



**Selectboard Regular Meeting Agenda**  
**June 25, 2024 @ 6:00 PM**  
**Casco Community Center**  
**Amended 06-24-2024**

**Regular Meeting**

1. Review and approval of the meeting agenda
2. Approval of bills and signing and approval of all open warrants
3. Approval of Minutes: June 11, 2024
4. Public Participation for non-Agenda items
5. Manager's Update

**Old Business**

6. The Selectboard will discuss the revaluation process and Vision Governmental Services communications
7. The Selectboard will consider the appointment of Tom Mulkern and David Randal to the Pleasant Lake Parker Pond Dam Committee.

**New Business**

8. The Selectboard will consider appointing Sorell Mains to the MSAD # 61 Board of Directors
9. The Selectboard will consider authorizing the Town Manager to withdraw the Town's application for CDBG funding.
10. The Selectboard will consider awarding the FY25-FY29 snow plowing contract
11. The Selectboard will consider awarding the FY25 sand bids.
12. The Selectboard will discuss the development of a Senior Tax Reduction ordinance for financially qualified seniors.
13. The Selectboard will consider the appointment of Ryan McAllister to the Planning Board.
14. The Selectboard will consider re-appointing Sue Witonis to the Casco Naples Transfer Station Council.
15. The Selectboard will consider the appointing of Chair and Vice-Chair to the Selectboard.
16. The Selectboard will discuss their July and August meeting schedule
17. Selectboard Comments

**Executive Session**

18. Executive Session to discuss Concealed Weapons Permits per Title 25, Part 5, Chapter 252, Section 2006 for applications 05/25/2024A, 05/25/2024B, 05/25/2024C, 05/25/2024D, and 05/25/2024E
19. Adjournment

**Reminders to the Attending Public:** Selectboard meetings are open to the public, but the public may not speak unless recognized by the Board Chair or Vice Chair in their absence. Except during a public hearing, comment time is limited to 2 minutes per speaker during public participation or on agenda items. Matters related to personnel will not be heard.

**Future meeting dates (subject to change)**

June 26 @ 6:00 PM Ad Hoc Committee Meeting (Vision Zero)

June 26 @ 6:30 PM Comprehensive Plan Implementation Committee Meeting

June 27 @ 6:00 PM Casco Naples Transfer Station Council Meeting (@ Naples Town Office)

July 8 @ 6:30 PM Planning Board Regular Meeting

July 15 @ 6:00 PM Open Space Commission

July 17 @ 6:00 PM Ad Hoc Committee Meeting (Vision Zero)



## Town of Casco

### Selectboard Regular Meeting Minutes

June 11, 2024 at 6:00 PM

Casco Community Center

#### Regular Meeting

1. Review and approval of the meeting agenda

The Selectboard moved and seconded to approve the meeting agenda.

Motion made by Fernandes, Seconded by Plummer.

Voting Yea: Avery, Fernandes, Plummer

2. Approval of bills and signing and approval of all open warrants

The Selectboard moved and seconded to approve all bills and signing of open warrants.

Motion made by Plummer, Seconded by Fernandes.

Voting Yea: Avery, Fernandes, Plummer

3. Approval of Minutes: May 28, 2024

The Selectboard moved and seconded to approve the minutes of the May 28, 2024 meeting.

Motion made by Plummer, Seconded by Fernandes.

Voting Yea: Avery, Fernandes, Plummer

4. Public Participation for non-Agenda items

Tom Mulkern wanted to clarify his statement from Town Meeting regarding Public Works. He feels we should have a maintenance department not a Public Works department that involves plowing roads. It is his opinion we are not heading in the right direction.

5. **5. Managers Update**

- A. Included in your packet are the year-to-date expenditures and revenues. The Town should be at 94.23%. You will see that expenditures are trending at 89.48% or \$242,281.99 under budget. Revenues already exceed projected revenues for the year. This is without receiving the remaining Homestead Reimbursements and BETE reimbursements from the State. We regularly

receive these payments before the fiscal years end. These amounts should add an additional \$150,560 to the revenue line.

- B. I will be attending ICMA training this week of June 10<sup>th</sup>. I will not regularly be checking e-mail, but I will be available by cell phone or next if needed. The staff is additionally aware that I will be out of the office during this period.
- C. Chief Cole and I met with area Fire Chiefs, Town Managers and County officials to follow-up on the County regionalization report. This group to continued meet on a regular timeframe maintaining critical dialogues relating to the fire services.
- D. The Town RFP for snow plowing services received a single bid for these services. The single bid came from C Pond Plowing. I will formally present this bid to the Board at your next meeting.

### **Workshop**

- 6. The Selectboard will have a workshop with the Open Space Commission  
No action. Discussion only.

### **Old Business**

- 7. The Selectboard will discuss upcoming vacancies on Board and Committees  
Tabled until next meeting.

### **New Business**

- 8. The Selectboard will discuss the June 5th Town Meeting  
No action. Discussion only.
- 9. The Selectboard will discuss the revaluation process and Vision Governmental Services communications  
No action. Discussion only.
- 10. Selectboard Comments  
Chairperson Scott Avery reminded the public of the upcoming meetings.

### **Executive Session**

- 11. Executive Session pursuant to 1 M.R.S.A.405(6)(E) Consultation with legal counsel.  
It was moved and seconded to enter Executive Session pursuant to 1 M.R.S.A.405(6)(E) Consultation with legal counsel at 7:39 pm.  
Motion made by Avery, Seconded by Plummer.  
Voting Yea: Avery, Fernandes, Plummer  
  
It was moved and seconded to exit Executive Session at 8:29 pm  
Motion made by Avery, Seconded by Fernandes.  
Voting Yea: Avery, Fernandes, Plummer

## 12. Adjournment

The Selectboard moved and seconded to adjourn at 8:40 pm.

Motion made by Avery, Seconded by Fernandes.

Voting Yea: Avery, Fernandes, Plummer

**Reminders to the Attending Public:** Selectboard meetings are open to the public, but the public may not speak unless recognized by the Board Chair or Vice Chair in their absence. Except during a public hearing, comment time is limited to 2 minutes per speaker during public participation or on agenda items. Matters related to personnel will not be heard.

### **Future meeting dates (subject to change)**

*June 10, 2024 @ 6:30 PM Regular Planning Board Meeting*

*June 17, 2024 @ 6:00 PM Regular Open Space Commission Meeting*

*June 25, 2024 @ 6:00 PM Regular Selectboard Meeting*



**Manager's Memorandum  
June 25, 2024, Meeting**

Item 5.#

To: Selectboard  
From: Tony Ward, Town Manager  
Date: 06-24-2024  
Re: Selectboard meeting 06-25-2024

Below are notes for agenda items for the June 25<sup>th</sup> meeting

**5. Managers Update**

- A. Chief Cole is working with Cumberland County EMA, MEMA, and FEMA in submitting our official damage list to FEMA based on the April 4<sup>th</sup> snowstorm. FEMA is scheduled to visit Casco on July 10<sup>th</sup> to review the locations of the damage.
- B. Gorrill Palmer is coordinating with Glidden Excavation to identify their project start dates so we can begin the public notification process. Gorrill Plamer is additionally assisting us in our Maine DOT Culvert grant application for Edwards Road. We should have an estimated costs associated with the project in the immediate future.
- C. We anticipate releasing a Request for Proposals (RFP) relating to the updating of the Town's future meeting room. We anticipate keeping the RFP open for 3 weeks and bring forwarded the bids in August.
- D. The Town opened a cooling shelter during the recent heatwave. Consistent with past shelter experiences, no residents used the shelter during the heat wave.

**Old Business**

**6. The Selectboard will discuss the revaluation process and Vision Governmental Services communications.**

This provides an opportunity for the Selectboard to provide their perspective on the revaluation process and continue educating the public. The initial appeal date with Vision Governmental Services concluded on June 21<sup>st</sup>. They are conducting their appeals this week via phone and in person. As of June 21<sup>st</sup>, approximately 10% of Casco property owners appealed their revaluation and this is consistent with appeals in other area towns over the past couple of years.

Below is a synopsis of the appeals:

304 total booked

Commercial 15 booked  
7 by phone  
8 in person

Residential 289 booked  
206 by phone  
83 in person

**7. The Selectboard will consider the appointment of Tom Mulkern and David Randal to the Pleasant Lake Parker Pond Dam Committee.**

At a previous meeting, the public identified the necessity for reestablishing the Pleasant Lake Parker Pond Committee. I contacted three of the previous representatives and two wished to remain in this group. The two are Tom Mulkern (as Casco's representative) and David Randell (representing PLPPA). I am contacting Otisfield to determine their representative. I would recommend re-appointing Tom and David onto this committee. I would recommend appointing these two individuals outside the normal practice, because of the expertise associated with this committee.

**New Business**

**8. The Selectboard will consider appointing Sorell Mains to the MSAD # 61 Board of Directors**

At the June 11, 2024, election Thomas Brown Jr. was elected to the Board of Directors for MSAD # 61. Unfortunately, he resigned immediately upon winning the election due to a policy conflict. Sorell Mains received the second highest number of votes for this position on the ballot.

The Selectboard has the authority to appoint an individual for this position based on Mr. Brown's recognition. It is recommended that Sorrell Mains be appointed to the remainder of the three-year term. She is interested in the position and conducted an active write in candidacy for the position.

**9. The Selectboard will consider authorizing the Town Manager to withdraw the Town's application for CDBG funding.**

I am seeking authorization to officially decline the \$100,000 funds that were awarded to the Town by the County in the Community Development Block Grant(CDBG). The initial estimate of the project was \$200,000 and as part of the application we stated we would fund the amount pf the project over \$100,000. The Finance Committee and Selectboard lowered the Town's contribution to \$50,000 and this amount was not approved at the Town Meeting.

This grant did require a matching portion that was part of the rating, and the Town did not meet that grant requirement. This project could not be completed with the \$100,000

awarded. Staff and I recommend returning these awarded funds to the CDBG program to be utilized by another community with the financial resources to complete their projects.

#### **10. The Selectboard will consider awarding the FY25-FY29 snow plowing contract**

Included in your packet is the lone bid in response to the Town's Request for Proposal (RFP) for FY25 through 29 snow plowing. The bid includes per mile in case portions of the Public Works budget are not approved at the Town Meeting. Below is a synopsis of the anticipated contracted miles, costs with those miles and costs associated with contracted plowing of all routes.

<b>Year</b>	<b>Contracted Miles</b>	<b>Annual Contract</b>	<b>Cost per Mile</b>	<b>Cost for Plowing all routes (58.95 miles)</b>
2024-2025	39.55	\$415,275.00	\$10,500.00	\$618,975.00
2025-2026	39.55	\$436,038.75	\$11,025.00	\$649,923.75
2026-2027	30.60	\$354,233.25	\$11,576.25	\$682,419.94
2027-2028	30.60	\$371,944.91	\$12,155.06	\$716,540.79
2028-2029	23.15	\$295,459.12	\$12,762.81	\$752,367.65

#### **11. The Selectboard will consider awarding the FY25 sand bids.**

Included in your packet are the three bids in response to the FY25 Sand Request for Proposal (RFP). The bids were received from Shaw Brothers, Gorham Sand and Gravel and RT Symonds. The only company to include the required Report of Gradation was Gorham Sand & Gravel. Below is the synopsis of the three bids

1. Gorham Sand & Gravel-\$18.00 PCU
2. RT Symonds- \$21.50 PCU
3. Shaw Brothers - \$21.50 PCU

Staff and I recommend awarding this RFP to Gorham Sand & Gravel. This price per cubic yard is less than we paid in years FY22, FY23 & FY24

#### **12. The Selectboard will discuss the development of a Senior Tax Reduction ordinance for financially qualified seniors.**



In previous years, the Selectboard discussed the continued impact of property tax rates on the community's aging population. The revaluation process may heighten these concerns for some of the seniors with limited budgets. Several towns have tax credit plans beyond the State's programs for seniors with limited financial capacity. I have included a couple of examples in your packet.

Staff and I are seeking guidance on whether the Selectboard would further like to examine similar ordinances with the understanding this would potentially be a budget line in the FY26 budget. If the Board is interested in this type of program, future guidance would be required about the parameters, amount of credits, etc.

**13. The Selectboard will consider appointing Ryan McAllister and upgrading an alternate to a full member of the Planning Board.**

The Planning Board has two (2) expiring appointments and only one person voiced their interest in these positions. Ryan McAllister requested re-appointment onto the Planning Board. The other position could be filled by one of the alternates, if the Selectboard so chooses.

Staff and I recommend that Ryan McAllister be re-appointed to the Planning Board for a 3-year term.

**14. The Selectboard will consider re-appointing Sue Witonis to the Casco Naples Transfer Station Council.**

Sue Witonis' term on the Casco Naples Transfer Station Council is expiring. We are recommending that Sue be reappointed without posting this opening, because of her experience on the transfer station council and the importance of this continuity on the council during the upcoming upgrades. Continued transitions have halted the progress of this project, and we believe continuity will provide the required leadership during this challenging period.

**15. The Selectboard will consider the appointing of Chair and Vice-Chair to the Selectboard.**

Per your policy entitled "Selectboard Rules of Order and Procedures." This policy states *The Board shall automatically appoint the Vice-Chair to Chair after the annual Town Meeting. The outgoing Chair is prohibited for holding an Officers position for at least one year, unless otherwise approved by the Selectboard. One of the three remaining Selectboard members shall be chosen as Vice-Chair.*

Per this policy, Eugene Connolly would be appointed to the position of Chair for the upcoming year. Per Selectboard practice, Grant Plummer would be the next member appointed to the vice-chair position. If either Selectboard member was not interested in being appointed chair or vice chair, Mary Fernandes and Robert MacDonald would be the next eligible members to be appointed.

**16. The Selectboard will discuss their July and August meeting schedule.**

Over the past few months, the Selectboard meeting scheduled waived from the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays as described in your "Selectboard Rules of Order and Procedures". I am seeking guidance on the schedule for the months of July and August so that we can properly notify the public if they are not going to occur on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of these months.

**Managers Memorandum Page 2**



To: Selectboard  
From: Tony Ward, Town Manager  
Date: 05-30-2024,  
Re: Revaluation

This memorandum is advising you about a conversation with Rob Sutherland today regarding the status of the revaluation. These numbers are preliminary and will adjust as people appeal their values.

Last year a commitment, the total taxable value of real estate was \$631,901,390 and taxable value of personnel property was \$6,921,290. The anticipated total taxable value of real estate with the revaluation will be \$1,230,007,000 or a 94.6% increase. The anticipated taxable value of personnel property is not yet completed but will be by early next week. Below are a couple facts associated with the revaluation;

- The average single family home rose to a value of to a value between \$355 and \$356,000. The average single-family home was approximately \$180,000 prior to the revaluation which represents a 97%
- The average lakefront property is valued at \$752,500 in value or an increase of 119%
- The average commercial property increased at rate of 55% and some commercial properties even dropped in value
- The value of marinas increased at an average of 127%
- Casco's youth camps increased in value at an average of 50%
- The average single-family residence will pay an average tax bill of \$2970 or more based on the final budget numbers
- The average lake front property residence will pay an average tax bill of \$6,290 or more based on the final budget numbers
- This year, the average property \$2871 without exemptions
- This places the Town at a 98% ratio for home sales and 99% for lake front sales
- A single mil (\$1.00 on the tax rate) will raise approximately 1.2 million

The Mil Rate will drop based on the increased valuations, but the final amount amounts depend on the final budget approval amounts and the overlay amounts. Cumberland County Regional Assessing recommends a higher overlay than normal because more than normal abatements occur immediately after a revaluation.

Vision Government Solutions will be sending out letters to property owners letting them know of their new proposed valuations next week. In the letter it identifies the hearing process with Vision Government Solutions to discuss the property owners' revised valuation. The abatement process will not occur until after commitment and tax bills are issued.

**BID SHEET EXHIBIT A**

Bidding Company's Name: C POND Plowing INC  
 Address: 6 BROADWAY AVE Naples Me 04055  
 Contact Person: CHRIS POND Phone: 207-233-6386  
 Email: CPONDPlowing@gmail.com

**Snow Plowing/Removal & Sanding Price**

Price Per Year	Total Annual Price or Price Per Mile	
	Annual Price	Price Per Mile
2024-2025	415,275.00	10,500.00
2025-2026	426,038.75	11,025.00
2026-2027	354,233.25	11,576.25
2027-2028	371,944.91	12,155.06
2028-2029	295,459.12	12,762.81

Exceptions Taken:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Chris Pond  
Signature

6-4-24  
Date



## TOWN OF CASCO

635 MEADOW ROAD  
CASCO, MAINE 04015

Item 11.#

### Request for Bids

#### Winter Sand

2024-25

#### I. Introduction & Submission

The Town of Casco invites sealed bids for screened winter sand. To be considered, return sealed bid in an envelope clearly marked "Winter Sand Bid" to the Casco Town Office no later than **12:00 PM, June 20, 2024**. Bids must be on the provided form and include sieve screen test results for consideration. Bids will be publicly opened and read aloud at the time stated. Late bids will not be accepted.

#### II. Materials

- Sand shall be a coarse abrasive material free from vegetable matter, lumps or balls of clay and other deleterious substances.
- The maximum gradation of material shall be able to pass through a ½ inch screen.
- All bidders shall provide a recent sieve analysis for the material meeting the following gradation requirements.

<u>Sieve</u>	<u>% by weight passing mesh sieves</u>
1/2"	100 %
1/4"	50 - 80 %
#200	0 - 7 %

#### III. General Requirements

- The Town expects will place orders for winter sand, as needed. The successful bidder shall supply as much winter sand as required by the Town for the season. The Town will order in amounts of 500 yard increments. The successful bidder shall deliver sand at the minimum rate of 250 yards per day.
- The successful bidder shall provide the material within seven (7) days of requested delivery by the Town. The material must be delivered expediently to facilitate the Town contracting for mixing (putting up) the sand with salt for road use. All salt to be supplied by the Town.
- The initial delivery of up to 2000 yards of material must be made no later than September 27, 2024. The successful bidder shall coordinate delivery with the Town snow removal contractor. The successful bidder supplying the winter sand shall arrange for the winter sand material to be



**TOWN OF CASCO**  
635 MEADOW ROAD  
CASCO, MAINE 04015

**Winter Sand  
BID PROPOSAL FORM**

**Due Date: Must be received at the Casco Town Office no later than 12:00 PM, June 22, 2024.**

Name of Company: Gorham Sand & Gravel

Location of pit: 35 Chadbourne Road, Standish, ME 04084

Approved by Municipality or DEP: Yes

Price per Yard \$ 18.00 PCY

Starting Date: ASAP

The undersigned having reviewed the request for bids and all associated information including but not limited to general requirements for screened winter sand material, hereby agrees, if awarded the bid/contract, to supply all the necessary materials, tools, equipment, and labor to perform and complete the work in accordance with said requirements and specifications.

Signature: Darin Shaw

Printed Name: Darin Shaw Date: 5/30/24

Title: Manager

Address: 939 Parker Farm Rd, Duxton, ME 04084

Telephone: 207-839-2442

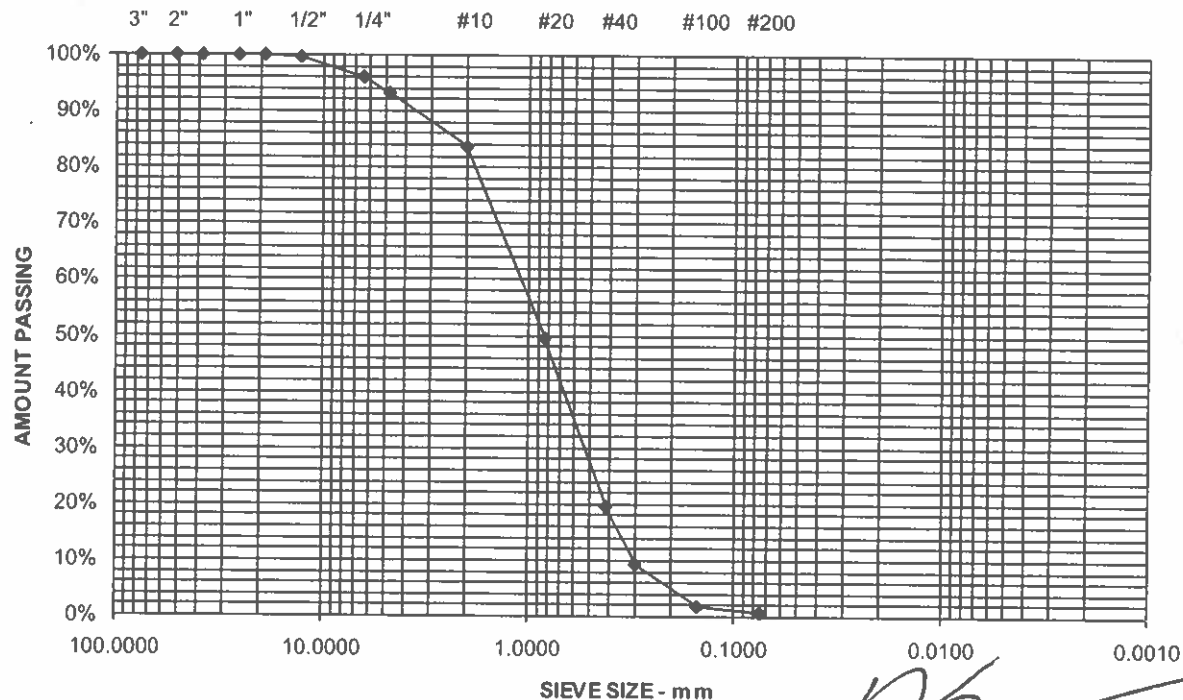
**Reminder: attach sieve screen test results.**

Project Name GORHAM ME - 2023 SUBMITTAL TESTING - LABORATORY TESTING SERVICES  
 Client GORHAM SAND & GRAVEL, INC.  
 Material Type SCREENED SAND  
 Material Source WHITE'S PIT, STANDISH

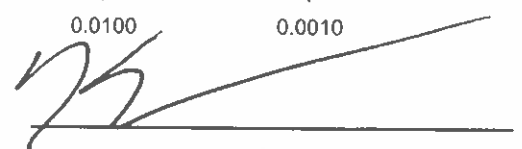
Project Number 23-0056  
 Lab ID 30038G  
 Date Received 2/1/2023  
 Date Completed 2/2/2023  
 Tested By OLIVIA MILLS

STANDARD DESIGNATION (mm/um)	SIEVE SIZE	AMOUNT PASSING (%)	MDOT 703.22 TYPE B UNDERDRAIN SAND SPECIFICATIONS (%)
150 mm	6"	100	
125 mm	5"	100	
100 mm	4"	100	
75 mm	3"	100	
50 mm	2"	100	
38.1 mm	1-1/2"	100	
25.0 mm	1"	100	95 - 100
19.0 mm	3/4"	100	
12.5 mm	1/2"	100	75 - 100
6.3 mm	1/4"	96	
4.75 mm	No. 4	93	50 - 100
2.00 mm	No. 10	84	
850 um	No. 20	50	15 - 80
425 um	No. 40	20	
300 um	No. 50	9	0 - 15
150 um	No. 100	2	
75 um	No. 200	0.8	0.0 - 5.0

SAMPLE MEETS SPECIFICATION



Comments





## TOWN OF CASCO

635 MEADOW ROAD  
CASCO, MAINE 04015

Item 11.#

### Request for Bids Winter Sand 2024-25

#### I. Introduction & Submission

The Town of Casco invites sealed bids for screened winter sand. To be considered, return sealed bid in an envelope clearly marked "Winter Sand Bid" to the Casco Town Office no later than **12:00 PM, June 20, 2024**. Bids must be on the provided form and include sieve screen test results for consideration. Bids will be publicly opened and read aloud at the time stated. Late bids will not be accepted.

#### II. Materials

- a. Sand shall be a coarse abrasive material free from vegetable matter, lumps or balls of clay and other deleterious substances.
- b. The maximum gradation of material shall be able to pass through a ½ inch screen.
- c. All bidders shall provide a recent sieve analysis for the material meeting the following gradation requirements.

<u>Sieve</u>	<u>% by weight passing mesh sieves</u>
1/2"	100 %
1/4"	50 - 80 %
#200	0 - 7 %

#### III. General Requirements

- a. The Town expects will place orders for winter sand, as needed. The successful bidder shall supply as much winter sand as required by the Town for the season. The Town will order in amounts of 500 yard increments. The successful bidder shall deliver sand at the minimum rate of 250 yards per day.
- b. The successful bidder shall provide the material within seven (7) days of requested delivery by the Town. The material must be delivered expediently to facilitate the Town contracting for mixing (putting up) the sand with salt for road use. All salt to be supplied by the Town.
- c. The initial delivery of up to 2000 yards of material must be made no later than September 27, 2024. The successful bidder shall coordinate delivery with the Town snow removal contractor. The successful bidder supplying the winter sand ~~shall~~ **shall arrange** for the winter sand material to be



delivered over a three consecutive day period unless some other arrangement is reached between the Town's snow removal contractor and the successful bidder providing winter sand material.

#### **IV. Payment**

- a. Payment will be by the cubic yard truck measure or by the ton, if by scales. Truck yardage must be established on all vehicles prior to initial delivery and provided to Road Commissioner.
  - i. Equivalent factor to use for weight measurement vs. volume will be 1 yard = 2200 lbs of dry sand
- b. Payment for all material will be made within 30 days of delivery, stockpiling, and invoicing.
- c. The supplier shall supply the material to the satisfaction of the Road Commissioner or their Agent, who shall have the right to inspect the material at all times.
- d. If, in the opinion of the Road Commissioner or their Agent, the material does not appear to meet specifications, a sieve analysis will be conducted. If the test passes, the Town shall pay the cost of the test. If the test fails, the cost of the test will be deducted from the final payment. Additionally, the successful bidder shall be responsible for removing and replacing the failed material with material that meets the requirements, at their own expense.

#### **V. Rejection**

The Town of Casco reserves the right to reject any and all bids that do not meet the requirements as listed in this request for bids including failure to fill out bid form. Late bids will be rejected.

#### **VI. Selection & Award**

The Town of Casco may accept or reject bids that do not comply with the requirements of this bid. The Town shall award the bid based on price, quality of the material meeting specifications and time of availability.



**TOWN OF CASCO**  
635 MEADOW ROAD  
CASCO, MAINE 04015

**Winter Sand**  
**BID PROPOSAL FORM**

**Due Date: Must be received at the Casco Town Office no later than 12:00 PM, June 22, 2024.**

Name of Company: RT Symonds

Location of pit: Portland Sand + Gravel

Approved by Municipality or DEP: \_\_\_\_\_

Price per Yard \$ 21.50

Starting Date: Can start when ever at your convenience

The undersigned having reviewed the request for bids and all associated information including but not limited to general requirements for screened winter sand material, hereby agrees, if awarded the bid/contract, to supply all the necessary materials, tools, equipment, and labor to perform and complete the work in accordance with said requirements and specifications.

Signature: [Signature]

Printed Name: Robert Symonds Date: 6-19-24

Title: Owner

Address: 190 Tenorock Trail CASCO ME

Telephone: 207-655-5771

**Reminder: attach sieve screen test results.**



**TOWN OF CASCO**  
635 MEADOW ROAD  
CASCO, MAINE 04015

**Winter Sand  
BID PROPOSAL FORM**

**Due Date: Must be received at the Casco Town Office no later than 12:00 PM, June 22, 2024.**

Name of Company: Shaw Brothers Construction

Location of pit: RT. 35 Standish

Approved by Municipality or DEP: \_\_\_\_\_

Price per Yard \$ 21.50

Starting Date: A.S.A.P.

The undersigned having reviewed the request for bids and all associated information including but not limited to general requirements for screened winter sand material, hereby agrees, if awarded the bid/contract, to supply all the necessary materials, tools, equipment, and labor to perform and complete the work in accordance with said requirements and specifications.

Signature: Nathan J. Hatch

Printed Name: Nathan J. Hatch Date: 6-5-24

Title: Quarry Manager

Address: 341 Mosher Rd. Gorham Me. 04038

Telephone: 207-892-6363

**Reminder: attach sieve screen test results.**

## **SECTION 1. Title, Purpose, Authority**

### **Subsection 1.1 Purpose:**

The purpose of this Ordinance is to establish a program to provide property tax assistance to persons **70** years of age and over, whose household income is **\$50,000** or less, who reside in the Town of North Yarmouth. Under this program, the Town of North Yarmouth will provide a tax benefit to those individuals who qualify as North Yarmouth resident beneficiaries of the Municipal Property Tax Assistance Program ("Program") pursuant to Chapter 907-A of Title 36 of the Maine Revised Statutes and meet the criteria established by this Ordinance.

## **SECTION 2. Definitions**

Subsection 2.1 Benefit Base: Property taxes paid by a qualifying applicant during the tax year on the qualifying applicant's homestead or rent constituting property taxes paid by the resident individual during the tax year on a homestead.

Subsection 2.2 Homestead: A homestead is a dwelling owned or rented by the person seeking tax assistance under this Ordinance or held in a revocable living trust for the benefit of that person. The dwelling must be the applicant's primary place of residence.

Subsection 2.3 Household Income: Household income shall have the same meaning as "income," as that term is defined in 36 M.R.S. § 6201(9), as may be amended from time to time.

Subsection 2.4 Qualifying Applicant: A qualifying applicant is a person who is determined by the Town Manager, after review of a complete application under Section 4 of this Ordinance, to be eligible for a tax benefit under the terms of this Ordinance.

Subsection 2.5 Rent Constituting Property Taxes: This term shall have the same meaning as that term is defined in 36 M.R.S. § 5219-KK(1)(E), as may be amended from time to time.

## **SECTION 3. Criteria for Participation**

Subsection 3.1 - In order to participate in the Program, an applicant shall demonstrate all of the following:

- 3.1.1 The applicant shall be **70** years of age or more at the time of application.
- 3.1.2 The applicant shall have a homestead in the Town of North Yarmouth at the time of the application and for the entire year prior to the date of application.
- 3.1.3 The applicant has been a resident of the Town of North Yarmouth for at least 10 years immediately preceding the date of application for participation in the Program.
- 3.1.4 For applications filed on or after July 1, 2025, applicants must demonstrate that they have received a tax credit under the provisions of the State of Maine Property Tax Fairness Credit Program, in accordance with 36 M.R.S. § 5219-KK.

## **SECTION 4. Application for Property Tax Assistance**

Subsection 4.1 - Person(s) seeking to participate in this Program shall submit an application to the Town Manager no later than **July 31st**. Applications are required every year to participate in this Program. The Town Manager shall provide an application form for the Program, which shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof

of household income. Applicants who do not file an income tax return but receive Social Security benefits must submit their SSA-1099 form with the application. The Town Manager shall review and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the Program. The Town Manager shall notify an applicant if an application is determined to be incomplete. The Town Manager's decision on eligibility to participate in the Program shall be final.

## **SECTION 5. Determination of Eligibility and Amount of Eligibility**

Subsection 5.1 - Eligibility under this ordinance is designed to provide greater benefits proportionally to applicants with lower household income in relation to their benefit base.

Subsection 5.2 - If the Town Manager determines that the applicant is eligible to participate in the Program, he/she shall determine the total amount of such eligibility. Eligibility shall be the lesser of the following amounts:

- 5.2.1 The amount of the benefit calculated under Section 5.3 of this Ordinance;
- 5.2.2 A pro rata share of the available monies in the Program Fund established under Section 6 of this Ordinance, based on the calculated amount of the benefit; and
- 5.2.3 Property taxes paid or rent constituting property taxes paid, less the amount received under the State of Maine Property Tax Fairness Credit Program (for applications filed on or after July 1, 2025).

Subsection 5.3 – Eligible applicants may qualify for benefits based on a calculation of the applicant's benefit base as a percentage of their household income under the following formula:

$$[(\text{benefit base/household income}) \times 100 = \text{benefit base as a percentage of household income.}]$$

The table below lists the benefits that correspond with the benefit base as a percentage of household income.

<b>Benefit Base as Percentage of Household Income (Range)</b>	<b>Benefit Amount</b>
8%-12%	\$350.00
12.01%-16%	\$500.00
16.01%-20%	\$750.00
20.01%-24%	\$1,000.00
24.01%-28%	\$1,250.00
28.01% and over	\$1,500.00

Subsection 5.4 - The Town Manager shall report to the Select Board at the first meeting in August of each year, the projected benefits and number of eligible applicants requesting assistance under the Program.

## **SECTION 6. Program Fund - Limitations Upon Benefits**

Subsection 6.1 - Benefits under this Ordinance shall be conditioned upon the existence of sufficient monies in the Property Tax Assistance Program Fund ("Program Fund") the year in which participation is sought. If there are not sufficient monies in the Program Fund to pay all qualifying applicants under this Ordinance, benefits shall be limited to the amounts available in the Fund. In the event that a lack of funding results in no benefit or less than the full benefit to a qualifying applicant, the request will not carry over to the next year.

## **SECTION 7. Creation of the Program Fund**

Subsection 7.1 - The Program Fund from which tax benefits shall be made under the terms of this Ordinance shall be created as specified in Subsection 7.2.

Subsection 7.2 - As funds are available, the Select Board shall request from the Annual Town Meeting to appropriate monies from the general fund or other Town sources to support this Program. Any surplus monies available after all benefits have been made shall be retained in the specified fund for use of the Program in future years.

## **SECTION 8. Timing of Tax Benefits**

Subsection 8.1 - A person who qualifies for a tax benefit under this Program shall have their benefit applied to their outstanding real estate taxes no later than **October 1st** for the year in which participation is sought.

## **SECTION 9. Limitations Upon Tax Benefits**

Subsection 9.1 - Only one qualifying applicant per household shall be entitled to a benefit under this Program each year. The right to file an application under this Ordinance is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney-in-fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount determined by the Town Manager shall be disbursed to another member of the household as determined by the Town Manager. If the applicant was the only member of a household, then no tax benefit shall be made under this Ordinance.

## **SECTION 10. Periodic Review of Ordinance**

Subsection 10.1 The Select Board shall conduct a review of this Ordinance at least once every three years to determine whether any amendments are necessary for compliance with applicable law or are in the best interests of the Town. This section does not limit the Select Board's authority to review and/or propose amendments to the Ordinance at any other time, provided such amendments comply with all applicable laws.

ADOPTED: May 30, 2009

AMENDED: June 18, 2011

AMENDED: April 8, 2017

AMENDED: \_\_\_\_\_

**Chapter 261****TAXATION****ARTICLE I  
Property Tax Assistance****§ 261-8.  
§ 261-9.****Timing of payments.  
One applicant per household.**

**§ 261-1. Purpose.**  
**§ 261-2. Definitions.**  
**§ 261-3. Criteria for participation.**  
**§ 261-4. Application and payment procedures.**  
**§ 261-5. Determination of eligibility and amount.**  
**§ 261-6. Limitations on payments.**  
**§ 261-7. Creation of program fund.**

**ARTICLE II  
PILOT Service Charges**

**§ 261-10. Authority; purpose.**  
**§ 261-11. Service charge established.**  
**§ 261-12. Calculation of service charge.**  
**§ 261-13. Collection.**  
**§ 261-14. Use of revenues.**

**[HISTORY: Adopted by the Town Council of the Town of Cumberland as indicated in article histories. Amendments noted where applicable.]**

**GENERAL REFERENCES**

**Board of Assessment Review — See Ch. 30, Art. II.**

§ 261-1

## TAXATION

§ 261-2

## ARTICLE I

**Property Tax Assistance****[Adopted 1-22-2007 ; amended in its entirety 12-14-2015 ]****§ 261-1. Purpose. [Amended 7-10-2017 ]**

The purpose of this article is to establish a program to provide property tax assistance to persons 70 years of age and over who reside in the Town of Cumberland. Under this program, the Town of Cumberland will provide refund payments to those individuals who maintain a homestead in the Town of Cumberland and meet the criteria established by this article.

**§ 261-2. Definitions.**

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

**BENEFIT BASE** — Property taxes paid by a qualifying applicant during the tax year on the qualifying applicant's homestead or rent constituting property taxes paid by the resident individual during the tax year on a homestead.**[Amended 7-10-2017 ]**

**HOMESTEAD** — For purposes of this article, "homestead" shall have the same meaning as defined in 36 M.R.S.A. § 5219-KK(1)(C). Generally, a homestead is a dwelling owned or rented by the person seeking tax assistance under this article or held in a revocable living trust for the benefit of that person. The dwelling must be occupied by that person and that person's dependents as a home.

**INCOME** — Total household income as determined by the total (gross) income reported on the applicant's most recent federal income tax return (line 22 of Form 1040; line 15 of Form 1040A; line four of Form 1040EZ), plus the total (gross) income reported on the most recent federal income tax return of each additional member of the household if filing separately. If the applicant and/or any member of the household do not file a federal income tax return, income shall be the cumulative amount of all income received by the applicant and each additional member of the household from whatever source derived, including, but not limited to, the following items:**[Added 7-10-2017 ; amended 5-19-2021 ]**

- A. Compensation for services, including wages, salaries, tips, fees, commissions, fringe benefits and similar items.
- B. Gross income derived from business.
- C. Gains derived from dealings in property (capital or other).
- D. Interest.
- E. Rents from real estate.
- F. Royalties.
- G. Dividends.
- H. Alimony and separate maintenance payments received.
- I. Annuities.
- J. Pensions.
- K. Income from discharge of indebtedness.



## § 261-2

## TAXATION

## § 261-4

- L. Distributive share of partnership gross income.
- M. Income from an interest in an estate or trust.
- N. IRA distributions.
- O. Unemployment compensation; and
- P. Social security benefits.

**QUALIFYING APPLICANT** — A person who is determined by the Town Manager or his designee, after review of a complete application under § 261-4 of this article, to be eligible for a refund payment under the terms of this article.

**RENT CONSTITUTING PROPERTY TAX** — Fifteen percent of the gross rent actually paid in cash or its equivalent during the tax year solely for the right of occupancy of a homestead. For the purposes of this article, "gross rent" means rent paid at arm's length solely for the right of occupancy of a homestead, exclusive of charges for any utilities, services, furniture, furnishings, or personal property appliances furnished by the landlord as part of the rental agreement, whether or not expressly set out in the rental agreement. **[Amended 5-19-2021 ]**

**§ 261-3. Criteria for participation. [Amended 7-10-2017 ; 5-19-2021 ]**

To participate in the property tax assistance program, an applicant shall demonstrate all of the following:

- A. The applicant shall be 70 years of age or more at the time of application.
- B. The applicant shall have a homestead in the Town of Cumberland at the time of the application and for the entire year prior to the date of application.
- C. The applicant has been a resident of the Town of Cumberland for at least 10 years immediately preceding the date of application for participation in the Program.
- D. The applicant shall meet the application and eligibility criteria set forth in §§ 261-4 and 261-5 of this article.
- E. The maximum family household income (MFHI) shall be \$91,000 as set by the Town Council. The Town Council shall revisit the MFHI on an annual basis.

**§ 261-4. Application and payment procedures.**

- A. Persons seeking to participate in the property tax assistance program shall apply to the Town Manager no later than August 1 of the year for which the refund is requested. Applications are required for every year the applicant seeks to participate in this program. The application form for the program shall be made available upon request in the Town Manager's office and shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof of household income. **[Amended 5-19-2021 ]**
- B. Applicants shall also submit proof of property taxes paid or rent constituting property taxes paid during the tax year on the individual's homestead in the Town of Cumberland.
- C. The Town Manager shall review and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the program. The Town Manager shall notify an applicant if an application is determined to be incomplete. The Town Manager's decision on

eligibility to participate in the program shall be final.

**§ 261-5. Determination of eligibility and amount. [Amended 7-10-2017 ; 5-19-2021 ]**

- A. Eligibility under this article is designed to provide greater benefits proportionally to applicants with lower income in relation to their benefit base. Eligible applicants will receive a benefit totaling the amounts set forth in Subsection A(1) and (2) as follows, provided that the cumulative maximum benefit allowed shall be \$750:
- (1) The total amount of any increase to the applicant's benefit base from the most recent tax year to the current tax year (maximum \$200); and
  - (2) Benefits based on the applicant's total household income as defined by §261-2 Definitions – in the corresponding amount as set forth below:
    - (a) If the applicant's total gross income is \$60,001 to \$91,000, the applicant will receive \$50.
    - (b) If the applicant's total gross income is \$50,001 to \$60,000, the applicant will receive \$200.
    - (c) If the applicant's total gross income is \$40,001 to \$50,000, the applicant will receive \$300.
    - (d) If the applicant's total gross income is \$30,001 to \$40,000, the applicant will receive \$400.
    - (e) If the applicant's total gross income is \$30,000 or less, the applicant will receive \$550.

**§ 261-6. Limitations on payments.**

- A. The Town Manager shall report to the Town Council for its approval at its second meeting in August each year the projected payments and number of eligible applicants requesting assistance from the program fund.
- B. Payments under this article shall be conditioned upon the existence of sufficient monies in the program fund for the year in which participation is sought. If there are not sufficient monies in the program fund to pay all qualifying applicants under this article per the calculations set forth in § 261-5, payments shall be limited to the amounts available in the fund and may be prorated accordingly. If a lack of funding results in no payment or less than the full payment to a qualifying applicant, the request and/or unpaid balance will not carry over to the next year. **[Amended 7-10-2017 ; 5-19-2021 ]**

**§ 261-7. Creation of program fund.**

The program fund from which payments shall be made under the terms of this article shall be created as follows:

- A. As funds are available, the Town Council shall annually appropriate monies from the general fund or other sources to support this program.
- B. Any surplus monies available after all payments have been made shall be carried forward within the fund to the next fiscal year.

**§ 261-8. Timing of payments.**

A person who qualifies for payment under this program shall be mailed a check for the benefit amount

§ 261-8

## TAXATION

§ 261-9

for which he/she is eligible under § 261-5 no later than 14 days from the date of Council approval of the applications for the year in which participation is sought.

**§ 261-9. One applicant per household.**

Only one qualifying applicant per household shall be entitled to payment under this program each year. Eligibility shall be determined based on total household income. The right to file an application under this article is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney in fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount determined by the Town Manager shall be disbursed to another member of the household as determined by the Town Manager. If the applicant was the only member of a household, then no payment shall be made under this article.

§ 261-10

## TAXATION

§ 261-14

ARTICLE II  
**PILOT Service Charges**  
**[Adopted 1-27-2014 ]**

**§ 261-10. Authority; purpose.**

This article is enacted in accordance with 30-A M.R.S.A. § 3001 and 36 M.R.S.A. § 508 to provide for service charges, otherwise referred to as "payments in lieu of taxes" (PILOT), for the property of institutions and organizations that are otherwise exempt from taxation as provided in 36 M.R.S.A. § 652.

**§ 261-11. Service charge established.**

The municipal officers may negotiate a contract for a voluntary annual service charge or PILOT for the cost of providing municipal services to all similarly situated property owned by an organization or institution that is otherwise exempt from property taxation.

**§ 261-12. Calculation of service charge.**

- A. The calculation of service charges shall be based on the actual cost of providing municipal services to the property of the institution or organization as determined by the Town. Municipal services shall include, without limitation, fire protection, police protection, road maintenance and construction, traffic control, snow and ice removal, water and sewer services, and any other municipal service except education and welfare.
- B. In accordance with 36 M.R.S.A. § 508, the service charge established in Subsection A on residential property that is used to provide rental income shall not exceed 2% of the gross annual revenues of the institution or organization that owns the property. In order to qualify for this limitation, the institution or organization must file with the municipality an audit of the revenues of the institution or organization for the year immediately prior to the year in which the service charge is levied. The municipal officers shall abate the portion of the service charge that exceeds 2% of the gross annual revenues of the institution or organization.

**§ 261-13. Collection.**

Unpaid service charges for institutions and organizations shall be collected following the procedure set forth in the contract with said institution or organization. Unpaid service charges for tax-exempt residential property that is used to provide rental income may also be collected following the procedure set forth in 38 M.R.S.A. § 1208.

**§ 261-14. Use of revenues.**

Revenues accrued from service charges shall be used, as much as possible, to fund the cost of providing the services which were considered in calculating the service charge.