pay specified monthly payments to the Town based on the taxpayer's estimated and actual tax obligation for current year property taxes (real estate and/or personal); (2) the Town agrees to waive interest on timely payments; (3) the Town authorizes the Tax Collector to accept payment of taxes prior to commitment of taxes; (4) the agreement automatically terminates if two consecutive payments are missed and the taxpayer thereupon becomes subject to the same due date and interest rate as other, nonparticipating taxpayers; (5) only taxpayers who are paid in full on their property tax obligations may participate; and (6) interested taxpayers shall apply annually for participation by the date shown on the application, date and application format to be determined by the Tax Collector.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 48.** To see if the Town will vote to authorize the Tax Collector to accept pre-

payment of property taxes not yet committed, not to exceed the estimated amount to be committed in the subsequent year, with no interest to be paid on same.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 49.** To see if the Inhabitants of the Town of Mount Desert will vote to set the interest rate to be paid by the Town for abated taxes that have been paid at the rate of 4% (percent) per year.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 50.** To see if the inhabitants of the Town of Mount Desert will vote to authorize expenditures to pay any tax abatements granted by the Assessor, Board of Assessment Review, or Selectboard together with any interest due thereon from the Town, during the fiscal year beginning July 1, 2023, in an aggregate amount not to exceed the property tax commitment overlay.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 51.** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to dispose by public bid of Town-owned property, other than real property, with a value of thirty thousand dollars (\$30,000.00) or less under such terms and conditions as it deems advisable.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 52.** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to sell at public auction or by advertised sealed bid, and to convey titles obtained under tax deeds and under deeds of conveyance to the Inhabitants of the Town any land and/or buildings, including trailers, in lieu of payment of taxes except that the Selectmen have the power to authorize redemption. Municipal Officers shall use the special sale process required by 36 M.R.S. § 943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 53.** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to contract for services, in amounts not to exceed appropriation for same,



under such terms and conditions as it deems advisable.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

### **Municipal Revenue**

**Article 54.** To see if the Inhabitants of the Town of Mount Desert will vote to transfer Seven hundred and fifty thousand dollars (\$750,000.00) from the Undesignated Fund Balance Account #100-38300 to reduce the 2023 – 2024 tax commitment.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 55.** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to transfer up to two hundred and fifty thousand dollars (\$250,000) from the Capital Gains Reserve Account #400-24202 to reduce the 2023 – 2024 tax commitment. The exact amount, as limited by the aforementioned maximum value, shall be determined by the Selectboard's timely assessment of current and expected market conditions.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 56.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and/or appropriate as Revenue through Excise Taxes, Service Fees and miscellaneous sources for the 2023 – 2024 Town Budget.

Selectboard recommends \$1,965,157.00  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

### **Municipal Appropriations**

**Explanatory note: articles 57, 58, and 59 amend previously approved appropriations.**

**Article 57.** To see if the Inhabitants of the Town of Mount Desert will vote to ratify the overdraft that occurred in Public Works for the year ended June 30, 2022, in the amount of \$42,183.37. Said overage was primarily caused by expenditures in Department 515, Waste Management exceeding budgeted expectations by \$48,215.62 and Department 520, Buildings & Grounds exceeding budgeted expectations by \$18,125.51. The overdraft was charged to the Undesignated Fund Balance. Total appropriations for departments 501, 515, 520, 525, and 530 Highways, Waste Management, Buildings & Grounds, Parks & Cemeteries, and Environmental Sustainability for the fiscal year ended June 30, 2022 were \$2,729,726 and total expenditures recognized in said fiscal year amount to \$2,771,909.37.

**Explanatory Note: Waste Management negative budget variance** The Waste Management division of Public Works exceeded its budget of \$594,675 by \$48,215.62. This amount is the result of some budget lines being overspent and some being underspent. The primary items that resulted in the overdraft included:

- the increase in volume of trash, bulky waste, metals, construction demolition debris, waste wood, green wood, etc. that was delivered to the EMR transfer station in Southwest Harbor where the total costs exceeded the budgeted amount of \$230,000 by \$28,987 for a total cost of \$258,987 and,
- the resultant increase in volume of trash being delivered to the PERC facility when it was operational or to the Juniper Ridge Landfill in Old Town when PERC was closed due to unforeseen maintenance, tipping floor fires, inability to handle the volume of trash being delivered to them, where the total costs exceeded the budgeted amount of \$132,500 by \$20,789.58 for a total cost of \$153,289.58 with both sites being used due to the waste processing facility in Hampden having been closed since May 2020 due to poor management and lack of funds to make improvements and,
- reopening our recycling center on January 1, 2022, without having budgeted funds for doing so resulting in the expenditure of \$16,349.41 unbudgeted funds.

**Explanatory Note: Buildings & Grounds negative budget variance:** The Buildings & Grounds division of Public Works exceeded its budget of \$230,026 by \$18,125.51. This amount is the result of some budget lines being overspent and some being underspent. The primary items that resulted in the overdraft included:

- General maintenance and repairs and building maintenance and repairs exceeded budgeted expectations by \$15,121.77, primarily due to sound dampening work that was done at the Visitors Center
- accounting for various insurance, retirement, and payroll related costs exceeding their budgeted amounts by \$6,279.95.

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 58.** To see if the Inhabitants of the Town of Mount Desert will vote to ratify the overdraft that occurred in Debt Service for the year ended June 30, 2022, in the amount of \$2,381.09. The overdraft was charged to the Undesignated Fund Balance. Said overdraft was caused by actual interest on certain debt service payments exceeding budgeted expectations. Total appropriations for the fiscal year ended June 30, 2022 for department 801 "Debt Service" were \$1,863,050 and total expenditures recognized in said fiscal year amount to \$1,865,431.09.

Selectboard recommends passage

Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 59.** To see if the Inhabitants of the Town of Mount Desert will vote to amend appropriations for department 801 Debt Service within the general operating fund for the fiscal year ending June 30, 2023 from \$1,736,705 to \$1,746,000. The difference in original and revised appropriations will be charged to the Undesignated Fund Balance, subject to actual variance(s) in audited activity. Such amendment in appropriations is necessitated

primarily by the difference in interest expense budgeted for and actually incurred for Bond Series 2018 Road Projects.

Selectboard recommends passage  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 60.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 200 through 221 General Government – Governing Body (Selectboard), Municipal Management, Town Clerk, Registrar, Elections, Planning Board, Finance, Treasurer, Tax Collector, Assessment, Code Enforcement, Unallocated Funds, Human Resources, Technology, and Contracted Municipal and Community Oriented Services for the 2023 – 2024 Town Budget.

|                                                 |                                    |
|-------------------------------------------------|------------------------------------|
| <b>Gov. Body (Bd of Selectmen): \$36,770.00</b> | <b>Registrar: \$2,500.00</b>       |
| <b>Town Clerk: \$139,940.00</b>                 | <b>Planning Board: \$52,263.00</b> |
| <b>Elections: \$14,500.00</b>                   | <b>Treasurer: \$94,179.00</b>      |
| <b>Finance: \$201,152.00</b>                    | <b>Assessment: \$143,212.00</b>    |
| <b>Tax Collector: \$19,520.00</b>               | <b>Unallocated: \$113,000.00</b>   |
| <b>Code Enforcement: \$212,484.00</b>           | <b>Technology: \$220,887.00</b>    |
| <b>Human Resources: \$55,400.00</b>             | <b>CMCOS: \$143,000.00</b>         |
| <b>Town Management: \$432,064.00</b>            |                                    |

Selectboard recommends \$1,880,871.00  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 61.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 300 General Assistance Support for the 2023 – 2024 Town Budget.

Selectboard recommends \$5,000.00  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 62.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 350 Rural Wastewater Support for the 2023 – 2024 Town Budget.

Selectboard recommends \$222,066.00  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 63.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 406 Street Lights for the 2023 – 2024 Town Budget.

Selectboard recommends \$11,250.00  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 64.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 401, 405, 407, and 408 Public Safety – Police, Shellfish, Animal Control, and Communications (Dispatch) for the 2023 – 2024 Town Budget.

**Police: \$1,166,478.00**  
**Shellfish: \$3,403.00**

**Animal Control: \$4,980.00**  
**Communications: \$456,295.00**

Selectboard recommends \$1,631,156.00  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 65.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 403,404, and 409 Public Safety – Fire Department, Hydrants, and Emergency Management for the 2023 – 2024 Town Budget.

**Fire: \$2,267,334.00 Hydrants: \$273,500.00 Emergency Management: \$1,000.00**

Selectboard recommends \$2,541,834.00  
Warrant Committee recommends passage (15 Ayes; 0 Nays; 1 Abstention)

**Article 66.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 501, 515, 520 and 525 Public Works - Roads, Waste Management, Buildings & Grounds, Parks & Cemeteries, and 530 Environmental Sustainability for the 2023 – 2024 Town Budget.

**Roads: \$2,004,068.00**  
**Parks/Cemeteries: \$60,202.00**  
**Buildings/Grounds: \$278,510.00**  
**Waste Management: \$743,619.00**  
**Environmental Sustainability: \$35,750.00**

Selectboard recommends \$3,122,149.00  
Warrant Committee recommends passage (16 Ayes; 0 Nays)

**Article 67.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 505 and 506 Sewers (Wastewater Treatment) for the 2023 – 2024 Town Budget.

**Sewer Capital: \$ 0.00**  
**Sewer Operation: \$745,157.00**  
**Wastewater Treatment**  
**Northeast Harbor Plant: \$197,850.00**  
**Seal Harbor Plant: \$152,258.00**  
**Somesville Plant: \$79,000.00**  
**Otter Creek Pmp Station: \$35,500.00**

Selectboard recommends \$1,209,765.00  
Warrant Committee recommends passage (15 Ayes; 0 Nays)

**Article 68.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 605 Recreation (Public Pool ~Utilities & Maintenance) for the 2023 – 2024 Town Budget.

Selectboard recommends \$5,900.00  
Warrant Committee recommends passage (15 Ayes; 0 Nays)

**Article 69.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 701 Economic/Community Development for the 2023 – 2024 Town Budget.

Selectboard recommends \$10,000.00  
Warrant Committee recommends passage (15 Ayes; 0 Nays)

**Article 70.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 801 Debt Service for the 2023 – 2024 Town Budget.

Board of Selectmen recommends \$2,203,989.00  
Warrant Committee recommends passage (15 Ayes; 0 Nays)

**Article 71.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 851 Third Party Request Agencies for the 2023 – 2024 Town Budget: Village Organizations, Recreation, and Public/Social Service Agencies, and Historical/Museums.

**Village Organizations:** \$62,500.00 **Public/Social Service Agencies:** \$103,437.00  
**Recreation:** \$00.00 **Historical/Museums:** \$14,500.00

Selectboard recommends \$180,437.00  
Warrant Committee recommends \$202,437.00 (12 Ayes; 2 Nays; 1 Abstention)

**Article 72.** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 991 Capital Improvement Plan transfers for the 2023 – 2024 Town Budget.

Selectboard recommends \$1,084,314.00  
Warrant Committee recommends \$1,084,314.00 (15 Ayes; 0 Nays)

**Written Ballot required for Article 73**

**Article 73.** To see if the Inhabitants of the Town of Mount Desert will vote to increase the property tax levy limit by \$565,775.00. **See Property Tax Levy Limit Worksheet (pg. 77).**

**Explanation:** The State Legislature passed a “tax reform” law known as LD#1. This bill created a maximum municipal tax levy based upon this year’s tax, plus an allowance for inflation and the Town’s tax base growth due to new construction. However, LD#1 allows Mount Desert voters to increase that tax cap with the approval of a simple majority of the voters at Town Meeting. The only requirement is that a secret vote must be taken by written ballot.

Selectboard recommends passage  
Warrant Committee recommends passage (14 Ayes; 1 Nays)

### Marina Proprietary Fund

**Article 74.** To see if the Inhabitants of the Town of Mount Desert will vote to ratify the Selectboard’s approval of the Marina Proprietary Fund budget.

**Revenue: \$852,080.00**                      **Expense: \$852,080.00**

Selectboard recommends ratification  
Warrant Committee makes no recommendation (15 Ayes; 0 Nays)

### Elementary School Appropriations

**Note: Articles 75 through 85 authorize expenditures in cost center**

**Article 75.** To see what sum the School Board will be authorized to expend for Regular Instruction for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$1,985,147**

School Board recommends                      \$2,071,937.00  
Warrant Committee recommends              \$2,071,937.00 (15 Ayes; 0 Nays)

**Article 76.** To see what sum the School Board will be authorized to expend for Special Education for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$784,733**

School Board recommends                      \$781,789.00  
Warrant Committee recommends              \$781,789.00 (15 Ayes; 0 Nays)

**Article 77.** To see what sum the School Board will be authorized to expend for Career and Technical Education for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$ -0-**

School Board recommends                      \$0.00  
Warrant Committee recommends              \$0.00 (15 Ayes; 0 Nays)

**Article 78.** To see what sum the School Board will be authorized to expend for Other Instruction for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$ 95,944**

School Board recommends \$112,456.00  
Warrant Committee recommends \$112,456.00 (15 Ayes; 0 Nays)

**Article 79.** To see what sum the School Board will be authorized to expend for Student & Staff Support for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$ 544,651**

School Board recommends \$584,382.00  
Warrant Committee recommends \$584,382.00 (15 Ayes; 0 Nays)

**Article 80.** To see what sum the School Board will be authorized to expend for System Administration for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$ 119,673**

School Board recommends \$116,280.00  
Warrant Committee recommends \$116,280.00 (15 Ayes; 0 Nays)

**Article 81.** To see what sum the School Board will be authorized to expend for School Administration for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$270,096**

School Board recommends \$321,378.00  
Warrant Committee recommends \$321,378.00 (15 Ayes; 0 Nays)

**Article 82.** To see what sum the School Board will be authorized to expend for Transportation & Buses for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$180,820**

School Board recommends \$208,791.00  
Warrant Committee recommends \$208,791.00 (15 Ayes; 0 Nays)

**Article 83.** To see what sum the School Board will be authorized to expend for Facilities Maintenance for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$595,868**

School Board recommends \$932,971.00  
Warrant Committee recommends \$932,971.00 (15 Ayes; 0 Nays)

**Article 84.** To see what sum the School Board will be authorized to expend for Debt Service and Other Commitments for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$285,154**

School Board recommends \$0.00  
Warrant Committee recommends \$0.00 (14 Ayes; 0 Nays; 1 Abstention)

**Article 85.** To see what sum the School Board will be authorized to expend for All Other Expenditures for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Note: 2022-23 Amount was \$ 75,000**

School Board recommends \$75,000.00  
Warrant Committee recommends \$75,000.00 (16 Ayes; 0 Nays)

**Note: Articles 75 – 85 authorize a total budget of \$5,204,984.00**

**Note: 2022-23 Amount was \$4,937,086**

**Note: Articles 86 – 88 raise funds for the Proposed School Budget**

**Hand Count Vote Required for Article 86**

**Article 86.** To see what sum the voters of the Town of Mount Desert will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (**Recommend \$2,090,710.00**) and to see what sum the voters of the Town of Mount Desert will raise as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688 for the period July 1, 2023 and ending June 30, 2024.

School Board recommends \$1,791,684.00  
Warrant Committee recommends \$1,791,684.00 (16 Ayes; 0 Nays)

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



**Hand Count Vote Required for Article 87**

**Article 87.** To see what sum the voters of the Town of Mount Desert will raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Town of Mount Desert’s contribution to the total cost of funding public education from kindergarten to grade 12 for the period July 1, 2023 and ending June 30, 2024.

School Board recommends \$0.00  
Warrant Committee recommends \$0.00 (16 Ayes; 0 Nays)

*Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the Town of Mount Desert’s long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was approved by the voters on November 6, 2001.*

**Written Ballot Vote Required for Article 88**

**Article 88.** To see what sum the voters of the Town of Mount Desert will raise and appropriate in additional local funds for school purposes (**Recommend: \$2,587,458.00**) for the period July 1, 2023 and ending June 30, 2024, which exceeds the State’s Essential Programs and Services allocation model by (**Recommend: \$2,587,458.00**) as required to fund the budget recommended by the school Board.

The School Board recommends **\$2,587,458.00** for additional local funds and gives the following reasons for exceeding the State’s Essential Programs and Services funding model by **\$2,587,458.00**: The State funding model underestimates the actual costs to fully fund the 2023-2024 budget.

The Warrant Committee recommends **\$2,587,458.00** for additional local funds and gives the following reasons for exceeding the State’s Essential Programs and Services funding model by **\$2,587,458.00**: The State funding model underestimates the actual costs to fully fund the 2023 – 2024 budget. (16 Ayes; 0 Nays)

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

**Note: Articles 86, 87, & 88 raise a total town appropriation of \$4,379,142.00**

**Note: 2022-23 Total Town Appropriation was \$ 4,113,610**

**Note: Article 89 summarizes the proposed school budget and does not authorize any additional expenditures**

**Hand Count Vote Required for Article 89**

**Article 89.** To see what sum the voters of the Town of Mount Desert will authorize the School Board to expend for the fiscal year beginning July 1, 2023 and ending June 30, 2024 from the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

**Note: 2022-23 Total Budget was \$4,937,086**

|                              |                                  |
|------------------------------|----------------------------------|
| School Board recommends      | \$5,204,984.00                   |
| Warrant Committee recommends | \$5,204,984.00 (16 Ayes; 0 Nays) |

**Article 90.** In addition to the amount in Articles 75 – 89, shall the School Board be authorized to expend such other sums as may be received from state or federal grants or programs or other sources during the fiscal year 2023-2024 for school purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated?

**Current Year Totals: \$203,079.00**

|                                                        |
|--------------------------------------------------------|
| School Board recommends passage                        |
| Warrant Committee recommends passage (16 Ayes; 0 Nays) |

**(End of Warrant Articles)**

## Appendices

An underline indicates an addition and a ~~strike through~~ indicates a deletion.

### APPENDIX A (Article XX; pg. XX ) Public Water Supply Protection Ordinance

#### TOWN OF MOUNT DESERT PUBLIC WATER SUPPLY PROTECTION ORDINANCE

This ordinance, as enacted at the May 2, 2023 Annual Town Meeting, repeals the No Swimming Ordinance ratified May 5, 2009

AND the  
Ordinance Limiting Motor Vehicle Access to Great Ponds ratified May 5, 2009

**Enacted May 2, 2023**

Section 1. Title. This Ordinance shall be known and may be cited as the “Public Water Supply Protection Ordinance”

Section 2. Authority. This Ordinance, is adopted pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, et seq.), specifically 30-A M.R.S.A. § 3009 (1)(E); and Title 22, Subtitle 2, Part 5, Chapter 601, Subchapter 4, Article 141, § 2642 (22 M.R.S.A. § 2642) and 30-A M.R.S.A. §4452.

Section 3. Purpose. The purpose of this ordinance is to protect the water quality of Jordan, Upper and Lower Hadlock Ponds, the Mount Desert drinking water supply and its sources, as well as the health, safety, and welfare of persons dependent upon such supplies. The provisions of this ordinance pertaining to surface water use and water-related activities include any activity in, on, or from the surface water or the frozen water of Jordan, Upper and Lower Hadlock Ponds and their sources.

Section 4. Applicability. The Ordinance shall apply to: Jordan Pond in Seal Harbor and Upper Hadlock Pond and Lower Hadlock Pond in Northeast Harbor (together, the “Ponds”). This Ordinance supersedes and replaces the “No Swimming Ordinance re Upper Hadlock Pond, Lower Hadlock Pond and Jordan Pond” as well as the “Ordinance Limiting Motor Vehicle Access to Great Ponds.”

Section 5. Protection of Water Supply Generally

- A. It shall be unlawful for any person to pollute, threaten, jeopardize, or render impure, turbid or offensive the waters of the Ponds or their sources.
- B. The owner or operator of a motorized vehicle, boat or ice shack that sinks beneath the water or ice of one of the Ponds, or any of their sources, must contact the Mount Desert Water District or Police Department as soon as safety permits.

Section 6. Motor Vehicles Prohibited From Icebound Surface of Ponds. No person shall operate a motor vehicle on the icebound surface of the Ponds and no person shall allow a motor vehicle owned by him or her or under his or her control to enter upon the icebound surface of the Ponds.

Section 7. Definition of Motor Vehicle. For purposes of this Ordinance, the term "motor vehicle" shall be as defined in M.R.S.A 29-A § 101(42), as may be amended from time to time. For convenience, § 101(42) as of the date of adoption of this Ordinance is reproduced below. "Motor vehicle." 'Motor vehicle' means a self-propelled vehicle not operated exclusively on tracks but does not include; A. A snowmobile as defined in Title 12, section 13001; B. An all-terrain vehicle as defined in Title 12, section 13001, unless the all-terrain vehicle is permitted in accordance with section 501, subsection 8 or is operated on a way and section 2080 applies; and C. A motorized wheelchair or an electric personal assistive mobility device."

Section 8. Water Withdrawal. Water withdrawal from the Ponds and is not allowed. No pumping or siphoning of water out of our drinking water sources by parties other than the Mount Desert Water District or the Town of Mount Desert is allowed unless for fire department use.

Section 9. Boats. Traditional row boats with or without motors less than 10hp, kayaks and canoes are allowed uses onthe Ponds. Evolving watercraft including but not limited to sailboats, sailboarding, and paddle boards, as well as boats with motors in excess of 10 hp, are not permitted.

Section 10. Ice Shacks and On-ice Activities.

- A. Ice shacks and other similar structures providing temporary protection on the Ponds are allowed.
- B. Disposal or abandonment of bottles, cans, ash, trash, human waste, pet waste, building materials or equipment on the ice or in the water of the Ponds is prohibited. Anything brought on the ice must be packed out.
- C. Ice Shack placement and removal on the Ponds must follow all state laws. However, the Mount Desert Water District has the right to require ice shacks to be removed from the ice during ice-fishing season when local weather conditions create thinning/poor quality ice potentially causing its source water to be at risk. If the owner or occupant of the shack will not remove the shack voluntarily, the Mount Desert Water District and/or the Town may do so, with any associated costs payable by the person or persons who constructed or occupied the shack.
- D. The Mount Desert Water District or other appropriate municipal staff may inspect temporary structures and their surrounding environments at any time for conformance with this Ordinance.

Section 11. No Swimming. It shall be unlawful:

- A. For any person or persons to swim or wade in the waters of the Ponds.
- B. For the owner or person in control of any domestic animal to allow such domestic animal to enter waters of the Ponds.
- C. To leave any domestic animal waste within the watershed(s) of the Ponds.

Section 12. Penalty and Costs.

Any person or entity violating the provisions of this ordinance shall be liable to a civil penalty in accordance with 30-A M.R.S.A. §4452 as summarized below:

- A) Monetary penalties may be assessed on a per-day basis.
  - 1. The minimum penalty for a specific violation is \$100;
  - 2. The maximum penalty outside a resource protection zone is \$2,500;
  - 3. The maximum penalty is \$5,000 for any violation within a resource protection zone;
  - 4. The maximum penalty is increased to \$25,000 when it is shown that there has been a previous conviction of the same party within the past 2 years for a similar violation.
  - 5. The maximum penalty may be increased if the economic benefit resulting from the violation exceeds the applicable penalties
  
- B) In addition to penalties, legal fees may also be awarded as provided by court rule. Any person violating this Ordinance shall also be liable to any other appropriate party for any costs incurred as a result of the violation, including but not limited to costs associated with the salvage of the motor vehicle, ATV, snowmobile, boat, ice-shack or any other foreign object from the pond.
  
- C) The violator may be ordered to correct, abate or mitigate the violations.
  
- D) In setting a penalty, the following shall be considered:
  - 1. Prior violations by the same party;
  - 2. The degree of environmental damage that cannot be abated or corrected;
  - 3. The extent to which the violation continued following an order to stop.

This ordinance is adopted pursuant to the Maine Revised Statutes, Title 30- A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, et seq.), and Title 22, Subtitle 2, Part 5, Chapter 601, Subchapter 4, Article 141, § 2642 (22 M.R.S.A. § 2642).

The original ordinances “No Swimming Ordinance re Upper Hadlock Pond, Lower Hadlock Pond and Jordan Pond” as well as “Ordinance Limiting Motor Vehicle Access to Great Ponds” were, pursuant to 22 M.R.S.A. § 2642, originally adopted by the Board of Selectmen for the Town of Mount Desert on May 23, 1977, and then was ratified by the voters of the Town at a Town Meeting held on May 5, 2009. They are hereby superseded and replaced.

This Ordinance shall be enforced by the Police Department of the Town of Mount Desert. 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.

The effective date of this Ordinance is May 2, 2023.

## Appendix B (Article XX; pg. XX ) Non-conforming structures (roof height)

### SECTION 4 NON-CONFORMITIES

.  
. .  
.

#### 4.3 Non-conforming Structures

1. **Expansions Outside the Shoreland Zone.** A structure located outside the shoreland zone which is nonconforming with respect to a dimensional requirement may be enlarged or extended in any other direction upon issuance of a building permit, provided that such activities otherwise comply with all provisions of this Ordinance.
2. **Expansions In the Shoreland Zone.** All new structures in the shoreland zone must meet the applicable shoreline setback requirements contained in Sections 3 (Land Use Districts) and 6 (Standards for Uses, Permits and Approval). A non-conforming structure in the shoreland zone may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure if such addition or expansion does not increase the non-conformity of the structure and is in accordance with the subsections of Section 4.3.2.
  - (a) Expansion of an accessory structure that is located closer to the normal high-water line of a water body, tributary stream, or upland edge of a wetland than the principal structure is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.
  - (b) Expansion of any portion of a structure within 25 feet of the normal high-water line of a water body, tributary stream or upland edge of a wetland is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.
  - (c) Notwithstanding Section 4.3.2(b), if a nonconforming principal structure is entirely located less than 25 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, that structure may be expanded as follows, as long as all other applicable standards of this Ordinance are met, and the expansion is not prohibited by Section 4.3.2 above.
    - (i) The maximum total footprint for the principal structure may not be expanded to an area greater than 800 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater.
    - (ii) The maximum height of the principal structure may not be made greater than 15 feet or the height of the existing structure, whichever is greater.
  - (d) All other nonconforming principal and accessory structures that do not meet the water body, tributary stream, or wetland setback requirements may be expanded or altered as follows, as long as other applicable standards of this Ordinance are met and the expansion is not prohibited by Section 4.3.2 and subsections (a), (b) or (c) above.
    - (i) For structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, the maximum

combined total footprint for all structures may not be expanded to an area greater than 1,000 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater.

- (ii) For structures located less than 75 feet from the normal high-water line of a water body, tributary stream or upland edge of a wetland, the maximum height of any structure may not be made greater than 20 feet or the height of the existing structure, whichever is greater.
  - (iii) For structures located less than 100 feet from the normal high-water line of a great pond, the maximum combined total footprint for all structures may not be expanded to an area greater than 1,500 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater.
  - (iv) For structures located less than 100 feet from the normal high-water line of a great pond, the maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater.
  - (v) For structures located less than 100 feet from the normal high-water line of a great pond, any portion of those structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height requirements of Sections 4.3.2(d)(i) and (ii).
- (e) In addition to the limitations in Section 4.3.2 and subsections (a), (b) and (c) above, structures that are nonconforming due to their location within the Resource Protection District and are located at less than 250 feet from the normal high-water line of a water body or the upland edge of a wetland may be expanded or altered as follows, as long as other applicable standards of this Ordinance are met:
- (i) The maximum combined total footprint for all structures may not be expanded to an area greater than 1,500 square feet or 30% larger than the footprint that existed at the time the Resource Protection District was established on the lot, whichever is greater.
  - (ii) The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater.
  - (iii) Any portion of the structures located less than 100 feet from the normal high-water line of a great pond or a river flowing to a great pond, must meet the footprint and height requirements of Sections 4.3.2(d)(iii) and (iv).
  - (iv) Any portion of the structures located less than 75 feet from the normal high-waterline of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height requirements of Sections 4.3.2(d)(i) and (ii).
- (f) Notwithstanding the limitations on height imposed under the paragraphs above, the height of a structure that is a legally existing nonconforming principal or accessory structure may be raised to, but not above, the minimum elevation necessary to be consistent with the local floodplain management elevation requirement or to 3 feet above base flood elevation, whichever is greater, as long as the structure is relocated, reconstructed, replaced or elevated within the boundaries of the parcel so that the water body or wetland setback requirement is met to the greatest practical

extent. This paragraph applies to structures that:

(i) Have been or are proposed to be relocated, reconstructed, replaced or elevated to be consistent with the local floodplain management elevation requirement; and

(ii) Are located in an area of special flood hazard.

(f)(g) Any approved plan for expansion of a nonconforming structure under Section 4.3.2 must be recorded by the applicant in the registry of deeds of the county in which the property is located within 90 days of approval. The recorded plan must include the existing and proposed footprint of structures on the property, the existing and proposed height of structures on the property, the shoreland zone boundary and evidence of approval by the permitting authority.

.  
.  
.  
**SECTION 8 DEFINITIONS**

.  
.  
.  
**AREA OF SPECIAL FLOOD HAZARD:** Land in a floodplain having a 1% or greater chance of flooding in any given year, as identified in the effective federal flood insurance study and corresponding flood insurance rate maps.

.  
.  
.  
**HEIGHT OF A STRUCTURE:** The vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area. With respect to existing principal or accessory structures, including legally existing nonconforming structures, located within an area of special flood hazard that have been or are proposed to be relocated, reconstructed, replaced or elevated to be consistent with the minimum elevation required by a local floodplain management ordinance, the vertical distance between the bottom of the sill of the structure to the highest point of the structure, excluding chimneys, steeples, antennas and similar appurtenances that have no floor area.



## Town of Mount Desert Short-Term Rental Licensing Ordinance

### I. Purpose

The Town of Mount Desert recognizes the desire of some property owners to rent their legal residential unit(s) as short-term rentals. The Town of Mount Desert also recognizes that the ability for some property owners to rent their residential dwelling unit and/or their accessory dwelling unit as a short-term rental has contributed to their ability to remain as a year-round resident of the Town of Mount Desert. At the same time, there are legitimate concerns about the increase in number of short-term rentals and the undue impacts they can have on the quality of life and quiet enjoyment of properties within the vicinity of short-term rentals. It is the intent of this ordinance to allow the continued reasonable short-term rental of legal residential properties in the Town of Mount Desert, while minimizing the negative impacts said short-term rentals could generate. This will be accomplished by a licensing program that enables the Town to monitor and track the number of short-term rentals within its borders and includes modest performance standards intended to protect property owners, renters, and neighbors.

### II. Applicability

- A. Permitted short-term rentals. Legally existing residential dwelling units may be used as short-term rentals upon the issuance of a short-term rental license for the premises in accordance with the requirements of this ordinance.
- B. Prohibited short-term rentals. No person may offer for rent, operate, or otherwise use any residential dwelling unit in the Town of Mount Desert for short-term rentals if such person has not secured and maintained a valid short-term rental license for the premises.
- C. Lodging establishments exempt. The following lodging establishment uses are exempt from the licensing requirements and standards of this chapter: hotels, motels, bed-and-breakfasts, boarding houses, and inns.
- D. Hosted home stays exempt. Hosted home stays are exempt from the licensing requirements and standards of this chapter.

### III. Validity and Severability

If any section, subsection, clause or phrase of this chapter shall be found to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions of this chapter and, to that end, the provisions of this chapter are hereby declared severable.

### IV. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

HOSTED HOME STAY – A residential dwelling unit that is occupied, including overnight, by the Owner during the short-term rental period. In the case of a one-family residential dwelling with a legally permitted accessory residential dwelling unit, the owner shall reside in either unit during

the short-term rental period. There is no minimum night stay required for hosted home stay short-term rentals.

OWNER — An individual person or persons or an entity that is the owner of record of real property as documented by deed or other document evidencing ownership recorded at the Hancock County Registry of Deeds or Registry of Probate.

RESIDENTIAL DWELLING UNIT — As defined in the Town of Mount Desert Land Use Zoning Ordinance.

SHORT-TERM RENTAL — The use, control, management or operation of a legally existing dwelling unit offered, in whole or in part, for rent for transient occupancy for dwelling, sleeping or lodging purposes for fewer than 28 consecutive nights, for compensation, directly or indirectly, excluding motels, hotels, bed-and-breakfasts, boarding houses, inns, and hosted home stays. A short-term rental does not include: legally existing dwelling units that are rented no more than twice per calendar year and for less than a total of 14 days in a calendar year; or when relatives and friends stay for no monetary compensation.

SHORT-TERM RENTAL GUEST — Any person who rents, licenses, occupies or has the right to occupy a dwelling unit pursuant to a short-term rental.

## **V. Requirements**

A. License required. No short-term rental shall be advertised, rented, or operated without first obtaining a short-term rental license. A short-term rental license shall be valid for the calendar year for which the license is issued. The property must remain in compliance with the requirements of this ordinance.

B. Registration Procedure.

1. All applications, and associated fees, for short-term rental licenses shall be filed with the Town on forms provided for this purpose.
2. The applicant shall provide all the information requested on the short-term rental registration application form, including, the following information: owner or owner's representative contact information, property information, number of short-term rental guests allowed, and emergency contact information.
3. A proposed short-term rental may only be registered by the legal owner of the proposed short-term rental unit or an authorized representative.
4. Non-refundable fees for a short-term rental registration/renewal shall be as adopted, by order of the Board of Selectmen for the Town of Mount Desert, and may be amended from time to time. Such fee must be submitted with the registration form at the time of registration and/or renewal.
5. A registration number will be given to each unit registered. Registrations are limited to the dwelling unit for which they are issued and shall not be transferable to a different dwelling unit.

C. Inspection. Anytime that a short-term rental application is submitted for a property, the short-term rental applicant shall certify on the short-term rental application that the proposed short-term rental property complies with the short-term rental standards in this ordinance and with applicable Building Code requirements. The Code Enforcement Officer may inspect

the licensed premises to determine compliance with the short-term standards. However, said inspection shall not be required as a condition of license issuance.

- D. Short-term rental license renewal. Short-term rental licenses shall expire on December 31 of each calendar year. Short-term rental license holders may renew such license by submitting a renewal application, via a renewal process established by the Town. After the effective date of this ordinance, any duly licensed short-term rental may continue operating as long as the license is current and renewed for the current calendar. If the license is not renewed by the expiration date the license expires, and this protection clause no longer applies.
- E. Transferability. Short term rental licenses issued under this ordinance shall be transferable to a new owner as of the day the new owner acquires possession of the property and shall expire on December 31. A new license shall be required the following year.
- F. Notice. The short-term rental license holder must post in plain sight near the entrance of the dwelling a notice that identifies the short-term rental license number and the name, address, phone number(s), email address of the owner of the short-term rental and/or the owner's local contact person, and the maximum number of short-term rental guests allowed.

## **VI. Standards**

- A. At the time of issuance of a license, and at all times during the continuance of a short-term rental license, the property taxes and any applicable water and/or sewer fees associated with the property to be rented as a short-term rental shall not be in arrears.
- B. Street number per Town 911 standards
- C. Smoke alarms. Smoke alarms shall be installed in each bedroom, outside each separate sleeping area in the immediate vicinity of the bedrooms, and on each additional story of the short-term rental unit (including basements and habitable attics).
- D. Carbon monoxide alarms. If a short-term rental unit has an attached garage or a fuel-fired appliance, a carbon monoxide alarm shall be installed outside each bedroom in the immediate vicinity of the bedrooms.
- E. Gas alarms are required per the applicable rules of the State of Maine.
- F. Portable fire extinguishers. At least one appropriately sized portable fire extinguisher shall be mounted in a prominent location within the short-term rental unit.
- G. Parking. Short-term rental guests and their guests are prohibited from parking in a manner that impedes access by emergency vehicles to the property or any other property in the neighborhood. The owner must provide sufficient off-street parking for all overnight short-term rental guest vehicles. The number of short-term rental guest vehicles allowed at the short-term rental shall be limited to the number of off-site parking spaces designated by the applicant. Garage parking spaces not allowed for short-term rental guest use shall not be used to meet this short-term rental parking requirement.
- H. Trash shall be removed from the short-term rental unit on at least a weekly basis while the property is being rented as a short-term rental.

- I. Occupancy limits. The maximum occupancy of a short-term rental shall be limited to no more than two short-term rental guests per bedroom, plus two additional Short-term rental guests total for the entire dwelling unit. By way of example, the maximum capacity for a three-bedroom dwelling short-term rental is eight short-term rental guests (i.e., three bedrooms multiplied by two short-term rental guests, plus an additional two short-term rental guests, for a total of eight short-term rental guests).

## **VII. Suspension and Revocation of License**

A license for a short-term rental may be conditioned, suspended, or revoked by the Board of Selectmen after a public hearing if the Board of Selectmen determine that a violation of this Ordinance, any applicable statute, ordinance, or regulation, or short-term rental license certification, condition, or criterion has occurred.

- A. Violations of this chapter. Violations of this chapter include, but are not limited to, the following:
  1. Providing false or misleading information on an application, or renewal application, for a short-term rental license;
  2. Failure to comply with the parking provisions of this ordinance;
  3. Failure to acquire and/or display the required short-term rental license number or include the license number in any advertising of the licensed premises;
  4. Violation of any short-term rental license certification, condition, or criteria;
  5. Violation of any statute, ordinance, or regulation applicable to the short-term rental property.
- B. Complaints concerning short-term rentals. The Town shall establish and maintain a log of all complaints for each short-term rental received and substantiated by the Town. The Town shall seek the correction of all substantiated complaints by the short-term rental license holder.
- C. Suspension or revocation of license. The Board of Selectmen may condition, suspend, or revoke a short-term rental license, following a public hearing, on the basis of the licensee's noncompliance with this chapter, any applicable law, ordinance, or regulation, or short-term rental license certification, condition, or criteria. Registrants who have previously had a registration(s) revoked pursuant to this Ordinance, shall be allowed to obtain a license for the subject property in the future only by order of the Board of Selectmen.
- D. Penalties. Any person, including but not limited to a landowner, a landowner's agent or a contractor or firm, or corporation, who violates any provision or requirement of this Ordinance, or disobeys, refuses to comply with, or resists the enforcement of, any provision of this ordinance or who starts construction or under-takes a land use activity without a required permit, shall be penalized in accordance with 30-A M.R.S.A. Section 4452.
- E. Appeal. A decision by the Board of Selectmen to proceed against an alleged violator for violations of this Ordinance is not appealable to the Zoning Board of Appeals.

**LEASE**

**This Indenture of Lease**, made this 2nd day of May 2023 by and between the **Town of Mount Desert**, a municipality located at Mount Desert, Hancock County, State of Maine (hereinafter "Landlord"), and the **Town of Cranberry Isles**, a municipality located in Hancock County, State of Maine, (hereinafter "Tenant") witnesseth that:

**Recitals**

In approving execution of this Lease, Landlord finds as follows:

- (1) Residents of the Town of Cranberry Isles are regular users of passenger ferry services originating at the Northeast Harbor town dock.
- (2) Said residents require the use of motor vehicle parking spaces for this purpose.
- (3) Designation of reserved parking spaces for the residents of Cranberry Isles is necessary to assure that other portions of the Town of Mount Desert municipal parking lot in Northeast Harbor remain available for Mount Desert town residents and other users of the harbor's facilities and for successful operation of the Landlord's municipal parking program; and
- (4) Execution of this Lease accordingly serves a valid public purpose of the Town of Mount Desert.

In approving execution of this Lease, Tenant finds as follows:

- (1) Residents of the Town of Cranberry Isles require access to motor vehicle parking facilities having direct mainland access via existing road connections and transportation facilities.
- (2) No such parking facilities are available within the municipal limits of the Town of Cranberry Isles.
- (3) Provision of such parking facilities is essential to the continued economic well-being of the Town of Cranberry Isles and its residents; and
- (4) Execution of this Lease accordingly serves a valid public purpose of the Town of Cranberry Isles.

## Agreement

In consideration of the foregoing recitals and the mutual promises and rent to be paid as hereinafter set forth, Landlord and Tenant hereby mutually agree as follows:

1. Premises. Landlord, for and in consideration of the rent to be paid and the obligations to be performed by Tenant as hereinafter provided, demises and leases to Tenant, and Tenant takes and leases upon and subject to the conditions hereinafter expressed, a total of one hundred twenty-three (123) automobile parking spaces together with rights of access and egress thereto, as depicted on "Exhibit A" attached (hereinafter, the "Premises"); said Premises being a portion of the Landlord's municipal parking facilities located in the unincorporated village of Northeast Harbor, Town of Mount Desert, Hancock County, State of Maine.

Landlord reserves the right to temporarily or permanently substitute other parking spaces for any or all of the 123 parking spaces depicted in Exhibit A, if such substitution is deemed necessary by the Landlord in its sole discretion, in connection with future alterations or improvements of the Landlord's municipal parking facilities, or to provide for improved maneuvering or access by emergency vehicles; and provided that any such substitute parking spaces shall be of equal quality and shall not be located at a greater distance from the Town of Mount Desert town docks than the parking spaces being replaced. For purposes of this paragraph, the phrase "equal quality" means that the replacement spaces must be similar in size, surface treatment, and adequacy of access (turning and maneuver space) as the spaces being replaced.

2. Term. Tenant shall have and hold the Premises for a term of ten (10) years commencing on January 1, 2024, and expiring at midnight on December 31, 2033 (the "Term"), unless this Lease is sooner terminated as hereinafter provided.

Provided that this Lease shall remain in effect and in good standing at the expiration of the initial term and provided further that Tenant shall have fully cured any breaches of its obligations under this Lease arising during the initial term, Tenant shall have the right to renew this Lease for an additional term of ten (10) years commencing on January 1, 2034 and ending at midnight on December 31, 2043. Said renewal right shall be exercised by giving notice to the Landlord in writing no later than July 1, 2033. Upon Landlord's receipt of such notice, the parties shall meet for the purpose of negotiating the amount of rent to be charged by the Landlord for the renewal term. Upon agreement as to the amount of rent to be charged, the parties shall execute a lease for the renewal term. Unless otherwise agreed, the renewal term lease shall in all other respects be upon the same terms and conditions as this Lease, but shall not include a provision for additional renewals

3. Use. Tenant shall use the Premises to provide motor vehicle parking, including overnight parking, for residents of the Town of Cranberry Isles, and for no other purposes whatsoever without the Landlord's express prior written consent. Tenant's use of the Premises shall at all times comply with applicable regulations of all governmental authorities, including municipal traffic regulations of the Town of Mount Desert, provided that the Tenant shall have the sole right to determine the persons eligible to use the Premises for parking of motor vehicles. No more than 123 motor vehicles may be parked upon the Premises at any one time.

4. Enforcement. Tenant shall develop an annual permit system for authorized users of the 123 leased parking spaces. Tenant shall be solely responsible for designation of authorized users of the Premises, and for distribution of permits; provided that Tenant may also make permits

available for distribution by the Landlord to users designated on lists to be provided by the Tenant for this purpose. Tenant shall have the right to assign, and re-assign permits previously issued. All permits shall have a stated expiration date which shall appear on the permit. Tenant shall require that the permit or a decal indicating issuance of the permit and the expiration date thereof shall be affixed to motor vehicles to be parked on the Premises. Landlord shall prescribe the location on permittees' vehicles where the permit or decal is to be affixed.

Tenant shall be entitled to charge such fees as it shall determine for issuance of permits, provided that the total fees charged by the Tenant for use of the parking spaces in any year shall not exceed one hundred twenty-five percent (125%) of the total rent amount paid by the Tenant to the Landlord for that year. This amount shall be adjusted annually as provided in paragraph 5 below with respect to rent adjustments. Tenant shall not be entitled to operate the Premises as a paid parking lot for hourly or daily use by non-permit holders.

Landlord shall police compliance with the permit requirement for vehicles parking on the Premises. Landlord shall issue parking violation citations and take such other actions in accordance with Landlord's municipal parking ordinances or regulations as may be necessary to enforce the permit requirement. Any fines accrued and collected for such violations shall be retained by the Landlord. The Landlord's enforcement authority under this paragraph shall include the right to tow and impound any vehicle parked in violation of the Landlord's applicable parking ordinances or regulations.

5. Rent. Tenant shall pay to Landlord annually, as rent, the 2023 lease rate of forty thousand, two hundred seventy dollars (\$47,271.00), adjusted prior to going into effect on January 1, 2024 by the average change in the CIP-U for September 2021, September 2022, and September 2023. Tenant covenants and agrees to pay said rent to Landlord on or before July 15th of each and every year during the Term hereof. All payments will be made to Landlord at the address provided in section 14 below for notices, or to such agent and at such place as Landlord shall from time to time in writing designate to Tenant.

*Rent Adjustments.* For the second and subsequent years of the Lease Term, the amount to be paid by Tenant as rent shall be adjusted annually, based on the average percentage change in the United States Consumer Price Index – Urban ("CPI-U") for the month of September as published by the United States Department of Commerce for the three most recent years prior to the due date for the payment concerned. Landlord shall notify the Tenant in writing of the adjusted rent amount as soon as practicable after publication of the annual CPI-U figures. In the event the CPI-U index shall cease to be published during the Term of this Lease, annual rent adjustments shall be based on other generally accepted inflation indices selected by the Landlord for this purpose.

6. Taxes and Assessments. It is the parties' understanding that the Premises are owned and operated by the Landlord as a municipal parking facility in accordance with Title 30-A MRSA sec. 5401-5415, and as such are exempt from imposition of real or personal property taxes as provided in 30-A MRSA sec. 5413. In the event that Tenant shall be assessed and shall pay any real or personal property taxes with respect to the Premises, Tenant shall be entitled to a credit against the annual rent payment otherwise due hereunder, in the amount of such taxes paid by the Tenant for the year concerned.

7. Utilities and Maintenance.

a. Utilities. Landlord shall pay the cost of all common utilities serving the Property including electric utility charges for parking lot lighting.

b. Rubbish; Landscaping; Mowing. Tenant shall not permit or allow any trash or rubbish to accumulate in or about the Premises. Landlord shall be responsible for all exterior landscaping, landscape maintenance, grass mowing and leaf collection, at Landlord's sole expense.

c. Snowplowing; Winter Maintenance. Tenant shall be responsible for sanding or removal of snow and ice from the Premises, including parking areas, access areas, and immediately adjacent walkways and steps, as necessary. Tenant shall deposit all snow removed from the Premises in areas designated by the Landlord for this purpose.

d. Signage; Regulations. Landlord shall provide, install and maintain all necessary signs designating the 123 parking spaces on the Premises as reserved for use by Tenant's permittees. Tenant shall not, without Landlord's written permission, place any signs on or about the Premises. Landlord may post signs designating portions of the Premises as reserved for firefighter or emergency vehicle access or for pedestrian or bicycle use, so long as 123 parking spaces remain available for use by Tenant's permittees; and if so posted, Tenant shall cause its permittees to observe and comply with such signs.

e. Maintenance. During the term of this Lease, Landlord shall arrange for and pay the cost of all ordinary and capital maintenance and repairs to the Premises, to include line striping; patching and pothole repair; repaving; and reconstruction of the Premises and all adjacent access roads and sidewalks. Landlord reserves to right to temporarily close portions of the Premises as necessary to effect such maintenance or repairs.

8. Alterations to Premises. Tenant shall have no right to alter, renovate, enlarge, or otherwise structurally or modify the Premises, except with the Landlord's express prior written consent, and in accordance with such written plans as the parties may hereafter approve.

9. Access by Landlord. Landlord shall have access to the Premises at all reasonable hours for the purpose of maintaining and repairing the Premises, and for the purpose of maintaining, repairing or replacing subsurface or above-ground water, sewer and electrical utilities crossing the Premises, provided such access does not unreasonably interfere with the use of the Premises by the Tenant; and shall have such access at all times for emergency repairs, all in accordance with the requirements of the statutes of the State of Maine.

10. Surrender of Premises. Upon the expiration or other termination of this Lease, whether by reason of lapse of time or Tenant's default or otherwise, Tenant shall quit and surrender the Premises to Landlord in as good order and condition, as they now are or may be put into by the Landlord or the Tenant, ordinary wear expected, and damage by fire or other inevitable accident beyond the control of Tenant, or their agents, employees, guests, or invitees excepted, and any other item which it is the responsibility of Landlord to maintain or repair excepted, and Tenant shall remove all personal property of the Tenant as directed by Landlord. Any and all piping, electrical wiring, and fixtures installed by Tenant shall, upon the termination of this Lease, become the sole property of the Landlord.

11. Default. If (i) the Premises shall be abandoned by Tenant, or the estate hereby created shall be taken by process of law; (ii) the Tenant shall default in the payment of any rent or Deposit when due, whether or not demanded; (iii) the Tenant shall default in the faithful observance or performance of any other covenant to be performed or observed by Tenant under this Lease for ten (10) or more days after Landlord shall give to Tenant notice in writing of



such default and a demand to cure the same; (iv) there shall be filed by or against Tenant a petition under any chapter or chapters of the Bankruptcy Act of the United States, or any other insolvency proceeding relating to the debts of Tenant shall be brought by or against Tenant, or (v) Tenant shall make an assignment for the benefit of creditors, or shall be insolvent or unable to pay their debts as they mature or a receiver shall be appointed for Tenant or any substantial part of their property; then and in any one or more of such events, Landlord may, at Landlord's sole election, enter the Premises and expel Tenant and remove Tenant's effects and/or notify Tenant that this Lease has terminated, and in either case, the Term hereof shall terminate upon such entry or the giving of such notice, whichever shall first occur, and Tenant shall thereupon quit and surrender the Premises to Landlord. In case of termination of this Lease for any such cause, and in either manner above provided, Landlord shall not be deemed to have waived any rights or other remedies hereunder or at law or in equity, and shall be entitled to recover damages for breach of contract, which shall include, without limitation, Landlord's reasonable attorney's fees and other expenses of Landlord incurred in connection with the retaking of possession of the Premises and the removal and storage of Tenant's effects and the recovery of damages or the exercise of other rights or remedies.

12. Landlord's Rights Reserved. It is understood and agreed that the Landlord shall retain the exclusive use and occupancy of Landlord's remaining adjacent property not leased to the Tenant. It is further understood and agreed that Landlord's present and intended continued use of the non-leased portions of the Landlord's property is as a municipal parking facility, public park and town dock for the Village of Northeast Harbor and Town of Mount Desert, or for other public uses. Tenant expressly covenants and agrees that it shall conduct its use of the Premises so as not to interfere in any manner with Landlord's use of the non-leased portion of the Landlord's property for those purposes. Tenant, in its use and occupancy of the Premises, shall at all times faithfully observe and comply with, and shall cause its agents, employees, invitees and guests to observe and comply with, any and all regulations or rules concerning use of the Premises or the non-leased portions of the Landlord's property.

Landlord further expressly reserves the right to alter, expand or modify Landlord's adjacent property at any time, subject to all applicable zoning and building code requirements, so as to better facilitate Landlord's use of its adjacent property for any public purpose. Temporary interference with Tenant's access to, use, or occupancy of the Premises during such alterations, expansion or modification of the existing building improvements shall not be deemed to constitute a breach by the Landlord of this Lease.

13. Self-Help. If Tenant shall default in the performance or observance of any covenant, condition or other provision set forth in this Lease on its part to be performed or observed, the Landlord may, at its option, without waiving claims for breach of Lease, and after such written notice as may be specifically required or provided elsewhere in this Lease, cure such default for the Tenant, and the Tenant shall reimburse Landlord for the amount paid therefore and for any reasonable expense or contractual liability so incurred, with interest. All such amounts shall be deemed additional rent.

14. Miscellaneous.

a. No Representation. Landlord makes no representations or warranties as to the condition of the Premises, and the Tenant accepts the same in their present condition, "as is".

b. Insurance and Indemnification.

(i) Liability Insurance.

Tenant shall maintain in force at all times during the Term of this Lease the following insurance coverages:

Comprehensive general liability insurance in a minimum coverage amount of \$400,000 per occurrence, \$1 million annual aggregate, to cover all claims arising out of tenant's occupancy and use of the Premises pursuant to this Lease.

Insurance required under this section shall be obtained from reputable national insurance carriers licensed to do business in the State of Maine. Tenant shall provide proof of such insurance coverage to the Landlord in the form of a certificate of insurance, naming Landlord as an additional insured under Tenant's policy. In the event Tenant fails to provide evidence of such Insurance coverage as required, Landlord may terminate this Lease, or may elect to purchase such insurance on its own behalf, charging the cost thereof to the Tenant as additional rent.

The general liability insurance coverage amount required under this section shall automatically increase whenever the Maine Tort Claims Act shall be amended to increase the municipal liability limit for a single occurrence under that act. In the event of such an amendment, the insurance coverage amount required under this paragraph shall be not less than the municipal liability limit specified in the Maine Tort Claims Act, as amended.

(ii) Fire and Casualty Insurance.

Landlord shall have no obligation to obtain or maintain fire insurance for the Property or the Premises. In the event that the Landlord, in its sole discretion, elects to obtain fire insurance, Landlord shall have no obligation to name the Tenant as a loss payee with respect to any policy obtained, and shall have no obligation in the event of a fire or other casualty to divide any proceeds from such insurance with the Tenant.

Landlord shall have no obligation to insure property of the Tenant against loss due to fire or other casualty. Landlord and Tenant shall each insure their personal property located on the Property or the Premises, respectively, in such coverage amounts as each in its sole discretion shall deem appropriate. Neither Landlord nor Tenant shall assert any claims against the other, or against officers or employees of the other, for loss of personal property due to fire or other casualty occasioned by ordinary negligence of the Landlord, Tenant or officers or employees of either.

(iii) Indemnification.

Tenant covenants and agrees to forever defend, indemnify, save and hold Landlord harmless from and against any and all claims of any person for damage to or loss of property, and any and all claims for injuries to or death of any person, in or about the Premises, caused in whole or part by the negligence or willful act or omission of Tenant, or its agents, employees, invitees, or guests or resulting from Tenant's failure to observe or comply with any of Tenant's obligations undertaken in this Lease. For this purpose, Tenant hereby expressly waives any immunity it may have from judgment or suit under Maine's Workers' Compensation Act, 39-A MRSA sec. 104 and 107, as amended, with respect to claims made against Landlord by or on

behalf of Tenant's employees or their heirs or estates. With respect to its indemnification obligations under this section generally, Tenant further waives any immunity it may otherwise have as a charitable organization by statute or at common law.

Tenant's indemnification obligations under this section shall survive expiration or termination of this Lease.

Landlord covenants and agrees to forever defend, indemnify, save and hold Tenant harmless from and against any and all claims of any person for damage to or loss of property, and any and all claims for injuries to or death of any person, in or about the Premises, caused in whole or part by the sole negligence or willful act or omission of Landlord, or its agents or employees. For this purpose, Landlord hereby expressly waives any immunity it may have from judgment or suit under Maine's Workers' Compensation Act, 39-A MRSA sec. 104 and 107, as amended, with respect to claims made against Tenant by or on behalf of Landlord's employees or their heirs or estates. With respect to its indemnification obligations under this section generally, Landlord further waives any immunity it may otherwise have as a charitable organization by statute or at common law.

Landlord's indemnification obligations under this section shall survive expiration or termination of this Lease.

Nothing in this Agreement shall be deemed to constitute a waiver by Landlord or Tenant of their municipal immunities or limitations on liability under the Maine Tort Claims Act or other provisions of law with respect to any third party, the provisions of this Agreement on indemnification being for the sole benefit of the parties hereto.

c. Liens. The Tenant shall not do or allow anything to be done to cause the Premises or the Property, or any part thereof, to be encumbered by any mechanic's, materialmen's, or other liens. Whenever and as often as any mechanic's or other lien is asserted against the Premises or Property purporting to be for labor or material furnished or to be furnished to the same, Tenant shall, within ten (10) days after the date of filing, either discharge such lien of record or certify to Landlord in writing that Tenant contests the lien in good faith, specifying therein the basis and reasons for contesting the lien. Notice is hereby given that the Landlord shall not be liable for any labor or materials furnished or to be furnished to the Tenant upon credit, and that no mechanic's or other lien for any such labor or materials shall attach to or affect the reversionary or other estate or interest of the Landlord in and to the Premises.

d. No Waiver. Failure of either party to complain of any act or omission on the part of the other party, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder. No waiver by either party at any time, express or implied, of any breach of any provision of this Lease shall be deemed a waiver of such provision or of subsequent breach of the same or any other provision. If any action by either party shall require the consent or approval of other party, the other party's consent to or approval of said action on any one occasion shall not be deemed a consent to or approval of said action on any subsequent occasion or consent to or approval of any other action on any occasion. Any and all rights and remedies which either party may have under this lease, or by operation of law, either at law or in equity, upon any breach shall be distinct, cumulative and shall not be deemed inconsistent with each other, and no one of them, whether exercised by a party or not, shall be deemed to be in exclusion of any other, and any two or more or all of such rights and remedies may be exercised at the same time.

e. Assignment. This lease may not be assigned or sublet by Tenant without the written consent of Landlord, which consent may be withheld in Landlord's sole discretion.

f. Bind and Inure; Full Agreement. All of the terms and provisions of this Lease shall be binding upon and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the respective parties hereto. This lease constitutes the full agreement of the parties with regards to subject matter, and may not be modified except on a writing signed by both Landlord and Tenant.

g. Invalidity of Particular Provisions. If any term or provision of this Lease or the application thereof to any person or circumstance shall, to any extent, be held to be invalid or unenforceable, then the remainder of this Lease, or the application of such term or provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and may be enforced to the fullest extent permitted by law.

h. Governing Law. This lease shall be governed exclusively by the provisions hereof and by the laws of the State of Maine.

i. Paragraph Headings. The paragraph headings throughout this Lease are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Lease.

j. Notices. All notices or communications that Landlord may desire or be required to give Tenant shall be deemed sufficiently given or rendered if in writing and either delivered to Tenant personally or sent by registered or certified mail addressed to:

Town of Cranberry Isles  
P.O. Box 15  
Islesford, Maine 04646

and the time of rendition thereof shall be deemed to be the time when the same is delivered to Tenant or deposited in the mail as herein provided.

Any notice by Tenant to Landlord shall be deemed sufficiently given or rendered if in writing and either personally delivered or sent by registered or certified mail addressed to Landlord to such other persons as Landlord may from time to time designate in writing, at:

Town of Mount Desert  
21 Sea Street, P.O. Box 248  
Northeast Harbor, Maine 04662

or, in the case of subsequent change upon notice given, to the latest address furnished and the time of rendition thereof shall be deemed to be the time when the same is delivered to Landlord or deposited in the mail as herein provided.

k. Amendments. No amendments to this Lease shall be valid, unless executed by both parties in writing and approved, respectively, by the Town of Mount Desert Board of Selectmen for the Landlord, and by the Town of Cranberry Isles Board of Selectmen for the Tenant. In addition, amendments extending or shortening the term of this Lease or reducing the amount of

annual rent to be paid by the Tenant to the Landlord hereunder shall not be valid unless ratified and affirmed by vote of the respective town meetings of the Town of Mount Desert and the Town of Cranberry Isles.

IN WITNESS WHEREOF, Landlord has caused this Lease to be signed and sealed in its name, by its undersigned officer, duly authorized, and Tenant has signed and sealed this instrument, in any number of counterpart copies, each of which shall be deemed an original for all purposes; as of the day and year first above written.

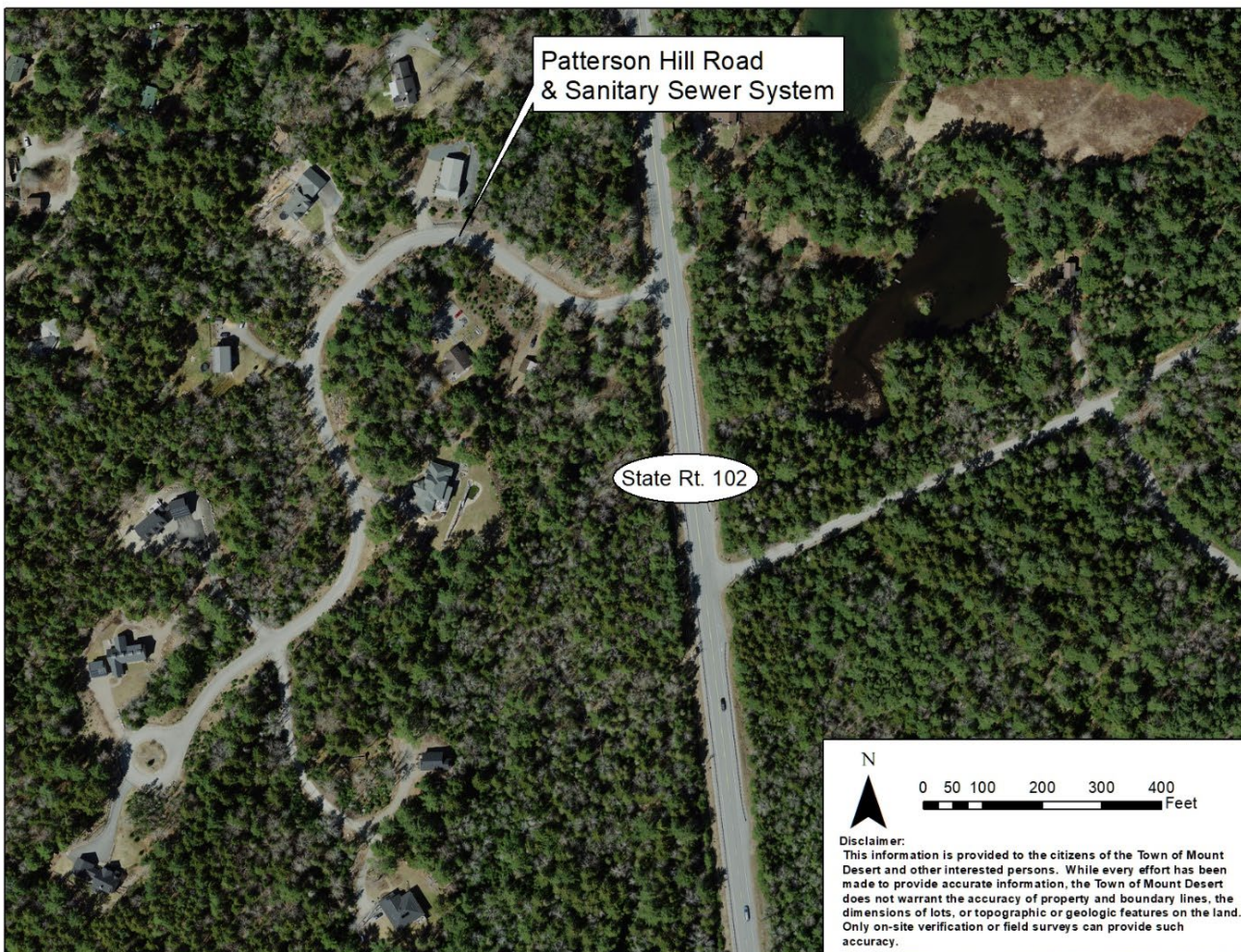
Witness: LANDLORD: TOWN OF MOUNT DESERT

\_\_\_\_\_ By: \_\_\_\_\_  
Name:  
Its:  
Duly authorized

Witness: TENANT: TOWN OF CRANBERRY ISLES

\_\_\_\_\_ By: \_\_\_\_\_  
Name:  
Its:  
Duly authorized

# Patterson Hill Road and sewer acceptance (2 articles, 1 map)



**Appendix F (Article XX; pg. XX)**

**Town of Mount Desert  
Investment Policy  
Adopted March 1986  
Amended May 4, 2010  
Amended May 3, 2016  
Amended May 2, 2023**

**PURPOSE**

Maine state statutes authorize Treasurers to deposit or invest municipal funds by direction of the municipal officers.

Pursuant to 30-A MSR 5706-5717; the municipality of Town of Mount Desert, Maine shall adopt the following investment objectives in the management and investment of municipal funds:

The primary objective of the municipality's investment activities is the preservation of capital and the protection of investment principal.

In investing public funds, the municipality will strive to maximize the return on the portfolio.

The municipality's investment portfolio will remain sufficiently liquid to enable the municipality to meet operating requirements which might be reasonably anticipated.

The municipality will diversify its investments to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.

The municipal Treasurer shall invest funds for which there is no immediate need, consistent with 30-A MSR5706-5717, sell and exchange securities so purchased, and deposit such securities for safekeeping. All investment decisions shall be made considering the investment objectives contained herein and exercising judgment and care under the circumstances then prevailing.

The Treasurer may utilize Trust Department services of approved banks.

**BACKGROUND**

In addition to short term investment of operational funds, the Town has put aside for investment certain funds accumulated over time for which there is not an immediate need. It is these funds which will generally be invested through the Trust companies.

Although these monies are not to be considered as permanent endowment, it is not contemplated that they will be expended in the immediate future. They should be regarded as reserve funds, and it is the desire of the Selectmen to develop investment guidelines to be followed by the fund managers in selecting securities for investment.

Broadly speaking, the funds are to be divided into two parts. One part, -at least (\$500,000) of the total, is to be considered a relatively short term reserve to be available on short notice for use by the Town. The second part, consisting of the balance, shall be held as a long-term reserve.

### SPECIFIC GUIDELINES FOR THE TRUST COMPANIES:

The managers of the funds are directed to invest both the long term and the short term reserves with the goal that the total return of the funds shall at least equal the rate of inflation over a five year time span as measured by the GNP price deflator.

### SHORT TERM RESERVE

The short term reserve shall be invested in certificates of deposit, money market funds, U.S. Treasury obligations, U.S. Government agency obligations, insured cash sweep, and corporate debt instruments with at least an A rating.

No security shall carry a maturity of more than five years, and the average maturity of all assets in the short term reserve shall be no longer than three years.

The securities of any one issuer shall not constitute more than 5% of the short term reserve. Obligations of the U.S. Treasury, or Government agencies, guaranteed by the U.S. Government, shall not be subject to this restriction.

The current yield on the short term reserve fund as a whole shall at least equal the U. S. Treasury one year bill rate.

### LONGER TERM RESERVE

The fund manager shall invest the assets of this portion of the fund similarly to those securities listed in the SHORT TERM RESERVE guidelines above, but without limitation as to maturity on fixed income instruments.

In addition, equities, and convertible debt securities may be bought, subject to the limitation that the percentage of common stocks and convertible securities should not exceed 65%, as measured by market value.

Investments will also be subject to the limitation that the securities of any one issuer shall not exceed 5% of the total fund, except for obligations of the U.S. Treasury and Government agency bonds as defined above.

### PERFORMANCE:

The total return of the long term reserve should be compared to appropriate investment indices.

The performance figures should be prepared semi-annually, on the first and third quarters of the fiscal year, and will be compared over a three to five year time span. Reports from the trusts should be utilizing an investment basis format rather than a trust format.

### REPORTING

The Treasurer shall report quarterly to the Board of Selectmen for the purpose of monitoring the performance and structure of the municipal investments.

In addition, the Treasurer shall issue an annual investment report due no later than 30 days after the end of the fiscal year. The report shall include an evaluation of the performance of the investment program for the previous year.

### REVIEW

It shall be the duty of the Investment Committee, as appointed by the Board of Selectmen, to review the reports of the Treasurer and the Trusts.



The committee shall be composed of: - a member of the Board of Selectmen; a member of the Warrant Committee; and three citizens of the Town. Three (3) voting members must be present to constitute a quorum. The Town Treasurer and Town Manager participate as non-voting ex officio members.

Said committee will meet quarterly for this purpose. The Committee may make recommendations to the Board of Selectmen for redistribution of the funds, withdrawal or adjustment of Trust balances and reinvestment, and/or withdrawal or application to reduce taxes of any interest earnings on the investments.

It is the express intention of the Board of Selectmen to protect future value of the funds, and therefore, it shall be the policy of the Board of Selectmen to disregard any realized or unrealized capital gain in the fund when considering earnings available for withdrawal.

All municipal personnel involved in the investment program shall adhere to the Town's Charter to prevent any real or perceived violation of their fiduciary responsibilities

#### TOWN OF MOUNT DESERT RESERVE FUND INVESTMENT POLICY

##### A. Investment Objectives

Preservation of capital/protection of investment principal  
Total rate of return at least equal to the inflation rate (GDP price deflator) over five-year periods  
Total fund return to compare favorably with established market indices over 3-5 year periods

##### B. Investment Guidelines and Constraints

Liquidity requirement – \$500,000  
Social/Moral Constraints –7% to 12% of equity allocation invested in existing Environmental, social and governance (ESG) fund(s)  
Equity Securities (common stocks and convertible securities):  
Portfolio maximum = 65% of total fund  
Portfolio minimum = 35% of total fund  
Position/issuer maximum = 5% of total fund  
Fixed-income Securities:  
Credit quality = “A” minimum  
Maturity Limitations = None  
Portfolio maximum = 65% of total fund  
Portfolio minimum = 35% of total fund  
Position/issuer maximum = 5% (exception: U.S. Treasury and government agency securities)

##### C. Spending Policy

100% of income (interest and dividend income) distributed within the trust  
Principal, realized, and unrealized capital gains may be distributed in conformance with the Town Charter.

# Somesville Sidewalk improvements

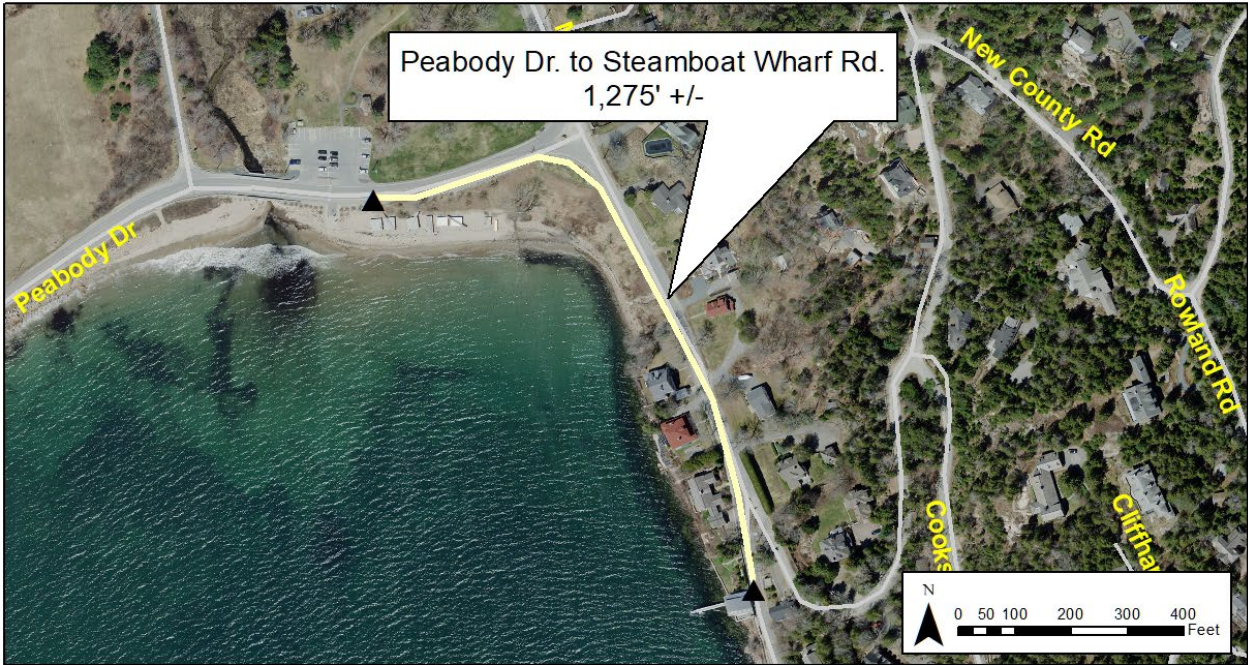


# Northeast Harbor Sidewalk Improvements



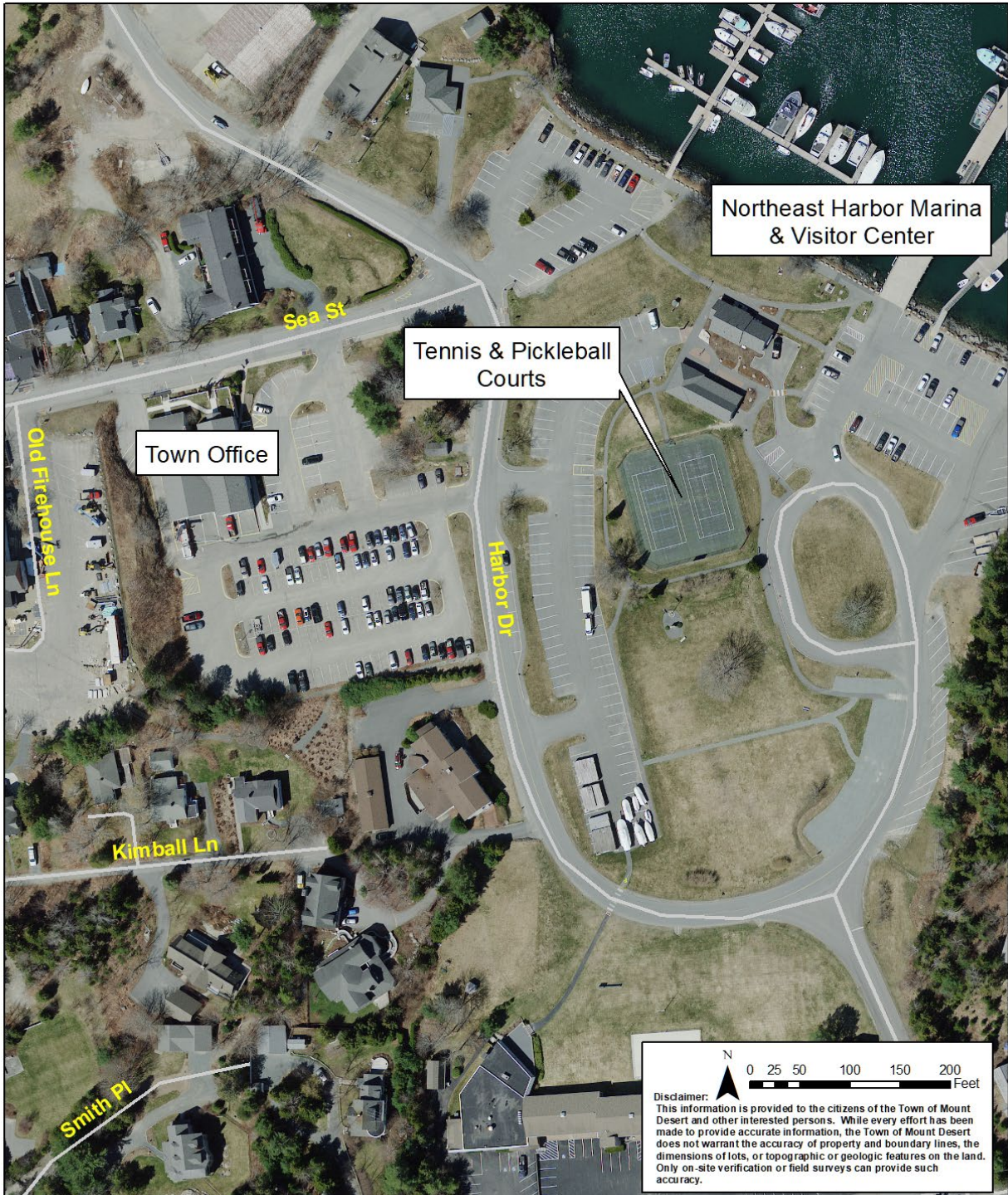
Disclaimer:  
This information is provided to the citizens of the Town of Mount Desert and other interested persons. While every effort has been made to provide accurate information, the Town of Mount Desert does not warrant the accuracy of property and boundary lines, the dimensions of lots, or topographic or geologic features on the land. Only on-site verification or field surveys can provide such accuracy.

# Seal Harbor Sidewalk Improvements



Disclaimer:  
This information is provided to the citizens of the Town of Mount Desert and other interested persons. While every effort has been made to provide accurate information, the Town of Mount Desert does not warrant the accuracy of property and boundary lines, the dimensions of lots, or topographic or geologic features on the land. Only on-site verification or field surveys can provide such accuracy.

# Northeast Harbor Tennis & Pickleball Courts Rehabilitation



## Northeast Harbor Parking Lot Renovations



# Seal Harbor Parking Lot Renovations



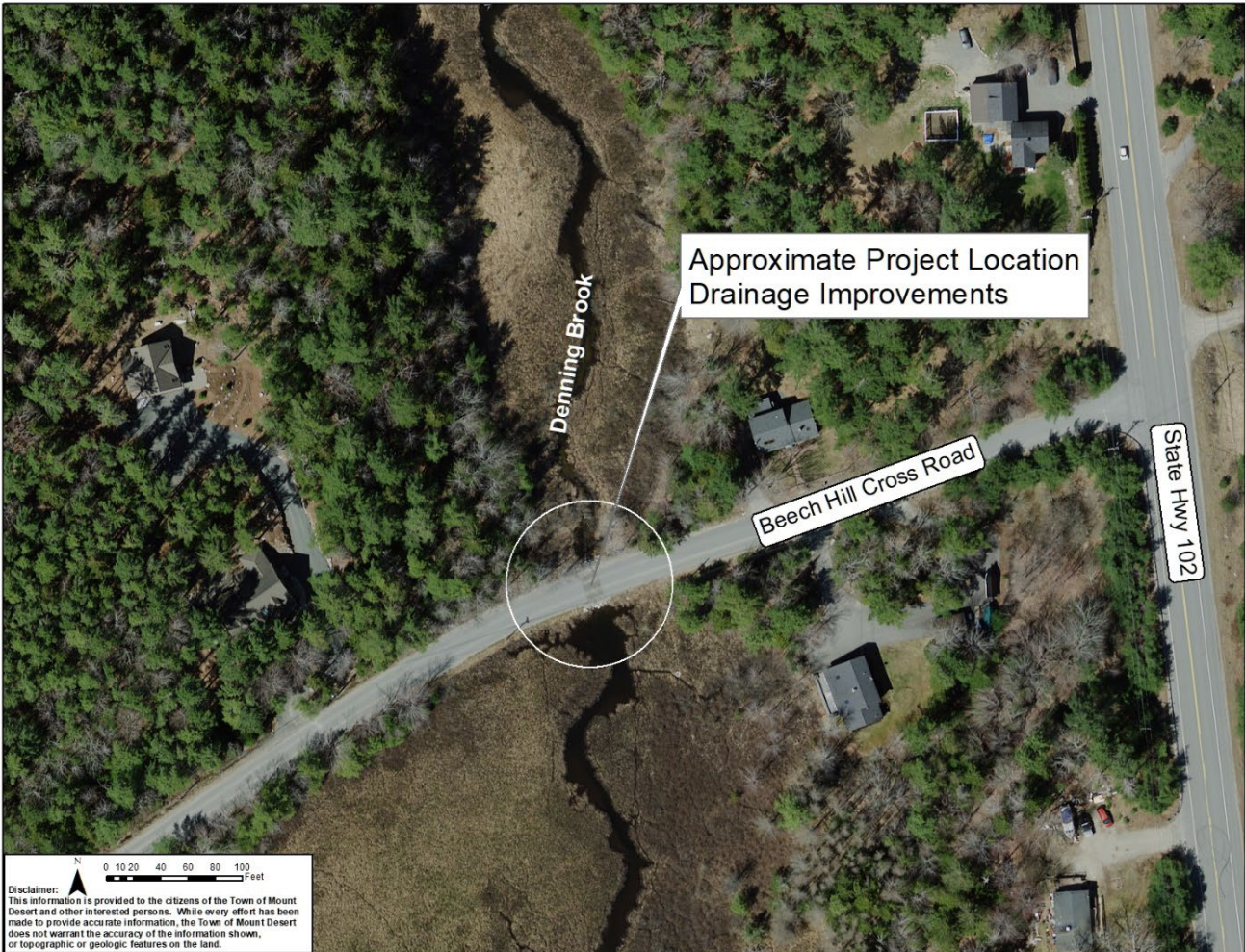
# Somesville Babson Creek Bridge Sanitary Sewer Relocation



Disclaimer:  
This information is provided to the citizens of the Town of Mount Desert and other interested persons. While every effort has been made to provide accurate information, the Town of Mount Desert does not warrant the accuracy of property and boundary lines, the dimensions of lots, or topographic or geologic features on the land. Only on-site verification or field surveys can provide such accuracy.



# Beech Hill Cross Road Culvert Project



# Seal Harbor Beach Erosion Project



**Estimated Tax Rate**

**Tax Levy Worksheets**

# **TREASURER'S WARRANTS**



Warrants for BOS Agenda:

BOS Agenda:

3/20/2023

|                                                                      | Description                               | #       | Date     | Amount                 |
|----------------------------------------------------------------------|-------------------------------------------|---------|----------|------------------------|
| <b>A. Warrants to be Approved and Signed:</b>                        |                                           |         |          |                        |
|                                                                      | <b>Town Invoices</b>                      |         |          |                        |
|                                                                      |                                           | AP#2360 | 03/21/23 | 784,423.03             |
|                                                                      |                                           |         |          | <b>\$ 784,423.03</b>   |
| <b>B. Authorized Warrants to be Signed: (Wendy needs to abstain)</b> |                                           |         |          |                        |
| (Prior Electronic or Manual Authorization )                          |                                           |         |          |                        |
|                                                                      | <b>Town State Fees &amp; P/R Benefits</b> |         |          |                        |
|                                                                      |                                           | AP#2358 | 03/08/23 | \$ 3,279.53            |
|                                                                      |                                           | AP#2359 | 03/15/23 | \$ 45,524.42           |
|                                                                      | <b>Town Payroll</b>                       |         |          |                        |
|                                                                      |                                           | PR#2322 | 03/17/23 | \$ 147,446.74          |
|                                                                      |                                           |         |          | <b>\$ 196,250.69</b>   |
| <b>C. Warrants to be Acknowledged:</b>                               |                                           |         |          |                        |
|                                                                      | <b>School Invoices</b>                    |         |          |                        |
|                                                                      | <b>School Payroll</b>                     |         |          |                        |
|                                                                      |                                           | PR#19   | 03/17/23 | \$ 93,500.47           |
|                                                                      | <b>Town Voids</b>                         |         |          |                        |
|                                                                      |                                           |         |          | <b>\$ 93,500.47</b>    |
| <b>TOTAL WARRANTS FOR BOS MEETING</b>                                |                                           |         |          | <b>\$ 1,074,174.19</b> |





**TOWN OF MOUNT DESERT**  
**ACCOUNTS PAYABLE WARRANT**

**WARRANT AP# 2360**

CHECK DATE: March 21, 2023

|                   |               |         |               |                      |                     |
|-------------------|---------------|---------|---------------|----------------------|---------------------|
| CHECK NUMBER:     | <u>318575</u> | through | <u>318625</u> | \$ <u>659,162.86</u> | Check payments      |
| CHECK NUMBER:     | <u>59730</u>  | and     | <u>59734</u>  | \$ <u>484.74</u>     | Electronic payments |
| EFT NUMBER:       | <u>2666</u>   | through | <u>2700</u>   | \$ <u>124,775.43</u> | ACH Payments        |
| EFT or CK NUMBER: | <u>n/a</u>    | and     | <u>n/a</u>    | \$ <u>-</u>          | Voided Checks       |

TOTAL DISBURSEMENTS: \$ 784,423.03

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

Wendy H Littlefield, Vice Chairman

Geoffrey V Wood, Secretary

James F Mooers



03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

P 1  
apcsbdsb

CASH ACCOUNT: 100 10100  
CHECK NO CHK DATE TYPE VENDOR NAME Ck-g-BH General Fund 8066 INVOICE

NET

| INVOICE DTL DESC                                | INV DATE                                           | PO                 | WARRANT | NET      |
|-------------------------------------------------|----------------------------------------------------|--------------------|---------|----------|
| 2666 03/21/2023 EFT Invoice: 4480               | 2097 TOWN OF BAR HARBOR TOWNR0 FDR1                | 4480               | AP2360  | 1,185.50 |
|                                                 | 03/02/2023 February 2023 Mutual Aid                |                    |         |          |
|                                                 | 641.42 1440110 51500 299 OT-MA BHPD TO MDPD        |                    |         |          |
|                                                 | 544.08 1440800 51500 299 OT-MA BHPD TO MDPD        |                    |         |          |
| Invoice: 4477                                   | TOWN OF BAR HARBOR TOWNR0 FDR1                     | 4477               | AP2360  | 4,892.68 |
|                                                 | 02/09/2023 January 2023 Mutual Aid BH to MD        |                    |         |          |
|                                                 | 3,650.90 1440110 51500 299 OT-MA BHPD TO MDPD      |                    |         |          |
|                                                 | 1,241.78 1440800 51500 299 OT-MA BHPD TO MDPD      |                    |         |          |
|                                                 | CHECK                                              | 2666 TOTAL:        |         | 6,078.18 |
| 2667 03/21/2023 EFT Invoice: 7769 Return of ACH | 2097 TOWN OF BAR HARBOR TOWNR0 FDR1                | 7769 Return of ACH | AP2360  | 4,892.68 |
|                                                 | 02/16/2023 ACH Sent in error Ref 4477 JE2023.8.114 |                    |         |          |
|                                                 | 4,892.68 100 Clearing                              |                    |         |          |
| 2668 03/21/2023 EFT Invoice: MTD0323            | 2740 BRIAN LIPPOLD                                 | MTD0323            | AP2360  | 400.00   |
|                                                 | 03/01/2023 Broadband Survey                        |                    |         |          |
|                                                 | 400.00 1770100 54540 CONSULTANT- OTHER             |                    |         |          |
|                                                 | CHECK                                              | 2667 TOTAL:        |         | 4,892.68 |
| 2669 03/21/2023 EFT Invoice: 7156025            | 792 COASTAL ENERGY                                 | 7156025            | AP2360  | 300.00   |
|                                                 | 11/16/2022 HM office boiler service                |                    |         |          |
|                                                 | 300.00 6010100 55200 BLDG REPAIR & MAINT           |                    |         |          |
| Invoice: 7168181                                | COASTAL ENERGY                                     | 7168181            | AP2360  | 300.00   |
|                                                 | 11/16/2022 Visitor center boiler service           |                    |         |          |
|                                                 | 300.00 6010100 55200 BLDG REPAIR & MAINT           |                    |         |          |
| Invoice: 7168437                                | COASTAL ENERGY                                     | 7168437            | AP2360  | 300.00   |
|                                                 | 11/16/2022 Yachtsmen boiler service                |                    |         |          |
|                                                 | 300.00 6010100 55200 BLDG REPAIR & MAINT           |                    |         |          |
| Invoice: 1237362                                | COASTAL ENERGY                                     | 1237362            | AP2360  | 124.03   |
|                                                 | 03/13/2023 60.5 GALS LP GAS #7 NEH WWTP Heating-EM |                    |         |          |
|                                                 | 124.03 1550666 53400 HEATING FUEL                  |                    |         |          |
|                                                 | CHECK                                              | 2669 TOTAL:        |         | 1,024.03 |
| 2670 03/21/2023 EFT Invoice: 3238               | 1844 COLLIER & FAHEY, PA                           | 3238               | AP2360  | 703.00   |
|                                                 | 03/03/2023 Quarry Legal Fee - Court Proceedings.   |                    |         |          |
|                                                 | 703.00 1220440 54500 PB LEGAL                      |                    |         |          |





03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

P 3  
apcsbdsb

CASH ACCOUNT: 100  
CHECK NO CHK DATE

10100  
TYPE VENDOR NAME

Ck-g-BH General Fund 8066  
INVOICE

INV DATE PO WARRANT NET

| INVOICE DTL DESC                                                                                                                        | INVOICE                 | INV DATE   | PO     | WARRANT | NET       |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------|--------|---------|-----------|
| 261.00 1220770 54900<br>PLANNING CONSULTANT                                                                                             |                         |            |        |         |           |
| EATON PEABODY ATTORNEYS AT LAW 617561<br>Legal Counsel Versant bill dispute<br>LEGAL                                                    | 617561                  | 03/07/2023 | AP2360 | AP2360  | 432.00    |
| EATON PEABODY ATTORNEYS AT LAW 617558<br>Planning Consultant, Planning Board, Public Works,<br>PLANNING CONSULTANT<br>PB LEGAL<br>LEGAL | 617558                  | 03/07/2023 | AP2360 | AP2360  | 4,500.00  |
| EATON PEABODY ATTORNEYS AT LAW 617560<br>Legal Counsel Police Department<br>LEGAL                                                       | 617560                  | 03/07/2023 | AP2360 | AP2360  | 136.00    |
| 136.00 1220110 54500                                                                                                                    |                         |            |        |         |           |
| 2673 03/21/2023 EFT<br>Invoice: 45927                                                                                                   | 45927                   | 02/28/2023 | AP2360 | AP2360  | 14,321.10 |
| 175 EMR INC<br>Tip Fees BJ<br>TIPPING FEE EMR                                                                                           | 14,321.10 1551500 55501 |            |        |         |           |
| 2674 03/21/2023 EFT<br>Invoice: 20002A-19                                                                                               | 57712                   |            |        |         |           |
| 287 HEDEFINE ENGINEERING & DESIGN INC 20002A-19<br>17,140.20 3000053 57712                                                              |                         | 03/11/2023 | AP2360 | AP2360  | 17,140.20 |
| NEH CA observation<br>ENGINEERING                                                                                                       |                         |            |        |         |           |
| 2675 03/21/2023 EFT<br>Invoice: 184268-02                                                                                               | 57710                   |            |        |         |           |
| 1030 INDUSTRIAL PROTECTION SERVICES, L 184268-02<br>7,861.00 3000053 57710                                                              |                         | 03/06/2023 | AP2360 | AP2360  | 7,861.00  |
| NEH project gear racks<br>CONSTRUCTION                                                                                                  |                         |            |        |         |           |
| 2676 03/21/2023 EFT<br>Invoice: 0223 WW                                                                                                 | 53710                   |            |        |         |           |
| 1043 MAIN STREET VARIETY 0223 WW<br>1,010.41 1550552 53710                                                                              |                         | 02/28/2023 | AP2360 | AP2360  | 1,010.41  |
| 281.4 GALS WW Vehicle Fuel-EM<br>VEHICLE FUEL                                                                                           |                         |            |        |         |           |
| 2676 03/21/2023 EFT<br>Invoice: 0223 HWY                                                                                                | 53710                   |            |        |         |           |
| MAIN STREET VARIETY 0223 HWY<br>246.53 1550100 53710                                                                                    |                         | 02/28/2023 | AP2360 | AP2360  | 246.53    |
| 68.4 GALS HWY Vehicle Fuel-EM<br>VEHICLE FUEL                                                                                           |                         |            |        |         |           |
| 2676 03/21/2023 EFT<br>Invoice: 0223 B&G                                                                                                | 53710                   |            |        |         |           |
| MAIN STREET VARIETY 0223 B&G<br>339.38 1552000 53710                                                                                    |                         | 02/28/2023 | AP2360 | AP2360  | 339.38    |
| 95.3 GAL B&G Vehicle Fuel-EM<br>VEHICLE FUEL                                                                                            |                         |            |        |         |           |



03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

P 4  
apcsbdsb

CASH ACCOUNT: 100  
CHECK NO CHK DATE

10100  
TYPE VENDOR NAME

Ck-g-BH General Fund 8066  
INVOICE

NET

| INVOICE DTL DESC                        | INV DATE                                  | PO     | WARRANT         | NET       |
|-----------------------------------------|-------------------------------------------|--------|-----------------|-----------|
| CHECK                                   |                                           |        | 2676 TOTAL:     | 1,596.32  |
| 2677 03/21/2023 EFT<br>Invoice: 5735574 | 03/06/2023                                | AP2360 | AP2360          | 81.00     |
|                                         | PEST CONTROL BJ<br>GEN REPAIRS & MAINT    |        |                 |           |
| Invoice: 5734610                        | 03/07/2023                                | AP2360 | AP2360          | 108.00    |
|                                         | PEST CONTROL BJ<br>GEN REPAIRS & MAINT    |        |                 |           |
|                                         | CHECK                                     |        | 2677 TOTAL:     | 189.00    |
| 2678 03/21/2023 EFT<br>Invoice: 537504  | 03/03/2023                                | AP2360 | AP2360          | 464.24    |
|                                         | 120.3 GALS NEH Maint Shop<br>HEATING FUEL |        | Heating-EM      |           |
|                                         | CHECK                                     |        | 2678 TOTAL:     | 464.24    |
| 2679 03/21/2023 EFT<br>Invoice: 537017  | 02/23/2023                                | AP2360 | AP2360          | 882.55    |
|                                         | Station 2 fuel oil<br>HEATING FUEL-S2 SH  |        |                 |           |
|                                         | CHECK                                     |        | 2679 TOTAL:     | 882.55    |
| 2680 03/21/2023 EFT<br>Invoice: 538349  | 03/01/2023                                | AP2360 | AP2360          | 10,292.45 |
|                                         | ON ROAD DIESEL BJ<br>VEHICLE FUEL         |        |                 |           |
|                                         | CHECK                                     |        | 2680 TOTAL:     | 10,292.45 |
| 2681 03/21/2023 EFT<br>Invoice: 535333  | 03/03/2023                                | AP2360 | AP2360          | 601.23    |
|                                         | 155.8 GALS #2 Fuel SH<br>HEATING FUEL     |        | WWTP Heating-EM |           |
| Invoice: 535268                         | 03/03/2023                                | AP2360 | AP2360          | 458.06    |
|                                         | 118.7 GALS #2 Fuel SH<br>HEATING FUEL     |        | WWTP Heating-EM |           |
|                                         | CHECK                                     |        | 2681 TOTAL:     | 1,059.29  |
| 2682 03/21/2023 EFT<br>Invoice: 538232  | 03/07/2023                                | AP2360 | AP2360          | 643.30    |
|                                         | 166.7 GALS #2 Fuel SV<br>HEATING FUEL     |        | WWTP Heating-EM |           |
|                                         | CHECK                                     |        | 2682 TOTAL:     | 643.30    |





03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

03/16/2023 12:14  
69051you

CASH ACCOUNT: 100 10100  
CHECK NO CHK DATE TYPE VENDOR NAME INVOICE INVOICE DTL DESC INV DATE PO WARRANT NET

Ck:g-BH General Fund 8066

| INVOICE                                         | INVOICE DTL DESC                                       | INV DATE   | PO | WARRANT | NET      |
|-------------------------------------------------|--------------------------------------------------------|------------|----|---------|----------|
| 2690 03/21/2023 EFT 1616 CHARTER COMMUNICATIONS | 143136401030123                                        | 03/01/2023 |    | AP2360  | 418.92   |
| Invoice: 143136401030123                        | Internet Fire Station # 3                              |            |    |         |          |
|                                                 | 418.92 1221000 55150 1616 CABLE/INTERNET-FIRE ST#3 SV  |            |    |         |          |
|                                                 | CHECK 2690 TOTAL:                                      |            |    |         | 418.92   |
| 2691 03/21/2023 EFT 2832 CHARTER COMMUNICATIONS | 143514101030123                                        | 03/01/2023 |    | AP2360  | 607.96   |
| Invoice: 143514101030123                        | marina internet                                        |            |    |         |          |
|                                                 | 607.96 6010100 55150 CABLE/INTERNET                    |            |    |         |          |
|                                                 | CHECK 2690 TOTAL:                                      |            |    |         | 607.96   |
| 2692 03/21/2023 EFT 1773 CHARTER COMMUNICATIONS | 144223501030123                                        | 03/01/2023 |    | AP2360  | 359.98   |
| Invoice: 144223501030123                        | Internet Highway Garage                                |            |    |         |          |
|                                                 | 359.98 1221000 55150 1773 CABLE/INTERNET-HGWY GAR      |            |    |         |          |
|                                                 | CHECK 2692 TOTAL:                                      |            |    |         | 359.98   |
| 2693 03/21/2023 EFT 1370 CHARTER COMMUNICATIONS | 143213001030123                                        | 03/01/2023 |    | AP2360  | 9.52     |
| Invoice: 143213001030123                        | tv                                                     |            |    |         |          |
|                                                 | 9.52 6010100 55150 CABLE/INTERNET                      |            |    |         |          |
|                                                 | CHECK 2693 TOTAL:                                      |            |    |         | 9.52     |
| 2694 03/21/2023 EFT 2510 CHARTER COMMUNICATIONS | 143133201030123                                        | 03/01/2023 |    | AP2360  | 65.00    |
| Invoice: 143133201030123                        | Internet Beech Hill Communications                     |            |    |         |          |
|                                                 | 65.00 1221000 55150 1771 CABLE/INTERNET-POLICE DEPT    |            |    |         |          |
|                                                 | CHECK 2694 TOTAL:                                      |            |    |         | 65.00    |
| 2695 03/21/2023 EFT 2511 CHARTER COMMUNICATIONS | 143157001030123                                        | 03/01/2023 |    | AP2360  | 38.00    |
| Invoice: 143157001030123                        | Internet Joy Road Communications                       |            |    |         |          |
|                                                 | 38.00 1221000 55150 1771 CABLE/INTERNET-POLICE DEPT    |            |    |         |          |
|                                                 | CHECK 2695 TOTAL:                                      |            |    |         | 38.00    |
| 2696 03/21/2023 EFT 1770 CHARTER COMMUNICATIONS | 143023601030123                                        | 03/01/2023 |    | AP2360  | 2,916.99 |
| Invoice: 143023601030123                        | Internet Town Office                                   |            |    |         |          |
|                                                 | 2,916.99 1221000 55150 1770 CABLE/INTERNET-TOWN OFFICE |            |    |         |          |
|                                                 | CHECK 2696 TOTAL:                                      |            |    |         | 2,916.99 |



| CASH ACCOUNT: 100 | CHK DATE   | TYPE | VENDOR NAME          | INVOICE    | INVOICE DTL DESC                             | INV DATE   | PO | WARRANT     | NET      |
|-------------------|------------|------|----------------------|------------|----------------------------------------------|------------|----|-------------|----------|
| 10100             |            |      | Ck-g-BH General Fund | 8066       |                                              |            |    |             |          |
| 2697              | 03/21/2023 | EFT  | 1856 TERRYS TANK LLC | 321        | SH Pump Station Repair-EM<br>SLUDGE DISPOSAL | 02/06/2023 |    | AP2360      | 3,850.00 |
|                   |            |      |                      | 3,850.00   |                                              |            |    |             |          |
|                   |            |      |                      | 54610      | CHECK                                        |            |    | 2697 TOTAL: | 3,850.00 |
| 2698              | 03/21/2023 | EFT  | 1553 ULINE, INC      | 160012746  | RAGS /SUCTION CUPS BJ<br>GEN REPAIRS & MAINT | 02/15/2023 |    | AP2360      | 463.93   |
|                   |            |      |                      | 463.93     |                                              |            |    |             |          |
|                   |            |      |                      | 55400      |                                              |            |    |             |          |
|                   |            |      |                      | 324.93     |                                              |            |    |             |          |
|                   |            |      |                      | 160499038  |                                              |            |    |             |          |
|                   |            |      |                      | 1440330    | Custodial supplies<br>FD Supplies            | 02/27/2023 |    | AP2360      | 324.93   |
|                   |            |      |                      | 53110      |                                              |            |    |             |          |
|                   |            |      |                      | 5010       |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 587.78     |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 523.54     |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 569.67     |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 6,768.12   |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 1,252.16   |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 18.25      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 2,050.63   |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 64.65      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057320-7 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 10057346-2 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 2234       |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057349-8 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 1982       |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057347-4 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 2163       |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057344-7 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 20120      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057321-9 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 307        |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10532164-0 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 306        |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057325-8 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 21         |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057324-5 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | SEA        |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 55010      |                                              |            |    |             |          |
|                   |            |      |                      | 10057320-7 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 10057320-7 |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |
|                   |            |      |                      | 021523     |                                              |            |    |             |          |





03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

P 8  
apcsbdsb

CASH ACCOUNT: 100  
CHECK NO CHK DATE

10100  
TYPE VENDOR NAME

Ck-g-BH General Fund 8066  
INVOICE

INV DATE PO WARRANT NET

|                     |        | INVOICE                           | INVOICE DTL DESC                                                    | WARRANT | NET      |
|---------------------|--------|-----------------------------------|---------------------------------------------------------------------|---------|----------|
| Invoice: 10057320-7 | 021523 | 39.92 1440600 55015               | TRAFFIC LIGHTS 102-198 BJ<br>TRAFFIC SIGNALS                        |         |          |
| Invoice: 10057336-1 | 022023 | 10057336-1 42.46 6010300 55010    | 02/23/2023 Bartlett power<br>ELECTRICITY                            | AP2360  | 42.46    |
| Invoice: 10558315-3 | 022023 | 10558315-3 18.25 6010100 55010    | 03/06/2023 marina power<br>ELECTRICITY                              | AP2360  | 18.25    |
| Invoice: 10558316-5 | 022023 | 10558316-5 3,355.45 6010100 55010 | 03/06/2023 marina power<br>ELECTRICITY                              | AP2360  | 3,355.45 |
| Invoice: 10057323-3 | 022023 | 10057323-3 52.16 6010100 55010    | 03/06/2023 yachtsmen power<br>ELECTRICITY                           | AP2360  | 52.16    |
| Invoice: 10057332-2 | 022023 | 10057332-2 36.47 6010100 55010    | 02/26/2023 marina power<br>ELECTRICITY                              | AP2360  | 36.47    |
| Invoice: 10545196-3 | 022023 | 10545196-3 57.78 1553000 55010    | 02/05/2023 UNIT CHARGER 40 HARBOR DR BJ<br>ELECTRICITY-EVSE CHG STA | AP2360  | 57.78    |
| Invoice: 10057328-4 | 022023 | 10057328-4 774.84 1440600 55011   | 02/09/2023 STREET LIGHT REPAIRS BJ<br>STREET LIGHTS-LED             | AP2360  | 774.84   |
| Invoice: 10057337-3 | 030623 | 10057337-3 496.26 1550668 55010   | 03/06/2023 1875 KWH Bracy Cove PS<br>ELECTRICITY                    | AP2360  | 496.26   |
| Invoice: 10057334-6 | 030623 | 10057334-6 1,425.15 1550666 55010 | 03/06/2023 2795 KWH Sea Street PS<br>ELECTRICITY                    | AP2360  | 1,425.15 |
| Invoice: 10057342-3 | 030523 | 10057342-3 8,120.57 1550668 55010 | 03/05/2023 25800 KWH SH WWTP<br>ELECTRICITY                         | AP2360  | 8,120.57 |
| Invoice: 10057339-7 | 030523 | 10057339-7 1,765.13 1550669 55010 | 03/05/2023 4000 KWH Otter Creek PS<br>ELECTRICITY                   | AP2360  | 1,765.13 |
| Invoice: 10057335-9 | 030523 | 10057335-9 324.15 1550668 55010   | 03/05/2023 1190 KWH SH Library PS<br>ELECTRICITY                    | AP2360  | 324.15   |
|                     |        | 10057340-9                        | 022023 02/24/2023                                                   | AP2360  | 197.72   |





P 10  
apcsbdsb

03/16/2023 12:14 Town of Mount Desert  
69051you A/P CASH DISBURSEMENTS JOURNAL

CASH ACCOUNT: 100 10100 Ck-g-BH General Fund 8066 INVOICE PO WARRANT NET  
CHECK NO CHK DATE TYPE VENDOR NAME

| INVOICE DTL DESC                                                                                 | INVOICE                  | INV DATE                         | PO | WARRANT       | NET      |
|--------------------------------------------------------------------------------------------------|--------------------------|----------------------------------|----|---------------|----------|
| 318578 03/21/2023 PRTRD 1860 TASER INTERNATIONAL INUS142288<br>Invoice: INUS142288               | 5,759.80 4040100 24405   | 03/04/2023                       |    | AP2360        | 5,759.80 |
|                                                                                                  |                          | Taser Purchase - Initial Payment |    |               |          |
|                                                                                                  |                          | PD Capital Resv                  |    |               |          |
|                                                                                                  |                          | CHECK                            |    | 318578 TOTAL: | 5,759.80 |
| 318579 03/21/2023 PRTRD 2879 THE F.A. BARTLETT TREE EXPERT COM 40817579-0<br>Invoice: 40817579-0 | 1,080.00 1552500 55400   | 03/06/2023                       |    | AP2360        | 1,080.00 |
|                                                                                                  |                          | Tree removal BJ                  |    |               |          |
|                                                                                                  |                          | GEN REPAIRS & MAINT              |    |               |          |
|                                                                                                  |                          | CHECK                            |    | 318579 TOTAL: | 1,080.00 |
| 318580 03/21/2023 PRTRD 1915 BEAUREGARD EQUIPMENT INC IB45965<br>Invoice: IB45965                | 1,324.98 1550100 55400   | 03/08/2023                       |    | AP2360        | 1,324.98 |
|                                                                                                  |                          | SERVICE PARTS FOR LOADER BJ      |    |               |          |
|                                                                                                  |                          | GEN REPAIRS & MAINT              |    |               |          |
|                                                                                                  |                          | CHECK                            |    | 318580 TOTAL: | 1,324.98 |
| 318581 03/21/2023 PRTRD 2823 BOUND TREE MEDICAL LLC 84875499<br>Invoice: 84875499                | 46.32 1440330 53110 0404 | 02/28/2023                       |    | AP2360        | 46.32    |
|                                                                                                  |                          | IV catheter                      |    |               |          |
|                                                                                                  |                          | EMS Supplies                     |    |               |          |
|                                                                                                  |                          | CHECK                            |    | 318581 TOTAL: | 46.32    |
| 318582 03/21/2023 PRTRD 934 BRADSTREET LAWN & GARDEN 71609<br>Invoice: 71609                     | 2,822.45 1552000 55400   | 03/08/2023                       |    | AP2360        | 2,822.45 |
|                                                                                                  |                          | ENGINE REPLACEMENT ZERO          |    |               |          |
|                                                                                                  |                          | GEN REPAIRS & MAINT              |    |               |          |
|                                                                                                  |                          | CHECK                            |    | 318582 TOTAL: | 2,822.45 |
| 318583 03/21/2023 PRTRD 75 F T BROWN CO C83996<br>Invoice: C83996                                | 24.28 1550552 53900      | 02/01/2023                       |    | AP2360        | 24.28    |
|                                                                                                  |                          | Caulk, Torch Trigger-EM          |    |               |          |
|                                                                                                  |                          | OTHER EQUIPMENT                  |    |               |          |
|                                                                                                  |                          | CHECK                            |    | 318583 TOTAL: | 24.28    |

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

03/16/2023 12:14  
69051you

CASH ACCOUNT: 100 10100 Ck-g-BH General Fund 8066 INVOICE

| CHECK NO        | CHK DATE | TYPE | VENDOR NAME | INVOICE | INVOICE DTL DESC                                                           | INV DATE   | PO     | WARRANT | NET   |
|-----------------|----------|------|-------------|---------|----------------------------------------------------------------------------|------------|--------|---------|-------|
| Invoice: C84103 |          | F T  | BROWN CO    | C84103  | 02/07/2023<br>3" Letter Stick on Black - EM<br>OTHER EQUIPMENT             | 02/07/2023 | AP2360 | AP2360  | 6.37  |
| Invoice: C84118 |          | F T  | BROWN CO    | C84118  | 02/08/2023<br>Keys, Hook Snap-EM<br>OTHER EQUIPMENT                        | 02/08/2023 | AP2360 | AP2360  | 17.61 |
| Invoice: C84174 |          | F T  | BROWN CO    | C84174  | 02/10/2023<br>Trash Bags, 13 GALS 90CT Ace, Sponges-EM<br>OTHER EQUIPMENT  | 02/10/2023 | AP2360 | AP2360  | 27.31 |
| Invoice: C84282 |          | F T  | BROWN CO    | C84282  | 02/16/2023<br>Flashdrive 32GB Duracell-EM<br>OFFICE SUPPLIES               | 02/16/2023 | AP2360 | AP2360  | 21.59 |
| Invoice: C84253 |          | F T  | BROWN CO    | C84253  | 02/15/2023<br>Menderhose, 5/8 x 3/4FM-EM<br>OTHER EQUIPMENT                | 02/15/2023 | AP2360 | AP2360  | 5.02  |
| Invoice: C84346 |          | F T  | BROWN CO    | C84346  | 02/21/2023<br>Trash Bags, 13 GALS 90CT Ace-EM<br>GEN REPAIRS & MAINT       | 02/21/2023 | AP2360 | AP2360  | 14.39 |
| Invoice: C84352 |          | F T  | BROWN CO    | C84352  | 02/21/2023<br>Center Pull Towels 4PK-EM<br>OTHER EQUIPMENT                 | 02/21/2023 | AP2360 | AP2360  | 51.29 |
| Invoice: C84381 |          | F T  | BROWN CO    | C84381  | 02/22/2023<br>Pad Vny Prot 1/2" CL-EM<br>GEN REPAIRS & MAINT               | 02/22/2023 | AP2360 | AP2360  | 3.59  |
| Invoice: C84444 |          | F T  | BROWN CO    | C84444  | 02/27/2023<br>Cleanr Simple Green Gal, 3 Sided Brush-EM<br>OTHER EQUIPMENT | 02/27/2023 | AP2360 | AP2360  | 39.54 |
| Invoice: C84476 |          | F T  | BROWN CO    | C84476  | 02/28/2023<br>Bibb Hose Bras HD1/2IN NMPT-EM<br>OTHER EQUIPMENT            | 02/28/2023 | AP2360 | AP2360  | 14.39 |
| Invoice: C84295 |          | F T  | BROWN CO    | C84295  | 02/16/2023<br>batterys<br>BLDG REPAIR & MAINT                              | 02/16/2023 | AP2360 | AP2360  | 8.63  |
| Invoice: C84001 |          | F T  | BROWN CO    | C84001  | 02/01/2023<br>Mop<br>FD Supplies                                           | 02/01/2023 | AP2360 | AP2360  | 16.00 |
| Invoice: C84090 |          | F T  | BROWN CO    | C84090  | 02/07/2023<br>Tape rule<br>FD Supplies                                     | 02/07/2023 | AP2360 | AP2360  | 17.99 |



CASH ACCOUNT: 100 10100 Ck-g-BH General Fund 8066 INVOICE

| CHECK NO               | CHK DATE | TYPE | VENDOR NAME                          | INVOICE        | INVOICE DTL DESC                                | INV DATE   | PO | WARRANT       | NET    |
|------------------------|----------|------|--------------------------------------|----------------|-------------------------------------------------|------------|----|---------------|--------|
| Invoice: C84148        |          |      | F T BROWN CO                         | C84148         | 02/09/2023<br>Car wash/Boat cover               | 02/09/2023 |    | AP2360        | 44.95  |
|                        |          |      |                                      | 44.95 1440330  | 53110 0403 FD Supplies                          |            |    |               |        |
| Invoice: C84159        |          |      | F T BROWN CO                         | C84159         | 02/10/2023<br>Kuerig                            | 02/10/2023 |    | AP2360        | 98.99  |
|                        |          |      |                                      | 98.99 1440330  | 55200 431 BLDG REPAIR & MAINT-S1 NE             |            |    |               |        |
| Invoice: C84318        |          |      | F T BROWN CO                         | C84318         | 02/17/2023<br>Extension cord                    | 02/17/2023 |    | AP2360        | 32.39  |
|                        |          |      |                                      | 32.39 1440330  | 55200 433 BLDG REPAIR & MAINT-S3 SV             |            |    |               |        |
| Invoice: C84345        |          |      | F T BROWN CO                         | C84345         | 02/20/2023<br>Light bulbs                       | 02/20/2023 |    | AP2360        | 8.99   |
|                        |          |      |                                      | 8.99 1440330   | 53110 0403 FD Supplies                          |            |    |               |        |
|                        |          |      |                                      |                |                                                 |            |    | CHECK         | 453.32 |
|                        |          |      |                                      |                |                                                 |            |    | 318583 TOTAL: |        |
| 318584 03/21/2023 PRTD |          |      | 2228 CINTAS CORPORATION NO. 2        | 5148174556     | 03/06/2023<br>first aid kit                     | 03/06/2023 |    | AP2360        | 50.93  |
| Invoice: 5148174556    |          |      |                                      | 50.93 6010100  | 53000 OFFICE SUPPLIES                           |            |    |               |        |
|                        |          |      |                                      |                |                                                 |            |    | CHECK         | 50.93  |
|                        |          |      |                                      |                |                                                 |            |    | 318584 TOTAL: |        |
| 318585 03/21/2023 PRTD |          |      | 1792 CONSOLIDATED COMMUNICATIONS INC | 032023         | 03/03/2023<br>Telephone Somesville              | 03/03/2023 |    | AP2360        | 58.14  |
| Invoice: 032023        |          |      |                                      | 58.14 1221000  | 55120 TELEPHONE-USAGE                           |            |    |               |        |
|                        |          |      |                                      |                |                                                 |            |    | CHECK         | 58.14  |
|                        |          |      |                                      |                |                                                 |            |    | 318585 TOTAL: |        |
| 318586 03/21/2023 PRTD |          |      | 1794 CONSOLIDATED COMMUNICATIONS     | 022023         | 02/27/2023<br>Telephone Charge E-911            | 02/27/2023 |    | AP2360        | 58.14  |
| Invoice: 022023        |          |      |                                      | 58.14 1221000  | 55120 TELEPHONE-USAGE                           |            |    |               |        |
|                        |          |      |                                      |                |                                                 |            |    | CHECK         | 58.14  |
|                        |          |      |                                      |                |                                                 |            |    | 318586 TOTAL: |        |
| 318587 03/21/2023 PRTD |          |      | 1796 CONSOLIDATED COMMUNICATIONS INC | 022023         | 02/27/2023<br>Telephone Charge Seal Harbor WWTP | 02/27/2023 |    | AP2360        | 122.29 |
| Invoice: 022023        |          |      |                                      | 122.29 1221000 | 55120 TELEPHONE-USAGE                           |            |    |               |        |
|                        |          |      |                                      |                |                                                 |            |    | CHECK         | 122.29 |
|                        |          |      |                                      |                |                                                 |            |    | 318587 TOTAL: |        |
| 318588 03/21/2023 PRTD |          |      | 1797 CONSOLIDATED COMMUNICATIONS1    | 022023         | 02/27/2023<br>Telephone Charge Town Office      | 02/27/2023 |    | AP2360        | 358.29 |
| Invoice: 022023        |          |      |                                      | 358.29 1221000 | 55120 TELEPHONE-USAGE                           |            |    |               |        |
|                        |          |      |                                      |                |                                                 |            |    | CHECK         | 358.29 |
|                        |          |      |                                      |                |                                                 |            |    | 318588 TOTAL: |        |





CASH ACCOUNT: 100 10100  
CHECK NO CHK DATE TYPE VENDOR NAME INVOICE

Ck-g-BH General Fund 8066 INVOICE DTL DESC

INV DATE PO WARRANT NET

318596 03/21/2023 PRTRD 1985 FIRST NET - NON PUBLIC SAFETY 02222023  
 Invoice: 02222023  
 44.74 1220660 55130  
 42.73 1220551 55130  
 44.74 1220550 55130 87949  
 117.69 1221000 55140 EMAIL/INTERNET  
 CHECK 318595 TOTAL: 196.15

318597 03/21/2023 PRTRD 2443 FIRSTNET-PD CELL 02282023  
 Invoice: 02282023  
 309.61 1440110 55130  
 48.25 1440110 55130  
 50.49 1440110 55130 81911  
 46.05 1440110 55130 84648  
 19.22 1440110 55130 86748  
 28.84 2140115 55130 84088  
 02/22/2023 AP2360  
 PD Cell Phones Feb 2023  
 CELL PHONES  
 CELL PHONES-ADMIN ASSIST  
 CELL PHONES-POLICE LT  
 CELL PHONES-POLICE SGT  
 CELL PHONES-POLICE CHIEF  
 CELL PHONES-BAR HBR PD  
 CHECK 318596 TOTAL: 249.90

318598 03/21/2023 PRTRD 218 FISHER SCIENTIFIC CO LLC 0575563  
 Invoice: 0575563  
 85.10 1550552 53820  
 02/16/2023 AP2360  
 Cidehol 70 IPA 70% 1 Gallon-EM  
 LAB EQUIP  
 CHECK 318597 TOTAL: 502.46

318599 03/21/2023 PRTRD 222 R H FOSTER ENERGY LLC 0223  
 Invoice: 0223  
 8.29 1220770 53710  
 8.28 1220660 53710 2702  
 72.00 1550100 53710 2702  
 87.05 6010100 53710  
 447.50 1440110 53710  
 144.79 1440110 53710 4113  
 440.08 1440110 53710 4109  
 489.25 1440110 53710 4114  
 262.11 1440330 53710 4115  
 44.34 1440330 53710 4309  
 40.98 1440330 53710 4311  
 -14.40 100 24900 4312  
 Clearing  
 CHECK 318598 TOTAL: 2,430.27

318599 03/21/2023 PRTRD 222 R H FOSTER ENERGY LLC 0223  
 Invoice: 0223  
 756.74 GAL 3.21 AVG FEB  
 FUEL-CEO 2018 Chev Col  
 VEHICLE FUEL-18 CHEV COLO  
 VEHICLE FUEL  
 VEHICLE FUEL  
 VEHICLE FUEL  
 VEHICLE FUEL-17 FORD EXP ADM  
 VEHICLE FUEL - 2022 F-150  
 VEHICLE FUEL-T9  
 VEHICLE FUEL - Rescue 7  
 VEHICLE FUEL - Rescue 8  
 Clearing  
 CHECK 318599 TOTAL: 2,430.27



CASH ACCOUNT: 100  
CHECK NO CHK DATE TYPE VENDOR NAME Ck-g-BH General Fund 8066 INVOICE

INVOICE DTL DESC INV DATE PO WARRANT NET

|        |                   |      |                                    |           |                                                                 |               |          |
|--------|-------------------|------|------------------------------------|-----------|-----------------------------------------------------------------|---------------|----------|
| 318600 | 03/21/2023        | PRTD | 2291 G F JOHNSTON & ASSOCIATES LLC | 011114276 | 03/10/2023                                                      | AP2360        | 840.00   |
|        | Invoice: 01114276 |      | 840.00 1550100 54260               |           | Prof. Services - Paving & Sidewalks<br>TECHNICAL SVCS           |               |          |
|        | Invoice: 01114161 |      | G F JOHNSTON & ASSOCIATES LLC      | 01114161  | 12/02/2022                                                      | AP2360        | 4,270.24 |
|        |                   |      | 4,270.24 1550100 54260             |           | Prof. Services - Seal Harbor stabilization<br>TECHNICAL SVCS    |               |          |
|        |                   |      |                                    |           | CHECK                                                           | 318600 TOTAL: | 5,110.24 |
| 318601 | 03/21/2023        | PRTD | 2763 GARY'S MARINE + TRUCK REPAIR  | 1412      | 09/15/2022                                                      | AP2360        | 5,000.00 |
|        | Invoice: 1412     |      | 5,000.00 6010100 55226             |           | launch boat bimini top<br>BOAT REPAIRS-LAUNCH                   |               |          |
|        |                   |      |                                    |           | CHECK                                                           | 318601 TOTAL: | 5,000.00 |
| 318602 | 03/21/2023        | PRTD | 2592 HAMMOND LUMBER COMPANY        | 5432859   | 04/27/2022                                                      | AP2360        | 87.98    |
|        | Invoice: 5432859  |      | 87.98 1552000 55400                |           | TRASH CANS BJ<br>GEN REPAIRS & MAINT                            |               |          |
|        | Invoice: 6015307  |      | HAMMOND LUMBER COMPANY             | 6015307   | 10/13/2022                                                      | AP2360        | 85.96    |
|        |                   |      | 85.96 1550100 55400                |           | TOOLS BJ<br>GEN REPAIRS & MAINT                                 |               |          |
|        | Invoice: 6373164  |      | HAMMOND LUMBER COMPANY             | 6373164   | 02/27/2023                                                      | AP2360        | 26.77    |
|        |                   |      | 26.77 1550552 53900                |           | 2x6, 1x6, 1x3 Pine Boards-EM<br>OTHER EQUIPMENT                 |               |          |
|        | Invoice: 6393076  |      | HAMMOND LUMBER COMPANY             | 6393076   | 03/08/2023                                                      | AP2360        | 11.98    |
|        |                   |      | 11.98 1550552 53900                |           | Wolfcraft Fluted Dowel Pins, Chair Glides-EM<br>OTHER EQUIPMENT |               |          |
|        | Invoice: 6385889  |      | HAMMOND LUMBER COMPANY             | 6385889   | 03/06/2023                                                      | AP2360        | 17.96    |
|        |                   |      | 17.96 1440330 53110 0403           |           | Screws and 2x4's<br>FD Supplies                                 |               |          |
|        | Invoice: 6375813  |      | HAMMOND LUMBER COMPANY             | 6375813   | 02/28/2023                                                      | AP2360        | 59.99    |
|        |                   |      | 59.99 1440330 55200 433            |           | Hose reel for station 3<br>BLDG REPAIR & MAINT-S3 SV            |               |          |
|        | Invoice: 6377693  |      | HAMMOND LUMBER COMPANY             | 6377693   | 03/01/2023                                                      | AP2360        | 62.06    |
|        |                   |      | 62.06 1440330 53110 0403           |           | Ice melt & wall anchors<br>FD Supplies                          |               |          |
|        |                   |      |                                    |           | CHECK                                                           | 318602 TOTAL: | 352.70   |







CASH ACCOUNT: 100 10100 Ck-g-BH General Fund 8066 INVOICE

CHECK NO CHK DATE TYPE VENDOR NAME INVOICE

Invoice: 23257

|          |         |       |                                                       |            |               |          |
|----------|---------|-------|-------------------------------------------------------|------------|---------------|----------|
| 1,092.86 | 6010100 | 55400 | hoist repair<br>GEN REPAIR & MAINT                    |            |               |          |
|          |         | 23256 | M C M ELECTRIC INC                                    | 03/10/2023 | AP2360        | 364.00   |
| 364.00   | 1440600 | 54260 | TRAFFIC LIGHT REPAIR BJ<br>TECH SVCS - SUSTAINABILITY |            |               |          |
|          |         |       | CHECK                                                 |            | 318609 TOTAL: | 1,539.86 |

318610 03/21/2023 PRTD 1613 MOUNT DESERT ISLAND HIGH SCHOOL Reynolds 2023 AP2360 300.00  
 Invoice: Reynolds 2023 29800 2023 class scholarship - approved 3.6.23 BOS Inv-Reynold

Invoice: 2023 Stanley 2023 Stanley 2023 class scholarship - 3.6.23 BOS approval Inv-Stanley 29900 100.00

318611 03/21/2023 PRTD 469 MDI REGIONAL SCHOOL Mar-23 Assessment AP2360 288,936.66  
 Invoice: Mar-23 Assessment 59201 288,936.66 1995100 59201 MD HIGH SCHOOL

318612 03/21/2023 PRTD 2703 MINUTEMAN SECURITY TECHNOLOGIES I 84726 AP2360 993.16  
 Invoice: 84726 55200 433 Heat detectors install at stat. 3 BLDG REPAIR & MAINT-S3 SV

318613 03/21/2023 PRTD 986 MAINE MUNICIPAL BOND BANK N214711210 AP2360 3,028.41  
 Invoice: N214711210 2,926.00 1880100 58502 2003FFRS ds pmt due 4.1.23  
 102.41 1880100 58602 Int-MMBB Sewer SH 2003  
 GOB Fees-MMBB Sewer SH 2003

Invoice: N214682871 MAINE MUNICIPAL BOND BANK N214682871 AP2360 2,096.14  
 1,996.33 1880100 58504 2008FR ds pmt due 4.1.23  
 99.81 1880100 58604 Int-MMBB Sewer SV 2008  
 GOB Fees-MMBB Sewer SV 2008

Invoice: N214665767 MAINE MUNICIPAL BOND BANK N214665767 AP2360 264,823.89  
 247,797.50 1880100 58105 2013FR ds pmt due 4.1.23  
 4,415.73 1880100 58505 Prin-MMBB Sewer NH 2014  
 12,610.66 1880100 58605 Int-MMBB Sewer NH 2014  
 247,797.50 700 22013 GOB Fees-MMBB Sewer NH 2014  
 -247,797.50 700 37300 Bond-2013 WW SRF NEH  
 FB Debt Service

318610 03/21/2023 PRTD 1613 MOUNT DESERT ISLAND HIGH SCHOOL Reynolds 2023 AP2360 300.00  
 Invoice: Reynolds 2023 29800 2023 class scholarship - approved 3.6.23 BOS Inv-Reynold

Invoice: 2023 Stanley 2023 Stanley 2023 class scholarship - 3.6.23 BOS approval Inv-Stanley 29900 100.00

318611 03/21/2023 PRTD 469 MDI REGIONAL SCHOOL Mar-23 Assessment AP2360 288,936.66  
 Invoice: Mar-23 Assessment 59201 288,936.66 1995100 59201 MD HIGH SCHOOL

318612 03/21/2023 PRTD 2703 MINUTEMAN SECURITY TECHNOLOGIES I 84726 AP2360 993.16  
 Invoice: 84726 55200 433 Heat detectors install at stat. 3 BLDG REPAIR & MAINT-S3 SV

318613 03/21/2023 PRTD 986 MAINE MUNICIPAL BOND BANK N214711210 AP2360 3,028.41  
 Invoice: N214711210 2,926.00 1880100 58502 2003FFRS ds pmt due 4.1.23  
 102.41 1880100 58602 Int-MMBB Sewer SH 2003  
 GOB Fees-MMBB Sewer SH 2003

Invoice: N214682871 MAINE MUNICIPAL BOND BANK N214682871 AP2360 2,096.14  
 1,996.33 1880100 58504 2008FR ds pmt due 4.1.23  
 99.81 1880100 58604 Int-MMBB Sewer SV 2008  
 GOB Fees-MMBB Sewer SV 2008

Invoice: N214665767 MAINE MUNICIPAL BOND BANK N214665767 AP2360 264,823.89  
 247,797.50 1880100 58105 2013FR ds pmt due 4.1.23  
 4,415.73 1880100 58505 Prin-MMBB Sewer NH 2014  
 12,610.66 1880100 58605 Int-MMBB Sewer NH 2014  
 247,797.50 700 22013 GOB Fees-MMBB Sewer NH 2014  
 -247,797.50 700 37300 Bond-2013 WW SRF NEH  
 FB Debt Service



CASH ACCOUNT: 100 10100  
CHECK NO CHK DATE TYPE VENDOR NAME INVOICE

Ck-g-BH General Fund 8066 INVOICE

WARRANT

NET

INVOICE DTL DESC

|                        |                                            |            |                               |        |            |
|------------------------|--------------------------------------------|------------|-------------------------------|--------|------------|
| Invoice: N214657690    | MAINE MUNICIPAL BOND BANK                  | N214657690 | 02/21/2023                    | AP2360 | 4,161.50   |
|                        | 3,963.33 1880100 58507                     |            | 2016FR#1 ds pmt due 4.1.23    |        |            |
|                        | 198.17 1880100 58607                       |            | Int-MMBB Bracy Cove PS 2016-2 |        |            |
|                        |                                            |            | GOB Fees-MMBB Bracy Cv 2016-2 |        |            |
| Invoice: N214657651    | MAINE MUNICIPAL BOND BANK                  | N214657651 | 02/21/2023                    | AP2360 | 567.49     |
|                        | 540.46 1880100 58506                       |            | 2016FR#2 ds pmt due 4.1.23    |        |            |
|                        | 27.03 1880100 58606                        |            | Int-MMBB Bracy Cove PS 2016-1 |        |            |
|                        |                                            |            | GOB Fees-MMBB Bracy Cv 2016-1 |        |            |
|                        |                                            |            | CHECK 318613 TOTAL:           |        | 274,677.43 |
| 318614 03/21/2023 PRTD | 468 MOUNT DESERT ISLAND HOSPITAL & HE 2865 |            | 03/15/2023                    | AP2360 | 568.03     |
| Invoice: 2865          |                                            |            | EMS supplies                  |        |            |
|                        | 568.03 1440330 53110 0404                  |            | EMS Supplies                  |        |            |
|                        |                                            |            | CHECK 318614 TOTAL:           |        | 568.03     |
| 318615 03/21/2023 PRTD | 2160 COASTAL AUTO PARTS                    | 661026     | 03/01/2023                    | AP2360 | 62.48      |
| Invoice: 661026        |                                            |            | HEX KIT BJ                    |        |            |
|                        | 62.48 1550100 55400                        |            | GEN REPAIRS & MAINT           |        |            |
| Invoice: 660493        | COASTAL AUTO PARTS                         | 660493     | 02/28/2023                    | AP2360 | 25.18      |
|                        |                                            |            | U-BOLT                        |        |            |
|                        | 25.18 1550100 55400                        |            | GEN REPAIRS & MAINT           |        |            |
| Invoice: 660689        | COASTAL AUTO PARTS                         | 660689     | 03/01/2023                    | AP2360 | 3.20       |
|                        |                                            |            | UBOLT BJ                      |        |            |
|                        | 3.20 1550100 55400                         |            | GEN REPAIRS & MAINT           |        |            |
| Invoice: 660191        | COASTAL AUTO PARTS                         | 660191     | 02/28/2023                    | AP2360 | 501.98     |
|                        |                                            |            | BATTERY PACKS BJ              |        |            |
|                        | 501.98 1550100 55400                       |            | GEN REPAIRS & MAINT           |        |            |
| Invoice: 661649        | COASTAL AUTO PARTS                         | 661649     | 03/03/2023                    | AP2360 | 75.70      |
|                        |                                            |            | WIPER BLADES BJ               |        |            |
|                        | 75.70 1550100 55400                        |            | GEN REPAIRS & MAINT           |        |            |
| Invoice: 661532        | COASTAL AUTO PARTS                         | 661532     | 03/02/2023                    | AP2360 | 47.88      |
|                        |                                            |            | SHOP TOWELS BJ                |        |            |
|                        | 47.88 1550100 55400                        |            | GEN REPAIRS & MAINT           |        |            |
| Invoice: 661656        | COASTAL AUTO PARTS                         | 661656     | 03/03/2023                    | AP2360 | 54.50      |
|                        |                                            |            | TRAILER WIRE BJ               |        |            |
|                        | 54.50 1550100 55400                        |            | GEN REPAIRS & MAINT           |        |            |
| Invoice: 659865        | COASTAL AUTO PARTS                         | 659865     | 02/27/2023                    | AP2360 | 71.41      |
|                        |                                            |            | oil change truck              |        |            |
|                        | 71.41 6010100 55100                        |            | VEHICLE REPAIRS               |        |            |



03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

P 19  
apcsbdsb

CASH ACCOUNT: 100  
CHECK NO CHK DATE TYPE VENDOR NAME

Ck-g-BH General Fund 8066

INVOICE

INV DATE PO

WARRANT

NET

INVOICE DTL DESC

|                 |                    |                       |                                                 |                      |         |
|-----------------|--------------------|-----------------------|-------------------------------------------------|----------------------|---------|
| Invoice: 662132 | COASTAL AUTO PARTS | 662132                | 03/04/2023                                      | AP2360               | 38.82   |
|                 |                    | 38.82 1550100 55400   | YOKE BJ<br>GEN REPAIRS & MAINT                  |                      |         |
| Invoice: 662128 | COASTAL AUTO PARTS | 662128                | 03/04/2023                                      | AP2360               | 42.19   |
|                 |                    | 42.19 1550100 55400   | LIGHT BJ<br>GEN REPAIRS & MAINT                 |                      |         |
| Invoice: 662638 | COASTAL AUTO PARTS | 662638                | 03/06/2023                                      | AP2360               | 116.12  |
|                 |                    | 116.12 1550100 55400  | JUNCTION BOX BJ<br>GEN REPAIRS & MAINT          |                      |         |
| Invoice: 662731 | COASTAL AUTO PARTS | 662731                | 03/06/2023                                      | AP2360               | 223.08  |
|                 |                    | 223.08 1551500 55400  | AIR FILTERS BJ<br>GEN REPAIRS & MAINT           |                      |         |
| Invoice: 662652 | COASTAL AUTO PARTS | 662652                | 03/06/2023                                      | AP2360               | 9.69    |
|                 |                    | 9.69 1550100 55400    | SEALANT BJ<br>GEN REPAIRS & MAINT               |                      |         |
| Invoice: 629560 | COASTAL AUTO PARTS | 629560                | 03/02/2023                                      | AP2360               | 28.73   |
|                 |                    | 28.73 1550552 55405   | Generator Air and Oil Filters<br>GENERATOR SVCS | 7187-EM              |         |
| Invoice: 629917 | COASTAL AUTO PARTS | 629917                | 03/08/2023                                      | AP2360               | 181.97  |
|                 |                    | 181.97 1550552 55405  | Generator Air and Oil Filters<br>GENERATOR SVCS | Bracy/New PortGen-EM |         |
| Invoice: 629884 | COASTAL AUTO PARTS | 629884                | 03/07/2023                                      | AP2360               | 26.26   |
|                 |                    | 26.26 1550552 55405   | Bracy Cove Generator Fuel<br>GENERATOR SVCS     | Filter 600035-EM     |         |
| Invoice: 663234 | COASTAL AUTO PARTS | 663234                | 03/07/2023                                      | AP2360               | 56.81   |
|                 |                    | 56.81 1550100 55400   | FITTINGS BJ<br>GEN REPAIRS & MAINT              |                      |         |
| Invoice: 662854 | COASTAL AUTO PARTS | 662854                | 03/06/2023                                      | AP2360               | 10.93   |
|                 |                    | 10.93 1550100 55400   | WIPER BLADES BJ<br>GEN REPAIRS & MAINT          |                      |         |
| Invoice: 662930 | COASTAL AUTO PARTS | 662930                | 03/07/2023                                      | AP2360               | 824.02  |
|                 |                    | 824.02 1550100 55400  | OIL DRAIN BJ<br>GEN REPAIRS & MAINT             |                      |         |
| Invoice: 662765 | COASTAL AUTO PARTS | 662765                | 03/06/2023                                      | AP2360               | -217.59 |
|                 |                    | -217.59 1551500 55400 | Credit Invoice 638814<br>GEN REPAIRS & MAINT    |                      |         |
| Invoice: 662767 | COASTAL AUTO PARTS | 662767                | 03/06/2023                                      | AP2360               | -8.72   |
|                 |                    | -8.72 1551500 55400   | Credit Invoice 662638<br>GEN REPAIRS & MAINT    |                      |         |



03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL

318616 03/21/2023 PRTRD  
Invoice: 294214163001

CASH ACCOUNT: 100  
CHECK NO CHK DATE

10100  
TYPE VENDOR NAME

318617 03/21/2023 PRTRD  
Invoice: 294214163001

Ck-g-BH General Fund 8066  
INVOICE

INVOICE

318615 03/21/2023 PRTRD  
Invoice: 294214163001

INVOICE DTL DESC

INVOICE DTL DESC

318616 03/21/2023 PRTRD  
Invoice: 294214163001

INVT DATE PO WARRANT

INVT DATE PO WARRANT

318616 03/21/2023 PRTRD  
Invoice: 294214163001

NET

NET

318616 03/21/2023 PRTRD  
Invoice: 294214163001

| INVT DATE  | PO            | WARRANT | NET       |
|------------|---------------|---------|-----------|
| 03/09/2023 | AP2360        |         | 7.99      |
| 03/10/2023 | AP2360        |         | 132.99    |
| 03/10/2023 | AP2360        |         | 7.99      |
| 03/09/2023 | AP2360        |         | 10.93     |
| 03/09/2023 | AP2360        |         | 27.59     |
| 03/08/2023 | AP2360        |         | 404.55    |
| 02/21/2023 | AP2360        |         | 7,705.64  |
| 03/03/2023 | AP2360        |         | 12,973.96 |
| 03/09/2023 | AP2360        |         | 5,306.32  |
| 03/07/2023 | AP2360        |         | 2,647.08  |
| CHECK      | 318615 TOTAL: |         | 2,766.68  |
| CHECK      | 318616 TOTAL: |         | 28,633.00 |
| 02/20/2023 | AP2360        |         | 24.99     |
| 02/18/2023 | AP2360        |         | 18.16     |



CASH ACCOUNT: 100 10100  
CHECK NO CHK DATE TYPE VENDOR NAME Ck-g-BH General Fund 8066 INVOICE INV DATE PO WARRANT NET

| INVOICE DTL DESC                              | INVOICE                  | INV DATE                                                          | PO     | WARRANT | NET    |
|-----------------------------------------------|--------------------------|-------------------------------------------------------------------|--------|---------|--------|
| Invoice: 294214164001                         | 18.16 1550552 53000      |                                                                   |        |         |        |
| Pencil, GraphGear5000, .7M<br>OFFICE SUPPLIES |                          |                                                                   |        |         |        |
| Invoice: 292953665001                         | 76.68 1550552 53900      | 02/22/2023                                                        | AP2360 |         | 76.68  |
| ODP BUSINESS SOLUTIONS LLC                    | 292953665001             | Towels, Cntrpl, 2ply, 600TWL-EM<br>OTHER EQUIPMENT                |        |         |        |
| Invoice: 293790497001                         | 53.59 1550552 53000      | 02/23/2023                                                        | AP2360 |         | 53.59  |
| ODP BUSINESS SOLUTIONS LLC                    | 293790497001             | Backpack, Volcano, Smart-EM<br>OFFICE SUPPLIES                    |        |         |        |
| Invoice: 294211821001                         | 114.48 1550552 53000     | 02/21/2023                                                        | AP2360 |         | 114.48 |
| ODP BUSINESS SOLUTIONS LLC                    | 294211821001             | RS, Board, Mag. Kit, Marker, Dry-Erase, EXP-EM<br>OFFICE SUPPLIES |        |         |        |
| Invoice: 295747538001                         | 155.99 1550552 53000     | 02/28/2023                                                        | AP2360 |         | 155.99 |
| ODP BUSINESS SOLUTIONS LLC                    | 295747538001             | Adobe Acrobat Stnd DC-EM<br>OFFICE SUPPLIES                       |        |         |        |
| 318618 03/21/2023 PRTD<br>Invoice: 133383     | 70.31 1440110 53000      | 02/28/2023                                                        | AP2360 |         | 70.31  |
| 553 OVERHEAD DOOR COMPANY OF BANGOR           | 133383                   | Garage door remote<br>OFFICE SUPPLIES                             |        |         |        |
| 318619 03/21/2023 PRTD<br>Invoice: 827342     | 135.00 1440330 54820 433 | 03/01/2023                                                        | AP2360 |         | 135.00 |
| 784 SEACOAST SECURITY INC                     | 827342                   | Station 3 alarm monitoring<br>FIRE ALARM MAINT-S3 SV              |        |         |        |
| 318620 03/21/2023 PRTD<br>Invoice: 3224048321 | 15.72 1220110 53000      | 02/09/2023                                                        | AP2360 |         | 15.72  |
| 874 STAPLES CREDIT PLAN                       | 3224048321               | Coffee Supplies<br>OFFICE SUPPLIES                                |        |         |        |
| Invoice: 3224048641                           | 232.07 1220110 53000     | 02/09/2023                                                        | AP2360 |         | 232.07 |
| STAPLES CREDIT PLAN                           | 3224048641               | Copy paper, return and mailing labels<br>OFFICE SUPPLIES          |        |         |        |
| Invoice: 3224079411                           | 500.67 1440330 53000 433 | 02/09/2023                                                        | AP2360 |         | 500.67 |
| STAPLES CREDIT PLAN                           | 3224079411               | Printer cartridges<br>OFFICE SUPPLIES-S3 SV                       |        |         |        |
| Invoice: 3230840311                           | 44.29 1440330 53000 431  | 02/22/2023                                                        | AP2360 |         | 44.29  |
| STAPLES CREDIT PLAN                           | 3230840311               | Printer paper<br>OFFICE SUPPLIES-S1 NEH                           |        |         |        |



CASH ACCOUNT: 100 10100 Ck-g-BH General Fund 8066 INVOICE

CHECK NO CHK DATE TYPE VENDOR NAME INVOICE

| INVOICE DTL DESC                       | INV DATE   | PO | WARRANT       | NET      |
|----------------------------------------|------------|----|---------------|----------|
| STAPLES CREDIT PLAN                    | 02/17/2023 |    | AP2360        | 101.99   |
| Dropbox for HR                         |            |    |               |          |
| OFFICE SUPPLIES                        |            |    |               |          |
| 101.99 1220900 53000                   |            |    |               |          |
| CHECK                                  |            |    | 318620 TOTAL: | 894.74   |
| 723 DAVID T BURR                       | 03/06/2023 |    | AP2360        | 49.37    |
| Ben Moore Advance Semi Gloss, Brush-EM |            |    |               |          |
| BLDG REPAIR & MAINT                    |            |    |               |          |
| 49.37 1550666 55200                    |            |    |               |          |
| CHECK                                  |            |    | 318621 TOTAL: | 49.37    |
| 737 UNIFIRST CORP                      | 03/02/2023 |    | AP2360        | 56.87    |
| HWY/MSW/P&C Uniforms-EM                |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| 18.95 1551500 53800                    |            |    |               |          |
| 18.95 1552500 53800                    |            |    |               |          |
| 18.97 1550100 53800                    |            |    |               |          |
| UNIFIRST CORP                          | 03/02/2023 |    | AP2360        | 99.97    |
| WW Uniforms and Mat-EM                 |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| 99.97 1550552 53800                    |            |    |               |          |
| UNIFIRST CORP                          | 03/09/2023 |    | AP2360        | 93.97    |
| WW Uniforms-EM                         |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| 93.97 1550552 53800                    |            |    |               |          |
| UNIFIRST CORP                          | 03/09/2023 |    | AP2360        | 153.19   |
| HWY/MSW/P&C Uniforms-EM                |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| UNIFORMS                               |            |    |               |          |
| 35.00 1551500 53800                    |            |    |               |          |
| 20.00 1552500 53800                    |            |    |               |          |
| 98.19 1550100 53800                    |            |    |               |          |
| CHECK                                  |            |    | 318622 TOTAL: | 404.00   |
| 753 JAMES W WADMAN CPA                 | 03/10/2023 |    | AP2360        | 3,916.25 |
| Audit services                         |            |    |               |          |
| AUDIT                                  |            |    |               |          |
| 3,916.25 1220110 54520                 |            |    |               |          |
| CHECK                                  |            |    | 318623 TOTAL: | 3,916.25 |
| 2114 CENTRAL EQUIPMENT CO              | 02/28/2023 |    | AP2360        | 110.00   |
| POSTED SIGNS BJ                        |            |    |               |          |
| GEN REPAIRS & MAINT                    |            |    |               |          |
| 110.00 1550100 55400                   |            |    |               |          |
| CHECK                                  |            |    | 318624 TOTAL: | 110.00   |

Invoice: 3228749771

318621 03/21/2023 PRD  
Invoice: 92794

318622 03/21/2023 PRD  
Invoice: 0272977346

Invoice: 0272977347

Invoice: 0272978850

Invoice: 0272978849

318623 03/21/2023 PRD  
Invoice: 27502

318624 03/21/2023 PRD  
Invoice: IVC125573

CASH ACCOUNT: 100 10100 Ck-g-BH General Fund 8066 INVOICE INV DATE PO WARRANT NET  
CHECK NO CHK DATE TYPE VENDOR NAME INVOICE DTL DESC

|                  |            |      |      |                          |         |            |        |        |         |       |      |                                |        |
|------------------|------------|------|------|--------------------------|---------|------------|--------|--------|---------|-------|------|--------------------------------|--------|
| 318625           | 03/21/2023 | PRTD | 2876 | ZOLL MEDICAL CORPORATION | 3671050 | 02/22/2023 | AP2360 | 676.00 | 1440330 | 57100 | 0404 | Sensor EQUIPMENT - EMS         | 676.00 |
| Invoice: 3671050 |            |      |      |                          |         |            |        |        |         |       |      |                                |        |
|                  |            |      |      | ZOLL MEDICAL CORPORATION | 3666705 | 02/14/2023 | AP2360 | 163.58 | 1440330 | 53110 | 0404 | Pedi pads for AED EMS Supplies | 163.58 |
| Invoice: 3666705 |            |      |      |                          |         |            |        |        |         |       |      |                                |        |

CHECK 318625 TOTAL: 839.58  
NUMBER OF CHECKS 88 \*\*\* CASH ACCOUNT TOTAL \*\*\* 784,423.03

|                      | COUNT | AMOUNT     |
|----------------------|-------|------------|
| TOTAL PRINTED CHECKS | 51    | 659,162.86 |
| TOTAL WIRE TRANSFERS | 2     | 484.74     |
| TOTAL EFT'S          | 35    | 124,775.43 |

\*\*\* GRAND TOTAL \*\*\* 784,423.03



Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL  
JOURNAL ENTRIES TO BE CREATED

CLERK: 69051you

| YEAR PER<br>SRC ACCOUNT        | JNL<br>EFF DATE | JNL DESC | REF 1  | REF 2 | REF 3 | ACCOUNT DESC<br>LINE DESC     | T | OB | DEBIT      | CREDIT     |
|--------------------------------|-----------------|----------|--------|-------|-------|-------------------------------|---|----|------------|------------|
| 2023                           | 9               | 57       |        |       |       |                               |   |    |            |            |
| APP                            | 100-20000       |          |        |       |       | Accounts Payable              |   |    | 722,576.92 |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | AP CASH DISBURSEMENTS JOURNAL |   |    |            |            |
| APP                            | 100-10100       |          |        |       |       | Ckg-BH General Fund 8066      |   |    |            | 784,423.03 |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | AP CASH DISBURSEMENTS JOURNAL |   |    |            |            |
| APP                            | 600-20000       |          |        |       |       | Accounts Payable              |   |    | 11,509.82  |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | AP CASH DISBURSEMENTS JOURNAL |   |    |            |            |
| APP                            | 300-20000       |          |        |       |       | Accounts Payable              |   |    | 44,147.65  |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | AP CASH DISBURSEMENTS JOURNAL |   |    |            |            |
| APP                            | 400-20000       |          |        |       |       | Accounts Payable              |   |    | 5,759.80   |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | AP CASH DISBURSEMENTS JOURNAL |   |    |            |            |
| APP                            | 200-20000       |          |        |       |       | Accounts Payable              |   |    | 28.84      |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | AP CASH DISBURSEMENTS JOURNAL |   |    |            |            |
| APP                            | 500-20000       |          |        |       |       | Accounts Payable              |   |    | 400.00     |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | AP CASH DISBURSEMENTS JOURNAL |   |    |            |            |
| GENERAL LEDGER TOTAL           |                 |          |        |       |       |                               |   |    | 784,423.03 | 784,423.03 |
| APP                            | 100-35060       |          |        |       |       | DT-MARINA                     |   |    | 11,509.82  |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | DT Gen fund                   |   |    |            | 11,509.82  |
| APP                            | 600-35010       |          |        |       |       | DTF-CAP IMP                   |   |    | 44,147.65  |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | DT Gen fund                   |   |    |            | 44,147.65  |
| APP                            | 100-35030       |          |        |       |       | DT-TRUST                      |   |    | 5,759.80   |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | DT Gen fund                   |   |    |            | 5,759.80   |
| APP                            | 300-35010       |          |        |       |       | DTF-SPEC REV                  |   |    | 28.84      |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | DT Gen fund                   |   |    |            | 28.84      |
| APP                            | 100-35040       |          |        |       |       | DT-Permanent Trusts (Cem)     |   |    | 400.00     |            |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       | DT Gen fund                   |   |    |            | 400.00     |
| APP                            | 400-35010       |          |        |       |       |                               |   |    |            | 28.84      |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       |                               |   |    |            | 28.84      |
| APP                            | 100-35020       |          |        |       |       |                               |   |    |            | 5,759.80   |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       |                               |   |    |            | 5,759.80   |
| APP                            | 200-35010       |          |        |       |       |                               |   |    |            | 28.84      |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       |                               |   |    |            | 28.84      |
| APP                            | 100-35050       |          |        |       |       |                               |   |    |            | 400.00     |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       |                               |   |    |            | 400.00     |
| APP                            | 500-35010       |          |        |       |       |                               |   |    |            | 400.00     |
|                                | 03/21/2023      | AP2360   | AP2360 |       |       |                               |   |    |            | 400.00     |
| SYSTEM GENERATED ENTRIES TOTAL |                 |          |        |       |       |                               |   |    | 61,846.11  | 61,846.11  |
| JOURNAL 2023/09/57             |                 |          |        |       |       |                               |   |    | 846,269.14 | 846,269.14 |

| FUND ACCOUNT                       | YEAR PER | JNL | EFF DATE   | ACCOUNT DESCRIPTION       | DEBIT      | CREDIT     |
|------------------------------------|----------|-----|------------|---------------------------|------------|------------|
| 100 General Fund                   | 2023 9   | 57  | 03/21/2023 | Ckg-BH General Fund 8066  |            |            |
| 100-10100                          |          |     |            | Accounts Payable          | 722,576.92 | 784,423.03 |
| 100-20000                          |          |     |            | DTF-SPEC REV              | 28.84      |            |
| 100-35020                          |          |     |            | DTF-CAP IMP               | 44,147.65  |            |
| 100-35030                          |          |     |            | DT-TRUST                  | 5,759.80   |            |
| 100-35040                          |          |     |            | DT-Permanent Trusts (Cem) | 400.00     |            |
| 100-35050                          |          |     |            | DT-MARINA                 | 11,509.82  |            |
| 100-35060                          |          |     |            | FUND TOTAL                | 784,423.03 |            |
| 200 Special Revenue                | 2023 9   | 57  | 03/21/2023 | Accounts Payable          | 28.84      | 28.84      |
| 200-20000                          |          |     |            | DT Gen fund               |            |            |
| 200-35010                          |          |     |            | FUND TOTAL                | 28.84      | 28.84      |
| 300 Capital Projects               | 2023 9   | 57  | 03/21/2023 | Accounts Payable          | 44,147.65  | 44,147.65  |
| 300-20000                          |          |     |            | DT Gen fund               |            |            |
| 300-35010                          |          |     |            | FUND TOTAL                | 44,147.65  | 44,147.65  |
| 400 Investment Trusts-Reserves     | 2023 9   | 57  | 03/21/2023 | Accounts Payable          | 5,759.80   | 5,759.80   |
| 400-20000                          |          |     |            | DT Gen fund               |            |            |
| 400-35010                          |          |     |            | FUND TOTAL                | 5,759.80   | 5,759.80   |
| 500 Permanent Trusts~Cemetery/Schl | 2023 9   | 57  | 03/21/2023 | Accounts Payable          | 400.00     | 400.00     |
| 500-20000                          |          |     |            | DT Gen fund               |            |            |
| 500-35010                          |          |     |            | FUND TOTAL                | 400.00     | 400.00     |
| 600 Marina                         | 2023 9   | 57  | 03/21/2023 | Accounts Payable          | 11,509.82  | 11,509.82  |
| 600-20000                          |          |     |            | DT Gen fund               |            |            |
| 600-35010                          |          |     |            | FUND TOTAL                | 11,509.82  | 11,509.82  |

03/16/2023 12:14  
69051you

Town of Mount Desert  
A/P CASH DISBURSEMENTS JOURNAL  
JOURNAL ENTRIES TO BE CREATED

P 26  
apcshdsb

| FUND                               | DUE TO    | DUE FROM  |
|------------------------------------|-----------|-----------|
| 100 General Fund                   | 61,846.11 |           |
| 200 Special Revenue                |           | 28.84     |
| 300 Capital Projects               |           | 44,147.65 |
| 400 Investment Trusts-Reserves     |           | 5,759.80  |
| 500 Permanent Trusts~Cemetery/Schl |           | 400.00    |
| 600 Marina                         |           | 11,509.82 |
|                                    | TOTAL     |           |
|                                    | 61,846.11 | 61,846.11 |

\*\* END OF REPORT - Generated by Lisa Young \*\*

**TOWN OF MOUNT DESERT**  
**BMV, STATE & PR ACCOUNTS PAYABLE WARRANT**

**WARRANT AP# 2358**

CHECK DATE: March 8, 2023

|                   |               |         |               |                    |                     |
|-------------------|---------------|---------|---------------|--------------------|---------------------|
| CHECK NUMBER:     | <u>318569</u> | through | <u>318571</u> | \$ <u>3,279.53</u> | Check payments      |
| CHECK NUMBER:     | <u>N/A</u>    | and     | <u>N/A</u>    | \$ -               | Electronic payments |
| EFT NUMBER:       | <u>N/A</u>    | through | <u>N/A</u>    | \$ -               | ACH Payments        |
| EFT or CK NUMBER: | <u>N/A</u>    | and     | <u>N/A</u>    | \$ -               | Voided Checks       |

TOTAL DISBURSEMENTS: \$ 3,279.53

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

James F Mooers

Geoffrey V Wood, Secretary

**From:** [Geoffrey Wood](#)  
**To:** [Lisa Young](#)  
**Subject:** Re: Warrant AP#2358 State Fees/Payroll Benefits  
**Date:** Tuesday, March 7, 2023 11:37:15 AM

---

Hi Lisa,

I approve the attached warrant, #2358.

Geoff

Get [Outlook for iOS](#)

---

**From:** Lisa Young <financeclerk@mtdesert.org>  
**Sent:** Tuesday, March 7, 2023 11:33:05 AM  
**To:** Geoffrey Wood <gwood@mtdesert.org>; jbmacauley3@gmail.com <jbmacauley3@gmail.com>; marthadudman@gmail.com <marthadudman@gmail.com>; Rick Mooers-GMail <rickmooers@gmail.com>  
**Cc:** Jake Wright <financedirector@mtdesert.org>  
**Subject:** Warrant AP#2358 State Fees/Payroll Benefits

Greetings,

Attached is Accounts Payable Warrant #2358 (for Payroll and/or State Fees) in the amount of \$3,279.53 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](#),  
Deputy Treasurer, Tax Collector  
Town of Mount Desert  
(207) 276-5531 (T) (207) 276-3232 (F)

-----FOIA NOTICE-----

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

-----PRIVACY NOTICE-----

The information in this email is an official Town of Mount Desert communication and is private and/or privileged. This email is intended to be reviewed by only the individual or organization named above. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this email and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please immediately notify the sender by return email and delete this email from your system.

**TOWN OF MOUNT DESERT  
 BMV, STATE & PR ACCOUNTS PAYABLE WARRANT**

**WARRANT AP# 2359**

CHECK DATE: March 15, 2023

|                   |               |         |               |                     |                     |
|-------------------|---------------|---------|---------------|---------------------|---------------------|
| CHECK NUMBER:     | <u>318572</u> | through | <u>318574</u> | \$ <u>1,938.79</u>  | Check payments      |
| CHECK NUMBER:     | <u>59732</u>  | and     | <u>59733</u>  | \$ <u>43,585.63</u> | Electronic payments |
| EFT NUMBER:       | <u>N/A</u>    | through | <u>N/A</u>    | \$ -                | ACH Payments        |
| EFT or CK NUMBER: | <u>N/A</u>    | and     | <u>N/A</u>    | \$ -                | Voided Checks       |

TOTAL DISBURSEMENTS: \$ 45,524.42

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

James F Mooers

Geoffrey V Wood, Secretary

TOWN OF MOUNT DESERT  
PAYROLL WARRANT

WARRANT PR# 2322

CHECK DATE: March 17, 2023

ADVICE NUMBERS: 14996 through 15048

CHECK NUMBERS: 65987 through 65995

TOTAL DISBURSEMENTS: \$ 147,446.74

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

James F Mooers

Geoffrey V Wood, Secretary

**From:** [Rick Mooers](#)  
**To:** [Lisa Young](#)  
**Subject:** Re: Warrant AP#2359 & PR#2322 Approval Request  
**Date:** Tuesday, March 14, 2023 11:23:42 AM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Approved!

Sent from my iPhone

On Mar 14, 2023, at 11:19 AM, Lisa Young <[financeclerk@mtdesert.org](mailto:financeclerk@mtdesert.org)> wrote:

Greetings,

Attached are the following warrants for approval:

|                  |       |          |              |
|------------------|-------|----------|--------------|
| Accounts Payable | #2359 | total of | \$45,524.42  |
| Payroll          | #2322 | total of | \$147,446.74 |

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,  
Finance Clerk, Tax Collector  
Town of Mount Desert  
(207) 276-5531 (T) (207) 276-3232 (F)

-----FOIA NOTICE-----  
Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

-----PRIVACY NOTICE-----  
The information in this email is an official Town of Mount Desert communication and is private and/or privileged. This email is intended to be reviewed by only the individual or organization named above. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this email and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please immediately notify the sender by return email and delete this email from your system.

<4- AP2359.pdf>  
<10- PR2322 WARRANT WKSHTS.pdf>



# Mount Desert School Department PAYROLL WARRANT REGISTER

Report # 17115

Include Authorization Codes: Yes  
Batch: 10946  
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 |
|---------|------------|------|--------------------------|---------|-----------|-----------|----------------|-----------|------|
|         | 03/17/2023 | IRS  | INTERNAL REVENUE SERVIC  |         | 11,411.14 | 11,411.14 | 0.00           | 0.00      |      |
|         | 03/17/2023 | STAT | TREASURER, STATE OF MAIN |         | 3,752.00  | 3,752.00  | 0.00           | 0.00      |      |
| 49629   | 03/17/2023 | 617  | RORY BRADFORD            | 1       | 375.00    | 346.31    | 0.00           | 346.31    |      |
| 49630   | 03/17/2023 | 31   | SUSAN M. DAMON           | 1       | 200.00    | 181.80    | 0.00           | 181.80    |      |
| 49631   | 03/17/2023 | 615  | JACK B. HODGDON          | 1       | 300.00    | 277.05    | 0.00           | 277.05    |      |
| 49632   | 03/17/2023 | 605  | JAMES A. MITCHELL        | 1       | 100.00    | 92.35     | 0.00           | 92.35     |      |
| 49633   | 03/17/2023 | 603  | ABBIE PAPPAS             | 1       | 2,746.00  | 2,418.41  | 0.00           | 2,418.41  |      |
| 49634   | 03/17/2023 | 622  | GISELLE F. TODD          | 1       | 400.00    | 363.60    | 0.00           | 363.60    |      |
| 49635   | 03/17/2023 | 149  | MARIAH D. BAKER          | 1       | 2,155.80  | 1,772.93  | 1,772.93       | 0.00      |      |
| 49636   | 03/17/2023 | 463  | RENE L. BECKER           | 1       | 1,754.40  | 1,335.75  | 1,335.75       | 0.00      |      |
| 49637   | 03/17/2023 | 266  | JULIANNA R. BENNOCH      | 1       | 2,894.46  | 2,149.51  | 2,149.51       | 0.00      |      |
| 49638   | 03/17/2023 | 491  | SANDRA G. BOYCE          | 1       | 1,728.62  | 1,057.57  | 1,057.57       | 0.00      |      |
| 49639   | 03/17/2023 | 314  | ANDREW J. CARLSON        | 1       | 1,857.07  | 1,371.54  | 1,371.54       | 0.00      |      |
| 49640   | 03/17/2023 | 18   | JANICE P. CARROLL        | 1       | 1,637.39  | 1,162.15  | 1,162.15       | 0.00      |      |
| 49641   | 03/17/2023 | 337  | AMBER G. CHARRON         | 1       | 2,293.61  | 1,734.80  | 1,734.80       | 0.00      |      |
| 49642   | 03/17/2023 | 91   | JUDITH CULLEN            | 1       | 2,292.96  | 1,687.71  | 1,687.71       | 0.00      |      |
| 49643   | 03/17/2023 | 613  | BROOKE L. DAMON          | 1       | 1,053.38  | 755.21    | 755.21         | 0.00      |      |
| 49644   | 03/17/2023 | 69   | EMILY N. DAMON           | 1       | 538.20    | 489.48    | 489.48         | 0.00      |      |
| 49645   | 03/17/2023 | 499  | BOBBIE JO DAY            | 1       | 1,671.20  | 1,260.55  | 1,260.55       | 0.00      |      |
| 49646   | 03/17/2023 | 308  | Gloria A. Delsandro      | 1       | 4,193.42  | 3,145.17  | 3,145.17       | 0.00      |      |
| 49647   | 03/17/2023 | 504  | CRISTINA DEVORA          | 1       | 1,736.73  | 1,235.53  | 1,235.53       | 0.00      |      |
| 49648   | 03/17/2023 | 43   | SARAH R. DUNBAR          | 1       | 2,276.42  | 1,640.50  | 1,640.50       | 0.00      |      |
| 49649   | 03/17/2023 | 611  | DANIELLE EMMONS          | 1       | 1,441.06  | 897.79    | 897.79         | 0.00      |      |
| 49650   | 03/17/2023 | 52   | WANDA J. FERNALD         | 1       | 2,779.07  | 1,953.83  | 1,953.83       | 0.00      |      |
| 49651   | 03/17/2023 | 146  | CECILIA R. GARRITY       | 1       | 1,900.19  | 1,226.83  | 1,226.83       | 0.00      |      |
| 49652   | 03/17/2023 | 63   | HEATHER M. GRAVES        | 1       | 2,649.92  | 1,934.49  | 1,934.49       | 0.00      |      |
| 49653   | 03/17/2023 | 65   | GAYLE M. GRAY            | 1       | 2,779.07  | 1,962.31  | 1,962.31       | 0.00      |      |
| 49654   | 03/17/2023 | 331  | RUSSELL W. GRAY          | 1       | 1,344.06  | 1,140.37  | 1,140.37       | 0.00      |      |
| 49655   | 03/17/2023 | 92   | ABIGAIL A. HARMON        | 1       | 1,852.11  | 1,383.75  | 1,383.75       | 0.00      |      |
| 49656   | 03/17/2023 | 485  | TASHA L. HIGGINS         | 1       | 1,319.81  | 889.97    | 889.97         | 0.00      |      |
| 49657   | 03/17/2023 | 477  | ANGELIQUE E. HODGDON     | 1       | 1,974.75  | 1,174.01  | 1,174.01       | 0.00      |      |
| 49658   | 03/17/2023 | 601  | ELIZA M. HOPKINS         | 1       | 1,718.30  | 1,244.59  | 1,244.59       | 0.00      |      |
| 49659   | 03/17/2023 | 313  | ANDREA W. HOWELL         | 1       | 2,142.42  | 1,751.87  | 1,751.87       | 0.00      |      |
| 49660   | 03/17/2023 | 293  | Amy L. James             | 1       | 2,894.46  | 2,232.43  | 2,232.43       | 0.00      |      |
| 49661   | 03/17/2023 | 90   | REBECCA A. JARVIS        | 1       | 2,586.30  | 1,930.28  | 1,930.28       | 0.00      |      |
| 49662   | 03/17/2023 | 608  | EMMA JONES               | 1       | 1,054.29  | 839.06    | 839.06         | 0.00      |      |
| 49663   | 03/17/2023 | 291  | PATRICIA A. KELLEY       | 1       | 1,847.04  | 1,284.75  | 1,284.75       | 0.00      |      |
| 49664   | 03/17/2023 | 335  | CYNTHIA A. LAMBERT       | 1       | 3,086.76  | 1,831.01  | 1,831.01       | 0.00      |      |
| 49665   | 03/17/2023 | 487  | BENJAMIN MACKO           | 1       | 3,183.52  | 2,447.79  | 2,447.79       | 0.00      |      |
| 49666   | 03/17/2023 | 292  | TARA MCKERNAN            | 1       | 2,438.00  | 1,916.95  | 1,916.95       | 0.00      |      |
| 49667   | 03/17/2023 | 490  | ANNA D. MONTE            | 1       | 1,178.17  | 724.38    | 724.38         | 0.00      |      |
| 49668   | 03/17/2023 | 237  | JUSTIN B. NORWOOD        | 1       | 2,470.92  | 1,890.71  | 1,890.71       | 0.00      |      |
| 49669   | 03/17/2023 | 508  | CATHY T. OEHMKE          | 1       | 2,942.53  | 2,179.05  | 2,179.05       | 0.00      |      |
| 49670   | 03/17/2023 | 238  | WENDELL L. OPPEWALL      | 1       | 1,641.50  | 979.61    | 979.61         | 0.00      |      |
| 49671   | 03/17/2023 | 240  | JEANNE C. OTT            | 1       | 2,942.53  | 2,014.27  | 2,014.27       | 0.00      |      |
| 49672   | 03/17/2023 | 610  | VIVIENNE R. PREDOCK      | 1       | 1,295.45  | 1,066.39  | 1,066.39       | 0.00      |      |
| 49673   | 03/17/2023 | 302  | Carlos F. Rosales        | 1       | 1,665.20  | 1,135.16  | 1,135.16       | 0.00      |      |
| 49674   | 03/17/2023 | 275  | JOELLE A. RUDDY          | 1       | 360.00    | 327.24    | 327.24         | 0.00      |      |
| 49675   | 03/17/2023 | 74   | LEON E. SARGENT          | 1       | 2,729.37  | 1,914.21  | 1,914.21       | 0.00      |      |
| 49676   | 03/17/2023 | 602  | REBEKAH E. SARTIN        | 1       | 1,140.99  | 722.21    | 722.21         | 0.00      |      |
| 49677   | 03/17/2023 | 120  | KAREN L. SHARPE          | 1       | 3,423.71  | 2,273.53  | 2,273.53       | 0.00      |      |
| 49678   | 03/17/2023 | 350  | ANNA E. SILVER           | 1       | 1,370.82  | 1,103.45  | 1,103.45       | 0.00      |      |
| 49679   | 03/17/2023 | 502  | MARIA E. SIMPSON         | 1       | 2,058.73  | 1,711.25  | 1,711.25       | 0.00      |      |
| 49680   | 03/17/2023 | 503  | RACHEL M. SINGH          | 1       | 2,376.96  | 1,869.32  | 1,869.32       | 0.00      |      |


# Mount Desert School Department PAYROLL WARRANT REGISTER

| Check # | Check Date | Code | Name                | Chk Grp | Gross Pay         | Net Pay          | Direct Deposit   | Check Amt       | Void |
|---------|------------|------|---------------------|---------|-------------------|------------------|------------------|-----------------|------|
| 49681   | 03/17/2023 | 507  | DANIELLE A. STANLEY | 1       | 1,089.24          | 1,005.92         | 1,005.92         | 0.00            |      |
| 49682   | 03/17/2023 | 404  | KERRY L. TAYLOR     | 1       | 2,894.46          | 1,796.94         | 1,796.94         | 0.00            |      |
| 49683   | 03/17/2023 | 501  | MICHAEL J. TINKER   | 1       | 2,151.16          | 1,459.25         | 1,459.25         | 0.00            |      |
| 49684   | 03/17/2023 | 459  | SHANNON L. WESTPHAL | 1       | 2,161.03          | 1,644.44         | 1,644.44         | 0.00            |      |
|         |            |      |                     |         | <b>122,251.70</b> | <b>93,500.47</b> | <b>74,657.81</b> | <b>3,679.52</b> |      |

| Check Authorization Summary |                                     |       |           |
|-----------------------------|-------------------------------------|-------|-----------|
| Type                        | Description                         | Count | Amount    |
| Employee                    | Checks                              | 6     | 3,679.52  |
|                             | Voided Checks                       | 0     | 0.00      |
|                             | Direct Deposits (Fully Distributed) | 50    | 74,657.81 |
|                             | ACH Employee Credits                | 50    | 74,657.81 |
|                             | ACH Employee Debits (Voids)         | 0     | 0.00      |
| Deduction                   | Checks                              | 0     | 0.00      |
|                             | 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     | 15,163.14 |

WARRANT # 19

DATE: **PAID** MAR 17 2023



\_\_\_\_\_  
SUPERINTENDENT

\_\_\_\_\_  
FINANCE OFFICER

\_\_\_\_\_  
FINANCE OFFICER

\_\_\_\_\_  
FINANCE OFFICER

\_\_\_\_\_  
FINANCE OFFICER

\_\_\_\_\_  
FINANCE OFFICER

\_\_\_\_\_  
FINANCE OFFICER

\_\_\_\_\_  
FINANCE OFFICER