

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, June 17, 2024 at 6:00 PM in the Ellsworth City Hall Council Chambers.

Meetings will be broadcast live on:

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

Spectrum Channel 1303

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Rules of Order.
4. Adoption of the Ellsworth City Council minutes from the following meeting (s):
 - ✚ May 20, 2024 Regular Meeting Minutes
 - ✚ May 29, 2024 Special Meeting Minutes

5. City Manager's Report.
6. Presentation of Awards.
7. Committee Reports.

✚ Request appointment of Rick Lyles and Carol Manson to the Ellsworth Housing Authority Board of Commissioners.

8. Citizens' Comments.
9. Councilor Comments.

UNFINISHED BUSINESS

CONSENT AGENDA

CONSENT AGENDA: All items with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

10. Council Order #062400, Request of the Deputy Treasurer/Tax Collector to set the real estate and personal property tax due dates at September 12, 2024 and March 13, 2025. * **

11. Council Order #062401, Request of the Deputy Treasurer/Tax Collector for an Order of the Municipal Officers on the application of real estate and personal property tax payments. This order will allow for the Tax Collector and Treasurer to apply tax payments against the oldest unpaid tax bills. * **

NEW BUSINESS

12. Public hearing and action on the application (s) for renewal for the following license (s):
All renewals, but will be taken up in 2 sections.

- Pavida Visetrut Young d/b/a Thai Sana, 321 High Street, for renewal of a City Class C License (Liquor and Victualer) and renewal of a State Restaurant Malt and Vinous (Class III and IV) Liquor License.
- Zeppa's NY Pizza, 92 Water Street, for renewal of a City Class C (liquor, Victualer) and renewal of State liquor license (class III and IV).
- LJV LLC dba Forest Ridge Campground, 40 Flockamoosen Way for a renewal of City Lodging license.

- Fogtown Brewing, 25 Pine Street, for renewal of a City Class B license (liquor, Victualer, amusement) and renewal of State Brewing license

13. Council Order #062402, Appointment of City Officials by the City Council.
a. Reappointments. **

14. Council Order #062403, Approval of City Manager's appointments.
a. Reappointments. **

15. Council Order #062404, Request of the Deputy Treasurer/Tax Collector to set the interest rate at 6% on overdue taxes. **

16. Public Hearing and action on Council Order #062405, Request of the Interim Treasurer to to authorize Tax Anticipation Borrowing (TAN) for the amount of \$3,000,000. **

17. Council Order #062406, Request of the City Clerk to accept the results of the Municipal School Validation and Referendum election. **

18. Council Order #062407, Request of the Highway Superintendent to accept the FY 25 Winter Salt bid. **

19. Presentation of Old Burial Ground Mapping Project by V. Kelly Bellis. (Sponsored by Smith)

20. Adjournment.

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, May 20, 2024 at 6:00 PM in the Ellsworth City Hall Council Chambers

Meetings will continue to be broadcast live on the City of Ellsworth, Maine Facebook page and YouTube Page; as well as recorded and made available live on Spectrum Channel 1303.

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

AGENDA

1. Call to Order. C. Hanson absent, excused.
2. Pledge of Allegiance.
3. Rules of Order.
4. Adoption of the Ellsworth City Council minutes from the following meetings:
 - April 15, 2024 Regular Meeting Minutes
 - April 9, 2024 Special Meeting Minutes
 - April 24, 2024 Special Meeting Minutes

Motion to approve by J. Stein, second by T. Mote, passed 6-0

5. City Manager's Report.
Manager Pearce talked about the Harbor dredge upcoming. CAD Site needs, possibly in Surry. There are 5 applicants for Police Chief. Finance Director has 21 applicants so far. Finalizing departmental budget requests. Working on finalizing the audit also.
6. Presentation of Awards.
 - Proclamation: Pride Month for June 2024
7. Committee Reports.
N. Smith- Historic Preservation- worked with the Facilities Director on the Chimney repair, certificate of appropriateness as well as discussions on the seal out front.
8. Citizens' Comments.
Penelope Houghton- Surry Road group: summarized the County's public hearing on the court house. Hired a surveyor for the property to assess actual buildable acreage, limiting the 25,000 sqft proposed building. Reviewed support services, being on east side of Bridge Hill, adding to traffic. Negative impact on daily lives is inconvenient, as well as a safety concern. The group provided the County a packet of supporting documents and recommendations, and were told they would be reviewed. No timeline was given as to when. Group requested transcripts of meeting, and the request was denied.

Susan ????- Windsor Way: Surry Road is a neighborhood zone and the State is using a special zoning to build in this location. Most comments were negative regarding this location. There is no valid survey, either environmental or traffic or land. Local businesses are concerned about losing clients from current courthouse as it is walkable to local businesses.

Lisa Larue- Surry Road group: March 18th City Council meeting, City Planner referenced a special use zone for such a project. City Staff (Mr. Williams and Mrs. Richards) emailed the State liaison about the property being for sale, which is how the State found out about this location. Ms. Larue feels the staff found a way around the City rules instead of enforcing them. This was brought to the attention of Mr.

Gordon Workman- Surry road group: Took over for Ms. Larue. Overheard the City Manager say this was a good idea, and talked about a round a bout to help traffic. Talked about the City Council needing to stand up for the citizens since staff are seemingly not doing what is best for the public.

Zabet Neucollins, Heart of Ellsworth- Pride Fest is June 9th, 11:30-4PM. Woodlawn Trail on June 15th. Flex It café on June 19th. Ellsworth Pride Facebook account for details.

Lisa Larue (during Councilor Comments): Its been hard to get facts from the City and State, she doesn't feel this is embarrassing, shame on them.

9. Councilor Comments.

Nancy Smith- Courthouse topic. Not sure its appropriate to make council comments a discussion, but she is listening and considering ways to bring this up.

Tammy Mote- discussion to review homelessness topic and how to check in on the status of homelessness and where we can help.

Jon Stein- attended the public hearing for courthouse. State and Surry group both had great points, not sure what we can do as a council, but he is thinking about it. City staff 'not working for the common good' idea needs to be considered as there is a lot of business to do and this is a time of year that is busy.

Michelle Beal- Embarrassing staff during meetings is bullying and the staff do incredible work and patience and conversations are good to have.

Steve O'Halloran- Tax increase from last year, hoping there isn't a repeat of that this year. Would like to see equality about comments- consistent time, and be rigid with everybody.

UNFINISHED BUSINESS

CONSENT AGENDA

CONSENT AGENDA: All items with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

10. Council Order #052400, Request of the City Clerk to appoint Election workers in accordance with MRSA Title 21-A section 503-A*
11. Council Order #052401, Request of the City Clerk to appoint Warden's and Ward Clerks for the June 11, 2024 Primary Election. *

Move to approve by T. Mote, second by P. Lyons, passed 6-0

12. Public hearing and action on the issuance of Business License (s): (All Renewals) (City Clerk T. Dyer)

- ✚ Shinbashi Inc. d/b/a Shinbashi Restaurant, 139 High Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License. **
- ✚ Brian Langley d/b/a Union River Lobster Pot, 8 South Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License. **
- ✚ Cresswell Investments LLC d/b/a Airline Brewing Company, 173 Main Street for renewal of a City Class B (Victualer, Liquor and Amusement) and renewal of a State Restaurant (Class II and IV) Malt and Vinous Liquor License. **
- ✚ Wedge LLC DBA The Breakroom, 248 State Street for a renewal of a City Class C license (Victualer and Liquor) and State Restaurant Class I, II, III and IV Liquor license. **

Motion to approve Shinbashi, Union River Lobster Pot, Airline Brewing Company and The Breakroom after public hearing by T. Mote, second by J. Stein, passed 6-0

- ✚ Giri Ellsworth DBA Hawthorne Extended Stay (PH stated DBA Ramada- DBA Change, not owner change) 215 High Street for a renewal of a City lodging license. **

Public Hearing opened.

Jon Ketchum and George ? from Giri. Currently in compliance with licensing rules. Reviewed hotplates issues- Jon understands it and is looking into alternative options to have suppression in rooms. The employee housing room was done and he is trying to get local plumbers and electricians to approve the work and get after the fact code permits.

Public hearing closed.

Fire Chief and Code Officer- Fire is good, everything is remediated, and they are compliant. Inspector will continue to follow up to ensure compliance. Fire is comfortable moving forward. Code was unaware of the new construction interior rooms. They can get after the fact permits or remove it. If it is unused until either option, they are compliant with code.

N. Smith- hotplates provided by who? (it appeared provided the company)

S. O'Halloran- huge homeless population here and hotplates can be bought at Walmart, how many drug deals go on and we don't inspect for that.

Lisa Larue- when it comes to fire safety what you do in your room can effect all rooms. (PH was closed)

Motion to approve by J. Stein, second by N. Smith, passed 6-0

13. Presentation by Ellsworth Business Development Corp, School Department and City Staff on the Hancock County Technical Center project. (Superintendent A. Boles) **

Jake Taylor- EBDC identified HCTC as an opportunity in Ellsworth for bigger project with bigger impact. EBDC collaborated with the school to get support from them to renovate or build a new campus. Building feasibility study was completed. With City Council support, completed that and hired Oak Point associates who did the middle school project and other HCTC projects. Study started in 2021 through 2022. There has been a lot of development in that time. In 2023 DOE allocated money for capital projects. Hopeful to have a high ranking there, but no estimate on amount of funding. This committee is looking to plan for the extra funding needed and on any other HCTC projects through DOE, how do we solve the problem?

14. Council Order #052402, Request of the Fire Chief to approve the Hancock County Fire Protection Emergency Response Service Agreement with the City of Ellsworth and Hancock County for the fire and EMS services for Fletchers Landing Township (3 year contract) for the annual sum of \$20,000. (Fire Chief S. Guillerault) **

Fire Chief Guillerault- Reviewed the contract. This is a contract with the County for Fletcher's Landing for EMS and Fire coverage. No services have changed, but received contract increase from \$17,500 to \$20,000 per year as the City is now a back up transport service.

There is an average of 20 calls per year. This estimated cost does cover the cost of Ellsworth to provide this service.

Motion to approve by J. Stein, second by T. Mote, passed 6-0

15. Council Order #052403, Request of the City Manager to approve the installation of a Direct Capture Ventilation System in the Fire Department not to exceed the amount of \$78,000. (CM Pearce) **

CM Pearce reviewed ARPA funds and expenses thus far.

M. Beal- would like an ARPA plan for the remainder of the funds.

S. O'Halloran- agreed on a meeting to review. Is this a problem at the Highway garage?

Motion to approve the request from APRA by N. Smith, second by P. Lyons, passed 6-0

16. Public Hearing and Action on property located at 7 Fairground Road. The action is to determine whether the residential building located on land owned by Sandra L. Kazlaskas, MAP 137 LOT 113 of the Ellsworth Tax Maps, described in Book 2901 Page 308 of the Hancock County Registry of Deeds is a nuisance or dangerous in accordance with MRSA 17 §2851. (Code Officer R. Grant) **

Code Officer Grant reviewed the fire that made this structure uninhabitable. The family got insurance funds, and the bank claimed that money. The home was not repaired and has sat there. It has created nuisance to neighbors. They had legal representation, but the lawyer is no longer representing the client.

Public Hearing opened. Dotty Small- there are rats. There are no windows, and tarps, doors aren't closed. Public Hearing closed.

Move to schedule the public hearing for July meeting by P. Lyons, second by T. Mote, (City attorney reviewed process and timeline) passed 6-0

17. Public Hearing and Action on Council Order #052404, Order authorizing issuance of up to \$1,200,000 of the City's bonds to finance the acquisition of 11 Avery Lane and authorize the City Manager to sign all necessary documents. (Supt. A. Boles) **

Supt. Boles reviewed a presentation. The school department had been looking for a location since 2023. Once this property was identified, ESD came to finance committee and to City Council. There is a space issue within the ESD. ESD spends significant funds on leases each year for space, that could be better served on a property owned by the City. This property is an opportunity to host a training site for other districts and businesses. Reviewed expenses for both current facilities and Avery Lane.

Inspection report (CM Pearce) was very good.

Supt. Boles: there is a 90 and 30 day notice for current leases.

Public Hearing opened.

Gordon Workman- buying is better than leasing. What was total cost of lease vs. buying? It wasn't provided until tonight to give people a chance to review. Before decision, get a cost factor to the public.

Public Hearing closed.

Motion to approve the order by T. Mote, second by P. Lyons, (N. Smith- will not vote if the public had no process. The product is good, but the process is not. There wasn't enough time, the google folder was not available until yesterday. Would appreciate a full week to process this, ask questions and receive more information.)

N. Smith- talked about several questions she had unanswered.

P. Lyons- support the concerns, however, there's been sufficient process and notice of this item. **Public voted for the council to be the legislative body.**

Motion passed- 5-1 (N. Smith opposed)

18. Council Appointments- Discussion and Action to appoint Nathaniel Moore as Interim Treasurer

Motion to approve by J. Stein, second by N. Smith, passed 6-0

19. Discussion and possible action on holding City Council meetings twice per month, rather than once per month and to update the Rules of Order accordingly. (Sponsored by O'Halloran)

Discussions regarding two meetings. Some nights get long, there is a lot of business to do. There was no desire to make a motion, but discussion about seeing how the process works with new City Manager Pearce, and to reassess the need in the future.

20. Executive Session to discuss labor negotiations between the following:

- ✚ the City of Ellsworth and the Ellsworth Highway Unit, Massachusetts and Northern New England Laborers' District Council, Local 327 in accordance with MRSA Title 1 Chapter 13, Section 405, Paragraph 6D. (City Attorney)

- ✚ the City of Ellsworth and the Massachusetts and Northern New England Laborers' District Council Local 327 Ellsworth Waste Water Treatment Plant, Unit of the Laborers' International Union of North America in accordance with MRSA Title 1 Chapter 13, Section 405, Paragraph 6D. (City Attorney)

- ✚ the Ellsworth Fire Fighters Association, Local 3402 International Association of Fire Fighters, AFL-CIO-CLC in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6D. (City Attorney)

Motion to enter by P. Lyons, second by T. Mote, passed 6-0

Motion to exit by J. Stein, second by N. Smith, passed 6-0

21. Discussion and action on labor negotiations between the following: (Must make separate motions)

- ✚ the City of Ellsworth and the Ellsworth Highway Unit, Massachusetts and Northern New England Laborers' District Council, Local 327

Motion to approve the contract as presented by J. Stein, second by N. Smith, passed 6-0

- ✚ the City of Ellsworth and the Massachusetts and Northern New England Laborers' District Council Local 327 Ellsworth Waste Water Treatment Plant, Unit of the Laborers' International Union of North America.

Motion to approve the contract as presented by P. Lyons, second by T. Mote, passed 6-0

- ✚ the City of Ellsworth and the Ellsworth Fire Fighters Association, Local 3402 International Association of Fire Fighters, AFL-CIO-CLC.

Motion to approve the contract as presented by T. Mote, second by N. Smith, passed 6-0

22. Adjournment.

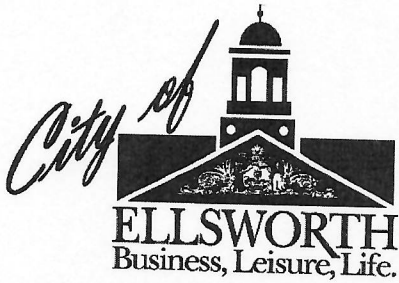
Motion to adjourn by P. Lyons, second by T. Mote, passed 6-0

COUNCIL SPECIAL MEETING NOTICE

The City Council will hold a special meeting at 6:00PM on Wednesday, May 29, 2024 prior to the budget workshop.

AGENDA:

1. Call to order (J Stein and C. Hanson absent)
2. Pledge of Allegiance
3. Rules of Order
4. Public Hearing and action on the following business license:
 - a. Jordan's Snack Bar INC. dba Jordan's Snack Bar, 200 Downeast Highway for a new City Class C and New State Liquor restaurant class I, II, III, IV liquor license.
Motion to approve by T. Mote, second by N. Smith, passed 5-0
5. Adjournment



Tax Collector/Deputy Treasurer

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6634 ▪ Fax (207) 667-4908

smclean@ellsworthmaine.gov

Memo

To: Toni Dyer, City Clerk
CC: City Council
Charles Pearce, City Manager
From: Suzanne McLean, Tax Collector/Deputy Treasurer
Date: May 17, 2024
Re: June 2024 Agenda Request – Set tax due dates

Please include the following on the June 2024 City Council Consent Agenda:

A request to set the real estate and personal property tax due dates to September 12, 2024, and March 13, 2025.

Also, an Order of the Municipal Officers on the application of real estate and personal property tax payments was approved last year (FY2024). I am requesting this Order be approved again this year. This order allows for the Tax Collector and Treasurer to apply tax payments against the oldest unpaid tax bills.

Pursuant to Title 36, Maine Revised Statutes Annotated, section 906, states that “The municipal officers of a municipality may, upon request of the municipal treasurer or the tax collector, require that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill. Taxes may not be applied for which an abatement request or appeal has not been resolved unless approved in writing by the taxpayer.”

By adopting this policy it has assisted the City in several ways:

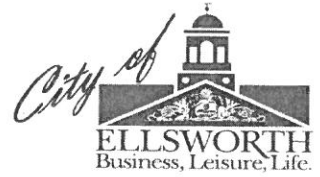
- Provides for easier bookkeeping/recordkeeping
- Prevents taxpayers from paying just the current taxes to avoid a lien for the current year and disregarding delinquent taxes
- Ensures the City includes the necessary language on all tax notices notifying residents that tax payments will be applied to the oldest tax first. If a taxpayer thinks they have paid their current taxes, but is unaware of delinquent taxes they may become irate when the property goes to foreclosure for the unpaid delinquent taxes. However, because the City included the necessary language on all tax notices they will still be able to legally proceed with the foreclosure.

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

THAI SANA
YOUNG, PAVIDA V.
321 HIGH STREET
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 35
Business Name: YOUNG, PAVIDA V.
Business Address: 321 HIGH STREET
Business Phone: 207-667-9361
Type of Business:
Mailing Address: 321 HIGH STREET, ELLSWORTH ME 04605
Owner Name: TNRC COMPANY LLC
Owner Address: PO BOX 153, FRIENDSHIP ME 04547

State Tax ID:
State License #:
Business Email:
Business Fax:
Owner Phone:

Fees	Fee Based On	Quantity	Amount
\$65.00 per Year			\$ 65.00
\$80. Public Hearing Notice Fee			\$ 80.00
Total License Fees:			\$ 145.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 07/01/2024

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Print Name

Date

Please return signed application and payment to the City of Ellsworth

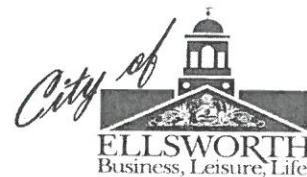
Office Use Only: Date Received: _____ Receipt No: _____

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

ZEPPAS NY PIZZA
ZEPPAS NY PIZZA
92 WATER STREET
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 549

State Tax ID: 88-1959686

Business Name: ZEPPAS NY PIZZA

State License #:

Business Address: 92 WATER STREET

Business Email:

Business Phone: 541-306-7850

Business Fax:

Type of Business:

Mailing Address: 92 WATER STREET, ELLSWORTH ME 04605

Owner Name: LISA PALCIC

Owner Phone: 541-306-7850

Owner Address: 92 WATER ST, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$65.00 per Year			\$ 65.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 145.00

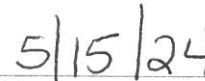
Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 06/01/2024

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.


Signature


Print Name


Date

Please return signed application and payment to the City of Ellsworth

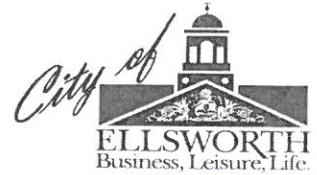
Office Use Only: Date Received: 5/15/24 Receipt No: 32000026

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

FOREST RIDGE CAMPGROUND
LJN LLC
40 FLOCKAMOOSEN WAY
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 596

State Tax ID:

Business Name: LJN LLC

State License #:

Business Address: 40 FLOCKAMOOSEN WAY

Business Email: *Forestridgecampground@gmail.com*

Business Phone: *207-664-7070*

Business Fax:

Type of Business:

Mailing Address: 40 FLOCKAMOOSEN WAY, ELLSWORTH ME 04605

Owner Name: LJN LLC

Owner Phone: *207-356-9120*

Owner Address: 39 SEWALL DRIVE, OLD TOWN ME 04468

Fees	Fee Based On	Quantity	Amount
\$30 + 2/room Lodging House		1	\$ 32.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 112.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 06/01/2024

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

[Signature]
Signature

Jeffrey F. Dyer
Print Name

May 23, 2024
Date

Please return signed application and payment to the City of Ellsworth

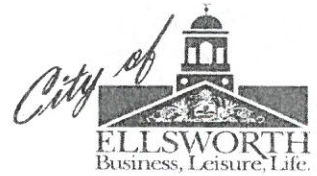
Office Use Only: Date Received: *5/23/24* Receipt No: *32000028*

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

FOGTOWN BREWING COMPANY
STEIN JON
PO Box 328
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 270

State Tax ID:

Business Name: ~~STEIN JON~~ *Fogtown Brewing Company, LLC*

State License #: ~~SS~~ *SMB-2017-10023*

Business Address: 25 PINE STREET

Business Email: beer@fogtownbrewing.com

Personal phone
Business Phone: ~~610-389-7224 (JON)~~ *370-0845*

Business Fax:

Type of Business: *Small Brewery*

Business owner name: *Jon Stein*

Mailing Address: PO Box 328, ELLSWORTH ME 04605

Building
Owner Name: PERRIN KENNETH S

~~Owner Phone:~~

Owner Address: PO BOX 432, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$85.00 per year			\$ 85.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 165.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 08/01/2024

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Print Name

Date

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: *6/12/24* Receipt No: *32000037*

Title: Appointments of City Officials by the City Council

WHEREAS, the City Charter or Statutes provide that the following officials be appointed by the City Council, and

WHEREAS, several of the appointments made by the City Council expire at midnight on June 30, 2024; it is hereby

ORDERED, that the following persons are appointed to the position indicated for a term to expire as indicated below:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>TERM TO EXP.</u>
Agent to the Overseers	Charles Pearce	06/30/2025
Fair Hearing Authority	Charles Pearce	06/30/2025
City Clerk	Toni Dyer	06/30/2025
Registrar of Voters	Toni Dyer	01/01/2026
Freedom of Access Off.	Toni Dyer	06/30/2025
Freedom of Access Off.	Maura Condon	06/30/2025
Assessor	Larry Gardner	06/30/2025
Tax Collector	Suzanne McLean	06/30/2025
Interim Treasurer	Nathaniel Moore	06/30/2025

Planning Board Member current term to expire 06/30/2024, request to appoint until 06/30/2029:

Richard Lyles

Planning Board Alternate (1) current term to expire 06/30/2024, request to appoint until 06/30/2029:

John Califano

Board of Appeals Member current term to expire 06/30/2024, request to reappoint until 06/30/2029:

Jeffrey Toothaker

Board of Appeals Member associate current term to expire 06/30/2024, request to reappoint until 06/30/2029:

Matthew Welch

Harbor Commission Members current term to expire 06/30/2024, request to reappoint until 06/30/2027:

John Noll, R. Fred Erhlenbach

Harbor Commission Members Alternate current term to expire 06/30/2024, request to reappoint until 06/30/2025:

F. Mark Whittaker

Historic Preservation Commission Members current term to expire 06/30/2024, request to reappoint until 06/30/2027:

Linda Firlotte-Grindle, Jennifer Sala

Recreation Commission Members current term to expire 06/30/2024, request to reappoint until 06/30/2026:

Eric Marichal, Ellerie Ezekiel

Title: Confirmation of City Manager's Appointments

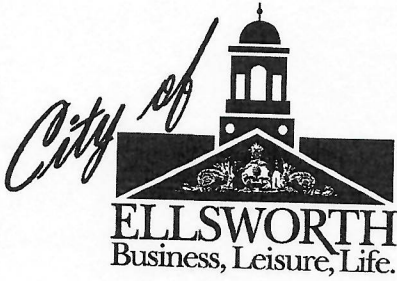
WHEREAS, the City Charter provides that the City Manager appoints certain department heads or officers subject to confirmation by the City Council, and

WHEREAS, several of the appointments made by the City Council expire at midnight on June 30, 2024; it is hereby

ORDERED, that the following persons are appointed to the position indicated for a term to expire as indicated below:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>TERM TO EXP.</u>
HR Manager	Kerri Taylor	6/30/2025
Welfare Director	KaTina Vanadestine	6/30/2025
Deputy Welfare Dir.	Toni Dyer	6/30/2025
Deputy Welfare Dir.	Katlyn Miller	6/30/2025
Deputy Registrar of Voters	KaTina Vanadestine	6/30/2025
Deputy City Clerk	KaTina Vanadestine	6/30/2025
Deputy Registrar of Voters	Marcia Monk	6/30/2025
Deputy City Clerk	Marcia Monk	6/30/2025
Deputy City Clerk	Ebony Kramp- Dowling	6/30/2025
Deputy Registrar of Voters	Ebony Kramp-Dowling	6/30/2025
Deputy City Clerk	Katlyn Miller	6/30/2025
Deputy Registrar of Voters	Katlyn Miller	6/30/2025
Interim Finance Director	Nathaniel Moore	6/30/2025
Interim Treasurer	Nathaniel Moore	6/30/2025
Deputy Finance Dir.	Nathaniel Moore	6/30/2025
Deputy Treasurer	Nathaniel Moore	6/30/2025
Deputy Treasurer	Suzanne McLean	6/30/2025
Deputy Tax Collector	Virginia Derise	6/30/2025
Deputy Tax Collector	James Killam	6/30/2025
City Planner	Matthew Williams	6/30/2025
Asst. City Planner	Vacant*	6/30/2025
Interim Police Chief	Troy Bires	6/30/2025
Deputy Police Chief	Vacant*	6/30/2025
Interim Deputy Chief	Shawn Willey	6/30/2025
Police Captain	Vacant*	6/30/2025
Fire Chief	Scott Guillerault	6/30/2025
Deputy Fire Chief	Geoffrey Low	6/30/2025
Benjamin Freedman	Fire Captain	6/30/2025
Kenneth Lemoine	Fire Captain	6/30/2025
Tyler Kennedy	Fire Captain	6/30/2025
Daryl Clark	Fire Captain	6/30/2025
Fire and Life Safety Insp.	Thomas Canavan	6/30/2025
Safety Officer	Thomas Canavan	6/30/2025
Dir. Of Emergency Prep.	Scout Guillerault	6/30/2025
Highway Superintendent	Adam Wilson	6/30/2025
Harbormaster	Adam Wilson	6/30/2025

Supt. Of Water	Reginald Winslow	6/30/2025
Supt. Of Waste Water	Michael Harris	6/30/2025
Economic Dev. Dir.	Janna Richards	6/30/2025
Technology Systems Adm.	Jason Ingalls	6/30/2025
Facilities Director	James McLean	6/30/2025
Code Enforcement Officer	Robert Grant	6/30/2025
Electrical Inspector	Robert Grant	6/30/2025
Health Officer	Robert Grant	6/30/2025
Plumbing Inspector	Robert Grant	6/30/2025
Building Inspector	Robert Grant	6/30/2025
Dep. Code Enforcement	Bobbi Roberts	6/30/2025
Dep. Electrical Insp.	Bobbi Roberts	6/30/2025
Dep. Health Officer	Bobbi Roberts	6/30/2025
Dep. Plumbing Insp.	Bobbi Roberts	6/30/2025
Dep. Building Insp.	Bobbi Roberts	6/30/2025
Dep. Electrical Insp.	Ira LePage	6/30/2025
Assistant Assessor	Marcia Monk	6/30/2025
Deputy Harbormaster	John Babine	6/30/2025
Deputy Harbormaster	John Verrington	6/30/2025
Tree Warden	Charles Pearce	6/30/2025



Tax Collector/Deputy Treasurer
1 City Hall Plaza ▪ Ellsworth, ME 04605-1942
Phone (207) 669-6634 ▪ Fax (207) 667-4908
smclean@ellsworthmaine.gov

Memo

To: Toni Dyer, City Clerk
CC: City Council
Charles Pearce, City Manager
From: Suzanne McLean, Tax Collector/Deputy Treasurer
Date: May 17, 2024,
Re: June 2024 Agenda Request – Set interest date on overdue taxes for FY 2025

Please include on the June agenda a request to set the interest rate on overdue taxes for FY 2025. Maine Statute requires that the rate of interest be specified in a vote.

The maximum rate of interest that can currently be charged per Title 36, M.R.S.A. Section 505 is 8.5%. This rate is established by the Treasurer of State and is based on the prime rate as published in the Wall Street Journal on the first business day of the calendar year.

Taxes are considered delinquent and interest begins to accrue on each installment the first day after its specified due date. Should the proposed dates of September 12, 2024 and March 13, 2025 be approved, interest will begin to accrue on September 13, 2024 and March 14, 2025.

The interest accrued is added to and becomes a part of the taxes.

Generally, in the past the City has stayed within 2 or 3 points of the maximum rate. Does the Council recommend keeping the interest rate at 6%?

The table below lists what the State of Maine's maximum rate has been for the past 5 years, compared to what the City has set for a rate.

Fiscal Year	State Maximum	City's Rate
2024	8.00	6.00
2023	4.00	4.00
2022	6.00	6.00
2021	8.00	6.00
2020	9.00	6.00

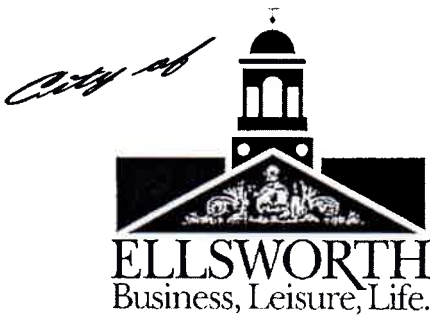
If City Council agrees with this request the suggested motion will be:

Move to approve Council Order _____, request of the Tax Collector/Deputy Treasurer to set the interest rate on overdue taxes at _____ percent.

Delinquent Tax Rates

Municipalities may, by vote, determine the rate of interest that shall apply to taxes that become delinquent during a particular taxable year until those taxes are paid in full. The maximum rate of interest that can be charged per Title 36, M.R.S.A. Section 505.4 is as follows:

FY	Taxable Year	Maximum Rate
25	2024	8.50%
24	2023	8.00%
23	2022	4.00%
22	2021	4.00% up to 6.00%
21	2020	8.00%
	2019	9.00%
	2018	8.00%
	2017	7.00%
	2016	7.00%
	2015	7.00%
	2014	7.00%
	2013	7.00%
	2012	7.00%
	2011	7.00%
	2010	7.00%
	2009	7.00% up to 9.00%
	2008	11.00%
	2007	12.00%
	2006	11.00%
	2005	7.75%
	2004	6.50%
	2003	7.00%
	2002	6.75% up to 8.75%
	2001	11.50%
	2000	10.75%
	1999	10.00%
	1998	10.75%
	1997	10.50%
	1996	10.75%
	1995	10.75%
	1994	10.00%
	1993	10.00%



Office of the City Treasurer

1 City Hall Plaza • Ellsworth, ME 04605-1942

Phone (207) 669-6624 • Fax (207) 669-6633

Website: www.ellsworthmaine.gov

Email: nmoore@ellsworthmaine.gov

To: City Council
CC: Charlie Pearce, City Manager
From: Nate Moore, Acting Finance Director
Date: June 7, 2024
Re: Tax Anticipation Note (TAN) Bids

On Friday, June 7, 2024 at 10:00 a.m., the City accepted bids for a Tax Anticipation Note (TAN). The proceeds of the TAN will be used for financing governmental activities and obligations of the City in anticipation of funds to be raised by taxation.

In preparation for the Tax Anticipation Note (TAN) for FY25, a cash analysis was prepared in order to determine how much money the City would require. It was decided that \$3 million would best fit the cash needs of the City:

The results of the bids are as follows:

Financial Institution	Rate	Interest
Androscoggin Bank	6.84%	\$204,637.80
First National Bank	5.96%	\$180,786.67
Machias Savings Bank	6.52%	\$197,773.33

Attached are copies of the bid requests and the bids received from the above local area banks.

If the City Council approves the low bidder for the Tax Anticipation Note, the following motion is suggested:

Move to award the Tax Anticipation Note low bid to First National Bank, at an interest rate of 5.96%.

\$3,000,000 TAX ANTICIPATION NOTE
FRIDAY, JUNE 7, 2024 AT 10 AM

BANK	INTEREST RATE	TOTAL INTEREST
Adroscoggin Bank- Lump or as needed	6.84%	\$204,637.80
First National Bank- lump or as needed	5.96%	\$180,786.67
Machias Savings Bank- lump or as needed	6.52%	\$197,773.33

True Copy Attest:



Toni Dyer
City Clerk
Date: 6/7/2024



30 Lisbon Street
PO Box 1407
Lewiston, Maine 04243
1.800.966.9172
Androscogginbank.com

June 5, 2024

City of Ellsworth
Attn: Nate Moore, Acting Finance Director
One City Hall Plaza
Ellsworth, Maine 04605

Re: 2023 Tax Anticipation Note

Dear Treasurer McIntyre:

In response to your request for a Tax Anticipation Note for Fiscal Year-2025, we are pleased to offer this proposal for the borrowing of up to Three Million Dollars (\$3,000,000) for your consideration.

We further understand the City would like to close this loan on or about July 1, 2024 and to have the option to repay the Note on or before its June 30, 2025 maturity.

For the "As Needed" borrowing of up to \$3,000,000, we offer a **tax-exempt** fixed interest rate of **6.84% per annum**.

Interest will be calculated on an actual/365 day basis on the Note, which will be issued without prepayment penalty. There are no bank premiums, discounts, or other charges associated with the Note. As a result, the effective annual percentage rates equal the stated rates. Assuming funds are fully advanced as of the funding date of July 1, 2024 and remain outstanding until the maturity date of June 30, 2025, the total amount of interest which will accrue is illustrated on the attached TAN summary and amortization schedule.

Our proposal is predicated on receipt of an unqualified legal opinion attesting to the validity and non-arbitrage nature of this borrowing, and designating the Note as a qualified "tax exempt" obligation under existing tax laws. We understand that the Town has engaged bond attorney James Saffian of the firm of Pierce-Atwood to provide this opinion, the note and related documents, and to carry out the legal work for this borrowing, and that the cost of these services will be borne by the City. We will be pleased to work with attorney Saffian to assist in the timely closing of this transaction.

Our proposal is subject to change if not accepted by the close of business on July 25, 2024, and is further subject to withdrawal if there is discovered prior to disbursement any material adverse information pertaining to the City's financial affairs.

On behalf of Androscoggin Bank, I would like to thank you for providing us with this opportunity to assist the City with its TAN borrowing. We look forward to establishing a good working relationship with the City of Ellsworth and its officials.



If I can be of further assistance to the Town in any facet of its banking activities, please do not hesitate to contact me.

Sincerely,



John Simko, Senior Vice President
Director of Government Banking

Enclosure

CC James Saffian, Esq.

AWARD / ACKNOWLEDGEMENT (please sign and return via email):

This proposal is accepted and this financing is awarded to Androscoggin Bank.

Name & Title

Date: _____

Note Model Statement

Date Quoted: Jun 05, 2024
 Product: Product Not Defined
 Interest Method: [1] 365/365 Payments P&I

Note Date: Jul 01, 2024
 Maturity Date: Jun 30, 2025

Principal Advance: \$0.00

Expenses Financed: \$3,000,000.00

Amount Financed: \$3,000,000.00
 Finance Charge: \$204,637.80
 APR: 6.840000%

Total Principal: \$3,000,000.00
 Total Interest: \$204,637.80
 Total of Payments: \$3,204,637.80

Payment Schedule

Description	Date	Frequency	Number	Amount
Regular Payment	Jun 30, 2025	One Time	1	\$3,204,637.80

Amortization Schedule						
Date	Description	Total Payment	P&I Payment	Principal Payment	Interest Payment	Principal Balance
Jul 01, 2024	Beginning Balance, Expenses					3,000,000.00
 2024 Totals						
 Jun 30, 2025	Regular Payment	3,204,637.80	3,204,637.80	3,000,000.00	204,637.80	
 2025 Totals		3,204,637.80	3,204,637.80	3,000,000.00	204,637.80	
 Grand Total		3,204,637.80	3,204,637.80	3,000,000.00	204,637.80	

Toni Dyer

From: Nathaniel Moore
Sent: Monday, June 3, 2024 11:00 AM
To: Toni Dyer
Subject: Fwd: **2024 TAN BID**
Attachments: image001.png; Ellsworth RFP response--FNB.pdf

Sent from my iPhone

Begin forwarded message:

From: Jake Miller <Jake.Miller@thefirst.com>
Date: June 3, 2024 at 10:55:51 AM EDT
To: Nathaniel Moore <nmoore@ellsworthmaine.gov>
Cc: Kyle McKim <Kyle.McKim@thefirst.com>
Subject: **2024 TAN BID**

Good morning, Nate,

Please see our response to your RFP for TAN funds financing. Would you like me to forward this to Jim Saffian at Pierce Atwood as well? If so, happy to do so. Please feel free to let us know if you have any questions.

Best regards,

Jake

Jacob D. Miller | Senior Vice President, Government Banking & Sr Business Development Officer
First National Bank, a division of The First Bancorp
207.593.1014 | fax 207.594.6400
PO Box 606 | 63 Union Street Rockland, Maine 04841
mailto:Jake.Miller@thefirst.com

This email message may contain information that is privileged, confidential, or exempt from disclosure under applicable law. All recipients are notified that if this message comes to your attention by mistake, any dissemination, use, or copying of the information is prohibited. If you receive this message in error, please notify the sender at once. Thank you.



102 Main Street
P.O. Box 258
Bar Harbor, ME 04609
Phone: 207.288.3341 Ext: 2469
Fax: 207.288.2451
Email: tony.mckim@thefirst.com

June 3, 2024

City of Ellsworth
Attn: Nate Moore, Acting Finance Manager
1 City Hall Plaza
Ellsworth ME 04605

Dear Mr. Moore:

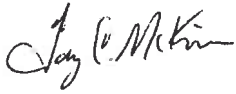
Thank you for the opportunity to provide this commitment letter for the 2024 Tax Anticipation Note for the City of Ellsworth in the amount of \$3,000,000.00. The Note is offered subject to the following conditions:

1. ISSUE DATE: On or about July 1, 2024.
2. MATURITY: Principal and interest will be payable at maturity on June 30, 2025.
3. INTEREST RATE: The rate of interest will be fixed for the repayment term at **5.96%** based upon a 360-day year with funds to be made available on an as-needed basis.
 - a) If the Note were fully extended from the issue date to maturity date, the resulting interest would be approximately **\$180,786.67**.
4. DENOMINATION: There will be one (1) Note issued in the denomination of Three Million Dollars (\$3,000,000.00).
5. PREPAYMENT PROVISION: The Note may be prepaid at any time after July 1, 2024, without penalty.
6. FEES: Waived.
7. LEGAL OPINION: This commitment is subject to a legal opinion from bond counsel acceptable to the Bank, the cost of which will be borne by the City. The opinion must include a statement that the Bond represents a valid and binding obligation of the issuer and further that the Bond is a "qualified tax-exempt obligation."

8. CONFIRMATIONS: The City must confirm in writing that:
- a) The anticipated total tax-exempt borrowings for 2023 will not exceed \$10,000,000; and
 - b) The City will comply with all aspects of the Tax Reform Act of 1986, as amended, including all provisions relating to arbitrage and rebate.
9. SUBMISSION OF FINANCIAL STATEMENTS: The City will provide the Bank with year-end audited financial statements within one hundred fifty (150) days of the City's fiscal year-end. Such statements are to be prepared by an independent certified public accountant.

This commitment shall expire if it is not accepted in writing by a qualified officer of the Borrower by 5:00 P.M. on July 15, 2024. Five (5) business days shall be required to prepare for a closing. Should you require any further information, please feel free to contact me as listed above. Again, thank you for allowing **First National Bank** to participate in this bid.

Very Truly Yours,



Tony C. McKim,
President & Chief Executive Officer

AGREED TO ON BEHALF OF CITY OF ELLSWORTH

Date: _____

By: _____

Print Name: _____

Its: _____

Toni Dyer

From: Nathaniel Moore
Sent: Friday, May 31, 2024 1:49 PM
To: Toni Dyer
Subject: Fwd: 2024 TAN Bid
Attachments: msbEmailLogo_cf74110d-9b43-4252-896c-b94968c9634d.png; iconWeb_6c58b07c-519a-4c36-bb18-cb89c8f51071.png; iconFacebook_e8a79538-c23a-49a4-bd73-0148b892e385.png; iconLinkedIn_4f15fca8-5b3c-4a58-9b8e-86457e7cb11b.png; Amortization Schedule 6.12% with deposits.pdf; Amortization Schedule 6.52% without deposits.pdf; Term Sheet- City of Ellsworth.pdf

Sent from my iPhone

Begin forwarded message:

From: JGiles@machiassavings.com
Date: May 31, 2024 at 1:47:07 PM EDT
To: Nathaniel Moore <nmoore@ellsworthmaine.gov>, jsaffian@pierceatwood.com
Subject: 2024 TAN Bid

Good afternoon Nate + Jeff,

Hope this email finds you both well!

Attached is the term sheet and amortization schedules for the TAN request.

We appreciate the opportunity and look forward to reviewing the results.

Have a great weekend!

(MSBPublic)

Jessica Giles

VP, Business Banker

p. (207) 989-8354 ext. 8354 m. (207) 249-2676 f. (207) 989-8350

[Click here to SEND FILES securely](#)

Best Places to Work for in Maine, 2023

Best Banks to Work for in the Nation, 2023 - American Banker Magazine

The information contained in this e-mail (including attachments) is intended for the recipients specified in the message and may be privileged, confidential, proprietary, or otherwise protected from use or disclosure and should be treated as a confidential Machias Savings Bank communication. If you are not the intended recipient, any use, distribution, printing, copying or action in reliance on the contents of this email is prohibited. If you received this email in error, please immediately delete it from your systems and notify the sender. Thank you.



**Welcome to Machias Savings Bank and
thank you for inquiring about a business loan!**

This term sheet is for discussion purposes only and in no way is to be construed as a commitment on behalf of the bank. This term sheet is not legally binding, and neither party shall have any obligations to the other regarding its subject matter until a written agreement is signed by the parties. Either party may terminate discussions at any time, for any reason or no reason, without liability to the other. This term sheet does not obligate the bank to lend.

Date: May 29, 2024

Borrower(s): City of Ellsworth

Guarantor(s): Not required

Loan Type: Line of Credit (as needed basis) for Tax Anticipation Note

Amount: \$3,000,000

Term: 12 months (thru June 30, 2025)

Repayment: At maturity, no prepayment penalty payment. Computed on 365/360 basis.

Rate: 6.12% with a deposit relationship
6.52% without deposit relationship

Collateral: Unsecured

Fee(s) - Waived

Covenants and conditions:

- Pierce Atwood LLP, to provide its opinion that the Note has been duly authorized and validly issued as a tax anticipation note of the City and as to the tax-exempt status of the interest thereon for Federal income tax purposes.

Other: Bid shall remain open until July 15, 2024.

This term sheet is for discussion purposes only and in no way is to be construed as a commitment on behalf of the bank. This term sheet is not legally binding, and neither party shall have any obligations to the other regarding its subject matter until a written agreement is signed by the parties. Either party may terminate discussions at any time, for any reason or no reason, without liability to the other. This term sheet does not obligate the bank to lend.

City of Ellsworth TAN

Compound Period : Exact Days

Nominal Annual Rate : 6.120 %

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	07/01/2024	3,000,000.00	1		
2 Payment	06/30/2025	3,185,640.00	1		

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

Date	Payment	Interest	Principal	Balance
Loan 07/01/2024				3,000,000.00
2024 Totals	0.00	0.00	0.00	
1 06/30/2025	3,185,640.00	185,640.00	3,000,000.00	0.00
2025 Totals	3,185,640.00	185,640.00	3,000,000.00	
Grand Totals	3,185,640.00	185,640.00	3,000,000.00	

City of Ellsworth TAN

Compound Period : Exact Days

Nominal Annual Rate ... : 6.520 %

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	07/01/2024	3,000,000.00	1		
2 Payment	06/30/2025	3,197,773.33	1		

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

Date	Payment	Interest	Principal	Balance
Loan 07/01/2024				3,000,000.00
2024 Totals	0.00	0.00	0.00	
1 06/30/2025	3,197,773.33	197,773.33	3,000,000.00	0.00
2025 Totals	3,197,773.33	197,773.33	3,000,000.00	
Grand Totals	3,197,773.33	197,773.33	3,000,000.00	

**PUBLIC HEARING
CITY OF ELLSWORTH TAX ANTICIPATION BORROWING**

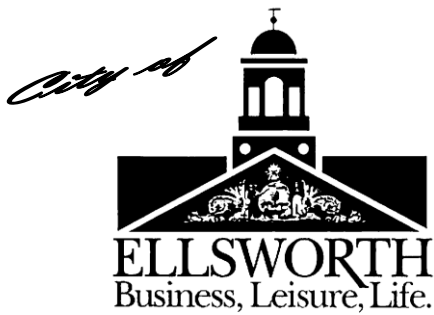
The Ellsworth City Council will hold a public hearing at its meeting on Monday, June 17, 2024, at 7:00 PM, in the City Hall Council Chambers, 1 City Hall Plaza, Ellsworth, Maine, on the following order:

- Council Order #062405: Authorization for Tax Anticipation Borrowing (\$3,000,000)

Citizens may appear in person to make comment or ask questions during the public hearing.

Toni Dyer
Ellsworth City Clerk

[Note: must be published and posted 10 days prior to the public hearing.]



Office of the City Manager

1 City Hall Plaza • Ellsworth, ME 04605-1942
Phone (207) 667-2563 • Fax (207) 667-4908
www.ellsworthmaine.gov

May __, 2024

Re: City of Ellsworth, Maine 2024 \$3,000,000 Tax Anticipation Note

The City of Ellsworth, Maine, will receive proposals until 10:00 a.m. on Friday, June 7, 2024, for the purchase of the City's 2024 \$3,000,000 Tax Anticipation Note.

Amount:	\$3,000,000
Purpose:	Annual working capital financing for the City's 2024-2025 fiscal year
Loan Structure:	Funds to be available to the City on an as-needed basis
Settlement Date:	o/a July 10, 2024
Maturity Date:	o/a June 30, 2025
Payment Schedule:	Principal and Interest paid at maturity
Pre-payable:	Yes, at any time without penalty
Tax Exempt:	Yes
Section 265(b) Bank Qualified:	Yes

Your bid should include the following information regarding the Note as appropriate for each bid:

1. Interest rate to be charged and the basis upon which interest is computed.
2. Total amount of interest to be paid assuming the full amount of the loan (\$3,000,000) was drawn at closing and outstanding for the full term.
3. Length of time the bid will be open; minimum period should be until July 15, 2024.
4. Other terms and conditions.

Bids cannot be for part of the TAN but must be for the entire \$3,000,000.

Bids may be submitted to:

Nate Moore, Acting Finance Director
City of Ellsworth
One City Hall Plaza
Ellsworth, Maine 04605,

Bids may also be submitted by email at: nmoore@ellsworthmaine.gov, with the subject line indicating “**2024 TAN bid**”.

Bids should be submitted not later than 10:00 a.m., Friday, June 7, 2024. Notification to the successful bidder will be done o/a June 21, 2024.

The City’s audited financial statements are available on the City’s website at <https://www.ellsworthmaine.gov/government/government-departments/finance/>.

Pierce Atwood LLP, acting as bond counsel for the City, will advise the City. At closing, the firm will issue its opinion that the Note has been duly authorized and validly issued as a tax anticipation note of the City and as to the tax exempt status of the interest thereon for Federal income tax purposes. Please send a copy to bond counsel for the City: James Saffian, Pierce Atwood LLP, Merrill's Wharf, 254 Commercial Street, Portland, ME 04101, jsaffian@pierceatwood.com.

The City reserves the right to waive or disregard any informalities, irregularities, or deficiencies in any proposal, to accept any proposal, or to reject any and all proposals, should it be deemed for the best interest of the City to do so.

Sincerely,

Nate Moore
Acting Finance Director

CITY OF ELLSWORTH

Council Order #0624__:

TITLE: Authorization for Tax Anticipation Borrowing (\$3,000,000)

By the Ellsworth City Council be it hereby ordered and resolved as follows:

- VOTED: That, pursuant to Title 30-A, Section 5771 of the Maine Revised Statutes, as amended, and Section 7.09(d) of the City Charter, the Treasurer is hereby authorized, in the name of and on behalf of the City, to borrow, at one time or from time to time during the fiscal year ending June 30, 2025, singly or in series, an aggregate amount not to exceed \$3,000,000 in anticipation of the collection of taxes, such borrowing to be evidenced by the issuance of the City's tax anticipation note (the "TAN"), which TAN shall be in addition to any prior tax anticipation borrowing previously authorized by the City Council for the fiscal year ending June 30, 2025.
- VOTED: That the City Council awards the winning bid for the TAN to _____ (the "Bank"), with an interest rate of _____%.
- VOTED: That the TAN shall be signed by the Treasurer and the Chair of the City Council, attested to by the Clerk.
- VOTED: That the TAN shall be payable at maturity, out of money raised by taxation during the fiscal year ending June 30, 2025, and shall contain such terms and provisions, not inconsistent herewith, and be in such form as shall be approved by the officers and officials signing the same, which approval shall be conclusively evidenced by their execution thereof.
- VOTED: That the Treasurer, to the extent permitted and available under the Internal Revenue Code of 1986, as amended (the "Code") be and hereby is authorized, in the name of and on behalf of the City, to designate the TAN as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.
- VOTED: That the Treasurer be and hereby is authorized, in the name of and on behalf of the City, to covenant with the Bank, that the City shall take whatever steps, including filing any reports and rebating any excess earnings, as may be required by federal law, and shall refrain from taking any action, as may be necessary or appropriate to ensure that interest on the TAN will remain exempt from federal income taxes.
- VOTED: That the officers and officials executing the TAN be and hereby are individually authorized, in the name of and on behalf of the City, to covenant, certify, and agree, on behalf of the City and for the benefit of the Bank as the holder of the TAN, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the

disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

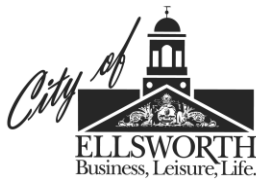
VOTED: That the Treasurer, Chair of the City Council, and Clerk be and hereby are authorized, in the name of and on behalf of the City, to do or cause to be done all such acts and things, and to execute, deliver and approve all agreements, tax compliance or arbitrage certificates, closing certificates, instruments, and any other document (the “TAN Documents”) as may be necessary or advisable, in connection with the issuance of the TAN, which TAN Documents shall be in such form and contain such terms and provisions including, without limitation, the waiving of the City’s sovereign or governmental immunity with respect to the enforceability of any of the forgoing, which waiver of sovereign or governmental immunity is hereby authorized, confirmed and approved, and such other details as he shall establish, determine and approve, such establishment, determination and approval to be conclusively evidenced by the execution thereof.

VOTED: That if the Treasurer, Chair of the City Council, or Clerk are for any reason unavailable to execute and issue the TAN or any TAN document, the person or persons then acting in such capacity, whether on an interim or acting basis, as an assistant, a deputy, or otherwise, is authorized, in the name of and on behalf of the City, to act for such official with the same force and effect as if such official had performed such act.

A true and correct copy of the minutes and attached resolutions adopted June 17, 2024, by the City of Ellsworth Finance Committee, at a meeting thereof duly convened and conducted at Ellsworth, Maine.

Attest:

Toni Dyer, Clerk
City of Ellsworth, Maine
June __, 2023



City Clerk

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6604 ▪ Fax (207) 667-4908

tdyer@ellsworthmaine.gov

edowling@ellsworthmaine.gov

kmiller@ellsworthmaine.gov

clerksoffice@ellsworthmaine.gov

To: City Council and City Manager

From: Toni Dyer, City Clerk

Date: June 13, 2024

Re: June 11, 2024 Election

The City Charter as of 12/1/2011, states “as soon as possible following an election, the Council will, meet, examine the election record, and declare the results” for all municipal elections not just ones that require notifying candidates.

QUESTION 1

Do you favor approving the City of Ellsworth school budget for the upcoming school year that the City Council adopted at the Ellsworth City Council meeting held on April 24, 2024?

QUESTION 2

To vote to accept the following changes to Article IV, Sec 4.04 with an effective date of July 1, 2024.

Sec. 4.04- Filing Nomination Petitions; Acceptance of Nomination Must Be Filed.

The City Clerk will make nomination petitions available to qualified prospective candidates during the period beginning one hundred (100) Days prior to the election date and continuing until sixty (60) Days prior to the election date. Before issuance, the City Clerk may complete each petition paper by filling in the name of the candidate, title and term of office which is being sought.

A) Nomination petitions must be filed with the City Clerk during business hours on or before the sixtieth day prior to the election date.

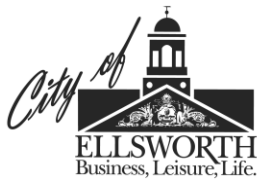
B) Written consent of the person proposed as a candidate must be filed along with the nomination petitions. The consent must include a statement that the proposed candidate agrees to accept the nomination, and if elected, intends to serve in the office to which the person is elected.

C) When filed, each nomination petition and written consent must be open to the public inspection under proper supervision by the City Clerk. The City Clerk must keep the nomination petitions and written consent in the City Clerk's office for six months.

QUESTION 3

To vote to accept the changes to the Ellsworth City Charter, Article IV Sec. 4.06 effective July 1, 2024.

Sec. 4.06- Ballots to Be Prepared by the City Clerk.



City Clerk

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6604 ▪ Fax (207) 667-4908

tdyer@ellsworthmaine.gov

edowling@ellsworthmaine.gov

kmiller@ellsworthmaine.gov

clerksoffice@ellsworthmaine.gov

The City Clerk, or an official designated by the Clerk, will prepare and furnish all official ballots for use in all City of Ellsworth elections.

Question 1:

Yes: 615

No: 381

Blank votes cast: 27

Question 2:

Yes: 801

No: 175

Blank votes cast: 47

Question 2:

Yes: 797

No: 178

Blank votes cast: 48

Suggested Motion: Move to approve acceptance of the June 11, 2024 City of Ellsworth School Budget Validation and Municipal Referendum Election results as presented.

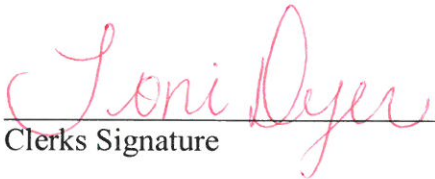
CLERK’S RETURN OF VOTES CAST
RETURN OF BALLOTS CAST
Municipal Election
Municipality: Ellsworth W-P: 1-4
June 11, 2024

TOTAL BALLOTS CAST

TOTAL BALLOTS COUNTED	1023
TOTAL AUXILIARY BALLOTS	1
TOTAL BALLOTS CAST	1024

CERTIFICATION

We, the undersigned election officials duly sworn, do declare that, in accordance with 21-A MRSA §698, we have publicly sorted, counted, declared, recorded, and packaged all Ballots cast at the Municipal Election held on June 11, 2024.


Clerks Signature

<u>THIS BOX IS FOR COUNCIL SIGNATURES ONLY</u>		Majority of Municipal Officers
DATED: _____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

A true copy:

Attest: _____

CLERK'S RETURN OF VOTES CAST
Municipal Election
MUNICIPALITY: ELLSWORTH W-1-4
June 11, 2024

TOTAL BALLOTS CAST: Record the total number of Municipal ballots cast. (If no votes were cast, write "none" or "0")

Total Number of Ballots Cast 1024

Question One:

Do you favor approving the City of Ellsworth School Budget for the upcoming school year that the City Council adopted at its meeting held April 24, 2024?

2116 Yes 381 No 27 Blanks

Question Two:

To vote to accept the following changes to Article IV, Sec 4.04 with an effective date of July 1, 2024.
Sec. 4.04- Filing Nomination Petitions; Acceptance of Nomination Must Be Filed.

The City Clerk will make nomination petitions available to qualified prospective candidates during the period beginning one hundred (100) Days prior to the election date and continuing until sixty (60) Days prior to the election date. Before issuance, the City Clerk may complete each petition paper by filling in the name of the candidate, title and term of office which is being sought.

A) Nomination petitions must be filed with the City Clerk during business hours on or before the sixtieth day prior to the election date.

B) Written consent of the person proposed as a candidate must be filed along with the nomination petitions. The consent must include a statement that the proposed candidate agrees to accept the nomination, and if elected, intends to serve in the office to which the person is elected.

C) When filed, each nomination petition and written consent must be open to the public inspection under proper supervision by the City Clerk. The City Clerk must keep the nomination petitions and written consent in the City Clerk's office for six months

802 Yes 175 No 47 Blanks

Question Three:

To vote to accept the changes to the Ellsworth City Charter, Article IV Sec. 4.06 effective July 1, 2024.
Sec. 4.06- Ballots to Be Prepared by the City Clerk.

The City Clerk, or an official designated by the Clerk, will prepare and furnish all official ballots for use in all City of Ellsworth elections.

798 Yes 178 No 48 Blanks

Lori Oger
Clerks Signature

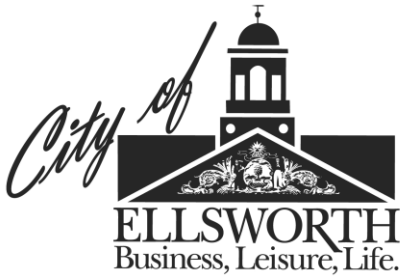
CITY OF ELLSWORTH
Reporting unit: 20683
MUNICIPAL ELECTION JUNE 11, 2024

	WARD 1	WARD 2	WARD 3	WARD 4	TOTALS
Do you favor approving the City of Ellsworth school budget for the upcoming year that the City Council adopted at the Ellsworth City Council Meeting held on April 24, 2024?					
Yes	245	75	92	204	616
No	123	73	73	112	381
					0
Blanks	12	7	3	5	27
To vote to accept the following changes to Article IV, Sec 4.04 with an effective date of July 1, 2024. Sec. 4.04- Filing Nomination Petitions; Acceptance of Nomination Must Be Filed. The City Clerk will make nomination petitions available to qualified prospective candidates during the period beginning one hundred (100) Days prior to the election date and continuing until sixty (60) Days prior to the election date. Before issuance, the City Clerk may complete each petition paper by filling in the name of the candidate, title and term of office which is being sought. A) Nomination petitions must be filed with the City Clerk during business hours on or before the sixtieth day prior to the election date. B) Written consent of the person proposed as a candidate must be filed along with the nomination petitions. The consent must include a statement that the proposed candidate agrees to accept the nomination, and if elected, intends to serve in the office to which the person is elected. C) When filed, each nomination petition and written consent must be open to the public inspection under proper supervision by the City Clerk. The City Clerk must keep the nomination petitions and written consent in the City Clerk's office for six months.					
Yes	301	119	127	255	802
No	60	28	36	51	175
					0
					0
Blanks	19	8	5	15	47

To vote to accept the changes to the Ellsworth City Charter, Article IV Sec. 4.06 effective July 1, 2024.					
Sec. 4.06- Ballots to Be Prepared by the City Clerk.					
The City Clerk, or an official designated by the Clerk, will prepare and furnish all official ballots for use in all City of Ellsworth elections.					
Yes	302	111	128	257	798
No	56	35	36	51	178
					0
					0
Blanks	22	9	4	13	48

Absentee Clerk processed ballots cast:			
Ward 1 total ballots cast:	380	Total registered voters as of 6/10/2024	7,137
Ward 2 total ballots cast:	155	% of voter turnout:	14.35%
Ward 3 total ballots cast:	168	Total absentee ballots issued:	219
Ward 4 total ballots cast:	321	Total absentee ballots returned:	200
Total ballots cast:	1024	Total absentee issued Overseas voters:	0

OFFICIAL



Highway Superintendent

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 667-2563 ▪ Fax (207) 667-4908

Awilson@ellsworthmaine.gov

MEMO

To: City Council Members

From: Adam Wilson: Highway Superintendent

Date: 06/04/2024

Re: Bid Award for winter salt supply

Please see attached documents in addition to this memo.

In 2022 for the first time in the near history of winter salt supply, the state of Maine salt supply bid through the Maine state procurement office came in at a price lower than what the City of Ellsworth was able to procure under its own bidding process. For this reason when the State of Maine reached out to municipalities about the possibility of being included into this bid option, in 2023 we opted to be included in a potential contract repeating that this year.

The low bidder for the State of Maine contract was Eastern Salt; this is a different company than we have used the last couple of years, they do have a good history and are meeting D.O.T. requirements. The price quote for the supply of our winter salt for FY 2024 came in at \$75 a ton. Our price for salt under our own bid process last season (FY23) was for \$78.45 per ton. A \$4.00 savings over last year's price is the reason I am requesting to go into an agreement with the Maine DOT for their bid price. This would equate to an approx. \$10,000 in savings over last year price.

If the Council approves this request, the following motion is suggested:

Move to approve the request of the Highway Superintendent to go into an agreement with Maine DOT and their Winter Salt Supply contract with Eastern Salt Co. at \$71.00 per ton of delivered road salt. The Contract amount to be funded from the Highway Department operating budget.

Eastern Salt RFQ 17A 240514_0282 Salt Municipalities 2024_2025

Results RFQ 17A 240514-282 Road Salt for Select Maine Municipalities/Political Subdivisions

			Eastern Salt Company Inc		
Municipality	County	2024-2025 Tonnage	Bid Price Per Ton	Contact Name	Email
Auburn	Androscoggin	4,500	\$78.61	Scott Holland	sholland@auburnmaine.gov
Lewiston	Androscoggin	5,000	\$78.61	Reggie Poussard; Megan Bates; Dana Drew	rpoussard@lewistonmaine.gov; ddrew@lewistonmaine.gov; mbates@lewistonmaine.gov
Lisbon	Androscoggin	3,000	\$77.14	Gina Holland	gina.holland@lisbonme.org; Steve Alevoli SAlevoli@lisbonme.org; Glenn Michalowski; gmichalowski@lisbonme.org
Minot	Androscoggin	900	\$78.61	Danielle Loring	admin@minotme.org
Poland	Androscoggin	800	\$79.00	Adam Strout	astrout@polandtownoffice.org
Sabattus	Androscoggin	1,540	\$78.25	Tim Kane	tkane@sabattus.org
Turner	Androscoggin	1,100	\$78.50	Kurt Schaub	Kurt.Schaub@turnermaine.com
Wales	Androscoggin	475	\$78.90	Bill Austin	walesroads@hotmail.com
Baldwin	Cumberland	800	\$76.90	Chris Harrington	Baldwinroads@gmail.com
Pownal	Cumberland	800	\$74.16	Matt Nielsen	publicworks@pownalmaine.org
Raymond	Cumberland	1,200	\$75.30	Nate White	Nathan.White@raymondmaine.org
Sebago	Cumberland	1,500	\$76.00	Jim Palmer	publicworks@townofsebago.org
Standish	Cumberland	2,300	\$75.31	John Cross/Don Staples/Tashia Pinkham	jcross@standish.org; dstaples@standish.org; tpinkham@standish.org
Bucksport	Hancock	2,600	\$68.24	Jay Lanpher	ilanpher@bucksportmaine.gov
Dedham	Hancock	400	\$73.00	Michelle Fish; Craig Hamilton	administration@dedhamme.org; craighamilton283@gmail.com
Ellsworth	Hancock	2,400	\$71.00	Adam Wilson	awilson@ellsworthmaine.gov
Lamoine	Hancock	700	\$74.50	Stu Markoon	town@lamoine-me.gov
Penobscot	Hancock	150	\$75.25	Harold Hatch	hahatch60@gmail.com
Sullivan	Hancock	260	\$75.82	Ray Weintraub/Bud Means	townmanager@sullivanmaine.org; budmeans@sullivanmaine.org
Clinton	Kennebec	650	\$75.06	Tim Gerow	thgerow@yahoo.com
Monmouth	Kennebec	750	\$79.90	Tony LaPlante; Justin Poirier	tlaplante@monmouthmaine.gov; JPoirier@monmouthmaine.gov
Vassalboro	Kennebec	1,150	\$73.90	Brian LaJoie	publicworks@vassalboro.net
Windsor	Kennebec	1,100	\$73.90	Theresa Haskell	thaskell@windsor.maine.gov
Winthrop	Kennebec	1,100	\$77.50	Matt Burnham	mburnham@winthropmaine.org
Rockland	Knox	1,800	\$72.50	Todd Philbrook	tphilbrook@rocklandmaine.gov
Dresden	Lincoln	750	\$79.90	Nicole Rogers; Allan Moeller	clerk@dresdenme.org
Newcastle	Lincoln	1,000	\$75.70	Seth Hagar	roadcommissioner@newcastlemaine.us
Wiscasset	Lincoln	1,000	\$79.00	Ted Snowdon	publicworks@wiscasset.org
Canton	Oxford	360	\$82.90	Andy Conant	aconant@cantonme.com
Denmark	Oxford	600	\$79.20	Bob Hebert	publicworks@denmarkmaine.org
Fryeburg	Oxford	800	\$81.00	Katie Haley/Lester France	townmanager@fryeburgmaine.org; publicworks@fryeburgmaine.org
Greenwood	Oxford	400	\$82.00	Kim Sparks; Richie Diaz	kimsparks@roadrunner.com
Hartford	Oxford	850	\$79.90	Lianne Bedard	Hartford@megalink.net
Hebron	Oxford	350	\$78.90	Roland Gagne; Gino Valeriani	publicworks@hebronmaine.org; selectboard2@hebronmaine.org
Lovell	Oxford	600	\$81.00	Laura Williams	townclerk@lovellmaine.org
Norway	Oxford	1,100	\$80.80	Steve Powers	spowers@norwaymaine.com
Oxford	Oxford	1,400	\$78.90	Jim Bennett	jbennett@oxfordmaine.org
Oxford County	Oxford	650	\$78.90	Tony Carter	TCarter@oxfordcounty.org
Stoneham	Oxford	96	\$81.97	Kara Jones	jonesconstruction@gmail.com; Stoneham2nd@gmail.com
Sumner	Oxford	1,000	\$83.00	Diane Campbell	sumnerme@megalink.net
Waterford	Oxford	550	\$78.90	Jim Kidder	towngarage@waterfordme.org
Corinth	Penobscot	700	\$76.14	Carolyn Chambers	manager@townofcorinth.com; carolyn@townofcorinth.com
Lincoln	Penobscot	1,200	\$79.90	Dennis Bullen	dennis.bullen@lincolmaine.org
Orono	Penobscot	1,500	\$74.00	Mike Smart; Adam Smart	msmart@orono.org; asmart@orono.org
Norridgewock	Somerset	500	\$76.40	Richarde LaBelle	rlabelle@norridgewock.gov
Acton	York	1,200	\$79.20	Bill Langley	wlangey00@gmail.com
Alfred	York	1,300	\$75.88	Karla Wilcox	alfred@alfredme.gov
Berwick	York	1,200	\$79.20	Jody Gigon	jgigon@berwickmaine.org
Hollis	York	1,200	\$75.30	Robert Hanson	rhanson@hollismaine.org
Kennebunkport	York	800	\$79.20	Chris Simeoni	csimeoni@kennebunkportme.gov
Lebanon	York	1,200	\$78.00	Lynne Davis	selectmen@lebanonmaine.org
Lyman	York	1,200	\$75.80	Tom Croteau	roadcommissioner@lyman-me.gov
Newfield	York	600	\$79.00	Nichole Hubbard	newfieldso@metrocast.net
Old Orchard Beach	York	1,150	\$74.74	Mike Hersey	mhersey@oobmaine.com
Sanford	York	4,400	\$77.56	Nancy LeBrun; Kate Bangert	nalebrun@sanfordmaine.org
Shapleigh	York	900	\$78.90	Michelle Rumney	townadmin@shapleigh.net
Waterboro	York	2,000	\$76.30	Jason Champion	jchampion@waterboromaine.gov
Wells	York	400	\$79.20	Shawn McLean	smclean@wellstown.org
York	York	5,000	\$79.20	Dean Lessard; Tim Deperrio; Jaelynn Gerald	jgerald@yorkmaine.org; tdeperrio@yorkmaine.org; dlessard@yorkmaine.org
UNIVERSITIES					
UM - ORONO	Penobscot	950	\$72.56	Derek Houtman	derek.houtman@maine.edu
Total Tonnage		75,881			