

**BUCKSPORT TOWN COUNCIL SPECIAL MEETING
6:00 P.M., THURSDAY, MAY 21, 2020
TOWN COUNCIL CHAMBERS – BUCKSPORT TOWN OFFICE**

A G E N D A

1. CALL TO ORDER
2. ROLL CALL
3. AGENDA ITEMS
 - a. CMP Pole Permit – State Route 46
 - b. Liquor License, Verona Wine and Design, LLC
 - c. Resolve #2020-52 to approve 2 year extension to Town Manager Contract
4. Budget Presentations
 - a. Social Services
 1. DownEast Community Partners
 2. Bucksport Community Concerns
 3. Downeast Transportation
 4. Eastern Area Agency on Agency
 5. Bucksport Child Care Center
 6. Bucksport Bay Healthy Communities Coalition
 7. Bucksport Senior Citizens
 8. Hospice of Hancock County
 9. LifeFlight Foundation
 10. HOME
 11. Maine Family Planning - WIC
 12. Red Cross
 13. Home Health Hospice, EMHS
 14. Families First Community Center
 15. Loaves & Fishes Food Pantry
 16. Health Equity Alliance
 17. Bucksport Library
 - b. Parks & Recreation
 - c. Marina/Waterfront
 - d. Capital Improvement
5. ADJOURN

5/21

30



**CENTRAL MAINE
POWER**

Date: 05/06/20

Town of Bucksport

Fax: 469-7369

CMP Job # 801000285893

RE: State Pole Permit
For Your Records

Dear Town Manager:

Consistent with Section 35-A M.R.S.A. Section 2503, Central Maine Power Company is providing you with the attached copy of Notification for Utility Location Permit that has been submitted to the MDOT.

This letter also serves as notice that as part of pole setting activity, trimming of vegetation may be required. If you wish to discuss any of these construction activities, please do not hesitate to contact the primary contact person listed on the pole permit application.

Sincerely,

Patricia Shore
Central Maine Power
Line Clerk

Attachment

cc: file

For your records.



Maine Department of Transportation Utility Location Permit Application

Utility Job/W.O. No.
801000285893

14 Day Permit by Rule (PBR) 30 Day Permit by Rule (PBR) Statutory Application MaineDOT Project

Applicant Information: Date: 04/21/2020

Utility Name: Central Maine Power PBR #:: _____

Joint Utility: Northern New England Telephone Joint PBR #:: _____

Primary Contact Information:

Name: Wayne Cookson Phone: 629-1793 Cell: 441-0830

Address: 205 Center Rd. Email: Wayne.Cookson@cmoco.com

Town: Fairfield State: Maine ZIP: 04937-9960

Proposed Installation: *Please attach a Location Map and Sketch Plan*

Town: Bucksport MaineDOT PIN (if applicable): _____

Type of Installation Proposed: Changing out 10 old poles and installing two new mid span poles

Minimum Depth of Cover: _____ (if applicable) Maximum PSI: _____

GPS Coordinates: *Decimal Degrees*

	Latitude (ex: 44.3074199)	Longitude (ex: -69.7775613)
Starting Point:	<u>44.6135297</u>	<u>-68.7239441</u>
Ending Point:	<u>44.6264378</u>	<u>-68.7082496</u>

Comments: Replacing 10 old poles and adding 2 new mid span poles

Location Description:

On State Route 46, beginning at a point approximately 8760 Feet
Route #, I.R. # or Name shown on Location Map Distance (including units - feet, meters)

Northeast of Russel Hill Rd. and State Route 45 and extending in a
Direction (North, South, etc...) Ref. Point (Intersection of major road, Route Number, Town Line, Bridge)

Northeast direction for a distance of 15,675
Direction (i.e. Northerly, Southerly, Easterly or Westerly) Distance (including units - i.e. feet, meters, etc...)

Expected Construction Schedule: Start: 04/30/2020 Completion: 05/31/2020

Do you intend to provide public notice?* Yes No: * Reference Public Notice Supplement

Date Published: _____ Name of Newspaper: _____

By signing this Application for Utility Location Permit, the undersigned hereby certifies: a) that he/she is a duly authorized employee and representative of the utility/entity identified above ("Applicant"); b) that the information provided herein is true and accurate; c) that the Application is understood to be for a limited period and that the Applicant, at its sole expense, may have to adjust, remove, or relocate its facilities in the future; and d) that the Applicant will maintain its facilities in accordance with MaineDOT's Utility Accommodation Rules (17-229 C.M.R. Chapter 210) and all other applicable laws.

Signature: Wayne Cookson Joint Utility: Emily Gleaney

Printed Name: Wayne Cookson Printed Name: Emily Gleaney

Title: Field Planner Title: OSP Engineer

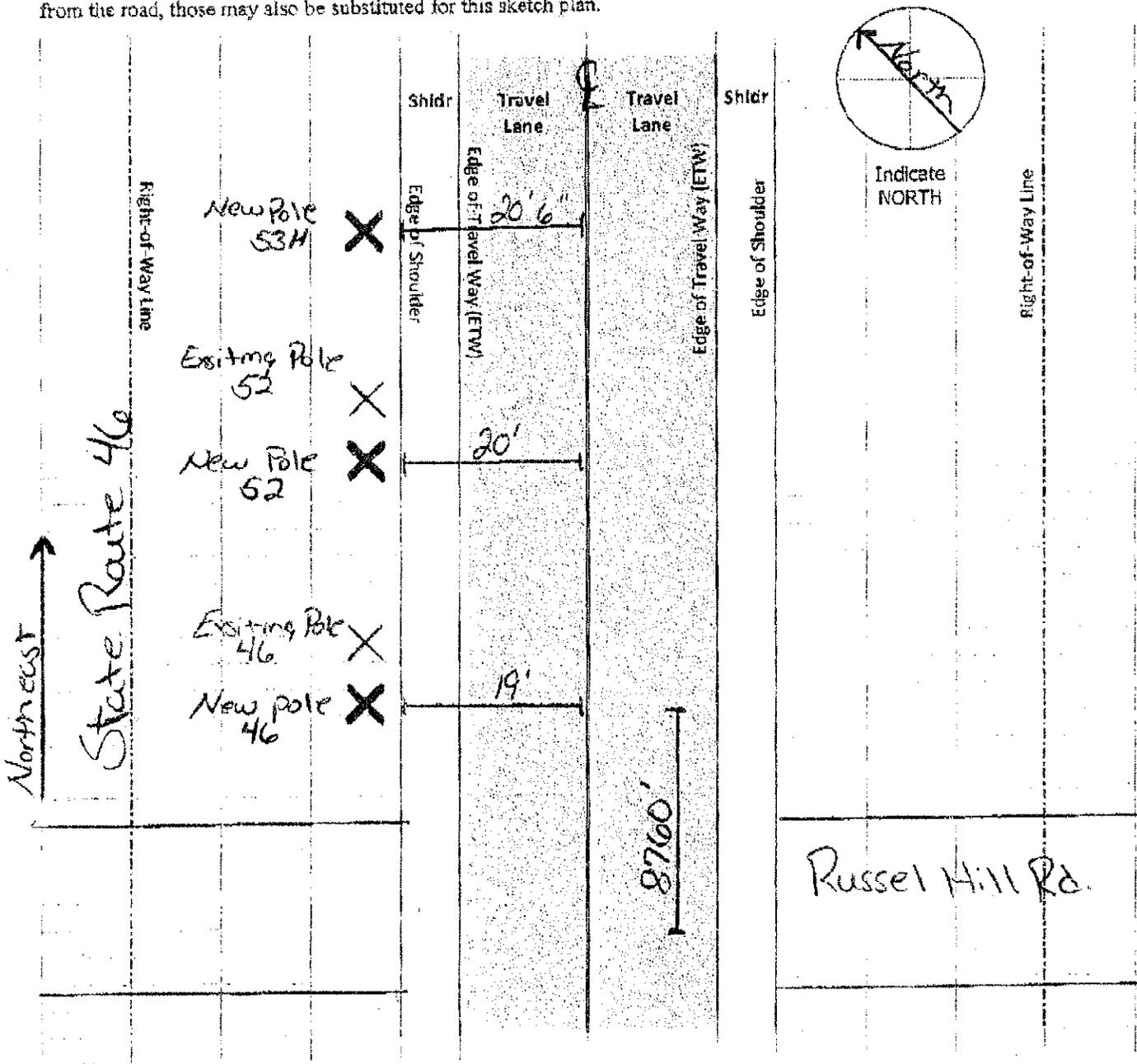
Maine Department of Transportation Utility Location Permit Application

Utility Job/W.O. No.
801000285893

Utility: Central Maine Power

Town: Bucksport

The purpose of this "Sketch Plan" is to show the location of the proposed facility in relation to the highway. This plan is not intended to be drawn to scale, however, you must accurately reference the proposed facility with offset distances from one of the lines on the road (ETW is the white painted edge line). Alternatively, when multiple utility pole installations are proposed, the applicant may substitute a complete pole list that clearly indicates the pole offsets and starting/ending poles in relation to sheet 1 of this application. If the utility has developed design plans that also provide clearly referenced offsets from the road, those may also be substituted for this sketch plan.



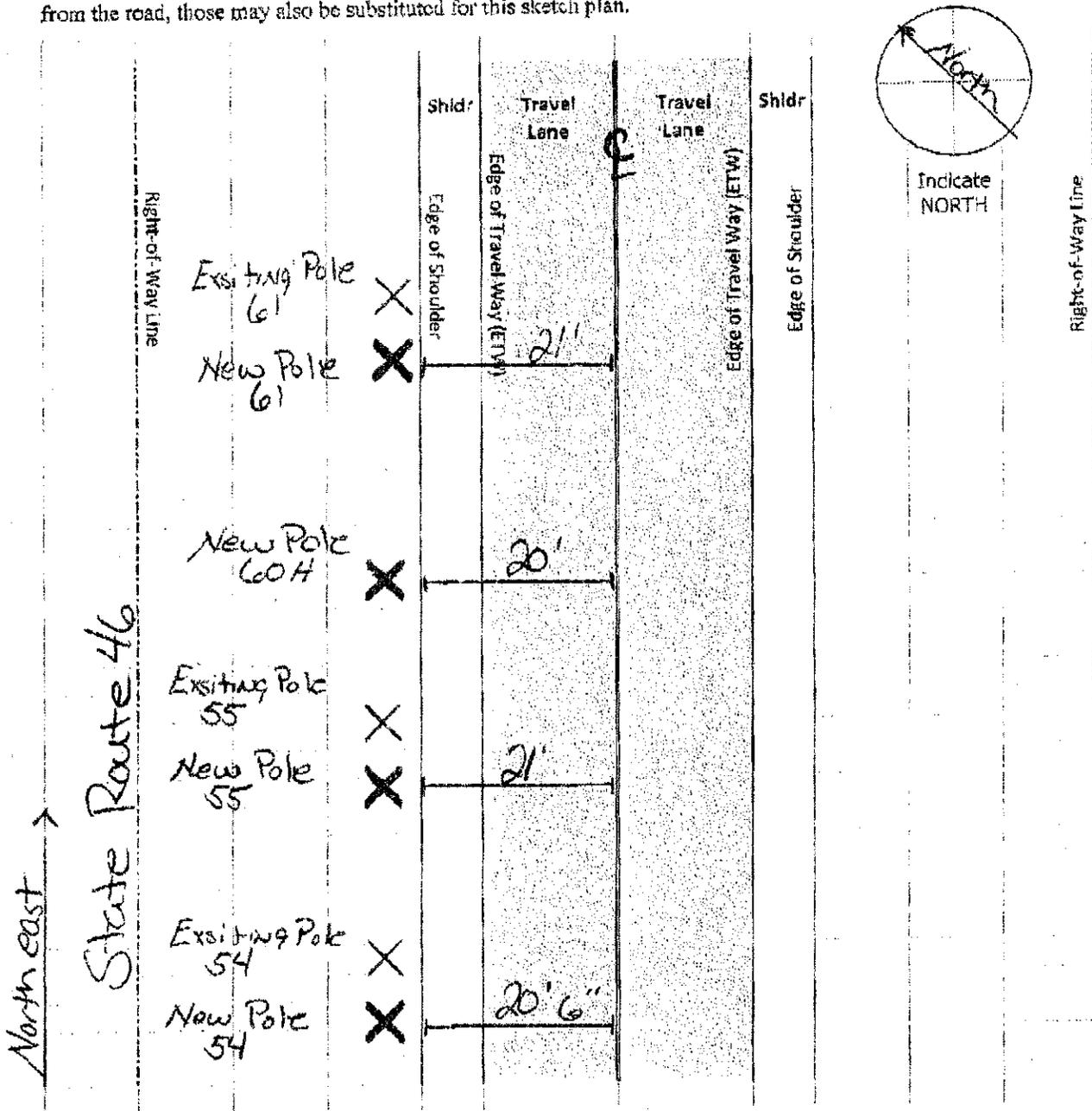
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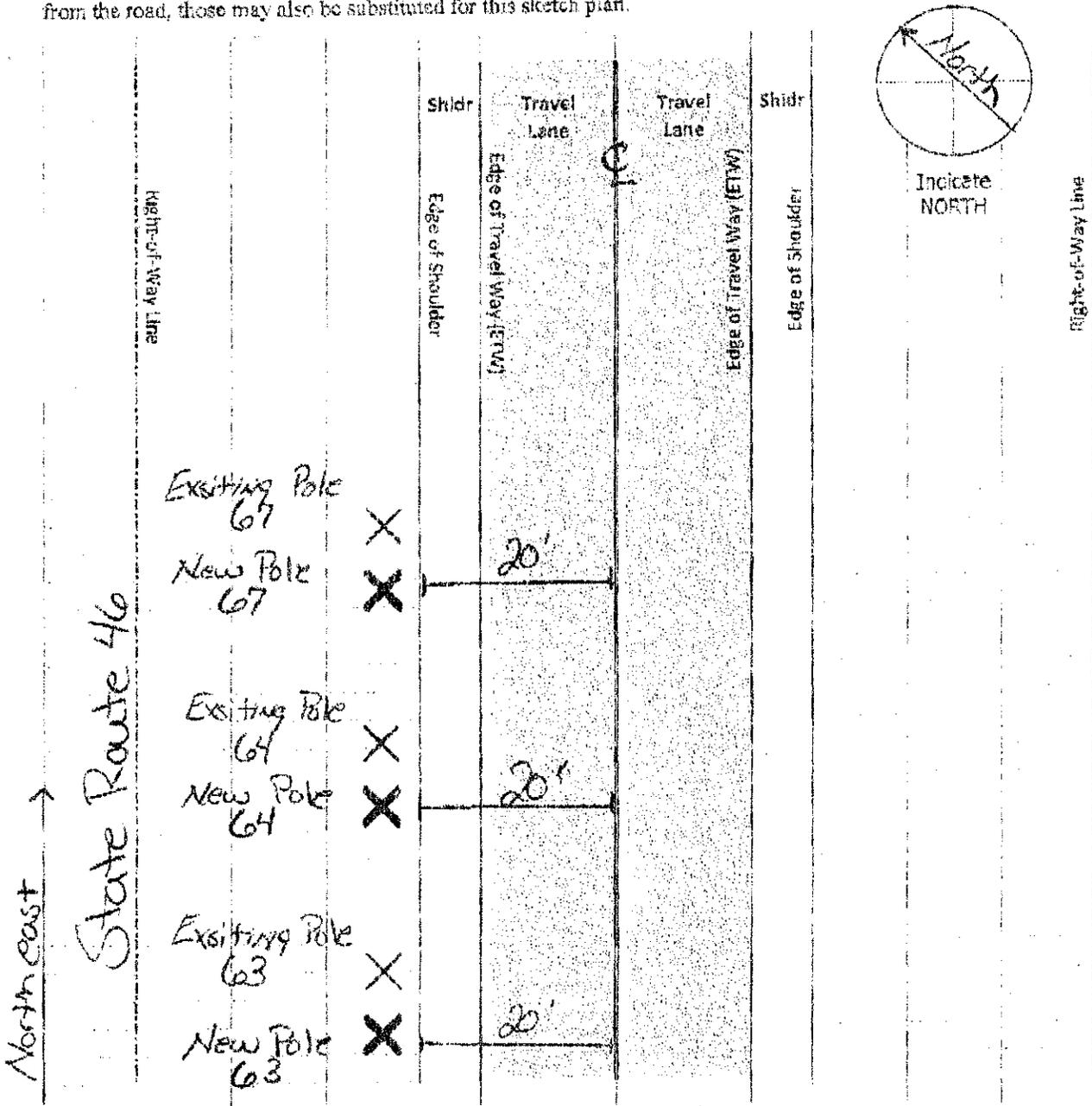
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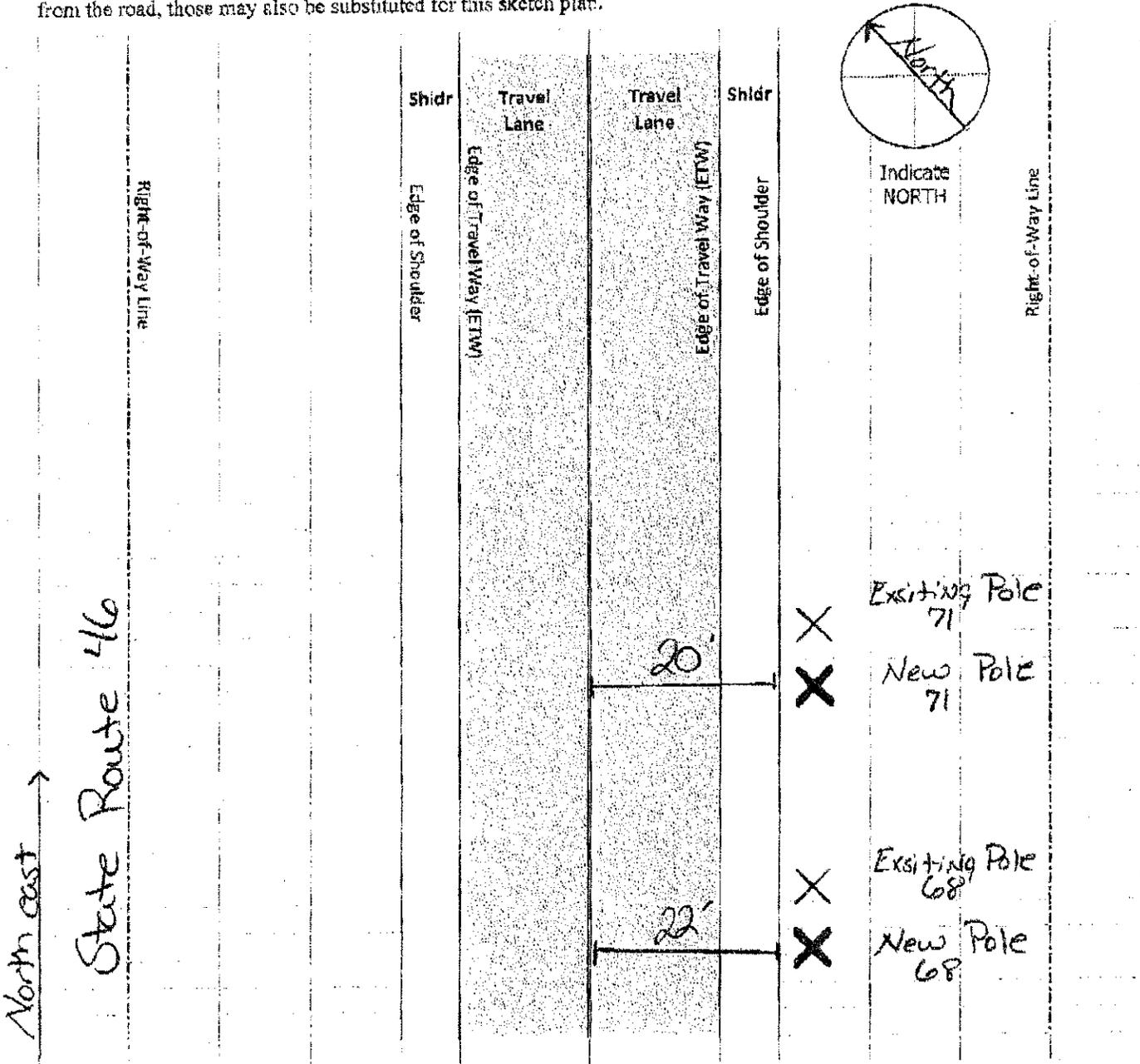
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4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

15 East Side Drive, Verona Island, ME 04416

6. Is the licensee/applicant(s) citizens of the United States? Yes No

7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes No

Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? Yes No

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

Name of Business	License Number	Complete Physical Address
Verona Wine and Design, LLC	RET-2016-1131	77 Main St. Suite 1A Bucksport, ME 04416

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

Full Name	DOB	Place of Birth
Michael A. Gross	10/21/62	Bangor, ME
Colleen G. Gross	9/11/59	Bangor, ME

Residence address on all the above for previous 5 years

Name Michael A. Gross	Address: 15 E. Side Drive Verona Island, ME 04416
Name Colleen G. Gross	Address: 15 E. Side Drive Verona Island, ME 04416
Name	Address:
Name	Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? Yes No

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? Yes No

17. Does the licensee/applicant(s) own the premises? Yes No

If No, please provide the name and address of the owner:

Lawrence Wahl, P.O. Box 755, Backspor, ME 04416

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Retail store, wine racks and shelves and locked unit in
basement of rental space (same building)

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Elm Street Church

Distance: .2 miles

Section II: Signature of Applicant(s)

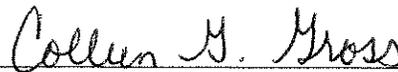
By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary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

Please sign and date in blue ink.

Dated: 5/12/2020



Signature of Duly Authorized Person



Signature of Duly Authorized Person

Michael A. Gross

Printed Name Duly Authorized Person

Colleen G. Gross

Printed Name of Duly Authorized Person

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

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

Dated: _____

Who is approving this application? Municipal Officers of _____

County Commissioners of _____ County

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

Signature of Officials	Printed Name and Title

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

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

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

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

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

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

4. Repealed

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

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

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

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

Section V: Fee Schedule

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

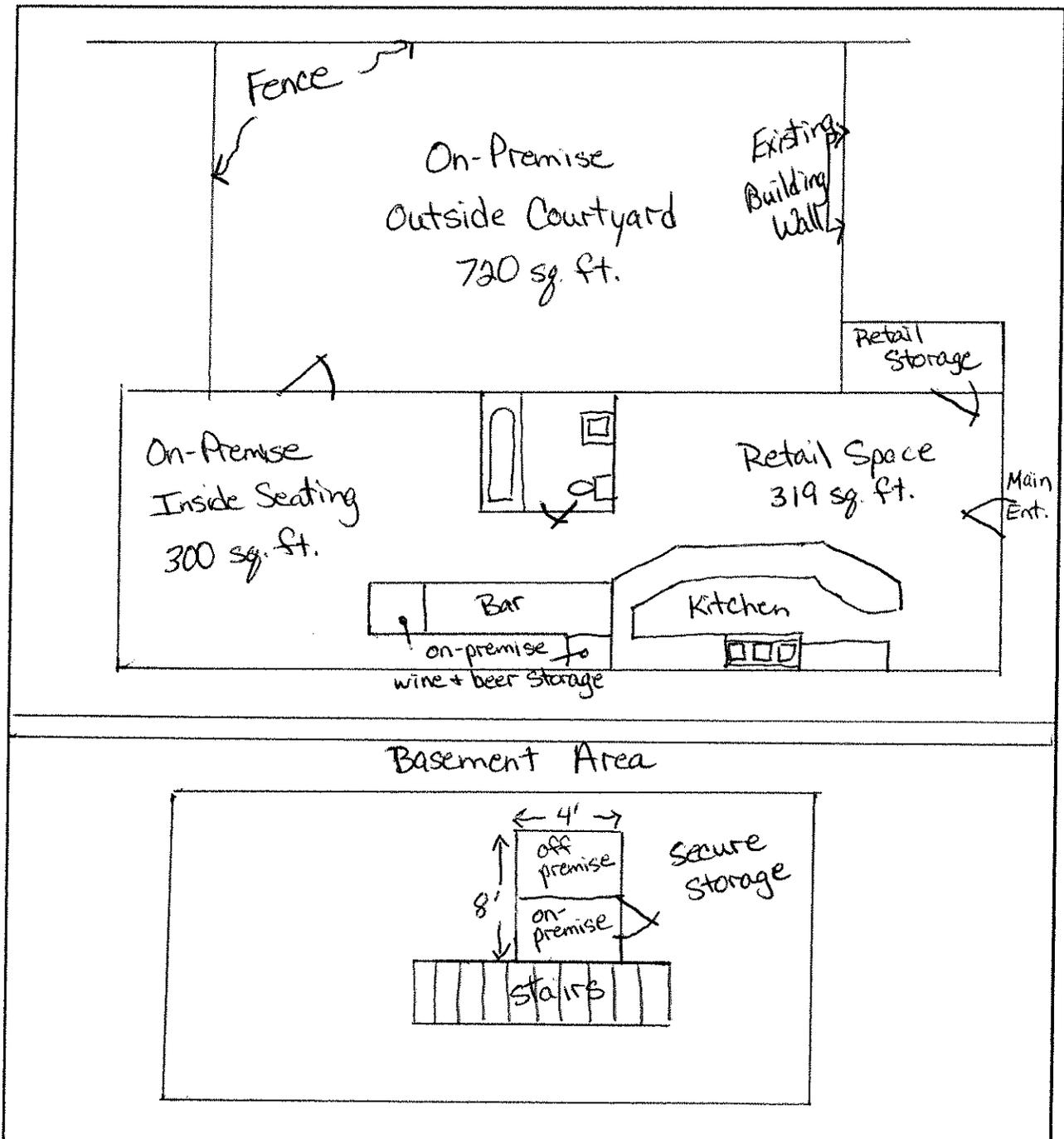
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

<u>Class of License</u>	<u>Type of liquor/Establishments included</u>	<u>Fee</u>
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
✓ Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
✓ Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

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

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



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

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

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Verona Wine and Design, LLC
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 4/19/2016 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Michael A. Gross	15 E. Side Drive Verona Island, ME 04416	10/21/62	Co-Owner	50%
Colleen G. Gross	15 E. Side Drive Verona Island, ME 04416	9/11/59	Co-Owner	50%

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

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RESOLVE #R-2020-52 TO EXTEND THE TOWN MANAGER CONTRACT FOR TWO YEARS, ENDING JUNE 30, 2024

Whereas, the Town Council initially approved an employment contract with Town Manager Susan Lessard on April of 2016 for a three year period, and in April of 2018 extended that for a three year period through April 2022, and

Whereas, the Town Council has evaluated the employment performance of Town Manager Lessard annually since the initial contract was granted and found her performance to be satisfactory, and

Whereas, the Manager as part of her 2020 evaluation process she has requested an additional two year extension through June of 2024, and

Whereas, the Town Council agrees that continued stability in town administrators is necessary as the community moves forward,

Be it resolved by the Bucksport Town Council in town council assembled to extend the Town Manager's contract through June 30, 2024, with no raise for the 2020/21 fiscal year.

Acted on May 21, 2020

Yes ___ No ___ Abstained ___

Attested by: Jacob Gran, Town Clerk
