

Town of Mount Desert

Selectboard
Agenda

## Regular Meeting

Monday, May 15, 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 LOW; masks are not required.
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 May 1, 2023 meeting
B. Approval of minutes from May 2, 2023 meeting

## III. Appointments/Recognitions/Resignations

A. Request appointment of William Shepherd as full-time FF/EMT at an initial base rate of $\$ 26.75$ to be increased to $\$ 28.24$ upon successful completion of a 6-month probationary period, effective date of May 16, 2023
B. Annual Employee Appointments
C. Accept resignation of Daniel Litchfield as on-call Firefighter effective March 28, 2023
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.)
A. Healthy Acadia Tobacco Prevention letter and documentation
B. MRC Update, May 11, 2023
V. Selectboard's Reports

## VI. Unfinished Business

A. May 2017 Article on TOMD Resolution regarding the Foundation Principles for Acadia National Park, submitted by Stephen Smith
B. Consider approval of Change Order \#10 for the Northeast Harbor Village Center Improvement Project

## VII. New Business

A. Public Space Special Event Application - Wedding Ceremony - Suminsby Park; Saturday, September 30, 2023 3pm - 5pm; Raymond Bley
B. Public Space Special Event Application - MDIAA Community Cookout - Suminsby Park; May 29, 2023
C. Public Space Special Event Application - Mount Desert Elementary School 8th Grade Promotion - June 7, 2023, Northeast Harbor Village Green

## New Business continued

D. Liquor License Renewal - Michael C. Boland/DBA COPITA (Choco-Latte, LLC)
E. Authorize soliciting bids for bonds and/or notes to finance projects approved at the 2023 Annual Town Meeting consistent with the requirements identified in articles 38 through 43
F. Consideration of accepting a conditional gift of ballistic vests and helmets from the Northeast Harbor Ambulance Service to the Mount Desert Fire Department for \$6,544.48
G. Consideration of waiving the rental fee for use of the Seal Harbor fire station community room by the Mount Desert Island Search and Rescue on the dates of October 14th through the 17th and October 19th through the 22nd, 2023
H. Consideration of offering the 2013 Ford/PL Custom ambulance to the Northeast Harbor Ambulance Service for $\$ 1.00$
I. Consider authorizing Fire Chief Mike Bender to execute any and all documents to facilitate the sale of the 2013 Ford/P L Custom ambulance to the Northeast Harbor Ambulance Service
J. Review of the Otter Creek Boat Landing feasibility study
K. Consider Corrective Municipal Quitclaim Deed for Timmy Town, LLC book 7039, Page 353
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\#2374 | $05 / 16 / 2023$ | $\$ 601,014.84$ |
| :--- | :---: | :---: | :---: |
| Total |  |  | $\mathbf{\$ 6 0 1 , 0 1 4 . 8 4}$ |

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

| State Fees \& PR <br> Benefits | AP\#2372 | $05 / 03 / 2023$ | $\$ 130,928.08$ |
| :--- | :--- | ---: | ---: |
|  | AP\#2373 | $05 / 11 / 2023$ | $\$ 9,833.24$ |
| Town Payroll | PR\#2326 | $05 / 12 / 2023$ | $\$ 143,753.17$ |
| Total |  |  | $\mathbf{\$ 2 8 4 , 5 1 4 . 4 9}$ |

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

| School Invoices | AP\#11 | $5 / 3 / 2023$ | $\$ 61,244.62$ |
| :--- | :---: | :---: | ---: |
| School Payroll | PR\#23 | $5 / 12 / 2023$ | $\$ 95,374.05$ |
| Voided <br> Disbursements |  |  | $\$ 0$ |
| Total |  |  | $\mathbf{\$ 1 5 6 , 6 1 8 . 6 7}$ |


| Grand Total |  |  | $\$ 1,042,148.00$ |
| :--- | :--- | :--- | :--- |

Selectboard Meeting Agenda May 15, 2023

## X. Adjournment

The next regularly scheduled meeting is at 6:30 p.m., Monday, June 5, 2023 in the Meeting Room, Town Hall, Northeast Harbor

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=RmozZjBOVWhtUTQrRXR5QzFEZEEyQT09
Meeting ID: 248566175
Password: 919872

One tap mobile
+13126266799,,248566175\#,,,,0\#,,919872\# US (Chicago)
+16468769923,,248566175\#,,,,0\#,,919872\# US (New York)
Dial by your location
+1 3126266799 US (Chicago)
+1 4086380968 US (San Jose)
+1 6468769923 US (New York)
+1 6699006833 US (San Jose)
+1 3017158592 US (Germantown)
+1 2532158782 US (Tacoma)
+1 3462487799 US (Houston)
Zoom security now requires a password on all zoom meetings, so the recurring BS meeting now has a password.

MINUTES

# Town of Mount Desert <br> Selectboard Minutes <br> May 1, 2023 

Selectboard Members present: Chair John Macauley, Rick Mooers, Martha Dudman, Geoffrey Wood, Wendy Littlefield

Town Officials Present: Town Manager Durlin Lunt, Finance Director Jake Wright
Members of the Public were also in attendance.

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

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

## II. New Business

A. Review and approve annual audit report for the fiscal year ended June 30, 2022, prepared by James W. Wadman, C.P.A.
CPA James Wadman and Kelly Beaudoin were in attendance. Mr. Wadman reported on the audit for the fiscal year ending June 30, 2022. Points highlighted include:

- The Opinion Letter is three pages in length. The Town received a clean, unmodified opinion on the financial statements and notes.
- Pages $4-10$ provide a management discussion and analysis narrative of the financial highlights for the year. This analysis includes a funds highlight paragraph. The Town ended the year with a total combined fund balance of $\$ 18,275,928.00$. $\$ 3,640,150.00$ is the general unassigned fund balance.
- The Town ended the year with an approximate $17 \%$ unfunded balance surplus. The MMA recommends $10-12 \%$ as a healthy position.
- The Town budgeted to decrease the surplus by $\$ 500,000.00$ last year. The surplus actually decreased by $\$ 138,522.00$.
- Both liquid and capital assets of the Town are included in the financials.
- Page 9 begins the budgeted versus actual results for the year.
- Financial Statements begin on page 11, starting with a statement of deposition.
- Liability for post-employee benefits are included in the report. This includes items like pensions, health insurance and life insurance benefits anticipated to be paid out over the lifetime of retirees.
- Pages $17-19$ show the financial statements for business activities and statement of cashflow for such operations like the marina.
- Page 60 begins the budget versus actual operating results for the year.
- Page 70 begins the report on budgeted revenues versus actual and page 72 begins budgeted expenses versus actual.
- Page 74 shows the Town's surplus account.
- Pages 85 and 86 address the CIP funds.
- Page 89 is a report of scheduled expenditures of federal awards. The report is required regardless of how much is spent.
- There were no written communications or manager comments.
- The auditors noted that delays in receiving information and documentation from the school have continued to result in delays in both audit preparation and finalization.

Ms. Dudman asked about the solid waste deficit. Page 72 shows Budgeted versus Actual for Public Works. Mr. Wadman noted that if Waste Management were not in the budget, Public Works would have favorable operating results. Finance Director Wright noted that ratification of the Waste Management overage was one of the Articles on the Town Meeting Warrant.

Mr. Mooers inquired about the donation reserve noted on page 77. Director Wright explained this was the NEHAS donation of $\$ 135,000.00$ approved at the Special Town Meeting. It offset payroll costs associated with adding the Ambulance Service to the Fire Department payroll. The balance shown for this reserve as of June 30, 2022 was extinguished in fiscal year 2023.

Covid related issues and federal funding requirements play a part in the School's delay of providing financials to the auditors. However, the School financial submittals have regularly been late and been falling further behind every year.

Ms. Littlefield felt that both the large amounts of reporting now necessary and the lack of qualified staff on hand during summer months exacerbated the issue. Mr. Wood pointed out there is no penalty for submitting their financials late; there is no leverage to encourage timely submittal.

Mr. Wadman believed an end of October deadline for submittals would be adequate. He noted other schools are submitting late as well. Mr. Wadman noted that, excluding school activity, the Town has been able to submit financial reporting to the auditors within the ideal timeframe being discussed.

Mr. Mooers suggested perhaps an ordinance that sets deadlines. Perhaps requiring the financials be provided to the auditors by a certain date every year, or the Town will be unable to favorably review their budget. The Town can't approve a new budget if they have no information on the actual performance under the previous year's budget.

Discussion on the issue ensued. Director Wright noted the typical auditing process is that there comes a point when the information is sent to the auditors. From there it becomes a collaborative process to reach a point when the financials are finalized. This portion of the process should be occurring in October through December. Four to six months after the year's end is a typical audit turn-around. Mr. Wood noted the elementary school shuts down spending after March 31 to keep their end-of-year budgeting simple. He added that none of those working on the financials are employees of the Town, making it complicated.

Mr. Wadman suggested meeting with the school's central office, the AOS Board, and the Towns. Mr. Wood suggested the various school boards work together to discuss the problem with the central office. He suggested perhaps Manager Lunt could reach out to the other Town Managers.

Mr. Wadman did not believe superintendents and principals were aware of the situation.
MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, acceptance and approval of the Annual Audit Report as presented.
Motion approved 5-0.

Town of Mount Desert Selectboard
Minutes of May 1, 2023
Page 3

Ms. Dudman suggested scheduling a meeting to discuss the school budget. It was agreed to have Manager Lunt add an item regarding school budget audit deadline compliance to a Selectboard Meeting in June. The Board requested Principal Gloria Delsandro, Mike Zboray, Nancy Thurlow, Brian Henkle and Finance Director Wright be invited to the meeting.

## III. Other Business

A. Such other business as may be legally conducted

There was no Other Business.

## IV. Adjournment

MOTION: Mr. Mooers moved, with Mr. Wood seconding, to adjourn. Motion approved 5-0.

The Meeting adjourned at 7:09PM.

Respectfully Submitted,

Geoffrey Wood

# Town of Mount Desert <br> Board of Selectmen Regular \& Organizational Meeting <br> Meeting Minutes <br> TUESDAY, May 2, 2023 

Selectboard Members Present: Chair John Macauley, Wendy Littlefield, Rick Mooers, Martha Dudman, Geoffrey Wood

Town Officials Present: Town Manager Durlin Lunt, Town Clerk Claire Woolfolk, Finance Director Jake Wright

## I. Call to order immediately following Town Meeting.

Chairman Macauley called the meeting to order at 8:28 p.m.

## II. Minutes

A. Approval of minutes from April 18, 2023 meeting

MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, approval of the Minutes of April 18, 2023 as presented.
Motion approved 4-0-1 (Wood in abstention).

## 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.)
A. Sustainability Committee Minutes March 16, 2023
B. MDOT Report on Somes Pond
C. Hancock County Commissioners Meeting Minutes from April 4, 2023

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

## V. Selectboard's Reports

It was suggested to elect the slate of officers for the upcoming year under Selectboard Reports.
MOTION: Ms. Dudman moved, with Mr. Mooers seconding, the same slate as the prior year.
Motion approved 5-0.

## VI. Unfinished Business

None presented.

## VII. New Business

 A. Dobbs Productions Inc. Request to Use Public Access Channel 1301 for summer 2023 and winter 2024MOTION: Mr. Mooers moved, with Ms. Dudman seconding, approval of the request by Dobbs Productions Inc. to Use Public Access Channel 1301 for summer 2023 and winter 2024.

Motion approved 5-0.

## B. Annual Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, approval of Annual Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits, as presented.
Motion approved 5-0
C. Annual Policy on Treasurer's Disbursement Warrants for State Fees

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, approval of Annual Policy on Treasurer's Disbursement Warrants for State Fees, as presented.
Motion approved 5-0.

## D. Annual Policy on Disbursement of Municipal Education Costs

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval of Annual Policy on Disbursement of Municipal Education Costs, as presented. Motion approved 5-0.
E. Annual Policy on Application of Payments to Unpaid Taxes

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of Annual Policy on Application of Payments to Unpaid Taxes, as presented.
Motion approved 5-0.
F. Annual Policy on Reimbursement (Code Enforcement Officer Permits)

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, approval of Annual Policy on Reimbursement (Code Enforcement Officer Permits), as presented.
Motion approved 5-0.

## G. Annual Policy Authorizing Town Manager and his Designee to sign BYOB and Off-premises Catering Liquor License Applications on behalf of the Municipal Officers

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, approval of Annual Policy Authorizing Town Manager and his Designee to sign BYOB and Off-premises Catering Liquor License Applications on behalf of the Municipal Officers, as presented. Motion approved 5-0.

## H. Annual Approval of Town Counsel

MOTION: Ms. Littlefield moved, with Mr. Wood seconding, annual approval of Town Counsel, as presented. Motion approved 5-0.
I. Consider authorizing the Town Manager to sign the Cranberry Isles parking lease agreement on behalf of the Town of Mount Desert
MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, authorization for the Town Manager to sign the Cranberry Isles parking lease agreement on behalf of the Town of Mount Desert.
Motion approved 5-0.
J. Consider authorizing the Town Manager to sign all future Ticket Sales and Chamber of Commerce lease agreements on behalf of the Town of Mount Desert
MOTION: Ms. Littlefield moved, with Mr. Wood seconding, authorization for the Town Manager to sign all future Ticket Sales and Chamber of Commerce lease agreements on behalf of the Town of Mount Desert
Motion approved 5-0.
K. Consider authorizing the Town Manager to sign all future Neighborhood House municipal pool agreements on behalf of the Town of Mount Desert Ms. Dudman moved, with Mr. Wood seconding, authorization for the Town Manager to sign all future Neighborhood House municipal pool agreements on behalf of the Town of Mount Desert.
Motion approved 5-0.
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.)
None presented.

## IX. Treasurer's Warrants

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

| Town Invoices | AP\#2371 | $5 / 3 / 2023$ | $\$ 318,643.51$ |
| :--- | :---: | :---: | ---: |
| Total |  |  | $\mathbf{\$ 3 1 8 , 6 4 3 . 5 1}$ |

MOTION: Mr. Mooers moved, with Mr. Wood seconding, approval and signature of the Treasurer's Warrant as shown above. Motion approved 5-0.
B. Approve Signed Treasurer's Payroll, State Fees, \& PR Benefit Warrants as shown below:

| State Fees \& PR <br> Benefits | AP\#2368 | $4 / 20 / 2023$ | $\$ 3,395.28$ |
| :--- | :--- | ---: | ---: |
|  | AP\#2369 | $4 / 26 / 2023$ | $\$ 4,443.64$ |
| Town Payroll | PR\#2325 | $4 / 28 / 2023$ | $\$ 153,232.94$ |
| Total |  |  | $\mathbf{\$ 1 6 1 , 0 7 1 . 8 6}$ |

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

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

Board of Selectmen Meeting Minutes May 2, 2023

| School Invoices |  |  |  |
| :--- | :---: | ---: | ---: |
| School Payroll | PR\#22 | $4 / 28 / 2023$ | $\$ 178,937.94$ |
| Voided |  |  |  |
| Disbursements | AP\#2310 | $4 / 25 / 2023$ | $-\$ 6,244.00$ |
|  |  | $4 / 25 / 2023$ | $\$ 6,244.00$ |
| Total |  |  | $\mathbf{\$ 1 7 8 , 9 3 7 . 9 4}$ |

MOTION: Ms. Dudman moved, with Mr. Wood seconding, acknowledgement of
Treasurer's School Board Payroll and Voided Disbursements Warrants as shown above. Motion approved 5-0.

| Grand Total |  |  | \$658,653.31 |
| :--- | ---: | ---: | ---: |

## X. Adjournment

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, to adjourn.
Motion approved 5-0.
The Meeting adjourned at $8: 33 \mathrm{PM}$.

Respectfully submitted,

Geoffrey Wood, Secretary

## APPOINTMENTS

## RECOGNITIONS

## RESIGNATIONS



# 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: May 8, 2023
Re: Appointment of Full Time Firefighter/EMT

I would like to make a request that the Board of Selectman appoint William Shepherd to the positions of full-time Municipal Firefighter/EMT at the probationary base rate of $\$ 26.75$, effective May16, 2023.

Will has been working per diem filling open shifts since January 2023. He applied for one of the open full-time positions last year but was passed over due to the lack of an EMT license. He has since earned his Maine EMT certifications and is a qualified interior firefighter.

Since the FD budget passed at the town meeting, we know we'll have to fill 3 FF/EMT positions during the next budget year. There are sufficient funds to fill one of these positions now, and with Will's qualifications together with the the fact that he currently lives on MDI, I would like to move to appoint him to the FD while he is available rather than risk losing him to another fire department.

Thank you.

## CERTIFICATE OF APPOINTMENT

Municipality of MOUNT DESERT County of HANCOCK State of MAINE
The Board of Selectmen of the Municipality of the Town of Mount Desert, in accordance with the provisions of the laws of the State of Maine, hereby appoints the following employees within and for the Municipality of Mount Desert for the positions and terms indicated:

| Name | Position | Term |
| :---: | :---: | :---: |
| Kyle Avila | Assessor | June 1, 2023 - May 31, 2024 |
| Kyle Avila | Addressing Officer | June 1, 2023 - May 31, 2024 |
| Michael Bender | Fire Chief | June 1, 2023 - May 31, 2024 |
| Michael Bender | Fire Warden | June 1, 2023 - May 31, 2024 |
| Michael Bender | Emergency Management Dir | June 1, 2023 - May 31, 2024 |
| Kevin Edgecomb | Shellfish Warden | June 1, 2023 - May 31, 2024 |
| Leigh Guildford | Shellfish Warden | June 1, 2023 - May 31, 2024 |
| Kimberly Keene | Code Enforcement Officer | June 1, 2023 - May 31, 2024 |
| Kimberly Keene | Building Inspector | June 1, 2023 - May 31, 2024 |
| Kimberly Keene | Local Plumbing Inspector | June 1, 2023 - May 31, 2024 |
| Kimberly Keene | Deputy General Assistance | June 1, 2023 - May 31, 2024 |
| John Lemoine | Harbormaster | June 1, 2023 - May 31, 2024 |
| Durlin E. Lunt, Jr. | Town Manager | June 1, 2023 - May 31, 2024 |
| Durlin E. Lunt, Jr. | Overseer of the Poor | June 1, 2023 - May 31, 2024 |
| Durlin E. Lunt, Jr. | Road Commissioner | June 1, 2023 - May 31, 2024 |
| Durlin E. Lunt, Jr. | Public Access Officer | June 1, 2023 - May 31, 2024 |
| Mount Desert | General Assistance |  |
| Selectmen Board | Fair Hearing Authority | June 1, 2023 - May 31, 2024 |
| Scott Pinkham | Animal Control Officer | June 1, 2023 - May 31, 2024 |
| Adam Thurston | Deputy Harbormaster | June 1, 2023 - May 31, 2024 |
| Adam Thurston | Shellfish Warden | June 1, 2023 - May 31, 2024 |
| James Willis | Police Chief | June 1, 2023 - May 31, 2024 |
| Claire Woolfolk | Town Clerk | June 1, 2023 - May 31, 2024 |
| Jacob Wright | Acting Town Manager | June 1, 2023 - May 31, 2024 |
| Jacob Wright | Treasurer | June 1, 2023 - May 31, 2024 |


| Elizabeth Yeo | Excise Tax Collector | June 1, 2023-May 31, 2024 |
| :--- | :--- | :--- |
| Elizabeth Yeo | BMV Excise Tax Collector | June 1, 2023-May 31, 2024 |
| Lisa Young | Tax Collector |  |
|  | June 1, 2023-May 31, 2024 |  |

Given under our hands this 15th day of May 2023 at Mount Desert, Maine:

Martha T. Dudman -

Wendy H. Littlefield -

John B. Macauley -

James F. Mooers -

Geoffrey Wood -

A majority of the Municipal Officers of the Town of Mount Desert

Mount Desert Fire Department
Michael Bender, Fire Chief
21 Sea Street, P.O. Box 248
Northeast Harbor, ME 04662-0248
Telephone 207-276-5111 Fax 207-276-5732
Web Address www.mitdesert.org
firechief@mtdesert.org

March 28, 2023

Michael Bender
Fire Chief
Mount Desert Fire Department
PO Box 248
Northeast Harbor, Maine 04662

Dear Chief:

Please accept this letter as notification that I am resigning from my position as an on-call firefighter with the Mount Desert Fire Department, effective immediately. I regret that, due to circumstances beyond my control, I can no longer fulfill the requirements or provide the commitment necessary to be a contributing member of the department.

I have thoroughly enjoyed volunteering as a firefighter, and I appreciate the opportunity you have provided me. I learned a lot, and thoroughly enjoyed the experience of providing a service to the community.

Sincerely,

## CONSENT AGENDA

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

April 28, 2023

Dear Hancock County Town Office:

Thank you for working with Healthy Acadia in the past as your Town developed its tobacco-free policy. Enclosed are supportive materials your staff might like to share with Town residents.

We are including in your packet:

1) a US CDC fact sheet on preventing secondhand smoke exposure in the home;
2) Maine QuitLink posters that reflect options for tobacco treatment for adults; and
3) a sample of My Life My Quit cards for youth ages 13-17

There is no safe level of secondhand smoke exposure. In adults, secondhand smoke exposure can lead to stroke, heart disease and lung cancer. In children, it can lead to Sudden Infant Death Syndrome (SIDS), asthma attacks, lung problems and ear infections.

The Maine QuitLink provides free services including phone coaching, web coaching and individual digital services for Maine residents who are interested in quitting their tobacco use.

My Life My Quit (MLMQ) is a program through National Jewish Health that provides evidence-based tobacco treatment services tailored to youth ages 13-17. The program provides quit coaching through phone, chat, and texted-based sessions with a tobacco treatment specialist. MLMQ supports youth who use combustible, smokeless, and electronic products.

Please contact us if you have questions regarding these materials and thank you again for your leadership in tobacco use prevention in Hancock County.

Sincerely,
The Healthy Acadia Tobacco Prevention Team

## CUH YOUR WAY

WHEN YOU'RE READY TO QUIT SMOKING, VAPING, OR OTHER TOBACCO USE, CHOOSE THE OPTION THAT'S RIGHT FOR YOU.

## PHONE COACHING

A Quit Coach is just a phone call away. Free 1-on-1 coaching with a Quit Coach who will work with you to create a customized Quit Plan. People who call are twice as likely to quit and using free nicotine replacement therapy triples your chances.

## WEB COACHING

Website support with the digital tools you need to help you with your quit journey. Get quitting information, create a customized quit plan, join an online community, and track your progress.

## INDIVIDUAL SERVICES

Individual services are designed to give you the flexibility to pick and choose the tools you want to use at any time through an online dashboard. Build your plan by adding or removing the tools that work best for you when you need them.


There is no safe amount of secondhand smoke exposure. The home is the main place many children and adults breathe in secondhand smoke.

## What is secondhand smoke?



It is the combination of smoke from the burning end of a cigarette and the smoke breathed out by a smoker. When a person smokes near you, you can be exposed to secondhand smoke.

## The Surgeon General concluded:

## In the United States:



Approximately 58 million (1 in 4) nonsmokers are exposed to secondhand smoke.


About 2 in 5 children (including 7 in 10 black children) are exposed to secondhand smoke.


The home is the main place where children are exposed to secondhand smoke.
U.S. Department of Health and Human Services
Centers for Disease
Control and Prevention

Secondhand smoke exposure among babies and children can cause:

- Sudden Infant Death Syndrome (SIDS)
- Lung problems
- Ear infections
- Asthma attacks

Secondhand smoke exposure among adults can cause:

- Heart disease
- Stroke
- Lung Cancer

Did You Know?

Secondhand smoke can travel through doorways, cracks in walls, electrical lines, ventilation systems and plumbing.


Only 100\% smokefree indoor air fully protects from secondhand smoke exposure.


Opening windows

using fans

heating, air conditioning and ventilation systems
cannot eliminate exposure to secondhand smoke.
In fact, these systems can distribute secondhand smoke throughout a building.
U.S. Department of

Health and Human Services
Centers for Disease
Control and Prevention

## Progress with Innovative Resource Recovery

May 11, 2023

Dear Members,

Since our exclusivity agreement for a potential partnership started, Innovative Resource Recovery (Innovative) has brought their team to the Hampden facility several times now. Each time, several days have been spent at the Hampden facility. They have aggressively jumped in head first to perform due diligence and have already executed several meetings to learn more about the plant. Some of these include with more happening behind the scenes:

- Engineering and consulting firms specializing in permitting, the "wet end", the MRF, anaerobic digester and gas production.
- We have taken Innovative to a large MRC member transfer station for a tour to see the first hand the composition of MRC MSW.
- Individual meetings have occurred with DEP and the Hampden Town Manager and Public Works Director.

This week alone, Innovative has over dozen folks on site going through the equipment and operations of the facility. They are eager and focused on the immediate efforts of facility upgrades, employment, and restart. MRC is doing everything we can to keep pace with them and get them all the information they need to make a formal business decision and get this deal to fruition so that MWS can restart and service all our member's waste and recycling needs.

We are still very hopeful this partnership will come to fruition over the next several weeks.

In other news, MRC Board Director Robert Butler led the charge this week in testimony to the Environment and Natural Resources Committee on behalf of the MRC and its members on LD 1660, An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling.

The written and oral testimonies are available here and on the MRC's website.

The MRC is concerned that LD 1660 may compromise the efforts of the 115 Maine communities to process their municipal solid waste utilizing diversion technologies that are both proven, safe, relatively new, and in full compliance with national recycling policy. Please contact to your legislators to highlight the concerns with this legislation.

If you have any questions at all, please contact Michael Carroll at 207-664-1700 or execdirector@mrcmaine.orgor a MRC Board Member.

## E-mail MRC

## Municipal Review Committee, Inc.

20 Godfrey Drive, Suite 300
Orono, ME 04473
Phone: 207-664-1700

Visit our website
$\dagger$

## UNFINISHED BUSINESS



## Touch

## a truck

BAR HARBOR — Touch-a-Truck will be held at Mount Desert Island High School on Saturday, May 13, from 10 a.m. to 2 p.m.

Construction vehicles, buses, fire trucks, ambulances, police cars, antique cars and a shiny trash truck are expected to be on site. The Lunch Box food truck, the Southwest Harbor Fire Department Junior Firefighters and Darling's Ice Cream truck will sell lunch, snacks and treats.

The event costs $\$ 5$ per person or $\$ 20$ per family. Touch-A-Truck is a benefit for Harbor House Children's Center and the Westside Food Pantry.

## School <br> future

MOUNT DESERT - The series of public forums on the future of area schools continues at Neighborhood House in Northeast Harbor on Monday, May 15, at 5:30 p.m. and at the Swans Island School on Tuesday, May 23, at 6 p.m.

## Open house

## BAR HARBOR

Compass Rose, a program that has offered Mount Desert Island High School students an alternative way to meet many of their graduation requirements for the past 18 years, will close at the end of this school year. It is being combined with other offerings and support for students.

Former students, parents, teachers and others with an interest in the program are invited to an open house at Compass Rose on Thuredar

## Voters back village rebuke of Acadia

By Dick Broom dbroom@mdislander.com

MOUNT DESERT - Five hours after the May 2 town meeting began, the last of the 75 articles on the warrant passed overwhelmingly by voice vote.

It was a resolution authorizing the Board of Selectmen to support a request by a committee of the Aid Society of Otter Creek that Acadia National Park honor its "original foundation principles."

Those principles, the resolution stated, were embraced by the founders of the Hancock County Trustees for Public Reservations, which in 1903 began buying and accepting gifts of land that would form the core of Acadia. The land was to be held and maintained for "free public use."

Otter Creek resident Steve Smith, who circulated the petition to place the resolution on the warrant, explained his reason at the town meeting.
"We're a very small village that's completely surrounded by the park. We have no clout with the park," he said. "We're asking the selectmen to help us so we can live in peace with the park and to support us on issues that we have to take up from time to time."

When asked what some of the issues are, he mentioned disputes involving access to a small fish house that the Aid Society owns on Otter Creek Cove and a boat landing off Grover Avenue.

George Davis, vice president of the Aid Society, said the park has ignored the interests of Otter Creek residents for decades.
"We're sick of it," he said.
Noting that Acadia celebrated its centennial last year,

Davis said, "And it took them 99 years before they would allow the people of Otter Creek to have an [official] trail from the village of Otter Creek to the water."

He said there have long been informal, social trails.
"But if a tree fell and you cut a little opening in it, then you'd end up ... in the federal courthouse in Bangor. That's ridiculous."

Speaking in support of the resolution, Seal Harbor resident Anne Funderburk said her grandfather was a founder of the Hancock County Trustees for Public Reservations and helped acquire land for Acadia. She said the trustees' original statement of intent made it clear that "pieces of land that were good for farming and for having houses on them" were not to be placed in the park.

Funderburk said that applied to much of Otter Creek, which used to have good farm land.
"So, I think it is within reason for the town to support in some way the request of the citizens of Otter Creek to have the use of their land to make it livable," Funderburk said. "This [resolution] would not be binding on the selectmen, but would be an expression of support for a small village that's in a pretty tight square."

Acadia spokesman John Kelly said Wednesday that park officials have met with the board of the Aid Society of Otter Creek on a regular basis over the past few years.
"We will continue to do that and will respond to whatever concerns or issues they raise with us, as we would with any other town or village," Kelly said.

# Annual Town Meeting Minutes <br> Town of Mount Desert <br> May 1 \& 2, 2017 <br> Somesville Fire House <br> 1157 Main Street, Somesville, Maine <br> And <br> Kelley Auditorium, Mount Desert Elementary School <br> 8 Joy Road, Northeast Harbor, Maine 

Town Clerk Claire Woolfolk called the meeting to order at fifty minutes past seven o'clock in the forenoon, May 1, 2017. Printed copies of the Warrant and Town Report were made available.
-
-
$\bullet$
Article 59. To see if the inhabitants of the Town of Mount Desert will vote to authorize the Board of Selectmen to support, assist and work in conjunction with the Revitalization Committee of the Otter Creek Aid society and their request that Acadia National Park honor its original foundation principles intended by the incorporators of the 1903 formation of the "Hancock County Trustees of Public Reservations" which was: the power "to acquire hold and maintain and improve for free public use lands in Hancock County which by reason of scenic beauty, historical interest, sanitary advantage or for other reasons may be available for the purpose."

The Warrant Committee moved and seconded to pass Article 75.
Motion to call for a written ballot was made and seconded.
A hand count vote was conducted, and the call for a written ballot failed with 22 Ayes and 94 Nays. Questions asked and answered.
A voice vote was called; it was the opinion of the Moderator that the ayes carried, and Article 75 passed.
-
$\bullet$
$\bullet$

As recorded by:


Attest: A True Copy

To: Selectboard
From: Brian Henkel, Public Works Director
Re: Change Order \#10 - Paving, Pavers, and Timing
Date: April 13, 2023

Public Works is requesting Change Order \#10 (Change Order) for the Northeast Harbor Village Improvement project (Project). The draft Change Order is outlined in the attached EJCDC change order form provided by Haley Ward, Inc. (Project Engineer). The total cost for this Change Order, including General Contractor markup, is $\$ 12,495.00$. The previous 9 change orders to the Project have increased the budget by $\$ 142,150.25$. This would be the $10^{\text {th }}$ change order for the Project and increase the total Project cost from \$2,218,557.77 to \$2,374,619.02.

Public Works is proposing three changes to the design and execution of the final work on the Project. The first proposed change is to purchase and use granite pavers to create a picnic table patio at the Great Harbor Maritime Museum. A previous change order (Change Order \#9, approved April 18, 2023) proposed to use the pavers that were purchased for the popup park at 123 Main Street for the picnic table patio as the elimination of that popup park made those pavers available. Upon review of the site and the existing patio area that includes granite pavers, Public Works is now proposing to purchase pavers that match the existing patio area to maintain visual continuity.

Additionally, Public Works is recommending an addition to the paved area of the Project. The additional paving will be done at the entry to Old Firehouse Lane from Main Street, adjacent to Main Street Variety, and the front edge of the Main Street Variety property. This area has had significant stormwater drainage issues for many years. Now that the final paving of Main Street has been completed, Public Works, the Project Engineer, and the Contractor agree that an addition to the paved area can dramatically improve the way in which stormwater is directed to flow into the nearby storm drains.

Due to the time required to do the additional paving and due to the lead time to acquire pavers that match the existing pavers at the Museum, this Change Order also includes a short extension to the completion date of the Project from May 26, 2013 to June $9^{\text {th }} 2023$. Public Works will coordinate with the Project Engineer, and the Contractor to keep any work that extends beyond the original completion date to be limited to relatively small scale activities.

Public Works recommends the Selectboard approve Change Order \#10 to purchase additional granite pavers for use in the picnic table patio at the Great Harbor Maritime Museum, to increase the extent of paving to best address stormwater drainage, and to extend the length of construction work an additional two weeks to June 16, 2023.

## Cc: Durlin Lunt, Town Manager <br> Claire Wolfolk, Town Clerk

|  |  | Change Order No. 10 |  |
| :--- | :--- | :--- | :--- |
| Date of Issuance: | 5/16/2023 | Effective Date: | $\mathbf{5 / 1 6 / 2 0 2 3}$ |
| Owner: | Town of Mount Desert, Maine <br> Mount Desert Water District | Owner's Contract No.: |  |
| Contractor: | RF Jordan and Sons Construction, Inc. | Contractor's Project No.: |  |
| Engineer: | Haley Ward, Inc. (Formerly CES, Inc.) <br> Woodard and Curran, Inc. | Engineer's Project No.: | $\mathbf{1 0 3 2 8 . 0 1 6}$ |
| Project: | Northeast Harbor Village Center <br> Improvements | Contract Name: | Northeast Harbor Village Center <br> Improvements |

The Contract is modified as follows upon execution of this Change Order:
Description: Extend paving into Old Firehouse Lane and Main Street Variety parking lot.
Attachments: R.F. Jordan letter dated May 9, 2023 regarding additional paving.

CHANGE IN CONTRACT PRICE
Original Contract Price:

| Town | District | Total |
| :---: | :---: | :---: |
| $\$ 1,852,306.45$ | $366,251.32$ | $2,218,557.77$ |

## CHANGE IN CONTRACT TIMES

## Original Contract Times:

Substantial Completion:
November 13, 2020
Ready for Final Payment: May 7, 2021 days or dates

Increase from previously approved Change Orders No. 1 to No. 9 :
Substantial Completion: $\qquad$ April 28, 2023
Ready for Final Payment: May 26, 2023 days
Contract Times prior to this Change Order:
Substantial Completion: April 28, 2023
Ready for Final Payment: May 26, 2023
days or dates
Increase of this Change Order:
Substantial Completion:
Ready for Final Payment: $\qquad$ May 26, 2023 June 9, 2023 days or dates
Contract Times with all approved Change Orders:
Substantial Completion: May 26, 2023
Ready for Final Payment: _June 9, 2023 days or dates ACCEPTED:
By:
Owner (Authorized Signature)

Contractor (Authorized Signature) Title Date $\qquad$
Approved by Funding Agency (if applic.)
By: $\qquad$ Date:
Title: $\square$

# R. F. JORDAN <br> \& SONS <br> CONSTRUCTION, INC. 

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

## 85 Water Street - Ellsworth, ME 04605 www.rfjordanandsons.com

May 9, 2023
Justine Drake
Haley Ward, Inc.
One Merchants Plaza Suite 701
Bangor, ME 04401

Dear Justine:
After reviewing the additional paving requested between Main St Variety and The Museum (Old Firehouse Lane,) as well as the 5-7' strip in front of Main Street Variety, we have developed a price for; cutting and removal of existing pavement, shimming with Type A Aggregate Base Gravel as required, fine grade of the area, placement of $2^{\prime \prime} 19.0 \mathrm{~mm}$ and $1^{\prime \prime}$ of 9.5 mm surface. The cost for this additional work is $\$ 12,495$. This addition to the scope, along with just finding out granite paver locations, may result in needing additional time beyond the May. 26 deadline, as relocking in subcontractors may take some time.
**This price is assuming that we can follow the Roadway Buildup detail on C501, which states to shim existing roadway gravel as required, as opposed to the Driveway Apron Buildup detail, which calls for 8 " of subbase gravel and 4 " of base gravel. If this is not the case, further cost will need to be added.**

## Pricing Breakdown:

Labor $=\$ 45 / \mathrm{hr}$
Mini+Operator $=\$ 132 / \mathrm{hr}$
2" Subbase Gravel(Type A) $=\$ 29.32 /$ cy
Truck+Driver = \$110/hr
Compactor $=\$ 32 / \mathrm{hr}$
Pavement $=\$ 200 /$ ton

Please let us know how you wish to proceed. Do not hesitate to contact me should you have any questions or require further information.

Sincerely,

Jordan Carter
Estimator/Project Manager
R. F. Jordan \& Sons Construction, Inc.

NEW BUSINESS

## TOWN OF MOUNT DESERT

PUBLIC SPACE SPECIAL EVENT APPLICATION
Application Fee - $\mathbf{\$ 1 0 . 0 0}$
NOTE - Applications are due $\mathbf{6 0}$ days prior for major events and 30 days prior to event for minor events.
PERMIT \#: 9 - 2023 DATE OF EVENT: $9 / 30 / 23$ TIME: BPM - SPA
DATE APPLICATION RECEIVED: 5.8.2023 \# Expected to attend 65
PUBLIC SPACE REQUESTED: Please check: Northeast Harbor Marina Green $\qquad$
Seal Harbor Village Green $\qquad$ Suminsby Park Otter Creek Playground $\qquad$ Hall Quarry Park $\qquad$ Pond's End

TYPE OF EVENT - MAJOR OR MINOR SEE POLICY FOR DEFINITIONS)
(circle one)
APPLICANT: $\frac{\text { Ray m }_{\text {(Print) }} \text { So nd J. Bley }}{}$


MAILING ADDRESS: 507 Treetop Dr, Apt 102 , Virginia Beach VA,
PHONE:


AGENT: $\qquad$
(Signature)
AGENT MAILING ADDRESS: $\qquad$
PHONE: $\qquad$
(Agent business) (Agent cellular)
OTHER CONTACT INFO: $\qquad$ $\quad($ Agent fax)
What is the tax status of the applicant? (Non-profit) $\qquad$
Does the applicant propose that amplified sound be used for event? Yes X No $\qquad$ If yes, include description:
We Play to use a small speaker system for music
and lore amplification fora wedding Ceremony and Vore amplification for a wedding ceremony

USE REQUESTED (Applicant, review the Public Space Use Policy, then explain what you want to do) I awn qpplyoug to use Suminsby Park on $9 / 30 / 2023$ for a Wedding Ceremony. We are asking Cor a two hour Window so we have time to set up, host, and take down.

It should be noted that it is a public space and your event will not preclude other people from using the space; however once approved, no other special events will be permitted at that location while your event is taking place.

Approved this $\qquad$ day of $\qquad$ , 20 _, by a majority of the Board of Selectmen:
$\qquad$
$\qquad$

## TOWN OF MOUNT DESERT <br> PUBLIC SPACE SPECIAL EVENT APPLICATION <br> Application Fee - $\mathbf{\$ 1 0 . 0 0}$

## NOTE - Applications are due $\mathbf{6 0}$ days prior for major events and 30 days prior to event for minor events.

PERMIT \#: 8-2023
DATE OF EVENT:


DATE APPLICATION RECEIVED: $\qquad$ \# Expected to attend $\qquad$
PUBLIC SPACE REQUESTED: Please check: Northeast Harbor Marina Green $\qquad$
Seal Harbor Village Green $\qquad$ Suminsby Park $\qquad$ Otter Creek Playground $\qquad$
Hall Quarry Park $\qquad$ Pond's End $\qquad$
TIME: $10.00-3: 00$
$\pm$

TYPE OF EVENT - MAJOR OR MINOR (SEE POLICY FOR DEFINITIONS) (circle one)

APPLICANT:


PHONE: 2666260
(Home) (Business)
OTHER CONTACT INFO: $\qquad$ (a) dobsis.org

AGENT: Geoffrey Wood po Box 906 MF . $\qquad$
AGENT MAILING ADDRESS: (Signature)

PHONE:
OTHER CONTACT INFO:
(Agent business) (Agent cellular)
(Agent email)
What is the tax status of the applicant? (Non-profit) $\qquad$
Does the applicant propose that amplified sound be used for event? Yes $\qquad$ No $X$ If yes, include description:
$\qquad$

USE REQUESTED (Applicant, review the Public Space Use Policy, then explain what you want to do)


It should be noted that it is a public space and your event will not preclude other people from using the space; however once approved, no other special events will be permitted at that location while your event is taking place.

## Approved this

$\qquad$ day of $\qquad$ , 20 _, by a majority of the Board of Selectmen:
$\qquad$
$\qquad$

## TOWN OF MOUNT DESERT

## PUBLIC SPACE SPECIAL EVENT APPLICATION

Application Fee - $\$ 10.00$
NOTE - Applications are due 60 days prior for major events and 30 days prior to event for minor events.

PERMIT\#: 7-2023 DATE OF EVENT: June 7 TIME:4:00:6:00
DATE APPLICATION RECEIVED: 5-3-2023
PUBLIC SPACE REQUESTED: Please check: Northeast Harbor Marina Green $\qquad$ Seal Harbor Village Green ___ Suminsby Park $\qquad$ Otter Creek Playground $\qquad$
Hall Quarry Park $\qquad$ Pond's End

TYPE OF EVENT - MAJOR OR MINOR (SEE POLICY FOR DEFINITIONS)
(circle one)


PHONE: DOY-276.3348


AGENT:

$$
\text { (Print) } \quad \text { (Signature) }
$$

AGENT MAILING ADDRESS:
PHONE:

| (Agent home) |
| :--- |
| OTHER CONTACT INFO: |
| (Agent business) |
| (Agent email) |
| What is the tax status of the applicant? (Non-profit) |

Does the applicant propose that amplified sound be used for event? Yes ___ No ___ If yes, include description:
 hicks

USE REQUESTED (Applicant, review the Public Space Use Policy, then explain what you want to do). we would like to have our eth Grade promotion in this
Space. Thank yow

## It should be noted that it is a public space and your even will not preclude other people from using the space;

 however once approved, no other special events will be permitted at that location while your event is taking place.Approved this $\qquad$ day of $\qquad$ ,20_, by a majority of the Board of Selectmen:

State of Maine

## Department of Administrative and Financial Services Bureau of Alcoholic Beverages and Lottery Operations Division of Liquor Licensing and Enforcement

## Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

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

| Division Use Only |
| :--- |
| License No: |
| Class: $\quad$ By: |
| Deposit Date: |
| Amt. Deposited: |
| Payment Type: |
| OK with SOS: Yes $\square$ No $\square$ |


| Legal Business Entity Applicant Name (corporation, LLC): <br> Choco latte | Business Name (D/B/A): COPITA |
| :---: | :---: |
| Individual or Sole Proprietor Applicant Name(s): | Physical Location: <br> 102 MAIN ST., NORTHEAST HARBOR, ME $04+62$ |
| Individual or Sole Proprietor Applicant Name(s): | Mailing address, if different: <br> PO BOX 10, BAR YARBOR, ME 04609 |
| Mailing address, if different from DBA address: | Email Address: <br> accounts e havanarestarranturoup. |
| Telephone \# Fax \#: | Business Telephone \# Fax \#: (207) 276-8174 |
| Federal Tax Identification Number: $46-5758044$ | Maine Seller Certificate \# or Sales Tax \#: $1207762$ |
| Retail Beverage Alcohol Dealers Permit: CAR 202012739 | Website address: <br> www. copita maine. com |

1. New license or renewal of existing license?

| $\square$ | New | Expected Start date: |
| :--- | :--- | :--- |
| D | Renewal | Expiration Date: 07/06/2023 |

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

Food: $\$ 350,000^{\circ 0}$ Beer, Wine or Spirits: $\$ 75,000 \%$ Guest Rooms: $\qquad$
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
$\nless$ Malt Liquor (beer) $\searrow$ Wine $\not$ spirits
4. Indicate the type of license applying for: (choose only one)
$\not \subset \quad$ Restaurant $\quad \square \quad$ Class A Restaurant/Lounge
(Class I, II, III, IV)
(Class XI)
Class A Lounge
(Class X)
$\square \quad$ Hotel
(Class I, II, III, IV)
Hotel - Food Optional
(Class I-A)

Bed \& Breakfast
(Class V)Golf Course (included optional licenses, please check if apply) $\square$

Auxiliary $\quad \square \quad$ Mobile Cart (Class I, II, III, IV)
$\square \quad$ Tavern
(Class IV)
$\square \quad$ Qualified Caterer

Other: $\qquad$

Self-Sponsored Events (Qualified Caterers Only)

Refer to Section V for the License Fee Schedule on page 9
5. Business records are located at the following address:
102 MAIN STREET, NORTHEAST HARBOR, ME O4662-
6. Is the licensee/applicant(s) citizens of the United States?
7. Is the licensee/applicant(s) a resident of the State of Maine?
$\not \subset$ Yes $\square \quad$ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.
8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?
$\not \subset$ Yes $\square \quad$ No If Yes, complete Section VII at the end of this application
9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?Yes X
NoNot applicable - licensee/applicant(s) is a sole proprietor
10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.


If yes, please provide details: $\qquad$
$\qquad$
11. Do you own or have any interest in any another Maine Liquor License? $\quad \square \quad$ Yes $\quad \square \quad$ No

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

| Name of Business | License Number | Complete Physical Address |
| :--- | :--- | :--- |
| HAVANA RESTAURANT |  | 318 MAIN ST. BAR HARBOR, ME |
| CHART ROOM RESTAURANT |  | 565 EDEN ST., BAR HARBOR, ME |
| ISLESTORD DOCK RESTAURANT |  | 1 MAIN ST. ISLESTORD, ME |

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

| Full Name | DOB |
| :---: | :---: |
| MICHAEL ROLAND | Place of Birth |
| CASSADY PAMPAS | PHILADELPHIA, PA |
| BANGOR, ME |  |

Residence address on all the above for previous 5 years

Name
MICHAEL BOLAND
Name
CASSADY PAPAS
Name CASSADY PAPPAS
Name

Address:
(current) Address:

8 BARBERRY UN, BAR HARBOR, ME If HADLEY POINT RD, BAR HARBOR, ME 2 WALL ST, OTTER CREEK, ME
13. Will any law enforcement officer directly benefit financially from this license, if issued?
$\square \quad$ Yes $\nless$ No
If Yes, provide name of law enforcement officer and department where employed:
14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? $\quad \square \quad$ Yes No

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

Name: $\qquad$ Date of Conviction: $\qquad$
Offense: $\qquad$ Location: $\qquad$

Disposition: $\qquad$
15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? $\square$ Yes 女 No

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

Name: $\qquad$ Date of Conviction: $\qquad$
Offense: $\qquad$ Location: $\qquad$
Disposition: $\qquad$
16. Has the licensee/applicant(s) formerly held a Maine liquor license?

Yes
$\otimes \mathrm{No}$
If No, please provide the name and address of the owner:
STEVE PARADY, 102 MAIN ST., NORTHEAST HARBOR, ME 04662
18. If you are applying for a liquor license for a Hotel or Bed \& Breakfast, please provide the number of guest rooms available: $\qquad$
19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)
FIRST FLOOR ONLY OF A THREE STORY WDD FRAME BVILDING
20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: MOUNT DESERT ELEMENTARY
Distance: $1 / 2$ MILE

## Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.


Signature of Duly Authorized Person
Signature of Duly Authorized Person

MICHAEL BOLANT
Printed Name Duly Authorized Person
Printed Name of Duly Authorized Person

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

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

Dated: $\qquad$
Who is approving this application? $\square$ Municipal Officers of $\qquad$

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

| Signature of Officials | Printed Name and Title |
| :--- | :--- |
|  |  |
|  |  |
|  |  |
|  |  |

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

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

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new onpremises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
A. The bureau shall prepare and supply application forms.
B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.
C.If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.
D.If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.
2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
A.Conviction of the applicant of any Class A, Class B or Class C crime;
B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;
C.Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;
D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

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

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

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and
G.After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.
3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

## A. Repealed

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

## 4. Repealed

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

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

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

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


## Section V: Fee Schedule

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

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

## Class of License Type of liquor/Establishments included <br> Fee

$\begin{array}{lcl}* & \text { For the sale of liquor (malt liquor, wine and spirits) } & \$ 900.00\end{array}+\$ 10$ This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers
Class I-A
For the sale of liquor (malt liquor, wine and spirits)
\$1,100.00
This class includes only hotels that do not serve three meals a day.

Class II For the Sale of Spirits Only \$550.00
This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III For the Sale of Wine Only \$ 220.00
This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.
Class IV For the Sale of Malt Liquor Only
This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges;
Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns;
Pool Halls; and Bed and Breakfasts.

Class III and IV For the Sale of Malt Liquor and Wine Only \$ 440.00
This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

| Class V | For the sale of liquor (malt liquor, wine and spirits) |
| :---: | :---: |$\quad \$ 495.00$

Class X $\quad$ For the sale of liquor (malt liquor, wine and spirits) $\quad \$ 2,200.00$
This class includes only a Class A Lounge
$\begin{array}{ccc}\text { Class XI } & \text { For the sale of liquor (malt liquor, wine and spirits) } & \$ 1,500.00 \\ \text { This class includes only a Restaurant Lounge }\end{array}$

## Section VI Premises Floor Plan

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

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


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

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

## All Ouestions Must Be Answered Completely. Please print legibly.

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

| Name | Address (5 Years) | Date of Birth | Title | Percentage of Ownership |
| :---: | :---: | :---: | :---: | :---: |
| MICHAEL BOLAND | 8 barbierrn Un, barr hrrbor |  | OWNSR | $75 \%$ |
| CASSADY PAPPAS | 16 HADLEM POINT ED. AAR HARGEL |  | owner | $25 \%$ |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

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

The following licenses/permits may be required prior to be licensing as an on-premises licensee with the Bureau

| Obtained $\checkmark$ | License/Permit | State/Federal Agency to Contact | Telephone Number | Physical Location |
| :---: | :---: | :---: | :---: | :---: |
|  | Seller Certificate or Sales Tax Number | Maine Revenue Services www.maine.gov/revenue | $\begin{array}{\|l\|} \hline(207) \\ 9693 \\ \hline \end{array}$ | 51 Commerce Dr, Augusta |
|  | Health License | Health and Human Services www.maine.gov/dhhs | $\begin{aligned} & \text { (207) } 287 \\ & 5671 \end{aligned}$ | $286 \text { Water St, } 3^{\text {rd }} \text { floor, }$ Augusta |
|  | Victualer's License | Municipality where premise is located. | Contact your town office or county office | Contact your town office or county office |
|  | Shellfish License | Marine Recourses www.maine.gov/dmr | $\begin{aligned} & \text { (207) 624- } \\ & 6550 \end{aligned}$ | - 32 Blossom Lane, Augusta <br> - 194 McKown Point Rd, West Boothbay Harbor <br> - Lamoine State Park, Lamoine <br> - 650 State St, Bangor <br> - 317 Whitneyville Rd, Jonesboro |
|  | Dance or Entertainment License | Fire Marshall's Office www.maine. gov/dps/fmo | $\begin{aligned} & \text { (207) 626- } \\ & 3882 \end{aligned}$ | 45 Commerce Drive, Suite 1, Augusta |
|  | Federal I.D. <br> Number | www.irs.gov | $\begin{aligned} & (800) 829- \\ & 4933 \end{aligned}$ |  |
|  | Legal business names for corporations and limited liability companies and "Doing Business As" Names (assumed names) | Secretary of State, Bureau of Corporations, Elections and Commissions www.maine.gov/sos/cec | $\begin{aligned} & (207) 624- \\ & 7752 \end{aligned}$ | $111 \text { Sewall St, } 3^{\text {rd }} \mathrm{Fl} \text {, }$ Augusta |
|  | Retail Beverage Alcohol Dealers Permit | Alcohol and Tobacco Tax and Trade Bureau (TTB) https://www.ttb. gov/nrc/retail-beverage-alcohol-dealers | $\begin{aligned} & \text { (877) 882- } \\ & 3277 \end{aligned}$ |  |

# Department of Administrative and Financial Services <br> Bureau of Alcoholic Beverages and Lottery Operations <br> Division of Liquor Licensing and Enforcement 

Telephone: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: maineliquor@maine.gov

Thank you for your interested in becoming a licensed establishment to sell and serve alcoholic beverages in Maine. To avoid any delay in the processing of your application and the subsequent issuance of your liquor license, please use the following checklist to assist you in completing the application. If you are renewing your license, this checklist is useful as well.

ゆ. Your application has been completed in its entirety and is legible. For a renewal, please submit your application 30 days prior to the expiration date of your liquor license.
$\square \quad$ Your application is signed and dated by a duly authorized person.The application is signed and approved by the Town or City Municipal Officers or County Commissioners.
The license fee submitted is for the correct fee for the license class for which you are applying and includes the $\$ 10.00$ filing fee.
$\square \quad$ The check must be made payable to "Treasurer, State of Maine"; both the license and filing fees can be submitted on one check.
$\square \quad$ If the licensee/applicant(s) is in an unorganized township, the application must be approved by the County Commissioners and the $\$ 10.00$ filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
$\square \quad$ For a renewal, the dollar amount of your gross income for food, liquor and guest rooms, if applicable must be completed - see Section I. 1
$\square \quad$ A diagram of the facility to be licensed must accompany all applications whether for a new license or the renewal of an existing license
$\square \quad$ If you are a registered business entity with the Maine Secretary of State's office like a corporation or a limited liability company, you must complete Section VII of the application. This does not need to be completed if you are a sole proprietor.
$\square \quad$ Have you applied for other required licensing from other state and federal agencies? See attached list.
Important - all applications whether for a new license or to renew an existing license for an on-premises liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places to have their application approved and signed prior to submitting it to the Bureau for further consideration.

The address to send your completed application to:

1. Mailing address:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station
Augusta, ME 04333-0008
2. Courier/overnight address:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
19 Union Street, Suite 301-B
Augusta, ME 04330

Annual Town Meeting Minutes<br>Town of Mount Desert<br>May 1 \& 2, 2023<br>Secret Ballot Election<br>Town Hall Meeting Room;<br>21 Sea St., Northeast Harbor<br>And<br>Open Floor Town Meeting<br>Neighborhood House<br>1 Kimball Road, Northeast Harbor, Maine

Town Clerk Claire Woolfolk called the meeting to order at fifty minutes past seven o'clock in the forenoon, May 1, 2023. Printed copies of the Warrant and Town Report were made available.

Article 38. 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 F (pgs. 60-62) 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.

The Warrant Committee moved and seconded to recommend passage of Article 38 as written. A voice vote was called, and it was the opinion of the moderator that Article 38 passed as presented.

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 $\$ 210,000.00$ 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 G (pg. 63) for a map showing the proposed Project area.

The Warrant Committee moved and seconded to recommend passage of Article 39 as written. A voice vote was called, and it was the opinion of the moderator that Article 39 passed as presented.

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 \$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 H (pgs. 64-65) for maps showing the proposed Project areas.

The Warrant Committee moved and seconded to recommend passage of Article 40. Questions were asked and answered by Brian Henkel, Public Works Director. A voice vote was called, and it was the opinion of the moderator that Article 40 passed as presented.

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 $\$ 900,000.00$ 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 I (pg. 66) for a map showing the proposed Project areas.

The Warrant Committee moved and seconded to recommend passage of Article 41. A voice vote was called, and it was the opinion of the moderator that Article 41 passed as presented.

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 $\$ 360,000.00$ 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 J (pg. 67) for a map showing the proposed Project areas.

The Warrant Committee moved and seconded to recommend passage of Article 42 as written. Comments made, and questions were asked and answered by Jacob Wright. A voice vote was called, and it was the opinion of the moderator that Article 42 passed as presented with one abstention.

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 $\$ 250,000.00$ 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-lineal 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 K (pg. 68) for a map showing the proposed Project areas.

The Warrant Committee moved and seconded to recommend passage of Article 43. A voice vote was called, and it was the opinion of the moderator that Article 43 passed as presented.
-
-
-
Duly recorded:


Claire Woolfolk, Town Clerk
Town of Mount Desert

Attest: A True Copy

Town Clerk, Mount Desert


# 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: May 10, 2023
Re: Acceptance of Gift from the NEHAS

I would like to make a request that the Board of Selectman consider accepting a conditional gift from the Northeast Harbor Ambulance Service to the Mount Desert Fire Department in the way of ballistic vests and helmets, with a value of $\$ 6,544.48$.

These vests and helmets are essential in offering protection to our paramedics and EMTs during specific responses as a recent local event has demonstrated. Accepting the donation of these protective vests and helmets would allow authorized staff to respond to incidents where we may need to work closely with the police while there may still be an active threat. And although still uncommon, direct assaults on paramedics and EMTs responding to routine calls have been on the rise nationwide.

There should be little, or no maintenance or service cost associated with this gift, but due to the value I will be adding the replacement costs of these to the fire department's CIP. Expected service life is unknown right now.

We are grateful to the Northeast Harbor Ambulance Service for their continued support towards our EMS operations.

Thank you.

## RESCUE ESSENTIALS

GSA Contract: GS-07F-0188Y
CAGE: 0H542
DUNS: 10-587-8292
EIN: 26-3669072

3811 International Blvd. NE STE 100
Leland, NC 28451
Phone: 910-830-0286
Fax: 866-710-4356

QUOTE
QUOTE \# 6013191
PROFORMA QUOTATION

Page $1 / 1$

## BILL TO:

Mount Desert Fire Department
Benjamin Wallace
21 Sea Street
Northeast Harbor, ME 04662
P: 2074794158

## SHIP TO:

Mount Desert Fire Department
Benjamin Wallace
21 Sea Street
Northeast Harbor, ME 04662
P: 2074794158

| Customer ID | Ship Via |  | Sales Rep |  |
| :---: | :---: | :---: | :---: | :---: |
| REMOUNMEFD | BEST WAY - QUO | APV | PREPAY CC | $4 / 11 / 2023$ |


| Quantity | UOM | Item \# | Description | Unit Price | Extended Price |
| ---: | :--- | :--- | :--- | ---: | :--- |
|  |  |  | (NSI) NAR RESPONDER BALLISTIC PPE |  |  |
| 4 | EACH | $70-0304$ | VEST SYSTEM - NAVY | $\$ 1,420.79$ | $\$ 5,683.16$ |
| 4 | EACH | $70-1752$ | (NSI) NAR NIJ Ballistic Helmets - Full Cut - |  |  |


| Subtotal | $\$ 7,642.92$ |
| ---: | ---: |
| Misc | $\$ 0.00$ |
| Tax | $\$ 357.31$ |
| Freight | $\$ 48.00$ |
| Discount | $\$ 1,146.44$ |
| Total | $\$ 6,901.79$ |

PRICES QUOTED ARE FIRM FOR 30 DAYS FROM THE ABOVE DATE This is not an invoice; do not use to make payment.

Sales Tax may be applied when applicable. Please provide your sales rep with your tax exempt certificate to have your account updated accordingly.


# 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: May 11, 2023
Re: Station 2 Rental Waiver

I would like to make a request that the Board of Selectman consider waiving the rental fee for Mount Desert Island Search and Rescue (MDISAR) to utilize the Seal Harbor fire station for a few days in October of this year. The purpose of the use is to conduct rope rescue training for their staff. The dates are October $14^{\text {th }}$ through the $17^{\text {th }}$ and October $19^{\text {th }}$ through the $22^{\text {nd }}$. There is no scheduling conflict with any other events for those dates.

MDISAR is a non-profit organization made up of volunteers who provide search and rescue assistance on MDI and surrounding communities. We have called on them many times in the past to support us in technical rescues. MDISAR has also conducted several training classes for our firefighters in low angle and redirection rope rescue.

Thank you.


# 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: May 11, 2023
Re: Offering the 2013 Ambulance to NEHAS

I would like to make a request that the Board of Selectman consider offering the 2013 Ford/P L Custom ambulance back to the Northeast Harbor Ambulance Service (NEHAS) for the cost of \$1.00. In the Agreement to Convey signed by both parties last year in which ownership was transferred from the NEHAS to the Town, there is a clause stating that "While not a requirement of the transfer, The NEHAS has asked the Inhabitants of the Town of Mount Desert that when the Town has decided to no longer use this ambulance as an ambulance, it will give the NEHAS , or its successor or assigns, a right to repurchase the ambulance for $\$ 1.00$.

The fire department no longer has use for this vehicle since the new ambulance was delivered. Currently we have two in service and will be able to use Bar Harbor Fire Department's spare ambulance as a backup in the event one of ours goes out of service for an extended time.

Thank you.

## Memorandum

## To: Board of Selectmen

From: Brian Henkel, Public Works Director
Re: Otter Creek Boat Landing Feasibility Study
Date: May 11, 2023

The Town of Mount Desert contracted with G.F. Johnston \& Associates to develop a feasibility study (Study) for improvements to the existing Otter Creek Boat landing (Landing). The process steps of the Study included gathering baseline information related to the current condition, gathering stakeholder input, the development of potential modifications to improve launch access, and the assessment of environmental, permitting, and cost impacts of those potential modifications. Included with this memo is the completed feasibility study which assessed two potential modifications.

The existing Landing is comprised of an approximately twenty foot wide, 270 foot long, single lane of travel from Grover Avenue to the Inner Cove Ramp with grades as steep as 18 percent. The only practical way to launch a boat from a trailer at this Landing is to back down the entirety of the travel lane. The narrowness of the travel lane combined with the steep slope makes launching a boat a significant challenge with the risk of damage or injury. The inner cove itself is surrounded by similarly steep slopes, most of which are part of Acadia National Park (Park) leaving the existing Landing the only available location for access to the inner cove.

One potential modification considered in the Study is the installation of a "Loop Roadway" that would convert the existing roadway into a loop that allows a vehicle and trailer to fully turn around such that the trailer is pointed toward the Inner Cove Ramp. After launching, the vehicle and trailer can then exit from the Inner Cove Ramp using the existing travel lane. Using typical standards for the design of roadways for vehicles and trailers the Loop Roadway option would require a nearly 50 -foot vertical cut through the existing topography, the purchase or donation of approximately 14,300 square feet of land from the Park, and the construction of very large scale retaining walls within the Loop Roadway cut. Due to the infeasibility of the Loop Roadway option, an opinion of probable cost was not developed.

A second modification option that was considered adds a turning "Tee" to the existing lane of travel near the Inner Cove Ramp. The Tee option would require a vehicle to drive in forward, toward the Inner Cove Ramp and then turn to the right to get the trailer more closely aligned to the Inner Cove Ramp. To launch, the trailer would then have to be backed along a radius toward the Inner Cove Ramp. The vehicle and trailer would then exit up the existing lane of travel. The Tee option also requires a significant vertical cut of approximately 30 feet, the purchase or donation of approximately 3,000 square feet of land from the Park, and the construction of a very large scale retaining wall. Additionally, the Tee option, due to the proximity to the high tide line, requires significantly more permitting and
coordination with state, federal, and tribal agencies. The increase in access to the Inner Cove Ramp is not significantly improved with the Tee option. The average boater attempting to use the Tee option would still face a trailer turning challenge requiring a high degree of skill. An opinion of probable cost was developed for the Tee option at approximately $\$ 350,000$ exclusive of land costs or ledge removal which potentially add significantly to that opinion.

There are no options for improvements to the Otter Creek Boat Landing that don't require significant excavation in the Shoreland Zone, difficult land acquisition, extensive permitting, and high costs.
Additionally, any modifications made result in only small improvements to the usability of the Otter Creek Boat Launch largely due to the constraints of the site topography. Public Works makes no recommendation for further consideration of improvements to the Otter Creek Boat Landing.

## Cc: Durlin Lunt, Town Manager <br> Claire Woolfolk, Town Clerk

G.F. Johnston \& Associates<br>Consulting Civil Engineers<br>12 Apple Lane, P.O. Box 197 Southwest Harbor, Maine 04679<br>207-244-1200 Phone /Fax

May 11th, 2023
Brian Henkel
Town of Mount Desert
Public Works Director
PO Box 248
Northeast Harbor, ME 04662

RE: Otter Creek Boat Landing Access Feasibility

## Dear Brian:

As requested, we have visited the property to assess options for improved vehicular access to and from the boat launch. At present vehicles need to turn around within the public way and back down ten-foot gravel drive approximately 270 feet to launch any boat or kayak. The slope along this gravel drive is fixed. The slope along the existing gravel drive has sections approaching $18 \%$. The elevation of the public way is fixed, and the tide is fixed, and the road is linear without switch backs to navigate the slope. The road to the launch is restricted and contained within a twenty-foot strip of land.
Surrounding this parcel is ANP on all sides.
In order to develop baseline conditions a registered surveyor located natural features, shoreline, trees and one foot contour intervals. Following compiling the existing conditions we developed two "most probable" schematic approaches to improve
 access. In developing the two options we used an industry standard turn radius between $30^{\prime}-40^{\prime}$ feet for a vehicle with a boat trailer. The space required under the physical conditions determined from the survey with these vehicle relationships were tested in the topography and coastal wetland setbacks to assess effectiveness. Certainly, less ideal standards can be used (smaller radii), in challenging circumstances, with less than ideal results for maneuverability. The application of a less than desirable standard could be assessed, however for a threshold evaluation of feasibility the nominal turn radii were used for comparison purposes. The two scenarios reviewed were the construction of a full "Loop," where one way of travel could be used for access, then a back in and direct launch. The second method would be a "Tee" configuration where a vehicle would drive into the "Tee" space provided for vehicle and trailer and back into the boat. The "Loop" and "Tee" comparative options are shown on the attached grading study plans and further discussed below.

## Soils

The site inspection shows, and the Hancock County Soil Survey confirms that the soils are a of loose topsoil on top of a silt loam identified as Buxton complex. The soils are typically high for runoff potential due to lack of infiltration and steep slopes. Onsite it is apparent the lower edges of the slope have some erosion supporting the data contained within the soil survey. The hillside has several large cobbles stones protruding ( 24 " diameter and larger) and no ledge outcrops were observed within the slope, only at the shore. The depth to bedrock restrictive layer by the survey indicates depths greater than eighty." The implication of this soil is that although there is less indication of ledge removal for excavation the silt loam profile in steep slope indicates an elevated potential for erosion. Design considerations for dewatering below grade and elevated surface treatments with hardscape in the form of rip rap in lieu of vegetation would be considered in any final design. The soils background data is attached to this report for further reference.

## Loop Concept

The loop concept requires ANP land swap. The area including excavation and grading would encompass approximately 14,300 square feet in land exchange. Shoreland Zoning rules recommend the access be limited to $10 \%$ to minimize potential for erosion. A loop concept using ideal turn radius and compliant slope gradients requires significant, vegetation removal, excavation, and wall construction. The study shows that an earth cut for construction of the loop approaches twenty-four vertical feet. The Shoreland Zoning standards require that the cleared opening for development be $25 \%$ of the lot area or 10,000 square feet. In order to reduce clearing for vehicular access the construction of vertical walls would be used to mitigate impacts. The walls may be segmented precast walls similar in construction to the fixed dock at the bottom of the landing. In our cursory review of the area, it seems not practical to remain compliant with shoreland standards without the use of walls. However, the definitive answer to this question would lie in the theoretical area of land exchanged with ANP to form the denominator of the allowable $25 \%$ clearing within the shoreland area.

Permitting requirements would include local conditional use approval by the Planning Board. This would be triggered by greater than five hundred cubic yards of fill and may be qualified as an outdoor recreational facility. The standards for conditional use approval require a definitive decision by the Planning Board that the use is compatible with other uses within the district. This portion of the property is presently in ANP and has no other specific Town land use district designation, other than shoreland zoning. The permitting requires Maine Department of Environmental Protection permitting for soil disturbance within seventy-five feet of the shore. The MDEP permitting would be a permit by rule for activities in adjacency ( not within) protected resources. While onsite we observed no wetlands in this steep upland area, that would require permitting by Army Corp of engineers. The State permitting, we believe would be procedural and not prohibitive. Conditional use permitting on the local level has many facets that could prove challenging. The slopes proposed for this cut are in areas exceeding $20 \%$. The area directly adjacent to this site has been officially designated as a resource protection zone due to steep slopes, however this site was not zoned as such in spite its topography is very similar to the adjacent resource protection area. By reviewing the steep slopes under the loop scenario, it becomes apparent that a turn around that avoids these cuts, and steeper gradients may be more
appropriate for development. The evaluation of the loop pitfalls lead us to the truncated "Tee" version explored below.

## Tee Concept

This option allows a vehicle to drive forward off Grove Drive directly to the base of the hill make a radial turn, south into a constructed space forty feet deep that is radial to the existing launch. A vehicle with trailer could then back into the launch, launch and drive directly out facing uphill. The "Tee" concept requires ANP land swap. The area including excavation and grading would encompass approximately three thousand square feet in land exchange.

The "Tee" can occur much lower in the site and closer to the launch. By lower proximity to the launch the grading required in the hillside is greatly reduced. The tee is graded at a $6 \%$ back into the slope and results in maximum cut of fourteen feet on the high side. The lower side has cuts from three feet to eight feet. To minimize clearing vertical transitions using could be used.

The local permitting for this concept would be similar to the above, where a conditional use approval of the Planning Board would be required. Because the "Tee" configuration is lower on the hill, closer to the existing launch, some disturbance to the coastal wetland would occur. In this instance Maine DEP Natural Resource Protection Act permit (NRPA) would be applied for. Similarly, as a waterbody of the United States would be impacted permitting from the Army Corp of Engineers is required. The process also requires approval of timing from Department of Marine Resources and review by Maine Indian Tribes, Maine Historical Preservation Commission, Inland Fisheries and Wildlife, US Fish and Wildlife, and Maine Department of Conservation. This impact is minor in this instance and though there is stringent review of the project by multiple agencies we believe it would be successful. The "Tee" would employ permanent stabilization of the ongoing erosion. The minor permanent impact would have to be weighed against the benefits and permanent correction of an ongoing, reoccurring impact from sedimentation deposit.

## Costs

The larger loop seems not practical for area of impact and the depth of cut for the simple access. To establish a range or scale of costs we prepared and estimate of the "Tee" concept for a sense of probable costs. Using the developed plan we established cut volumes for excavation, cubic yards of backfill along with square feet of wall face needed. As full design has not been performed, they are just estimates. We did, however, use unit costs from recent MDOT and locally bid projects. The estimate construction cost for a paved "Tee" configuration is $\$ 350,000$. This includes paving but excludes any ledge removal on land acquisition costs. A detailed breakdown of the estimate is included with this report.

## Common Considerations

The enlargement of the area for better vehicle access should be considered, the improvements would have an increase in traffic. The precise numbers of trips generated by a better facility greatly depend on marketing and management policies for the facility. We have reviewed the Harbor Ordinance and can assert that the landing is not part of or regulated by the standards
within the Harbor Ordinance. This landing is excluded as a regulated harbor by the Harbor Master in accordance with the Harbor Ordinance.

The potential for the turn-around described above would also need to be considered land available for off-street parking. The Land Use Ordinance states:
"Adequate size. Parking areas shall be adequately sized for the proposed use
 and shall be designed to prevent stormwater runoff from flowing directly into a water body, tributary stream or wetland and where feasible, Setback from water. Parking areas shall meet the shoreline and tributary stream setback requirements for structures for the district in which such areas are located, except that in the Shoreland Commercial District parking areas shall be set back at least twenty-five (25) feet, horizontal distance, from the shoreline. The setback requirement for parking areas serving public boat launching facilities in Districts other than the Shoreland Commercial District shall be no less than fifty (50) feet, horizontal distance," Board finds that no other reasonable alternative exists further from the shoreline or tributary stream. " Because adequate parking is a requirement, and it needs to meet the setback provisions any land exchange with ANP should consider off street parking to obtain the conditional use permit. Upon further communications with the Board, we are available to explore the space needed for parking.

In closing we believe that the slope constraints and soils would confine an effective turn around to the base of the slope near the existing bulkhead. The construction of the facility is possible and would employ some form of walls, stone or otherwise for grade considerations. The grading transitions would be necessary to not only minimize the vegetation impacts, but also the area required for a land swap with ANP. The improvement of the launch should be considered with the long-term planning goals in accordance with the comprehensive plan and neighborhood stakeholders. We trust that this document provides background information to the Board to foster decisions and policy development. Upon direction from the Board, we would be glad to answer any questions or further develop beyond concept means to improve access to the waters of Otter Creek.

Sincerely,


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



SCALE: $1^{\prime \prime}=60^{\prime}$
G.F. Johnston \& Associates

Consulting Civil Engineers

## BwD-Buxton silt loam, 15 to $\mathbf{3 0}$ percent slopes, eroded

This very deep, hilly, moderately well drained soil is in coastal lowlands and river valleys that are dissected by streams and drainageways, many of which have a
series of eroded gullies. Slopes are complex. Areas range from 5 to 50 acres.

Typically the surface layer is dark brown silt loam about 4 inches thick. The subsoil is about 27 inches thick. It is dark yellowish brown silt loam in the upper part; mottled, light olive brown silty clay loam in the middle part; and mottled, olive silty clay in the lower part. The substratum is mottled, olive gray silty clay to a depth of 65 inches or more.

Included with this soil in mapping are small areas of Nicholville soils and soils formed in marine sediments that have 18 to 35 percent clay. Also included are Buxton soils with complex slopes of more than 30 percent. included soils make up about 25 percent of the mapped acreage.

A perched high water table is commonly at a depth of 1.5 to 3 feet in this Buxton soil from late fall to late spring. Permeability of the soil is moderate or moderately slow in the surface layer, moderately slow or slow in the upper part of the subsoil, and slow or very slow in the lower part of the subsoil and in the substratum. Runoff is rapid. Available water capacity is high.

Most areas of this soil are woodland. Some areas are in hay and pasture or idle fields that are reverting to woodland.

This soil is well suited for woodland and is best suited for softwood production. The main tree species are white spruce, balsam fir, hemlock, and red maple. White pine plantings on this soil produce well, but require considerable management to reduce competition from other species. The abundant natural reproduction of spruce and fir makes this soil well suited for pulpwood production. The main limitations are the high water table, plant competition, and erosion hazard. Windthrow hazard is moderate on this soil because the high water table cause trees to be shallow rooted. Strip cutting or clearcutting will expose fewer trees to the wind and will help to prevent windthrow. Competition from the hardwoods may require suppression by weeding and thinning to enhance the growth of softwood stands. Erosion can occur on skid trails and roads. Erosion can be reduced by locating the skid trails and roads on the contour and by using water bars on roads.

This soil is poorly suited for hay and pasture. The main limitations are erosion hazard, slope, and the high water table. Use of proper stocking rates, pasture rotation, and restricted grazing during wet periods help to keep the pasture in good condition and to protect the soil from erosion. Equipment use is restricted by the steep slopes.

This soil has severe limitations for commercial and
residential uses because of the high water table, slow permeability, frost action, and slope.

## Hancock County Area, Maine

## BwD—Buxton silt loam, 15 to 25 percent slopes

Map Unit Setting

National map unit symbol: 2x1bz
Elevation: 10 to 490 feet
Mean annual precipitation: 33 to 60 inches
Mean annual air temperature: 36 to 52 degrees $F$
Frost-free period: 90 to 160 days
Farmland classification: Not prime farmland

## Map Unit Composition

Buxton and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

## Description of Buxton

## Setting

Landform: Marine terraces, river valleys
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Fine glaciomarine deposits

## Typical profile

Ap-0 to 7 inches: silt loam
Bw1-7 to 18 inches: silt loam
Bw2 - 18 to 23 inches: silty clay loam
$B C-23$ to 35 inches: silty clay loam
C-35 to 65 inches: silty clay
Properties and qualities
Slope: 15 to 25 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low
to moderately low ( 0.00 to $0.14 \mathrm{in} / \mathrm{hr}$ )
Depth to water table: About 17 to 24 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline ( 0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 9.1 inches)
Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: C/D
Ecological site: F144BY402ME - Clay Hills
G.F. Johnston \& Associates

Consulting Civil Engineers

Engineer's Estimate - Tee Config Otter Creek




| From: | Joelle Ingalls [JIngalls@eatonpeabody.com](mailto:JIngalls@eatonpeabody.com) |
| :--- | :--- |
| Sent: | Wednesday, May 10, 2023 3:16 PM |
| To: | Elizabeth Yeo |
| Cc: | Michael Tadenev |
| Subject: | Corrective Municipal Quitclaim Deeds |
| Attachments: | Corrective Municipal Quitclaim Deed (04580881xAE394).DOC; Corrective Municipal |
|  | Quitclaim Deed (04582300xAE394).DOC; Quitclaim Deed with Covenant |
|  | (04580685xAE394).PDF; Quitclaim Deed with Covenant (04580680xAE394).PDF |
|  |  |
| Follow Up Flag: | Follow up |
| Flag Status: | Flagged |
|  |  |
| Categories: | Red category |

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.

Hi Elizabeth,

Attached hereto are two Municipal Quitclaim Deeds for the Selectboard to consider and hopefully sign. We determined through our title search that at the time of the original Deed, Mrs. Biddle was already deceased.

The purpose of this deed is to release any interest Grantor may have in the land retained under and by virtue of the Municipal Quit Claim Deed Without Covenants in which a deceased person was included as Grantee.

This deed is given to the correct the aforementioned Municipal Quit Claim Deed Without Covenants given by Grantor dated July 20, 2020 and recorded in said Registry in Book 7039, Page 353.

The property was divided and sold Monday by Timmy Town, LLC to two new owners - Deeds of conveyance attached here. We are asking for the corrective deeds to be executed releasing any interest retained to the new owners as a title clearing measure and a requirement from our title underwriter. Please let me know if you have any questions or concerns. Thank you!

## Joelle Ingalls

Paralegal
Eaton Peabody
204 Main Street

Ellsworth, ME 04605
Tele: 207-664-2900
Professional Profile | Website

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## Corrective Municipal Quitclaim Deed

Inhabitants of the Town of Mount Desert, a municipal corporation and body politic created and existing under the laws of the State of Maine and located in Hancock County, Maine, for consideration paid, release to Joan W. Mackie, Trustee of the 2006 Joan W. Mackie Revocable Indenture of Trust of Villanova, Pennsylvania, whose mailing address is 800 Godfrey Road, Villanova, PA 19085, all right, title and interest in certain land in Mount Desert, Hancock County, Maine described in Exhibit A attached hereto and incorporated herein by reference, which is a portion of property acquired pursuant to the liens assessed against Gardiner S . Biddle and Margaret M. Biddle dated July 8, 2005 and May 26, 2006, recorded in the Hancock County Registry of in Book 4239, Page 319 and Book 4498, Page 89, respectively. Reference is hereby made to Map 24, Lot 112 on the tax maps for the Town of Mount Desert.

Reserving all public easements or other public interests in the above-described land for roads, sewers, or other purposes.

The purpose of this deed is to release any interest Grantor may have in the above-described parcel of land retained under and by virtue of the Municipal Quit Claim Deed Without Covenants in which a deceased person was included as Grantee.

This deed is given to the correct the aforementioned Municipal Quit Claim Deed Without Covenants given by Grantor dated July 20, 2020 and recorded in said Registry in Book 7039, Page 353.

In Witness Whereof, the Inhabitants of the Town of Mount Desert have caused this instrument to be signed in its corporate name by Martha T. Dudman, Wendy Littlefield, John B. Macauley, Rick Mooers, Geoffrey Wood, its Municipal Officers, thereunto duly authorized this day of $\qquad$ , 2023.

Inhabitants of the Town of Mount Desert
By:
Martha T. Dudman, Selectboard Member
By:
Wendy Littlefield, Selectboard Member
By:
John B. Macauley, Selectboard Member
By:
Rick Mooers, Selectboard Member
By:
Geoffrey Wood, Selectboard Member

## Corrective Municipal Quitclaim Deed

Inhabitants of the Town of Mount Desert, a municipal corporation and body politic created and existing under the laws of the State of Maine and located in Hancock County, Maine, for consideration paid, release to SuSAN NitZe of New York, New York, whose mailing address is 1 West $72^{\text {nd }}$ Street, New York, NY 10023, all right, title and interest in certain land in Mount Desert, Hancock County, Maine described in Exhibit A attached hereto and incorporated herein by reference, which is a portion of property acquired pursuant to the liens assessed against Gardiner S. Biddle and Margaret M. Biddle dated July 8, 2005 and May 26, 2006, recorded in the Hancock County Registry of in Book 4239, Page 319 and Book 4498, Page 89, respectively. Reference is hereby made to Map 24, Lot 112 on the tax maps for the Town of Mount Desert.

RESERVING all public easements or other public interests in the above-described land for roads, sewers, or other purposes.

The purpose of this deed is to release any interest Grantor may have in the above-described parcel of land retained under and by virtue of the Municipal Quit Claim Deed Without Covenants in which a deceased person was included as Grantee.

This deed is given to the correct the aforementioned Municipal Quit Claim Deed Without Covenants given by Grantor dated July 20, 2020 and recorded in said Registry in Book 7039, Page 353.

In Witness Whereof, the Inhabitants of the Town of Mount Desert have caused this instrument to be signed in its corporate name by Martha T. Dudman, Wendy Littlefield, John B. Macauley, Rick Mooers, Geoffrey Wood, its Municipal Officers, thereunto duly authorized this $\qquad$ day of $\qquad$ , 2023.

# Inhabitants of the Town of Mount Desert 

By:
Martha T. Dudman, Selectboard Member
By:
Wendy Littlefield, Selectboard Member
By:
John B. Macauley, Selectboard Member
By:
Rick Mooers, Selectboard Member
By:
Geoffrey Wood, Selectboard Member

# MUNICIPAL QUIT, CLAIM DEED WITHOUT COVENANTS 

KNOW ALL PERSONS BY THESE PRESENTS THAT the Inhabitants of The Town of Mount Desert, a body corporate and politic located in Hancock County, State of Maine, for consideration paid, release to Gardiner S Biddle and Margaret M Biddle a certain parcel of land with building thereon, if any, located in the Town of Mount Desert Hancock County, State of Maine, identified as follows: Town Tax Map 024, Lot 112 on the Tax Maps of the Municipality of the Town of Mount Desert on file in-the Office of the Assessor at Northeast Harbor, Maine. The Municipality of the Town of Mount Desert has acquired its interest in said parcel of land through automatic foreclosure of a lien dated July 8, 2005 recorded in Book 4239 Book 319 and of a lien dated May 26, 2006 recorded in Book 44.98, Page 89 of the Hancock County Registry of Deeds, and hereby only releases the Town's interest acquired by said liens.

The Inhabitants of the Municipality of the Town of Mount Desert have-caused this instrument to be signed in its corporate name by John B Macauley, Matthew J'Hart,-Martha T Dudman, Wendy H Littlefield and Geoffrey V Wood its Municipal Officers duly authorized.
Witness our hands and seal this 20th day of July, INHABITANTS OF THE TOWN OF MOUNT


Selectman Marth T Dudman


## ACKNOWLEDGEMENT

State of Maine
Date: July 20, 2020
Hancock County, ss.
Then personally appeared before me the above-named Municipal; Officers of the Town of Mount Desert, and acknowledged the foregoing to be their free act and deed in their said capacity and free act and deed of the Inhabitants of said Municipality.


Claire Woolfolk, Notary Public
My commission expires: April 9, 2022

## TREASURER'S

## WARRANTS

Description \# Date Amount
A. Warrants to be Approved and Signed:

Town Invoices
AP\#2374 05/16/23 601,014.84
\$ 601,014.84
B. Authorized Warrants to be Signed: (Wendy needs to abstain)
(Prior Electronic or Manual Authorization )
Town State Fees \& P/R Benefits

| AP\#2372 | $05 / 03 / 23$ | $\$$ | $130,928.08$ |
| :--- | :--- | :--- | ---: |
| AP\#2373 | $05 / 11 / 23$ | $\$$ | $9,833.24$ |

Town Payroll
PR\#2326 05/12/23 \$ 143,753.17
\$ 284,514.49
C. Warrants to be Acknowledged:

School Invoices
AP\#11 5/3/23 \$ 61,244.62

## School Payroll

PR\#23 05/12/23 \$ 95,374.05

## Town Voids

\$ 156,618.67

TOTAL WARRANTS FOR BOS MEETING

|  |  |  |  |  |  | $0$ | munis <br> a tyler erp solution |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $\begin{aligned} & \text { 05/11/2023 13:55 } \\ & \text { 6905jwri } \end{aligned}$ | Town of Mount Desert YEAR-TO-DATE BUDGET REPORT |  |  |  |  |  | $\left\lvert\, \begin{array}{lr} \mathrm{P} & 1 \\ \mathrm{glytdbud} \end{array}\right.$ |
| FOR 202313 |  |  |  |  |  |  |  |
| ACCOUNTS FOR: $100 \quad$ General FundORIGINAL APPROP <br> REVISED BUDGET |  | YTD EXPENDED | MTD | EXPENDED | ENCUMBRANCES | AVAILABLE BUDGET | \% USED |
| 200 Governing Body |  |  |  |  |  |  |  |
| 201 Municipal Management | 396,971.00 | 338,448.17 |  | 0.00 | 0.00 | 58,522.83 | 85.3\% |
| 202 Town Clerk 123,582.00 |  |  |  |  |  |  |  |
|  | 134,432.28 | 110,905.29 |  | 0.00 | 0.00 | 23,526.99 | 82.5\% |
| 03 Elections $22,250.00$ | 22,250.00 | 6,293.45 |  | 0.00 | 0.00 | 15,956.55 | 28.3\% |
| 204 Planning Board $51,509.00$ | 87,186.00 | 11,352.26 |  | 0.00 | 0.00 | 75,833.74 | 13.0\% |
| 205 Finance 249,317.00 |  |  |  |  |  |  |  |
| 206 Assessing 134,141.00 | 249,317.00 | 221,352.13 |  | 0.00 | 0.00 | 27,964.87 | 88.8\% |
|  | 134,141.00 | 113,527.42 |  | 0.00 | 0.00 | 20,613.58 | 84.6\% |
| 207 Code Enforcement $182,524.00$ | 182,524.00 | 151,800.56 |  | 0.00 | 0.00 | 30,723.44 | 83.2\% |
| 208 Unallocated ${ }_{103,100.00}$ | 103,100.00 | 49,002.13 |  | 0.00 | 0.00 | 54,097.87 | 47.5\% |
| 209 Human Resources $40,320.00$ | 40,320.00 | 1,759.99 |  | 0.00 | 0.00 | 38,560.01 | 4.4\% |
| 210 Technology 201,731.00 | 201,731.00 |  |  | 0.00 | 0.00 |  |  |
| 300 General Assistance 350 Rural Wastewater Support | 201,731.00 | 143,001.51 |  |  |  | 58,729.49 | 70.9\% |
|  | 5,000.00 | 0.00 |  | 0.00 | 0.00 | 5,000.00 | . $0 \%$ |
|  | 205,805.00 | 189,505.00 |  | 0.00 | 0.00 | 16,300.00 | 92.1\% |
| 401 Police $1,058,095.00$ | 1,122,130.00 | 914,823.12 |  | 0.00 | 0.00 | 207,306.88 | 81.5\% |
| 403 Fire 1,997,088.00 |  |  |  |  |  |  |  |
| 404 Hydrants 273,500.00 | 1,997,673.00 | 1,426,572.15 |  | 0.00 | 0.00 | 571,100.85 | 71.4\% |
|  | 273,500.00 | 273,500.00 |  | 0.00 | 0.00 | 0.00 | 100.0\% |
| 405 Shellfish Conservation 3,250.00 | 3,250.00 | 0.00 |  | 0.00 | 0.00 | 3,250.00 | .0\% |
| 406 Street Lights $10,500.00$ | 10,500.00 | 7,694.55 |  | 0.00 | 0.00 | 2,805.45 | 73.3\% |
| 407 Animal Control $5,000.00$ | 5,000.00 | 70.01 |  | 0.00 | 0.00 | 4,929.99 | 1.4\% |
| 408 Comunication $398,857.00$ | 411,089.00 | 237,332.39 |  | 0.00 | 0.00 | 173,756.61 | 57.7\% |
| 409 Emergency Management$1,000.00$ | 11,089.00 | 237,332.39 |  | 0.00 | 0.00 | 173,756.61 | 57.7 |
|  | 1,000.00 | 0.00 |  | 0.00 | 0.00 | 1,000.00 | .0\% |
| 501 Highways $1,862,153.00$ | 1,862,153.00 | 1,765,343.23 |  | 0.00 | 0.00 | 96,809.77 | 94.8\% |

05/11/2023 13:55
6905jwri

|  |  |  |  |  |  | unis' <br> erp solution |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 05/11/2023 13:55 6905jwri | $\left\lvert\, \begin{aligned} & \text { Town of Mou } \\ & \text { YEAR-TO-DAT } \end{aligned}\right.$ | sert GET REPORT |  |  |  | $\left\lvert\, \begin{array}{lr} \mathrm{P} & 3 \\ \mathrm{~g} \mathrm{l}_{\mathrm{yt}} \end{array}\right.$ |
| FOR 202313 |  |  |  |  |  |  |
| ACCOUNTS FOR: 600ORIGINAL APPROP <br> Marina | REVISED BUDGET | YTD EXPENDED | MTD EXPENDED | ENCUMBRANCES | AVAILABLE BUDGET | \% USED |
| 101 Northeast Harbor Marina 622,410.00 | 635,965.00 | 566,456.85 | 0.00 | 0.00 | 69,508.15 | 89.1\% |
| Seal Harbor Marina 11,8000 | 11,800.00 | 5,269.00 | 0.00 | 0.00 | 6,531.00 | 44.7\% |
| 3 Bartlett Marina $4,600.00$ | 4,600.00 | 1,032.70 | 0.00 | 0.00 | 3,567.30 | 22.5\% |
| 104 Somes Marina 750.00 | 750.00 | 180.00 | 0.00 | 0.00 | 570.00 | 24.0\% |
| 801 General Obligation $36,036.00$ | 36,036.00 | 36,025.03 | 0.00 | 0.00 | 10.97 | 100.0\% |
| Operating Transfers 105,648.00 | 105,648.00 | 41,498.00 | 0.00 | 0.00 | 64,150.00 | 39.3\% |
| TOTAL Marina $781,244.00$ | 794,799.00 | 650,461.58 | 0.00 | 0.00 | 144,337.42 | 81.8\% |


|  |  | munis <br> a tyler erp solution |
| :---: | :---: | :---: |
| $\begin{aligned} & \text { 05/11/2023 13:55 } \\ & \text { 6905jwri } \end{aligned}$ | Town of Mount Desert YEAR-TO-DATE BUDGET REPORT | $\begin{array}{\|lr} \mathrm{P} & 4 \\ \text { glytdbud } \end{array}$ |

[^1]TOWN OF MOUNT DESERT
accounts payable warrant
WARRANT AP\# 2374


May 16, 2023
CHECK DATE:
TOTAL DISBURSEMENTS: $\mathbf{\$} \mathbf{6 0 1 , 0 1 4 . 8 4}$
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.


| John B Macauley, Chairman |
| :--- |
| Wendy H Littlefield, Vice Chairman |

James F Mooers





| ANY | 541993 |  | 04／20／2023 | AP2374 |
| :---: | :---: | :---: | :---: | :---: |
| 815.41 | 1550666 | 53400 | 211． 3 GALS \＃2 Fuel NEH HEATING FUEL | WWTP－EM |
|  |  |  | CHECK | 2774 TOTAL： |
|  | 4 |  | 04／28／2023 | AP2374 |
| 8，442．50 | 1550100 | 51100 | Consulting $1 / 30-3 / 2$ |  |

：TVLOL SLLZ Y्रDヨ्ञНР カLEてのは $359.981221000 \quad 55150 \quad 1693$ Internet NEH WWTP
2776 05／16／2023 EFT 1693 CHARTER COMMUNICATIONS
718 ANTHONY SMITH

$277305 / 16 / 2023 \mathrm{EFT} \quad 2613$ NO FRILLS OIL COMPANY
Invoice： 536650
CASH ACCOUNT： 100
CHECK NO CHK DATE

## 05／11／2023 13：26 69051you

Town of Mount Desert
A／P CASH DISBURSEMENTS JOURNAL
10100
TYPE VENDOR NAME Ckg－BH General Fund 8066
INVOICE

INVOICE DTL DESC

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Town of Mount Desert
A／P CASH DISBURSEMENTS JOURNAL

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10100
TYPE VENDOR NAME Ckg－BH General Fund 8066

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INVOICE DTL DESC TYPE VENDOR NAME －
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## INVOICE

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TYPE VENDOR NAME Ckg－BH General Fund 8066
CASH ACCOUNT ： 100
CHECK NO CHK DATE

## 05／11／2023 13：26 69051you



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| INV DATE PO WARRANT | NET |  |
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16.53
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93.59
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266.00
12.59
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CHECK 318808 TOTAL：
2374

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AP2374
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$\left\lvert\, \begin{aligned} & \text { Town of Mount Desert } \\ & \text { A／P CASH DISBURSEMENT }\end{aligned}\right.$
A／P CASH DISBURSEMENTS JOURNAL
INVOICE
10100
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$4,425.00$





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CHECK 318845 TOTAL: $2,000.00$
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| $\begin{aligned} & 05 / 11 / 202313: 26 \\ & 69051 \text { you } \end{aligned}$ |  | $\left\lvert\, \begin{aligned} & \text { Town of Mount Desert } \\ & \text { A/P CASH DISBURSEMENTS JOURNAL }\end{aligned}\right.$ <br> JOURNAL ENTRIES TO BE CREATED | DUE TO | $\left\lvert\, \begin{array}{lr} \text { P } & 20 \\ \text { apcshdsb } \end{array}\right.$ <br> DUE FROM |
| :---: | :---: | :---: | :---: | :---: |
| FUND |  |  |  |  |
| 100 | General Fund |  | 13,506.76 |  |
| 300 | Special Reve Capital Proj |  |  | 28.79 4.425 .00 |
| 600 | Marina |  |  | 9, ${ }^{4}$, 052.97 |

** END OF REPORT - Generated by Lisa Young **

TOWN OF MOUNT DESERT
bMV, STATE \& PR ACCOUNTS PAYABLE WARRANT
WARRANT AP\# 2372
CHECK DATE: May 3, 2023
TOTAL DISBURSEMENTS: $\$ \mathbf{1 3 0 , 9 2 8 . 0 8}$
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.


| $\overline{\text { John B Macauley, Chairman }}$ |
| :--- |
|  |
| James F Mooers |

Selectmen:

| From: | Rick Mooers |
| :--- | :--- |
| To: | Lisa Young |
| Subject: | Re: Warrant AP\#2372 State Fees/Payroll Benefits |
| Date: | Tuesday, May 2, 2023 5:23:18 PM |

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 May 2, 2023, at 4:27 PM, Lisa Young [financeclerk@mtdesert.org](mailto:financeclerk@mtdesert.org) wrote:

Greetings,
Attached is Accounts Payable Warrant \#2372 (for Payroll and/or State Fees) in the amount of $\$ 130,928.08$ 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)

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TOWN OF MOUNT DESERT
bMV, STATE \& PR ACCOUNTS PAYABLE WARRANT
WARRANT AP\# 2373
CHECK DATE: May 11, 2023


Martha T Dudman
Geoffrey V Wood, Secretary

| John B Macauley, Chairman |
| :--- |
|  |
| James F Mooers |

James F Mooers
TOWN OF MOUNT DESERT

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


Selectmen:

| From: | Rick Mooers |
| :--- | :--- |
| To: | Lisa Young |
| Subject: | Re: Warrant AP\#2373 \& PR\#2326 Approval Request |
| Date: | Wednesday, May 10, 2023 1:44:52 PM |

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 May 10, 2023, at 10:17 AM, Lisa Young < financeclerk@mtdesert.org> wrote:

Greetings,

Attached are the following warrants for approval:

| Accounts Payable | $\# 2373$ | total of | $\$ 9,833.24$ |
| :--- | :---: | :---: | :---: |
| Payroll | $\# 2326$ total of | $\$ 143,753.17$ |  |

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)

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.

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Mount Desert School Department PAYROLL WARRANT REGISTER
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\hline & & & & 125,394,45 & 95,374.05 & 76,758.26 2,78 \\
\hline & & & Check Authorization & Summary & & \\
\hline & & Type & Description & & Count & Amount \\
\hline & & Employee & Checks & & 3 & 2,787.81 \\
\hline & & & Voided Checks & & 0 & 0.00 \\
\hline & & & Direct Deposits (Fully Distributed) & & 50 & 76,758.26 \\
\hline & & & ACH Employee Credits & & 50 & 76,758.26 \\
\hline & & & ACH Employee Debits (Voids) & & 0 & 0.00 \\
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\hline & & & Voided Checks & & 0 & 0.00 \\
\hline & & & ACH Vendor Credits & & 0 & 0.00 \\
\hline & & & ACH VendorDebits (Voids) & & 0 & 0.00 \\
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[^1]:    FOR 202313
    

