

Town of Lyman
Select Board Regular Meeting Agenda
Monday December 1st, 2025 – Lyman Town Hall

Welcome to the December 1st, 2025 Regular Meeting of The Lyman Select Board.
This meeting is a public proceeding and is being recorded.

PLEDGE OF ALLEGIANCE

ITEM #1 **SPECIAL OFFERS/ PRESENTATIONS**

- a. Public Hearing – 2025 Revised General Assistance Ordinance & Maximums
- b. ECO Maine, Kevin Roche - Extended Producer Responsibility (EPR) law

ITEM #2 **HEARING OF DELEGATIONS / PUBLIC INPUT**

- a. Public Input – *Public in attendance will have up to 5 minutes to address the Board. Please use the podium to address the board and please be respectful of others. The Board may not be able to respond to Q&A during public comment; If you wish to be placed on a future agenda, please contact the Town Manager.*
- b. Mail

ITEM #3 **UNFINISHED BUSINESS**

- a. Franchise Agreement, Updates if any –
- b. RFP – For Sale Generator & Transfer Switch.
- c. KerryJo Sampson – Updates on tax assistance seminar and Quarterly Newsletter

ITEM #4 **DEPARTMENT AND COMMITTEE REPORTS**

- a. Fire Commission/ Fire Chief – Review/Approve Capital Funds Request
- b. Treasurer – Expense Report

ITEM #5 **NEW BUSINESS**

- a. Town Cloud update/ TRIO payment – Review/ Approve funds out of Computer Reserve
- b. Discussion regarding Special Town Meeting to request funds for difference in Library Budget.
- c. Review/ Approve Contingency Funds for Well Pump Replacement at Transfer Station.

ITEM #6 **MINUTES**

- a. Review / Approve meeting minutes 11/17/2025

ITEM #7 **SIGN WARRANTS**

- a. Payroll Warrant #25 in the amount of **\$30,468.48**
- b. Accounts Payable Warrant #24 (FY2026) in the amount of **\$820,434.57**

ITEM #3 **UNFINISHED BUSINESS**

- c. Complaint submitted by M. Felicitti

EXECUTIVE SESSION

1 M.R.S.A § 405(6)(A) – Discussion regarding personnel matters

ADJOURN

ITEM #1: (a.) Public Hearing - GA Ordinance

Town of Lyman

Select Board
Notice of Public Hearing

11 South Waterboro Rd
Lyman, ME 04002

The Select Board will hold a public hearing on **December 1, 2025 at 6:00pm** located at the Lyman Town Hall for the purpose of presenting information regarding the 2025 Revised General Assistance (GA) Ordinance and the Amendments to the GA Maximums

Copies are available on the Town's Website and at the Town Office.

The select board regular meeting is scheduled to follow after public hearing on Monday December 1st, 2025

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Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
Office for Family Independence
11 State House Station
109 Capitol Street
Augusta, Maine 04333-0011
Tel.: (207) 624-4168; Toll-Free: (800) 442-6003
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To: Welfare Officials and Contracted Agents
From: Sara Denson, Program Manager, General Assistance
Date: September 5, 2025
Subject: New GA Maximums for October 1, 2025

Enclosed please find the following items:

- MMA's updated **General Assistance Ordinance** (9/2024)
- MMA's new (October 1, 2025–September 30, 2026) “**General Assistance Ordinance Appendices**” (A – H).
- Recovery Residence Housing Maximums (October 1, 2025-September 30, 2026)
- “**GA Ordinance Adoption Form**” which was developed so that municipalities may easily send DHHS proof of the adoption of any updated or changed GA Ordinance. Once the selectpersons or council adopts the new ordinance, the enclosed form should be signed and submitted to DHHS. (*see “Filing of GA Ordinance and/or Appendices” below for further information*).
- “**GA Maximums Adoption Form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (*see “Filing of GA Ordinance and/or Appendices” below for further information*).

Updates

Please note that updates have been made to Appendix A (overall maximums), Appendix B (food maximums), and Appendix C (housing maximums) of the General Assistance Ordinance. There is also a new Recovery Residence Housing Maximums guide. You can find information about the MMA Model Ordinance on the Maine Welfare Director's Association (MWDA) website at www.mainewelfaredirectors.org.

Appendix A – C

The enclosed Appendices A – C have been revised for your municipality's General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – C. Even if you are not updating your GA Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**

The Adoption Process

The **municipal officers (i.e., selectpersons/council)** adopt the local **General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers conduct a ***notice and hearing*** prior to the adoption of the Ordinance and/or Appendices. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance and/or appendices either in its posted form or as amended in light of public discussion.

Municipalities May Establish Their Own Maximums

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality. (C.M.R. 10-144, Chapter 323, Section V).

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted, should that ordinance differ from the MMA Model. Any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that your Municipal Officers have adopted the current MMA Model GA maximums and/or ordinance. If you are not making changes to your adopted ordinance, you are only required to submit verification that the new Appendices have been adopted.

2025-2026 GA Housing Maximums

Recovery Residences

The following Recovery Residence maximums are in effect from 10/1/2025- 9/30/2026

Non-Metropolitan FMR Areas	25 Beds or less		26+ Beds	
Area	Weekly	Monthly	Weekly	Monthly
Aroostook County	\$147.00	\$633.00	\$102.90	\$443.10
Franklin County	\$158.25	\$681.75	\$110.78	\$477.23
Hancock County	\$195.00	\$838.50	\$136.50	\$586.95
Kennebec County	\$168.75	\$726.00	\$118.13	\$508.20
Knox County	\$168.00	\$723.00	\$117.60	\$506.10
Lincoln County	\$207.75	\$892.50	\$145.43	\$624.75
Oxford County	\$160.50	\$689.25	\$112.35	\$482.48
Piscataquis County	\$159.75	\$687.00	\$111.83	\$480.90
Somerset County	\$171.00	\$734.25	\$119.70	\$513.98
Waldo County	\$192.00	\$825.00	\$134.40	\$577.50
Washington County	\$148.50	\$639.00	\$103.95	\$447.30

Metropolitan FMR Areas	25 Beds or less		26+ Beds	
Area	Weekly	Monthly	Weekly	Monthly
Bangor HMFA	\$210.00	\$901.50	\$147.00	\$631.05
Cumberland Cty. HMFA	\$251.25	\$1,080.00	\$175.88	\$756.00
Lewiston/Auburn MSA	\$186.75	\$802.50	\$130.73	\$561.75
Penobscot Cty. HMFA	\$165.00	\$708.75	\$115.50	\$496.13
Portland HMFA	\$296.25	\$1,273.50	\$207.38	\$891.45
Sagadahoc Cty. HMFA	\$219.75	\$946.50	\$153.83	\$662.55
York Cty. HMFA	\$247.50	\$1,065.00	\$173.25	\$745.50
York/Kittery/S. Berwick HMFA	\$289.50	\$1,243.50	\$202.65	\$870.45

These rates were calculated according to CMR 10-144, Ch. 323, Section V which requires:

- A. The Recovery Residence is 75% of 1 bedroom heated rate.
- B. The Recovery Residence rate for a facility with 26 or more beds is 70% of the <26 bed rate (A).

Revised 08/22/2025

GENERAL ASSISTANCE ORDINANCE



**MAINE MUNICIPAL
ASSOCIATION SINCE 1936**

**Prepared by Maine Municipal Association
September 2025**

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ARTICLE I – Statement of Policy

The Municipality of _____ administers a general assistance (GA) program available to all persons who are eligible pursuant to the standards provided in this ordinance, state law (22 M.R.S. §§ 4301-4326), and Department of Health and Human Services (DHHS) regulations.

The program will make every effort to recognize the dignity of applicants while helping eligible persons achieve self-maintenance by promoting the work incentive. When possible, the program will connect recipients with rehabilitative, preventive, and protective services to alleviate non-financial needs. The GA program will not place unreasonable restrictions on the personal rights of applicants or recipients, nor will it discriminate based on sex, age, race, nationality, religion, sexual orientation, or disability. The municipality is committed to including qualified individuals with disabilities in municipal services, programs, and activities. As a result, the municipality will promote a GA program, that when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. GA applicants with physical or mental disabilities that require a reasonable accommodation in order to access and/or utilize the GA program are encouraged to contact the municipality to make an accommodation request.

The program provides trauma-informed services and culturally and linguistically appropriate services to all applicants. “Trauma-informed services” means services that acknowledge and are informed by the widespread effects of trauma and recognize the potential paths for recovery; recognize the unique signs and symptoms of trauma in applicants, clients, families and staff; respond by fully integrating knowledge about trauma into policies, procedures and practices; and seek to actively avoid retraumatization. “Culturally and linguistically appropriate services” means services that are designed to serve culturally diverse populations in a person’s preferred language; function effectively within the context of cultural beliefs, behaviors and needs presented by a person who applies to or is a recipient of assistance from the program and the person’s community; contribute to a work environment that supports diversity; promote community engagement; build trust and relationships with applicants and recipients; actively support and enable recipients to make informed choices; and value and facilitate the exchange of information with recipients. (22 M.R.S. § 4305(7)).

The Administrator will act promptly on all applications for assistance and requests for fair hearings and will provide GA applicants with information regarding their rights and responsibilities under the program. Within 24 hours after receipt of an application, the Administrator will provide the applicant a written decision, whether or not assistance is granted, that will state the specific reasons for the decision. The Administrator will also provide the applicant written notice that the applicant may appeal to the municipal fair hearing authority if dissatisfied with the decision. When an applicant is determined to be eligible, assistance appropriate to the need will be furnished within 24 hours after the completed application is submitted except when the Administrator issues non-emergency assistance conditionally on the successful completion of a workfare assignment (*see Ordinance § 5.6*).

The Administrator will maintain complete and accurate records pertaining to each applicant and recipient. These records are confidential as a matter of law. (22 M.R.S. § 4306).

The Administrator will post notice stating the regular business hours when an application may be obtained, the designated business hours when an application may be accepted and processed, and

ARTICLE I – Statement of Policy

the Administrator, or other designated person/entity that will be available to take applications in an emergency at all other times. A copy of this ordinance and Maine GA law will be available to any member of the public upon request. Notice to this effect will be posted.

The Administrator will complete training including, but not limited to, the purpose of the GA program, the delivery of trauma-informed services and culturally linguistically appropriate services as defined above, and the laws governing the GA program's administration, procedures, and requirements no later than 120 days after appointment or election. (22 M.R.S. 4302-A).

ARTICLE II – Definitions

Section 2.1—Common Meaning of Words

Unless otherwise apparent or defined, all words in this ordinance will have their common meaning.

Section 2.2—Special Definitions

Administrator. See “General Assistance Administrator,” below.

Applicant. A person who has submitted an application for GA directly or through an authorized representative, or who has, in an emergency, requested assistance without first completing an application. All persons on whose behalf an authorized application has been submitted or on whose behalf benefits have been granted shall be considered applicants.

Application Form. A standardized form used by the Administrator to allow a person to apply for GA benefits. The application form also confirms that a person has made an application. The application form is not complete unless signed by the applicant.

Basic Necessities. Food, clothing, shelter, fuel, electricity, potable water, non-elective essential medical services as prescribed by a physician, nonprescription drugs, basic telephone service where it is necessary for medical or work-related reasons, property taxes when a tax lien placed on the property threatens the loss of the applicant’s place of residence, and any other commodity or service determined essential by the municipality.

“Basic necessities” do not include:

- Phone bills
- Cable or satellite dish television
- Mail orders
- Vehicle payments
- Credit card debt**
- Furniture
- Loan re-payments**
- Cigarettes
- Alcohol
- Pet care costs
- Vacation costs
- Legal fees
- Late fees
- Key deposits
- Security deposits for rental property (except when no other permanent lodging is available unless a security deposit is paid, and a waiver, deferral or installment arrangement cannot be made between landlord and tenant to avoid need for immediate payment of the security deposit in full). (22 M.R.S. § 4301(1)).

** Repayments of loans or credit will be treated as having been spent on basic necessities when the applicant can provide verification of this fact.

Case Record. An official file containing application forms; correspondence; narrative records and all other communications pertaining to an applicant or recipient; written decisions regarding

eligibility including reasons for those decisions and types and amounts of assistance provided; records concerning an applicant’s request for fair hearing; and fair hearing decisions.

Categorical Assistance. All state and federal income maintenance programs.

Claimant. A person who has requested a fair hearing.

Deficit. An applicant’s deficit is the appropriate overall maximum level of assistance for the household (see Ordinance § 6.8) less the household income (calculated pursuant to Ordinance § 6.7), provided that this calculation yields a positive number. If the household income is greater than the appropriate overall maximum level of assistance, the household has no deficit.

Disabled Person. A person who is presently unable to work or maintain a home due to a physical or mental disability that is verified by a physician or qualified mental health provider.

Dwelling Unit. A building or part thereof used for separate living quarters for one or more persons living as a single housekeeping unit. (22 M.R.S. § 4301(2)).

Earned Income. Wages or Income-in-kind derived by providing goods or services to an individual, company, organization, or other entity.

Eligible Person. A person who is qualified to receive GA benefits from the municipality according to the eligibility standards in this Ordinance, Maine law (22 M.R.S. ch. 1161), and DHHS regulations (10-144 C.M.R. ch. 323). If otherwise qualified, “Eligible Person” includes U.S. citizens; non-U.S. citizens who are lawfully present in the United States as described in 8 U.S.C. § 1621(a)(1)-(3); and non-U.S. citizens who are pursuing a lawful process to apply for immigration relief. Assistance for non-citizens pursuing a lawful process for immigration relief shall not exceed 24 months beginning with assistance provided after July 1, 2015. “Eligible Person” does not include a fugitive from justice as defined in 15 M.R.S. § 201(4). (See “Pursuing a Lawful Process,” below)

Emergency. Any life-threatening situation, or a situation beyond the control of the individual which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of a person. At the municipality’s option, it includes a situation which is imminent and which may result in undue hardship or unnecessary cost to the individual or municipality if not resolved immediately. (22 M.R.S. §§ 4301(4), 4308(2), 4310).

General Assistance (“GA”) Program. A service administered by a municipality for the immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families. A GA program provides a specific amount and type of aid for defined needs during a limited period of time and is not intended to be a continuing “grant-in-aid” or “categorical” welfare program. This definition shall not lessen the municipality’s responsibility to provide GA benefits to a person each time that the person is in need and is found to be eligible to receive GA. (22 M.R.S. § 4301(5)).

General Assistance (“GA”) Benefits. Benefits provided to a person through the GA program.

General Assistance (“GA”) Administrator. A municipal official designated to receive applications, make decisions concerning an applicant’s right to receive assistance, and prepare records and communications concerning assistance. They may be an elected overseer or an authorized agent such as a town manager, welfare director, or caseworker. (22 M.R.S. § 4301(12)).

Homelessness. “Homelessness” means a situation in which a person or household is: (a) living in a place that is not fit for human habitation; (b) living in an emergency shelter; (c) living in temporary housing, including but not limited to a hotel, motel, campground, unlicensed campsite or rehabilitation facility; (d) exiting a hospital or institution licensed under 22 M.R.S. ch. 405 or a correctional facility where the person or household resided for up to 90 days if the person or household was in an emergency shelter or a place not fit for human habitation before entering the hospital, institution or correctional facility; (e) losing the person’s or household’s primary nighttime residence and lacking the resources or support networks to remain in that residence; or (f) fleeing or attempting to flee violence and has no other residence.

Household. “Household” means an individual or a group of individuals who share a dwelling unit. When an applicant shares a dwelling unit with one or more individuals, even when a landlord-tenant relationship may exist between individuals residing in the dwelling unit, eligible applicants may receive assistance for no more than their pro rata share of the actual costs of the shared basic needs of that household according to the maximum levels of assistance established in the municipal ordinance. The pro rata share is calculated by dividing the maximum level of assistance available to the entire household by the total number of household members. The income of household members not legally liable shall be considered as available to the applicant only when there is a pooling of income. (22 M.R.S. § 4301(6)). Residents of a Recovery Residence are not considered a shared household.

Income. “Income” means any form of earned or unearned income in cash or in kind received by the household including:

- Net remuneration for services performed;
- Cash received on either secured or unsecured credit;
- Payments received as an annuity, retirement or disability benefits;
- Veterans’ pensions and/or benefits;
- Retirement accounts or benefits;
- Workers’ compensation payments;
- Unemployment benefits;
- Federal and/or state tax returns;
- Income from pension or trust funds;
- Student loans;
- Benefits under any state or federal categorical assistance program such as TANF, Supplemental Security Income, Social Security and any other payments from governmental sources (unless specifically prohibited by any law or regulation);
- Court ordered support payments (e.g., child support);
- Household income from any other source, including relatives or unrelated household members; and
- Rental income.

The following items will not be considered as income or assets that must be liquidated for the purposes of deriving income:

- Real or personal income-producing property, tools of trade, governmental entitlement specifically treated as exempt assets by state or federal law;
- Actual work-related expenses, whether itemized or by standard deduction, such as taxes, retirement fund contributions, union dues, transportation costs to and from work, special equipment costs and childcare expenses; or
- Earned income of children below the age of 18 years who are full-time students and who are not working full-time.

In determining need, the period of time used as a basis for the calculation shall be a 30-day period commencing on the date of the application. This prospective calculation shall not disqualify an applicant who has exhausted income to purchase basic necessities, provided that the income does not exceed the income standards established by the municipality. (22 M.R.S. § 4301(7)).

- Benefits received pursuant to public benefit programs that are specifically exempt from being counted as income for purposes of GA. These programs include:
 - Supplemental Nutrition Assistance Program (SNAP) (7 U.S.C. § 2017(b))
 - Li-Heap (42 U.S.C. § 8624)
 - Family Development Accounts (22 M.R.S. § 3762)
 - AmeriCorp VISTA program benefits (42 U.S.C. § 5044 (f))
 - Property tax rebates issued under the Maine Property Tax Fairness Credit program, but only if the money is spent on basic necessities (22 M.R.S. § 4301(7))
 - ASPIRE Support Service Payments (10-144 CMR Chapter 323)

Initial Applicant. A person who has not previously applied for GA assistance in this or any other municipality.

Just Cause. A valid, verifiable reason that hinders an individual from complying with one or more conditions of eligibility or from attending a scheduled fair hearing. (22 M.R.S. §§ 4301(8), 4316-A(5)).

Landlord. A person who owns a property and allows another person to use that property in return for payment. (22 M.R.S. § 4301(8-B)).

Lump Sum Payment. A one-time or typically nonrecurring sum of money issued to an applicant or recipient. Lump sum payment includes, but is not limited to, retroactive or settlement portions of social security benefits, workers' compensation payments, unemployment benefits, disability income, veterans' benefits, severance pay benefits, or money received from inheritances, lottery winnings, personal injury awards, property damage claims or divorce settlements. A lump sum payment includes only the amount of money available to the applicant after required deductions have been taken from the gross lump sum payment. A lump sum payment does not include conversion of a non-liquid resource to a liquid resource if the liquid resource has been used or is intended to be used to replace the converted resource or for other necessary expenses. (22 M.R.S. § 4301 (8-A)).

Material Fact. A material fact is a fact that necessarily has some bearing on the determination of an applicant's GA eligibility, and which would, if disclosed to the Administrator, have some determinable effect on the calculation of eligibility or the issuance of a grant of assistance.

Maximum Levels of Assistance. The amount of financial assistance for a commodity or service as established in Ordinance § 6.8 or the actual cost of any such basic necessity, whichever is less.

Misconduct. For purposes of the GA work requirement (22 M.R.S. § 4316-A), misconduct shall have the same meaning as “misconduct” in 26 M.R.S. § 1043(23). (*See Ordinance Appendix I*). Generally, misconduct occurs when an employee violates their obligations to the employer. Employees who engage in a pattern of irresponsible behavior to the detriment of the employer’s interest may also be found guilty of misconduct.

Misspent Income. Misspent income includes income-in-kind received, or paid for, by a GA repeat applicant from sources, including friends or relatives, for the payment of bills that are considered unnecessary costs, such as cable bills, credit card debt, court fines and related court costs, payments to reimburse a municipality for false representation, tobacco and alcohol products, and similar items. Misspent income will be considered as available to the applicant when determining use of income for the previous 30-day period.

Municipality. Any city, town or plantation administering a GA program.

Municipality of Responsibility. The municipality which is financially liable for the support of an eligible person at the time of application. (22 M.R.S. §§ 4301(9), 4307).

Need. The condition whereby a person’s income, money, property, credit, assets, or other resources available to provide basic necessities for the individual and the individual’s family are less than the maximum levels of assistance. (22 M.R.S. §§ 4301(10), 4308).

Net General Assistance Costs. Those direct costs incurred by a municipality in providing assistance to eligible persons according to standards established by the municipal officers. These do not include the administrative expenses of the GA program. (22 M.R.S. §§ 4301(11), 4311).

Operator. The lawful owner of a recovery residence or an individual or company designated by the lawful owner to have primary responsibility for the day-to-day operations of the recovery residence and for acquiring and maintaining certification pursuant to Title 5, section 20005, subsection 22 of the recovery residence in order to receive housing assistance payments through the GA program. (22 M.R.S. § 4301(11-A)).

Period of Eligibility. The time for which a person has been granted assistance. The period of eligibility may vary depending on the type of assistance provided; however, in no event shall this period extend beyond one month. (22 M.R.S. § 4309(1)).

Pooling of Income. “Pooling of income” means the financial relationship among household members who are not legally liable for mutual support in which there occurs any commingling of funds or sharing of income or expenses. This ordinance establishes a rebuttable presumption that persons sharing the same dwelling unit are pooling their income, except that applicants that who request assistance while residing in a Recovery Residence are not considered to be commingling funds. Applicants who request that the determination of eligibility be calculated as though one or more household members are not pooling their income have the burden of rebutting the presumed pooling of income.

Potential Resources. Sources of financial assistance, including programs, services, non-liquid assets or trusts which typically require people to apply in writing and/or wait a period of time before eligibility is determined or the potential income is released.

Pursuing a Lawful Process to Apply for Immigration Relief. Taking reasonable, good faith steps to apply for immigration relief within twelve months of arrival to the United States, with U.S. Citizenship and Immigration Services or before an immigration judge or federal court. (See DHHS regulation, 10-144 C.M.R. ch. 323, for additional guidance).

Real Estate. Any land, buildings, homes, mobile homes, and any other things affixed to the land. (22 M.R.S. § 4301(13)).

Recipient. A person who has applied for and is currently receiving GA.

Recovery Residence. “Recovery residence” means a shared living residence for persons recovering from substance use disorder that is focused on peer support, provides to its residents an environment free of alcohol and illegal drugs and assists its residents by connecting the residents to support services or resources in the community that are available to persons recovering from substance use disorder. 5 M.R.S. § 20003(19-D).

Registered Domestic Partner. An individual registered as the domestic partner of the applicant pursuant to 22 M.R.S. § 2710.

Rehabilitation Facility. An inpatient facility that is operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of medical services and other services that are provided under competent professional supervision.

Repeat Applicants. All applicants for GA benefits that are not initial applicants are repeat applicants. For purposes of this ordinance “repeat” and “subsequent” shall have the same meaning.

Resident. A person who is physically present in a municipality with the intention of remaining in that municipality in order to maintain or establish a home, and who has no other residence. A person who applies for assistance in a municipality who is not a resident of that municipality, or any other municipality is the responsibility of the municipality where the person first applies. That municipality must take an application and grant assistance to the applicant if they are eligible, until they establish a new residence in another municipality. (22 M.R.S. § 4307).

Resources. Resources include any program, service, or other sources of support which are an alternative to or supplement for GA. There are two kinds of resources: “available” and “potential”. Potential resources are programs, services, non-liquid assets, or trusts that typically require people to apply in writing and/or wait a period of time before eligibility is determined or the potential income is released.

Potential resources include, but are not limited to, state or federal assistance programs, employment benefits, governmental or private pension programs, available trust funds, support from legally liable relatives, child support payments, and jointly held resources where the applicant or recipient share may be available to the individual. (22 M.R.S. § 4317). Potential resources

include the TANF (previously known as AFDC) program, Food Stamps, fuel assistance (HEAP), subsidized housing, and similar programs.

Available resources include resources which are immediately available to the applicant or which can be conveniently secured by the applicant without delay, such as cash on hand or in bank accounts, assets for which there is an immediate and available market, or support from relatives which is being made available at the time of application and for which the applicant does not have to take any unreasonable steps to secure (e.g., relocation beyond the immediate region). At the discretion of the Administrator, a minimum balance required by a financial institution in order to obtain free checking or in order to maintain the account shall not be considered an available resource.

The Administrator reserves the right to inform GA clients of services, commodities or facilities made available by private organizations or charities; however, eligibility for GA benefits shall not be based or conditioned on the use of a private charitable resource(s).

30-Day Need. An applicant's 30-day need is the sum of the household's prospective 30-day costs, from the date of application, for the various basic necessities. For the purpose of this calculation, the 30-day cost for any basic need shall be the household's actual 30-day cost for the basic necessity or the maximum 30-day cost for the basic necessity as established by this ordinance, whichever is less.

Unearned Income. Unearned income is income acquired from investments and other sources unrelated to employment. Unearned income also includes unemployment compensation, taxable social security benefits, pensions, annuities, and distributions of unearned income from a trust or any other income not meeting the definition of earned income.

Unforeseen Repeat Applicants. A repeat applicant who has not applied for assistance within the last twelve months and who has been regularly employed or receiving support from a public benefit program or private source and who has unexpectedly become unemployed through no fault of their own or whose benefits (e.g., through an available resource) have ceased through no fault of their own.

Unmet Need. An applicant's unmet need is the household's 30-day need (established by Ordinance § 6.6) less the household income (calculated pursuant to Ordinance § 6.7), provided such a calculation yields a positive number. If the household income is greater than the household's 30-day need, the household does not have an unmet need.

Work Requirements. Work requirements are obligations the Administrator places on applicants as directed and/or authorized by 22 M.R.S. § 4316-A to the extent such obligations (1) ensure a continuing potential eligibility for GA when complied with, (2) result in ineligibility when violated, and (3) are not merely optional, discretionary, or advisory. Work requirements include registering for work, looking for work in good faith, accepting all suitable job offers, maintaining employment, performing workfare, and participating in training, educational, or rehabilitation programs that will assist the participant in securing employment.

ARTICLE III – Administrative Rules and Regulations

Section 3.1—Confidentiality of Information

Case records and all other information relating to a GA applicant or recipient are confidential and will not be disclosed to the general public. (22 M.R.S. § 4306).

Release of Information. Applicants, recipients, and their legal representatives have the right to review their case records. No record will be released to a third party unless the Administrator receives a signed consent form in which the applicant expressly authorizes the release of their records to the specified parties. Whenever the Administrator releases any information, they will make a notation in the applicant’s file stating to whom the record was released and the date. The Administrator may charge a reasonable fee for reproduction of records.

Information from Other Sources; Penalty. Information concerning an applicant or recipient furnished to the municipality by DHHS or any other agency or institution pursuant to 22 M.R.S. § 4314, is confidential. The Administrator will also comply with laws requiring confidentiality of vital statistic records such as birth, marriage, and death records. (22 M.R.S. § 2706).

Any representative of a financial institution or any employer of a GA applicant who, upon receipt of a written release signed by the depositor/employee and a written request from the Administrator, refuses to provide necessary information to the Administrator in order to verify an applicant’s eligibility must state in writing the reason for the refusal. National banks are also obligated to disclose deposit information to the Administrator upon receipt of a written request and release signed by the depositor. Additionally, when a municipality or its agents are acting in accordance with section 4313(2) to verify eligibility for funeral or cremation benefits, an officer of a financial institution must disclose the amount deposited upon receipt of a written request from the municipality or its agents and a notarized affidavit signed by the overseer of the municipality or its agents stating that the named depositor is deceased. Any such person who refuses to provide information, without just cause, may be subject to a civil penalty of not less than \$25 nor more than \$100. Any person, including the applicant, who knowingly and willfully makes a false representation of a material fact to the Administrator commits a Class E crime. (22 M.R.S. §§ 4314, 4315).

Misuse of Information. Misuse of any information relating to an applicant or recipient is a punishable offense. (22 M.R.S. § 42(2)).

Section 3.2—Maintenance of Records

The Administrator will maintain complete and accurate program records. (22 M.R.S. § 4306). These records are necessary to: (a) document and account for municipal program expenditures; (b) document and support decisions concerning applicants and recipients; and (c) ensure relevant information is available for any fair hearing or judicial review of the Administrator’s decisions.

Case Records. The Administrator will maintain a separate case record, in paper or digital format, for each applicant or recipient. Each case record will include at least:

- household applications;
- household budget sheets;

ARTICLE III – Administrative Rules and Regulations

- the types and amounts of assistance provided;
- narrative statements describing the nature of the emergency situation whenever GA is granted in amounts greater than the applicant's mathematical eligibility (i.e., deficit or unmet need, whichever is less);
- written decisions;
- requests for fair hearings and the fair hearing authority decisions;
- workfare participation records;
- repayments to the municipality;
- narrative writings documenting the need for GA, the results of home visits, collateral information, referrals, changes in status;
- client authorization(s) for the release of GA information and/or reason(s) for the release of confidential information;
- adjustments in aid, and suspension or termination of eligibility;
- physician's documentation;
- Supplemental Security Income (SSI) interim assistance reimbursement authorization forms; and
- vendor forms

Case records will not include information that is irrelevant to the applicant's or recipient's application or the Administrator's decisions.

Retention of Records. GA records shall be retained for at least three full years. The three-year period shall coincide with the state government's fiscal year which begins July 1 and ends on the following June 30. Records may be destroyed after three years by supervised shredding, burning or an appropriate digital deletion/destruction process. If a recipient's records contain SSI reimbursement forms, the recipient's records should be retained so that the municipality may seek reimbursement.

ARTICLE IV – Application Procedure

Section 4.1—Right to Apply

Who May Apply. Any person may apply for GA. The head of the family, any other responsible household member, or an authorized representative must apply in person, except in special emergency situations (see Ordinance § 4.9) or when the applicant resides at an emergency shelter and the municipality has made an agreement with that emergency shelter to presume shelter residents eligible for GA benefits. (22 M.R.S. § 4304(3)). In such cases, the Administrator may require a representative to present a signed statement documenting that they are authorized to apply on behalf of the named applicant. The applicant or representative must complete a written application and any other forms necessary for the Administrator to determine eligibility. (22 M.R.S. §§ 4305, 4308). With notice, all members of the household receiving GA may be required to physically present themselves to the Administrator. Note that fugitives from justice are ineligible for GA benefits.

Telephone Applications. When a person has an emergency but is unable to apply in person due to illness, disability, lack of childcare, lack of transportation or other good cause, and they cannot send an authorized representative, the Administrator will accept an application by telephone. The telephone application is subject to written verification by mail and a visit to the applicant’s home with their permission. (22 M.R.S. § 4304).

Written Application Upon Each Request. Each request for assistance will be administered in accordance with these guidelines, and the Administrator will make an independent determination of eligibility for GA each time a person applies. (22 M.R.S. §§ 4308, 4309).

Applications Available/Accepted; Posted Notice. Any person may obtain an application for GA during the municipality’s regular business hours. Applications will be accepted and processed during designated daily hours that will not total less than 50% of the municipality’s regular business hours. In an emergency, however, the Administrator or their designee will be available to accept applications for assistance whenever necessary.

The municipality will post notice stating the regular business hours when an application may be obtained, the designated daily hours during which applications for assistance will be accepted and processed; and contact information for the Administrator available to take emergency applications at all other times. In addition, the posted notice shall state that the municipality must issue a written decision on all applications within 24-hours and will include the DHHS toll-free telephone number for reporting alleged violations or complaints. (22 M.R.S. § 4304).

Section 4.2—Application Interview

Except when it is impractical, the Administrator will interview each applicant in person before making a decision. Interviews will be conducted in private, although the applicant may be accompanied by a legal representative, friend, or family member.

Section 4.3—Contents of the Application

An application must contain the following information:

- a) the applicant’s name, address, date of birth, SSN or appropriate United States Customs and Immigration Services (USCIS) documentation, and phone number;
- b) the names, date(s) of birth, and SSN(s) or appropriate USCIS documentation of other household members for whom the applicant seeks assistance;
- c) the total number of individuals living with the applicant;
- d) employment and employability information;
- e) a listing of all household income, resources, assets, and property;
- f) the applicant’s household expenses;
- g) the types of assistance requested;
- h) a statement of the penalty for false representation;
- i) the applicant’s permission for the Administrator to verify information;
- j) the signature of applicant and date.

If an initial applicant is unable to provide identification records (e.g., SSN card/number) because the record may have been lost, stolen or misplaced, the Administrator may allow the initial applicant a reasonable amount of time (e.g., five working days), to obtain copies of identification records. Provided the initial applicant makes a good faith effort to obtain the item/record sought, GA benefits necessary to cure an immediate and/or emergency need shall not be withheld. In such cases the Administrator may elect to provide a prorated amount of GA (e.g., five days’ worth), while the applicant attempts to obtain the required information.

Section 4.4— GA Administrator’s Responsibilities at the Time of Application

The Administrator will inform all applicants of: (1) their rights and responsibilities; (2) general program requirements for applying for and receiving GA, and (3) application requirements, eligibility guidelines, applicant rights, and applicant reimbursement obligations.

Application Requirements. The Administrator will help applicants complete application forms and inform applicants of any other information or documents necessary to evaluate the applicant’s eligibility. The Administrator will fully explain the purpose of any forms consenting to release of the applicant’s information and any benefit reimbursement agreements before the Administrator requests the applicant’s signature or written authorization.

Eligibility Requirements. The Administrator will inform the applicant, either orally or in writing, of the eligibility requirements of the program, including:

- the income standard of need;
- the applicant’s ongoing use-of-income, work-related, and resource-related responsibilities, as described in the section immediately below;
- the reduction in assistance that results from spending household income on non-basic necessities;
- immigration status (see definition of “Eligible Person”); and
- the disqualification penalties associated with committing fraud, failing to perform work-related assignments without just cause, or failing to make a good faith effort to secure potential resources when the requirement to attempt to obtain those resources has been explained to the applicant in writing.

Applicant Rights. The Administrator will inform all applicants of their right to:

- review the municipal GA ordinance and Maine GA statute and regulations;
- apply for assistance;
- receive a written decision concerning eligibility within 24-hours after application;
- confidentiality of the application and other records;
- contact the DHHS with complaints;
- challenge the Administrator’s decision by requesting a fair hearing.

Reimbursement/Recovery. The Administrator will inform the applicant/recipient that they must reimburse the municipality the amount of GA benefits they have been granted if they subsequently have the ability to pay. The municipality may also, as appropriate, contact and inform the applicant/recipient’s legal representative of the recipient’s obligation to repay the municipality.

The municipality may also recover the amount of assistance granted to a recipient during the previous 12 months from any relative legally liable for the applicant’s support, such as a spouse, or the parents of persons under the age of 25. (*See Article VIII, “Recovery of Expenses”*). (22 M.R.S. §§ 4318, 4319). Whenever applicable, the Administrator will explain the liens a municipality may place against a recipient’s real or personal property, such as the mortgage or capital improvement lien, the Workers’ Compensation lump sum payment lien, or the SSI “Interim Assistance Agreement” lien, described in Article VIII, “Recovery of Expenses.”

Section 4.5—Responsibilities of the Applicant at Time of Application

The applicant is responsible to provide accurate, complete, and current household information and verifiable documentation at the time of each application concerning:

- Income
- Resources
- Assets
- Employment
- Use of income
- Names and addresses of any relatives legally liable for the applicant’s support
- Any change in this information from a previous application that would affect household eligibility. (22 M.R.S. § 4309).

In addition, the applicant must accurately report and provide verifiable documentation that shows the applicant:

- a) has remained employed, if previously employed, and has not quit work without just cause or been discharged from employment for misconduct;
- b) has been seeking employment, if previously unemployed or employed on a part-time basis, has accepted any suitable offer of employment, and has satisfactorily performed all workfare assignments or had just cause not to perform those assignments;
- c) has made use of all available and potential resources when directed in writing to such a program by the Administrator, including, but not limited to, other government benefit programs or the assistance of liable relatives of sufficient means; and
- d) has participated in any training, retraining, educational or rehabilitative program when appropriate and when directed in writing to such a program by the Administrator, in order to diminish the applicant’s need for GA. (22 M.R.S. §§ 4316-A, 4317).

Section 4.6—Action on Applications

Written Decision. The Administrator will issue a written decision concerning the applicant’s eligibility within 24 hours after the applicant submits a written application. Assistance will be furnished to eligible applicants within that period except when the municipality is permitted by law (and pursuant to Ordinance § 5.6) to issue assistance conditionally on the successful completion of a workfare assignment. (22 M.R.S. §§ 4305, 4316-A, 4321). A written decision will be given each time a person applies, whether assistance is granted, denied, reduced, or terminated.

Content of Decision. The Administrator’s written decision will contain:

- a) the type and amount of benefits granted, or the applicant’s ineligibility for benefits;
- b) the period of eligibility if the applicant is eligible for assistance;
- c) the specific reasons for the Administrator’s decision;
- d) the applicant’s right to a fair hearing; and
- e) the applicant’s right to notify the DHHS if they believe the municipality has acted illegally. (22 M.R.S. § 4321).

Section 4.7—Withdrawal of an Application

An application will be considered withdrawn if the applicant requests in writing that the application be withdrawn; or if the applicant refuses to complete or sign the application or any other document needed by the Administrator.

Section 4.8—Temporary Refusal to Accept Application

Under special circumstances, the Administrator may temporarily refuse to accept applications. Such circumstances include, but are not limited to, the following:

- a) When the applicant’s conduct is abusive, disruptive, or harassing, or when the applicant is under the influence of drugs or alcohol. In these situations, the applicant will be asked to leave; if the applicant refuses to leave, the police may be summoned. The applicant will be informed that an application will only be accepted when their conduct is under control.
- b) If the Administrator believes that an applicant’s behavior presents a threat to the health or safety of the public or to a municipal employee, if the applicant’s behavior is violent, or if an applicant has engaged in abusive, disruptive or harassing behavior and has been required to leave on more than one occasion, the applicant may be required to designate a third party to apply for assistance on their behalf and the applicant may be prohibited from entering the municipal building;
- c) When a third person applies for assistance on behalf of the applicant that person may be required to provide written verification that they have been duly authorized to act as a representative for the applicant. (22 M.R.S. § 4308).

Section 4.9—Emergencies

An “emergency” means any life-threatening situation, or a situation beyond the control of the applicant which if not alleviated immediately could reasonably be expected to pose a threat to the health or safety of the applicant or a member of the household. (22 M.R.S. § 4301(4)). An emergency includes homelessness or imminent homelessness. Even if an applicant is otherwise ineligible to receive GA benefits, unless they are disqualified as provided below, emergency

assistance may be granted to applicants who lack sufficient income and resources to meet the emergency need and also have not had sufficient income and resources to avert the emergency. (22 M.R.S. § 4308).

A municipality may provide emergency assistance when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs to either the applicant or the municipality.

Disqualification for Emergency Assistance. A person who is currently disqualified from receiving GA due to a violation of Ordinance §§ 5.5, 5.6, 5.7, 5.8, 5.9 or 6.4 is ineligible to receive emergency assistance. (22 M.R.S. § 4308(2)(A)). However, dependents of a disqualified person may be eligible for assistance. For the purposes of this section, “dependents” are defined as: (1) a dependent minor child; (2) an elderly, ill or disabled person; or (3) a person whose presence is required to provide care for any child under the age of 6 years or any ill or disabled member of the household. (22 M.R.S. § 4309(3)).

If one or more members of a household are disqualified and assistance is requested for the remaining dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

Assistance Prior to Verification. Whenever an applicant informs the Administrator that they need assistance immediately, the Administrator will grant, pending verification, the assistance within 24 hours, provided that:

- a) after interviewing the applicant the Administrator has determined that the applicant will probably be eligible for assistance after a verification of information is completed; and
- b) the applicant submits documentation when possible, to verify their need. The Administrator may contact at least one other person to confirm the applicant’s statements about his/her need for emergency assistance. No further assistance will be authorized until the applicant’s eligibility is confirmed. (22 M.R.S. § 4310).

Benefits provided prior to verification are limited as follows:

- a) The authorization of benefits may not exceed 30 days.
- b) Until there has been full verification confirming the applicant’s eligibility, further benefit may not be authorized.
- c) The authorization of benefits may not exceed levels of assistance established in 22 M.R.S. § 4308. (22 M.R.S. § 4310(4)).

Telephone Applications. If a person has an emergency need and cannot apply in person due to illness, disability, lack of transportation, or other good cause, and if there is no authorized representative who can apply on behalf of the applicant, the Administrator shall accept an application over the telephone. (22 M.R.S. § 4304).

Assistance will not be granted after a telephone application if the applicant refuses to allow the Administrator to verify information provided by the applicant either by visiting their home or by mail, and the Administrator cannot determine eligibility through any other means.

Limitation on Emergency Assistance. Applicants are not automatically eligible for emergency assistance. If an applicant had income which could have been used to prevent all or part of an emergency, but they spent that income on items which are not basic necessities, the applicant will not be eligible to receive GA to replace the misspent money. (22 M.R.S. §§ 4308(2) & 4315-A).

All applicants must provide the Administrator with verifiable documentation demonstrating that the applicant lacked sufficient income to avert the emergency situation. According to the following criteria, the Administrator may limit emergency assistance to cover only the difference between the amount of money necessary for the household to avoid the emergency and the amount of income available to the household during the applicable time period.

- a) The applicable time period shall be the 30 days preceding the application for emergency assistance, except in those cases where the emergency was created by a negative account balance for a commodity or service (such as rent, mortgage, or utility payments), and the negative account balance was created over a longer period of time. In such cases, the applicable time period shall be the consecutive length of time the account balance has been in the negative.
- b) The Administrator shall seek from the applicant all information pertinent to the applicant's ability to provide for their basic necessities for the applicable time period, including evidence of all income and resources received over that period of time.
- c) The Administrator shall calculate all costs per month for the household's basic necessities during the applicable time period, consistent with the maximum levels established by this ordinance for the specific basic necessity or the actual monthly cost, whichever is less, including all costs associated with averting the particular emergency situation for which the applicant is seeking assistance.
- d) From the total household costs for basic necessities during the applicable time period, the Administrator shall subtract the total income and lump sum payments available to the household for the applicable time period, as well as the total GA actually received during the applicable time period.
- e) The Administrator may restrict the issuance of emergency assistance to the difference yielded by the computation in subsection (d), even when such a grant will not totally alleviate the emergency situation.
- f) The Administrator may waive this limitation on emergency assistance in life threatening situations or for initial applicants; that is, persons who have never before applied for GA.
- g) Nothing in these criteria may be construed as prohibiting a municipality from electing to alleviate an emergency situation in the most cost-effective manner available, provided such a determination of eligibility for emergency assistance is in conformance with GA law.

The municipality cannot exceed maximum levels of assistance for an applicant household for more than 30 days in a 12-month period when assistance is granted for housing in a hotel, motel, inn or other lodging place.

Section 4.10—Residence

The Administrator shall provide GA to all eligible applicants who are residents of this municipality. A resident is a person who has no other residence, is physically present in this municipality and who intends to remain here and establish a household.

The municipality also recognizes its responsibility to provide assistance to eligible persons who apply here and who are not residents of this municipality or any other municipality. If a person who is not a resident of any municipality applies in this municipality first, the Administrator will determine their eligibility and, if eligible, will grant assistance until they establish a residence in another municipality. (22 M.R.S. § 4307).

Moving/Relocating. The municipality will not consider moving or transporting an applicant or recipient into another municipality unless the person requests assistance to relocate to another municipality. If the Administrator determines the applicant is eligible and grants financial assistance to help with the requested relocation, this municipality will be responsible for providing assistance to the applicant for 6 months after they move including processing applications and determining eligibility for assistance.

Institutions. If a resident of this municipality enters an institution located in another municipality (such as a group home, shelter, rehabilitation center, nursing home, or hospital) and requests assistance while at the institution, they will be the responsibility of this municipality for up to 12 months after they enter the institution if the conditions of 22 M.R.S. § 4307 and § 4313 are met. The municipality thereafter retains responsibility for an applicant in an institution only if the applicant has maintained a home in this municipality to which they intend to return. The municipality also recognizes its responsibility for applicants residing in an institution in this municipality if such an applicant had no residence prior to entering the institution. (22 M.R.S. § 4307(4)).

Temporary Housing. Hotels/motels and similar places of temporary lodging are considered institutions if the municipality grants financial assistance for, makes arrangements for, or advises or encourages an applicant to stay in temporary lodging.

Note: A municipality which illegally denies housing assistance will be responsible for the applicant for up to 12 months if, as a result of the denial, the applicant stays in temporary lodging. The municipality may also be subject to other penalties. (22 M.R.S. § 4307(4)).

Disputes. When the Administrator believes that an applicant is a resident of another municipality, but that municipality disputes its responsibility, the Administrator will notify DHHS' Augusta office (287-3654 or 1-800-442-6003). If the applicant applies in this municipality first, the Administrator will determine their eligibility and, if eligible, will grant assistance until the DHHS has concluded which municipality is responsible for providing assistance. If another municipality was responsible, the DHHS will recover the amount due from the other municipality. (22 M.R.S. §§ 4307(5), 4307(6)).

ARTICLE V – Eligibility Factors

A person will be eligible for GA if they are an “Eligible Person” as defined in section 2.2, is in need, and has complied with the eligibility requirements set forth below. (*For guidance in determining whether an applicant is an Eligible Person, contact DHHS at (800) 442-6003 (TTY: 287-6948)*).

Section 5.1—Initial Application

Initial Application. For initial applicants, need will be the sole condition of eligibility, except that all applicants, including initial applicants, are disqualified for a defined period (1) for quitting employment without just cause or for being discharged from employment for misconduct (*see Ordinance § 5.5*) or (2) who are fugitives from justice as defined in 15 M.R.S. § 201(4), (22 M.R.S. § 4301(3)). An initial applicant is a person who has never before applied for GA in any municipality in Maine. (22 M.R.S. § 4308(1)).

“Need” means that the applicant’s income (including prorated income, where applicable), property, credit, assets or other resources are less than the overall maximum level of assistance contained in Ordinance § 6.8 or the applicant’s 30-day need, whichever is less, and they do not have adequate income or other resources available to provide basic necessities.

Repeat Applicants. Persons who are not initial applicants are repeat applicants; these are persons who have previously applied for GA at some time, including persons on whose behalf a GA application was previously made at any time, provided that the applicant was not a dependent minor in the household at the time of the previous application. To be eligible for GA, repeat applicants must be in need and meet all other eligibility requirements. The eligibility of repeat applicants may also be adversely affected to the extent they have not used their income and resources to secure basic necessities.

Section 5.1A – Presumptive Eligibility

A person who is provided shelter in an emergency shelter for the homeless located in the municipality shall be presumed to be an eligible person. Presumed eligibility may not exceed 30 days within a 12-month period. After the period of presumed eligibility, full eligibility must be verified before assistance will be issued. When presumptive eligibility is determined under this section, no other municipality may be determined to be the municipality of responsibility during that 30-day period.

Section 5.1B – Recovery Residences

The Administrator will not deny GA benefits to a person for the sole reason that the person is residing in a recovery residence. Beginning July 1, 2022, housing assistance will not be provided to a person residing in a recovery residence that has not been certified in accordance with 5 M.R.S. § 20005(22), except that the person may receive housing assistance while residing in an uncertified recovery residence for one 30-day period only. The Administrator will inform the person of the requirements and time limits regarding recovery residences. A person who is ineligible for housing assistance under this subsection may remain eligible to receive GA for other basic necessities. Upon request by a person residing in a certified recovery residence, who has been determined eligible for housing assistance, housing assistance payments will be issued to the operator of the certified recovery residence instead of to a landlord.

Section 5.2—Eligibility for Categorical Assistance

Receipt of categorical assistance will not disqualify an otherwise eligible person. Benefits received from other assistance programs will be considered as income when determining need, with the exception of Food Stamps, which will not be counted as income or resources or otherwise taken into consideration when determining need. (7 U.S.C. § 2017 (b)).

In addition, fuel assistance (HEAP/ECIP) received by an applicant will not be considered as income; that is, the Administrator will always compute the heating needs of an applicant who has received HEAP or ECIP as if that applicant paid all costs associated with their fuel needs. (42 U.S.C. § 8624(f)). When an applicant has received HEAP or ECIP, GA heating energy needs will be calculated pursuant to Ordinance § 6.7, subsection (c) under “Types of Income”. For several additional exceptions please refer to the definition of “Income” in this Ordinance (see Ordinance § 2.2, page 7, subsection 4).

Applicants or recipients must apply for other program benefits within 7 days after being advised in writing to do so by the Administrator. Persons who, without just cause, make no good faith effort to obtain a potential resource will be disqualified from receiving assistance until they make a good faith effort to obtain the benefit. (22 M.R.S. § 4317).

Section 5.3—Personal Property

a) Liquid Assets.

No person owning assets easily convertible into cash, including but not limited to, bank deposits, stocks, bonds, certificates of deposit, retirement accounts, life insurance policies and other marketable security will be eligible for GA unless and until they use these assets to meet their basic needs, and thereby exhausts them. At the discretion of the Administrator, liquid assets need not include a reasonable minimum balance necessary to obtain free checking. Although one checking account per household may be allowed, any monies over the minimum required to obtain free checking are to be considered available liquid assets.

b) Tangible Assets.

No person owning or possessing personal property, including but not limited to: a motor vehicle (except as provided immediately below in subsection c), or a boat, trailer, recreation vehicle or other assets that are convertible into cash and are non-essential to the maintenance of the applicant’s household will be eligible for GA. Exceptions may be made when a person is making an initial application or is an unforeseeable repeat applicant as defined in Ordinance § 2.2 or when reasonable efforts to convert assets to cash at fair market value are unsuccessful. Tools of a trade, livestock, farm equipment and other equipment used for the production of income are exempt from the above category and are not considered available assets.

c) Automobile Ownership.

Ownership of one automobile per household will not make a person ineligible for assistance if such vehicle is essential for transportation to employment or for seeking employment, obtaining medical care, rehabilitation, or training facilities, or for any other reason the GA Administrator determines reasonable for the maintenance of the applicant’s household. GA recipients who own an automobile with a market value greater than \$8,000 may be required, with 7-day’s written notice, to make a good faith effort to

trade that automobile for an automobile with a market value of less than \$8,000. Any income received by the applicant by virtue of such a trade down must be used for their basic necessities. Failure to liquidate or trade down the excess value of any automobile asset can result in disqualification. (22 M.R.S. § 4317).

The Administrator will neither pay nor consider as necessary any car payment or vehicle maintenance cost, including insurance, for which the applicant is responsible. However, if the vehicle's value is \$8,000 or less and the applicant is utilizing the vehicle for an "essential" reason (see above), the Administrator may choose to not consider reasonable car payments, reasonable car insurance or reasonable associated costs of maintenance as "misspent" income. GA for travel-related needs shall be computed in accordance with Ordinance § 6.8(F)(7), (8) "Work Related/Travel Expenses."

d) Insurance.

Insurance available to an applicant on a non-contributory basis or required as a condition of employment will not be a factor in determining eligibility for GA. Life insurance with a cash surrender value may, at the discretion of the Administrator, be considered as a tangible asset.

e) Transfer of Property.

Applicants who transfer assets for less than fair market value to someone else solely for the purpose of establishing eligibility for GA will not be granted GA benefits to replace the uncompensated value of the transferred asset. Assistance will be denied within a 120-day limit up to the uncompensated value of the asset which was transferred unless the transfer of asset is fraudulently misrepresented, in which case a 120-day disqualification will be issued. There will be a presumption that the applicant transferred their assets in order to be eligible for GA whenever property is sold for less than the fair market value or when the transfer occurred within 30 days prior to applying for GA unless the applicant can demonstrate the existence of a good faith transaction.

Section 5.4—Ownership of Real Estate

a) Principal Residence.

Solely for purposes of GA, the applicant’s principal residence, including any adjoining land, is considered an exempt resource, even if temporarily unoccupied because of employment, job training, education, illness, or disaster, provided the applicant demonstrates an intent to return. If the applicant owns land in excess of the minimum lot size for the zone or district in which the home is located, that land may be considered a potential resource if:

1. The applicant has received GA for the last 120 consecutive days; and
2. The applicant has the legal right to sell the land (e.g., any mortgagee will release any mortgage, any co-owners agree to the sale, zoning or other land use laws do not render the sale illegal or impracticable); and
3. The applicant has the financial capability to put the land into a marketable condition (e.g., the applicant can pay for any necessary surveys); and
4. The land is not utilized for the maintenance and/or support of the household; and
5. A knowledgeable source (e.g., a realtor) indicates that the land in question can be sold at fair market value, for an amount which will aid the applicant’s financial rehabilitation; and
6. No other circumstances exist which cause any sale to be unduly burdensome or inequitable.

If conditions above are met, the Administrator may condition the receipt of future assistance on the applicant’s good faith efforts to sell, or render saleable, land which could be used to provide necessary support for the applicant (e.g., the applicant owns 100 “excess” acres. Sale of 10 of the acres would provide for the necessary support; therefore, the entire 100 acres need not be sold at the present time.) Assistance shall not be denied during the time that the applicant is making a good faith effort to sell or render saleable the land in question.

Once the applicant ceases to receive assistance the obligations under this section shall also cease.

b) Other Property.

If the applicant or dependents own real property other than that occupied as the principal residence, continued GA eligibility will depend on the applicant making a reasonable effort to:

1. Dispose of the property at fair market value in order to convert the property into cash which can be applied toward meeting present need; or
2. Obtain a loan against such property which may be used to meet present need. Applicants who transfer their excess property to a third party in order to become eligible for GA will be ineligible.

If an applicant is granted assistance in the form of a mortgage payment or capital improvement payment, the municipality may claim a lien against the property. The lien shall not be enforceable until the sale of the property or upon the death of the recipient (*see also Ordinance § 6.8*). 22 M.R.S. § 4320.

Section 5.5—Work Requirement

All GA recipients are required to register for work, look for work, work to the extent of available employment, and otherwise fulfill the work requirements, unless the applicant is exempt from such requirements as provided below.

Employment; Rehabilitation. All unemployed applicants and household members who are 16 years of age or older and who are not attending a full-time primary or secondary school intended to lead to a high school diploma will be required to accept any suitable job offer and/or meet with job counselors, attend employment workshops and rehabilitative services, except as provided below (*see “Exemptions”*). Applicants must demonstrate to the Administrator that they are available for work and are actively seeking employment.

A “suitable job” means any job, which the applicant is mentally and physically able to perform. “Available for work” means that applicants must make themselves available for work during normal business hours prevailing in the area and show that no circumstance exists which would prevent them from complying with the work requirement.

Verification. Unemployed applicants or applicants employed on a part-time basis must provide verifiable documentation of their pursuit of employment at the time of each application. At a minimum, such documentation will consist of a list of the employers contacted, the date and time of the application contact, and the name of the employer representative contacted. “Pursuit of Employment” means actually submitting a written application or applying for a job in person when reasonable or submitting a written application or letter of inquiry to employers.

For the duration of any repeat applicant’s period of unemployment or partial employment, the Administrator will establish the number of employers per week to whom each non-exempt applicant shall be required to apply in order to fulfill their work search requirements. The number of weekly employer contacts required by the Administrator shall be reasonably related to the number of potential employers in the region and the number of hours per week the applicant has available for work search activities after considering all time the applicant must devote to existing employment obligations, workfare obligations, and required classroom or on-site participation in job training, educational, or rehabilitation programs. Fulfillment of these requirements will not be expected at the time of the initial application but will be a condition of eligibility for subsequent assistance.

Ineligibility. After being granted assistance at the time of initial application, applicants will be considered ineligible for further assistance for 120 days if they, without just cause:

- a) refuse to register for employment with the Maine Job Service;
- b) refuse to search diligently for employment when the search is reasonable and appropriate; recipients who unreasonably seek work at the same places repeatedly will not be considered to be performing a diligent work search and will be disqualified;
- c) refuse to accept a suitable job offer;
- d) refuse to participate in an assigned training, education or rehabilitation program that would assist the applicant in securing employment;
- e) fail to be available for work; or
- f) refuse to participate or participate in a substandard manner in the municipal work program (*see Ordinance § 5.6*).

Ineligibility Due to Job Quit or Discharge for Misconduct. No initial or repeat applicant who has quit their full-time or part-time job without just cause or who has been discharged from employment for misconduct (*see definition in Appendix I*) will be eligible to receive GA of any kind for 120-days from the date the applicant is separated from employment. (22 M.R.S. §§ 4301(8), 4316-A (1-A)).

Just Cause. Applicants will be ineligible for assistance for 120 days if they refuse to comply with the work requirements of this section without just cause. With respect to any work requirement, just cause will be considered to exist when there is reasonable and verifiable evidence that:

- a) the applicant has a physical or mental illness or disability which prevents them from working;
- b) the work assignment pays below minimum wages;
- c) the applicant was subject to sexual harassment;
- d) the applicant is physically or mentally unable to perform required job tasks, or to meet piece work standards;
- e) the applicant has no means of transportation to or from work or a training or rehabilitation program;
- f) the applicant is unable to arrange for necessary childcare or care of ill or disabled family members; or
- g) any reason found to be good cause by the Maine Department of Labor (DOL), or any other verifiable reason the Administrator considers reasonable and appropriate will be accepted as just cause. (22 M.R.S. § 4316-A(5)).

Applicant’s Burden of Establishing Just Cause. If the Administrator finds that the applicant has violated a work-related rule without just cause, it shall be the responsibility of the applicant to establish the presence of just cause. (22 M.R.S. § 4316-A).

Eligibility Regained. Persons who are disqualified for 120 days because they violated a work requirement may regain their eligibility if and only when they become employed or otherwise satisfy the Administrator that they are complying with the work requirement by fulfilling the work requirement(s) the person violated.

For the purpose of regaining eligibility by becoming employed, “employment” shall mean employment by an employer as defined in 26 M.R.S. § 1043 or the performance of a service for an employer who withholds from the employee a social security tax pursuant to federal law.

The special provisions regarding the opportunity to regain eligibility after a disqualification for workfare violations are detailed in Ordinance § 5.6, under “Eligibility Regained.”

Dependents. Failure of an otherwise eligible person to comply with the work requirements shall not affect the eligibility of any member of the person’s household who is not capable of working, including:

- a) a dependent minor child;
- b) an elderly, ill, or disabled person; and
- c) a person whose presence is required in order to provide care for any child under 6 years of age or for any ill or disabled member of the household. (22 M.R.S. § 4309(3)).

If one or more member(s) of a household is disqualified and assistance is requested for those remaining members of the household who are dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

Exemptions. The above work requirements do not apply to any person who is elderly, physically or mentally ill or disabled. Any person whose presence is required to care for any pre-school age child or for any ill or disabled member of the household is also exempt from these requirements.

The requirements of this section will not be imposed so as to interfere with an applicant’s existing employment, ability to pursue a bona fide job offer, ability to attend an interview for possible employment, classroom participation in a primary or secondary educational program intended to lead to a high school diploma, classroom or on site participation in a training program which is either approved by the DOL or determined by the DOL to be expected to assist the applicant in securing employment, or classroom participation in a degree-granting program operated under the control of the DOL.

Section 5.6—Municipal Work Program

Each applicant and any member of the household who is capable of working may be required to perform work for the municipality, including work for a non-profit organization, as a condition of receiving assistance. (22 M.R.S. § 4316-A(2)).

As part of the municipal work program, the municipality can require recipients to participate in training, education, or rehabilitative programs that will assist the recipient in securing employment. The work requirement provisions found in Ordinance § 5.5 regarding just cause, dependents, and exemptions also apply to the municipal workfare program.

Consent. Persons assigned to the work program are required to sign a form stating that they understand the requirements of GA and the work program. Before signing the form, the Administrator will read it to the applicants or allow the applicants to read it themselves. The form will also state the number of hours the applicants must work and the hourly rate by means of which the duration of the work assignment is calculated. In addition, the consent form shall describe the consequences of failing to adequately perform part or all of the workfare or workfare-first assignment.

Subtracting Value of Workfare Performed from Client’s GA Debt. Pursuant to 22 M.R.S. § 4318, individuals who received GA benefits are obligated to repay the municipality when and if they become able (see Ordinance Article VIII). However, persons performing workfare shall have the value of the workfare performed deducted from any and all GA debt including GA liens (e.g., Workers’ Compensation Settlement, SSI Retroactive Payment, Capital Improvement, Home Mortgage) that might exist against their settlements, payments or other such property.

Limitations. The work requirement is subject to the following limitations. (22 M.R.S. § 4316-A(3)).

- 1) No person shall, as a condition of eligibility, be required to perform any amount of work that exceeds the value of the net GA that the person receives under municipal GA standards. Any person performing work under this subsection shall be provided

ARTICLE IV – Application Procedure

with net GA, the value of which is calculated at a rate of at least the prevailing minimum wage under state or federal law at the time the workfare was performed.

- 2) No workfare participant shall be required to work for a nonprofit organization if that work would violate the participant's basic religious beliefs.
- 3) In no case shall eligible persons performing work under this subsection replace regular municipal employees.
- 4) In no case will work performed under this subsection interfere with an eligible person's:
 - a) existing employment;
 - b) ability to follow up on a bona fide job offer;
 - c) attendance at an interview for possible employment;
 - d) classroom participation in a primary or secondary educational program intended to lead to a high school diploma; or
 - e) classroom or on-site participation in a training program which is approved by the DOL or determined by the DOL to be reasonably expected to assist the person in securing employment, or classroom participation in a degree-granting program administered by the DHHS or the DOL.
- 5) In no case may an eligible person be required to work more than 40 hours per week. An eligible person who has full or part-time employment shall be exempt from the work requirement to the extent that the work requirement in combination with their regular employment would result in the person working more than 40 hours per week.
- 6) In no case will an eligible person be required to perform work beyond their capabilities. However, when an illness or disability is claimed, an eligible person may be required as a condition of receiving assistance to present a doctor's statement detailing the extent of the disability or illness. (22 M.R.S. § 4309).

If the Administrator requires a doctor's statement to verify an applicant's illness or disability and the applicant is not currently under the care of a provider, the municipality may pay for the doctor's evaluation if the applicant has no means to pay for the exam. However, in such a case the Administrator will choose the doctor. If there is a no-cost or low-cost health care option, the municipality may elect to refer the client to such a resource. The Administrator will not require verification of medical conditions which are apparent, or which are of such short duration that a reasonable person would not ordinarily seek medical attention. (22 M.R.S. § 4316(5)).

- 7) In no case may an eligible person with an immediate need (i.e., a person in an emergency situation who has not been disqualified from receiving assistance for committing a program violation) be required to perform work under this subsection prior to receiving GA. The Administrator shall meet immediate needs upon receiving written assurance from the eligible person that they are willing to work to maintain eligibility for GA. When the recipient has no immediate need, workfare

participation may be required prior to receiving GA in accordance with the “workfare first” policy below.

“Workfare First” Policy. Pursuant to 22 M.R.S. § 4316-A(2)(D), the Administrator may, in accordance with the following guidelines, require a GA recipient to perform a workfare assignment prior to the actual issuance of the GA benefit conditionally granted.

- 1) In no circumstance will emergency GA for which an applicant is eligible be withheld pending the satisfactory performance of workfare.
- 2) All workfare participants under this policy will be provided a written decision within 24 hours after submitting an application for GA and prior to performing any workfare for the municipality associated with that request for assistance.

That written decision must include:

- a) a specific description of the amount of GA being conditionally granted to the household, and for which basic needs;
 - b) the period of eligibility for which the GA grant is being issued (in days or weeks, but not to exceed 30 days);
 - c) the rate, at a dollar-per-hour basis (but not less than the prevailing minimum wage), upon which the duration of the workfare assignment is calculated;
 - d) the actual duration of the workfare assignment that must be performed, in hours, before the GA grant will be actually issued;
 - e) the specifics of the workfare assignment(s), including the general nature of the type of work being assigned, location(s) of worksite, date(s) and time(s) of assigned workfare, workfare supervisors’ names and contact telephone numbers; and
 - f) any other pertinent information related to the workfare assignment(s) the recipient will be expected to perform.
- 3) As previously provided in this section, all workfare participants must sign a consent form that informs the participant of their workfare-related rights and responsibilities, including the consequences of failing to perform all or part of the workfare assigned without just cause.
 - 4) If a portion of the workfare-first assignment is satisfactorily performed but there has been a failure to perform the remainder of the assignment, without just cause, the Administrator shall issue a grant of GA benefits corresponding to the number of workfare hours satisfactorily performed multiplied by the hourly rate used to calculate the workfare assignment. In addition to any disqualification penalty that may apply, the remaining value of the conditionally issued GA grant shall be terminated, and notice of the partial termination, together with the reasons; therefore, will be issued to the workfare participant in accordance with Ordinance § 6.10.
 - 5) If any part of the workfare assignment is not performed because the workfare participant was temporarily unable to perform the assignment for just cause reasons, it shall be reassigned or excused at the discretion of the Administrator.

Work-Related Expenses. A participant’s expenses related to work performed under this section will be added to the amount of net GA to be provided to the person (22 M.R.S. § 4316-A(2)(E)). The municipality will provide any special clothes or equipment the recipient needs to perform their work assignment.

Disqualification. Any person who either willfully fails to perform or willfully performs below average standards the work assigned by the municipality, will be ineligible for assistance for 120 days (22 M.R.S. § 4316-A(1)). As soon as the Administrator knows that a recipient failed to fulfill the work assignment, the Administrator will notify the recipient in writing that they are disqualified for 120 days starting from the last date of authorized assistance unless the recipient can show just cause. The workfare participant has the burden of demonstrating there was just cause for any failure to perform a workfare assignment.

Eligibility Regained. Recipients who are disqualified from receiving assistance because they have violated the requirements of the municipal work program may regain their eligibility under the following conditions:

- Recipients who fail to complete the first municipal work assignment they have been given will be disqualified from receiving assistance during the next 120 days, although dependents in the household may be eligible (*see Ordinance § 5.5, “Dependents”*).
- If during the 120-day disqualification period the recipient requests an opportunity to perform the work assignment which they, without just cause failed to perform, the disqualified recipient will be given one opportunity to regain eligibility. The Administrator will give the recipient a work assignment as soon as possible.
- If a recipient under a 120-day disqualification has an emergency need and the Administrator is unable to schedule a work assignment in time to alleviate the emergency, the Administrator will provide sufficient assistance to the recipient to avert the emergency. However, the provision of emergency assistance will not bar the Administrator from subsequently enforcing the previously issued 120-day disqualification if the recipient fails to regain eligibility by satisfactorily performing the work assignment. The amount of emergency assistance granted will be considered in the computation of the total number of hours the recipient must work.
- Recipients who have asked for the opportunity to regain their eligibility during a 120-day disqualification period and who agreed to fulfill the assignment which they previously failed to perform but who, without just cause, fail to fulfill their municipal work assignment will be considered to have acted in bad faith. In such a circumstance, the Administrator will enforce the 120-day disqualification for the term of its initial duration.
- If a workfare participant regains eligibility under this section but is subsequently disqualified within the initial 120-day period of ineligibility for failing to comply with the municipal work program, that participant will be ineligible for a new 120-day period beginning with the new disqualification date but will be provided no opportunity to requalify.
- Any recipient who intentionally causes damage to property, harasses or harms other employees or who otherwise conducts themselves in a disruptive manner and is discharged by the work supervisor will not be entitled to regain eligibility by returning to the work program. Eligibility may be regained by otherwise becoming employed and meeting the definition of need.

Reports. The Administrator will itemize the assistance that has been provided to persons who work for the municipality in reports to the DHHS. (22 M.R.S. § 4316-A(2)).

Section 5.7—Use of Resources

Each applicant is responsible to make a good faith effort to utilize every available or potential resource that may reduce their need for GA (*see Ordinance § 2.2, definition of “Resources”*). Persons who refuse or fail to make a good faith effort to secure a potential resource after receiving written notice to do so are disqualified from receiving assistance until they make an effort to secure the resource. Applicants are required to prove that they have made a good faith effort to secure the resource. (22 M.R.S. § 4317).

Minors. A minor under the age of 18 who has never married and is applying independently for GA and who is pregnant or has a dependent child or children will be eligible to receive GA only if the minor is residing in the home of their parent, legal guardian or other adult relative, in which case the entire household will be evaluated for eligibility. Exceptions to this limitation on eligibility will be made when:

- 1) the minor is residing in a foster home, maternity home, or other adult-supervised supportive living arrangement; or
- 2) the minor has no living parent or the whereabouts of both parents are unknown; or
- 3) no parent will permit the minor to live in the parent’s home; or
- 4) the minor has lived apart from both parents for at least one year before the birth of any dependent child; or
- 5) the DHHS determines that the physical or emotional health or safety of the minor or the minor’s dependent child or children would be jeopardized if the minor and their child or children lived with a parent; or
- 6) the DHHS determines, in accordance with its regulation, that there is good cause to waive this limitation on eligibility. (22 M.R.S. § 4309(4)).

Any person under the age of 25 who is applying independently from their parents for GA will be informed that until they reach the age of 25, the applicant’s parents are still legally liable for their support and the municipality has the right to seek recovery from the parents of the cost of all assistance granted to such a recipient to the extent their parents are financially capable of repaying the municipality. (22 M.R.S. § 4319).

With regard to such application, the municipality may seek verification of the applicant’s need for GA by contacting their parents. If the applicant’s parents declare a willingness to provide the applicant with their basic needs directly, and there is no convincing evidence that the applicant would be jeopardized by relying on their parents for basic needs, the Administrator may find the applicant not to be in need of GA for the reason that their needs can be provided by a legally liable relative.

Mental or Physical Disability. Any applicant who has a mental or physical disability must make a good faith effort to utilize any medical or rehabilitative services which have been recommended by a physician, psychologist or other professional retraining or rehabilitation specialist when the services are available to the applicant and would not constitute a financial burden or create a physical risk to the individual.

Written Notice; Disqualification. The Administrator will give each applicant written notice whenever the applicant is required to utilize any specific potential resource(s). Any applicant who refuses to utilize potential resources, without just cause, after receiving written 7-day notice will be ineligible for further assistance until they have made a good faith effort to utilize or obtain the

resources. GA will not be withheld from the applicant pending receipt of a resource if the applicant has made, or is in the process of making, a good faith effort to obtain the resource.

Forfeiture of Benefits. Any applicant who forfeits receipt of, or causes a reduction in, benefits from another public assistance program due to fraud, misrepresentation, a knowing or intentional violation of program rules or a refusal to comply with that program’s rules without just cause will be ineligible to receive GA to replace the forfeited benefits. To the extent the forfeited benefits can be considered income under GA law, the value of the forfeited benefits will be considered income that is available to the applicant for the duration of the forfeiture.

To the extent the forfeited benefits were provided in the form of a specific, regularly issued resource of a calculable value rather than in the form of income, that resource, up to its forfeited value, need not be replaced with GA for a period of 120 days from the date of the forfeiture— unless the municipality is prohibited by federal or state law from considering the forfeited resource as available with respect to local public assistance programs. (22 M.R.S. § 4317).

Section 5.8—Period of Ineligibility

No one will have their GA terminated, reduced, or suspended prior to being given written notice and an opportunity for a fair hearing. (22 M.R.S. §§ 4321-4322). Each person will be notified in writing of the reasons for their ineligibility, and any person disqualified for not complying with the ordinance will be informed in writing of the period of ineligibility.

Work Requirement. Applicants/recipients who do not comply with a work requirement are disqualified from receiving assistance for a period of 120 days (unless they regain their eligibility) (*see Ordinance §§ 5.5, 5.6*). If an applicant/recipient is provided assistance and does not comply with the work requirement, the applicant/recipient shall be disqualified for 120 days following the end of the period covered by the grant of assistance. The Administrator shall give recipients written notice that they are disqualified as soon as the Administrator has sufficient knowledge and information to render a decision of ineligibility.

Fraud. Persons who commit fraud are disqualified from receiving GA for a period of 120 days (*see Ordinance § 6.4, “Fraud”*). The Administrator shall give recipients written notice that they are ineligible as soon as the Administrator has sufficient knowledge and information to render a decision. If the disqualification for fraud is issued before the expiration of a grant of assistance, the period of ineligibility shall commence on the day following the end of the period covered by the grant of assistance. If fraud is discovered after the period covered by the grant of assistance has expired, the period of ineligibility will commence on the day of the written notice of ineligibility.

Section 5.9 – Unemployment Fraud

An applicant who is found ineligible for unemployment compensation benefits because of a finding of fraud by the DOL pursuant to 26 M.R.S. § 1051(1) is ineligible to receive GA to replace the forfeited unemployment compensation benefits for the duration of the forfeiture established by the DOL. 22 M.R.S. § 4317.

ARTICLE VI – Determination of Eligibility

Section 6.1—Recognition of Dignity and Rights

Any determination or investigation into an applicant’s eligibility will be conducted in a manner that will not violate the applicant’s privacy or personal dignity or violate their individual rights.

Section 6.2—Determination; Redetermination

The Administrator will make an individual, factual determination of eligibility each time a person applies or reapplies for GA. The Administrator will make a redetermination of eligibility at least monthly but may do so as often as necessary to administer the program efficiently and meet the needs of the applicants. Upon any application, the Administrator will determine the applicant’s eligibility on the basis of a 30-day prospective analysis, but may elect to disburse that applicant’s assistance periodically, e.g., weekly, throughout a 30-day period of eligibility pursuant to that initial eligibility determination.

The Administrator may redetermine a person’s eligibility at any time during the period they are receiving assistance if the Administrator is notified of any change in the recipient’s circumstances that may alter the amount of assistance the recipient may receive. Once a recipient has been granted assistance, the Administrator may not reduce or rescind the grant without giving prior written notice to the recipient explaining the reasons for the decision and offering the recipient an opportunity to appeal the decision to the fair hearing authority. (22 M.R.S. § 4309).

Section 6.3—Verification

Eligibility of Applicant; Duration of Eligibility. The overseer shall determine eligibility each time a person applies or reapplies for GA. The period of eligibility will not exceed one month. At the expiration of this period applicants/recipients may reapply for assistance and the person's eligibility will be redetermined.

Applicant's Responsibilities. Applicants and recipients for GA are responsible for providing to the Administrator all information necessary to determine eligibility. If further information or documentation is necessary to demonstrate eligibility, the applicant must have the first opportunity to provide the specific information or documentation required by the Administrator. When such information is unavailable, the Administrator must accept alternative available information, which is subject to verification.

Each applicant and recipient has the responsibility at the time of application and continuing thereafter, to provide complete, accurate, current information and documentation concerning his/her:

- Need
- Income
- Employment
- Use of income
- Expenses
- Assets & liabilities
- Use of available resources
- Household composition

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Initial Applicants. Persons who have not applied for assistance in this or any other municipality are considered initial applicants and must have their eligibility determined solely on the basis of need. Initial applicants are not subject to eligibility conditions placed on repeat applicants (*see below*). However, such applicants must still provide the GA Administrator with reasonably obtainable documentation adequate to verify that there is a need for assistance. In addition, initial applicants must also comply with both lump sum and relevant work rules (i.e., quit job).

Repeat Applicants. All applicants for GA who are not initial applicants are repeat applicants. The eligibility of repeat applicants must be determined on the basis of need and all other conditions of eligibility established by law and this municipal ordinance.

The Administrator will require documentation of a repeat applicant's income, use of income, assets and resources plus actual bills and receipts for rent, utilities, fuel, telephone, medical services, and other basic necessities. In addition, repeat applicants instructed to seek employment shall verify their work search results, (e.g., provide a list of the employers contacted, the date and time of the application contact, and the name of the employer representative contacted) as required by the Administrator.

Repeat applicants must provide updates to information reported on previous applications, including changes in his/her household or income that may affect his/her eligibility.

Unforeseen Repeat Applicants. Unforeseen repeat applicants are applicants who have not applied for assistance within the last twelve months and who have been regularly employed or receiving support from a public benefit or private source but who have unexpectedly become unemployed through no fault of their own or whose income and/or benefits (e.g., through an available resource) have ceased through no fault of their own. Such unforeseen repeat applicants may be considered initial applicants for purposes of verification requirements and misspent income if the Administrator finds that imposing the general verification requirements and misspent income rules imposed on repeat applicants would be unreasonable or inappropriate.

Administrator's Responsibilities. In order to determine an applicant's eligibility for GA, the Administrator first must seek information and documentation from the applicant. Once the applicant has presented the necessary information, the Administrator must determine eligibility. The Administrator will seek verification necessary to determine eligibility and may contact sources other than the applicant for verification only with the specific knowledge and consent of the applicant – except that the Administrator may examine public records without the applicant's knowledge and consent.

Appropriate sources, which an Administrator may contact, include, but are not limited to:

- DHHS, any other department or agency of the state, or non-profit organizations
- financial institutions
- creditors
- utility companies
- employers
- landlords
- physicians
- persons with whom the applicant/recipient is a cohabitant
- legally and non-legally liable relatives

Assistance will be denied or terminated if the applicant is unwilling to supply necessary information, documentation, or permission to make collateral contacts, or if the Administrator cannot determine that eligibility exists based on information supplied by the applicant or others.

Redetermination of Eligibility. The Administrator may redetermine a person's eligibility at any time during the period that person is receiving assistance if the Administrator is informed of any change in the recipient's circumstances that may affect the amount of assistance to which the recipient is entitled, or that may make the recipient ineligible, provided that once a determination of eligibility has been made for a specific time period, a reduction in assistance for that time period may not be made without prior written notice to the recipient stating the reasons for the action and an opportunity for the recipient to receive a fair hearing upon the proposed change.

Penalty for Refusing to Release Information. Any person governed by 22 M.R.S. § 4314 who refuses to provide necessary information to the Administrator after it has been requested must state in writing the reasons for the refusal within 3 days of receiving the request. Any such person who refuses to provide the information, without just cause, commits a civil violation and may be subject to a fine of not less than \$25 nor more than \$100 which may be adjudged in any court of competent jurisdiction. Any person who willfully renders false information to the Administrator is guilty of a Class E crime. (22 M.R.S. §§ 4314(5), 4314(6), 4315).

Section 6.4—Fraud

It is unlawful for a person to knowingly and willfully make a false representation of a material fact to the Administrator in order to receive GA or cause someone else to receive GA. (22 M.R.S. § 4315). A person who commits fraud in an effort to receive GA benefits may be prosecuted for this offense.

False representation means any individual who knowingly and willfully:

- a) makes a false statement to the Administrator, either orally or in writing, in order to obtain assistance to which the applicant or the applicant's household is not entitled;
- b) conceals information from the Administrator in order to obtain assistance to which the applicant or applicant's household is not entitled; or
- c) uses GA benefits for a purpose other than the purpose for which they were intended.

No person may be denied assistance solely for making a false representation prior to being given an opportunity for a fair hearing.

Period of Ineligibility. When the Administrator finds that a person has knowingly and willfully misrepresented material facts for the purpose of making themselves eligible for GA, the Administrator shall notify that applicant in writing that they must reimburse the municipality for the assistance they were not entitled to receive and that they are ineligible for assistance for the longer of: (a) a period of 120 days; (b) until they reimburse the municipality for the assistance; or (c) until they enter a reasonable written agreement to reimburse the municipality. (22 M.R.S. § 4315).

For the purpose of this section, a material misrepresentation is a false statement about eligibility factors in the absence of which some or all of the assistance would not be or would not have been granted.

The notification of ineligibility issued by the Administrator shall inform the applicant of their right to appeal the Administrator's decision to the fair hearing authority (FHA) within 5 working days of receipt. The period of ineligibility shall commence on the day following the end of the period

covered by the grant of assistance fraudulently received or upon the date of notification of ineligibility, whichever is later.

Right to a Fair Hearing. Any applicant who is denied assistance for making a false representation will be afforded the opportunity to appeal the decision to the fair hearing authority (FHA) in accordance with Article VII of this Ordinance. No recipient shall have their assistance reduced or revoked during the period of eligibility before being notified and given the opportunity to appeal the decision. Any person who is dissatisfied with the decision of the FHA may appeal that decision to the Superior Court pursuant to Rule 80-B of the Maine Rules of Civil Procedure. (22 M.R.S. § 4309(3)).

Reimbursement. If a recipient does not appeal the decision or if the FHA determines that a recipient made a false representation, the recipient will be required to reimburse the municipality for any assistance received to which they were not entitled. The recipient may enter a reasonable written agreement to reimburse the municipality over a period of time.

Dependents. In no event will the ineligibility of a person under this section serve to disqualify any eligible dependent in that household. (22 M.R.S. § 4309(3)). In the event one or more members of a household are disqualified and assistance is requested for the remaining dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

Section 6.5—Period of Eligibility

The Administrator will grant assistance to all eligible persons for a period that is sufficient to meet their need but in no event may a grant of assistance cover a period in excess of one month. (22 M.R.S. § 4309). Upon receiving a completed and signed application the Administrator will determine the applicant’s eligibility on the basis of a 30-day prospective analysis.

When an applicant submits an incomplete or unsigned application, due to the 24-hour decision requirement placed on the GA Administrator, the GA Administrator shall render a notice of “ineligibility” and advise the applicant that they have a right to reapply as soon as they have the necessary information and/or as soon as is practicable for the applicant.

Although eligibility is determined on a 30-day basis, for reasons of administrative efficiency, the Administrator may elect to disburse an applicant’s assistance for shorter periods of time, such as weekly, throughout the 30-day period of eligibility. When the Administrator elects to disburse GA for a period of time less than 30 days, subsequent grants of assistance during that 30-day period may be issued pursuant to the initial determination of need unless the applicant’s financial situation changes substantially enough to warrant a redetermination of eligibility.

Section 6.6—Determination of Need

The period of time used to calculate need will be the next 30-day period from the date of application. (22 M.R.S. § 4301(7)). The Administrator will calculate applicants’ expenses according to the actual expense of the basic necessity or the maximum levels for the specific necessities allowed in Ordinance § 6.8, whichever is less. The sum of these expenses, as calculated for a prospective 30-day period, is the applicant’s 30-day need. Applicants will not be considered

eligible if their income and other resources exceed this calculation except in an emergency. (22 M.R.S. § 4308(2)) (*see Ordinance § 4.9*).

Applicants will also not be considered in need of GA if their income, property, credit, assets or other resources available to provide basic necessities for their household are greater than the applicable overall maximum level of assistance set forth in the beginning of Ordinance § 6.8. (22 M.R.S. §§ 4301(10), 4305(3-B)). The difference between the applicant’s income and the overall maximum levels of assistance established by this Ordinance is the applicant’s deficit.

Once an applicant’s deficit has been determined, the specific maximum levels of assistance for each basic necessity shall guide Administrator’s distribution of assistance for which the applicant is eligible. (*See Ordinance Appendices A-H*). The specific maximum levels of assistance for each basic necessity are intended to be reasonable and sufficient to help recipients maintain a standard of health and decency. (22 M.R.S. § 4305(3-A)).

Income for Basic Necessities. Applicants are required to use their income for basic necessities. Except for initial applicants, no *applicant* is eligible to receive assistance to replace income that was spent within the 30-day period prior to an application for assistance on goods and services that are not basic necessities. All income spent on goods and services that are not basic necessities will be considered available to the applicant and combined with the applicant’s prospective 30-day income for the purposes of computing eligibility. (22 M.R.S. § 4315-A). Applicants who have sufficient income to provide their basic necessities but who use that income to purchase goods or services which are not basic necessities will not be considered eligible for assistance. Persons who exhaust their income on basic necessities and who still need assistance with other basic necessities will be eligible, provided that their income does not exceed the overall maximum level of assistance.

Use-of-Income Requirements. The Administrator may require that anyone applying for GA provide documentation of their use of income. This documentation can take the form of cancelled checks and/or receipts which demonstrate that the applicant has exhausted all household income received over the last 30-day period. Except as is deemed appropriate by the Administrator for “unforeseen” repeat applicants (*See Ordinance § 6.3*); repeat applicants may be required to verify that expenditure of income was for basic necessities. Income expended that cannot be verified will generally be considered available and in such case will be added to the 30-day prospective income.

Allowable expenditures include reasonable shelter costs (rent/mortgage); the cost of heating fuel, electricity, and food up to the ordinance maximums; telephone costs at the base rate if the household needs a telephone for medical reasons, the cost of non-elective medical services as recommended by a physician which are not otherwise covered by medical entitlement, Hospital Free Care or insurance; the reasonable cost of essential clothing and non-prescription drugs, and the costs of any other commodity or service determined essential by the Administrator.

Items not considered to be basic necessities and thus will not be allowed in the budget computation include:

- Internet services
 - Cable or satellite television
 - Cellular phones, except when deemed essential by the overseer
 - Cigarettes/alcohol
 - Gifts purchased
- for medical or work related purposes

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- Pet care costs
- Costs of trips or vacations
- Paid court fines
- Repayments of unsecured loans
- Legal fees
- Late fees
- Credit card debt

The municipality reserves the right to apply specific use-of-income requirements to any applicant, other than an initial applicant, who fails to use their income for basic necessities or fails to reasonably document their of income. (22 M.R.S. § 4315-A). Those additional requirements will be applied in the following manner:

- 1) The Administrator may require the applicant to use some or all of their income, at the time it becomes available, toward specific basic necessities. The Administrator may prioritize such required expenditures so that most or all of the applicant's income is applied to housing (i.e., rent/mortgage), energy (i.e., heating fuel, electricity), or other specified basic necessities;
- 2) The Administrator will notify applicants in writing of the specific use-of-income requirements placed on them;
- 3) If upon subsequent application it cannot be determined how the applicant's income was spent, or it is determined that some or all of the applicant's income was not spent as directed and was also not spent on basic necessities, the applicant will not be eligible to receive either regular or emergency GA to replace that income; and
- 4) If the applicant does not spend their income as directed but can show with verifiable documentation that all income was spent on basic necessities up to allowed amounts, the applicant will remain eligible to the extent of the applicant's eligibility and need.

Calculation of Income and Expenses. When determining eligibility, the Administrator will subtract the applicant's net income from the overall maximum level of assistance found at the beginning of Ordinance § 6.8. If income is greater than the overall maximum level of assistance, the applicant will not be eligible except in an emergency (*see Ordinance § 4.9*). If income is less than the overall maximum level of assistance, the applicant has a deficit.

The municipality will provide assistance in an amount up to the deficit to the extent the applicant also has an unmet need and is in need of basic necessities. The municipality will not grant assistance in excess of the maximum amounts allowed in Ordinance § 6.8 for specific basic necessities except in an emergency or when the Administrator elects to consolidate the applicant's deficit, as provided immediately below.

Consolidation of Deficit. As a general rule, and to the extent of their deficit, applicants will be eligible for assistance for any basic necessity up to, but not exceeding, the maximum amount allowed for that necessity in this ordinance or the actual 30-day cost of the necessity, whichever is less. Under certain circumstances, however, and in accordance with the following conditions, the Administrator may consolidate the applicant's deficit and apply it toward a basic necessity in an amount greater than the ordinance maximum for that necessity.

- 1) The practice of consolidating the deficit and applying it toward a basic necessity in amounts greater than the ordinance maximum shall be the exception rather than the rule;
- 2) The total GA grant cannot exceed the total deficit unless the applicant is in an emergency situation; and

- 3) The need for the application of the recipient’s consolidated deficit toward a basic necessity was not created by the recipient mispending their income or resources in violation of the use-of-income requirements of this ordinance.

Section 6.7—Income

Income Standards. Applicants whose income exceeds the overall maximum level of assistance provided in Ordinance § 6.8 shall not be eligible for GA except in an emergency. Each time an applicant applies, the Administrator will conduct an individual factual inquiry into the applicant’s income and expenses.

Calculation of Income. To determine whether applicants are in need, the Administrator will calculate the income they will receive during the next 30-day period commencing on the date of application and identify any assets or resources that would alleviate their need. For all applicants other than initial applicants, the Administrator will also consider as available income any income that was not spent during the previous 30-day period on basic necessities as well as any income that was spent on basic necessities in unreasonable excess of the ordinance maximums for specific basic necessities. If a household’s income exceeds the amount of the household’s need for basic necessities, up to the maximum levels contained in Ordinance § 6.8, applicants will not be considered in need.

Exceptions will be made in emergency situations, which may necessitate that the maximum levels be exceeded. (22 M.R.S. § 4308) (*see Ordinance § 4.9*). To calculate weekly income and expenses, the Administrator will use actual income received or actual anticipated income.

Types of Income. Income that will be considered in determining an applicant’s need includes:

- a) **Earned Income.** Income in cash or in kind earned by the applicant through wages, salary, commissions, or profit, whether self-employed or as an employee, is considered earned income. If a person is self-employed, total income will be computed by subtracting reasonable and actual business expenses from gross income. When income consists of wages, the amount computed will be the income available after taxes, social security and other payroll deductions required by state, federal, and local law. Rental income and profit from produce that is sold is considered earned income. Income that is held in trust and unavailable to the applicant or the applicant’s dependents will not be considered as earned income.

Note: Actual work-related expenses such as union dues, transportation to and from work, special equipment or work clothes, and childcare costs will be deducted from an applicant’s income. (22 M.R.S. § 4301(7)).

- b) **Income from Other Assistance or Social Services Programs.** State/federal categorical assistance benefits, SSI payments, Social Security payments, VA benefits, unemployment insurance benefits, and payments from other government sources will be considered as income, unless expressly prohibited by federal law or regulation. Federal law prohibits Food Stamps and Fuel Assistance payments made by the Home Energy Assistance Program (HEAP and EPIC) from being considered income. The value of the food stamps or fuel assistance will not be used to reduce the amount of GA the applicant is eligible to receive. Although applicants may have only a limited or reduced need for GA for heating fuel or electricity if a recently received HEAP/ECIP benefit has

sufficiently credited their account or otherwise prevented the fuel-related costs for the prospective 30-day period.

The Administrator’s obligation is to always compute the heating needs of an applicant who has received HEAP or ECIP as if that applicant paid for their total fuel costs. Accordingly, in such cases, the Administrator will budget for the household’s heating energy needs according to actual usage, up to the ordinance maximums, but the Administrator may, with written notice to the applicant, hold in reserve the heating energy portion of the applicant’s deficit until such a time during the period of eligibility that the applicant has a demonstrable need for the disbursement of heating energy assistance; that is, the applicant’s fuel tank can accept a minimum fuel delivery or the applicant no longer has a positive credit balance with their utility company. The municipality is not obligated to divert any recipient’s heating energy allowance toward non-heating purposes solely on the basis of the recipient’s receipt of HEAP/ECIP.

Other programs whose income cannot be counted for purposes of GA eligibility include:

- Family Development Accounts (22 M.R.S. § 3762)
 - Americorp VISTA program benefits (42 U.S.C. § 5044(f))
 - Property tax rebates issued under the Maine Property Tax Fairness Credit program, only so long as the money is spent on basic necessities. (22 M.R.S. § 4301(7))
- c) **Court-Ordered Support Payments.** Alimony and child support payments will be considered income only if actually received by the applicant. The Administrator will refer cases in which support payments were not actually received to the Maine DHHS Child Support Enforcement Unit. In order to be eligible for future GA benefits, applicants referred to DHHS for support enforcement assistance shall be required to follow-through with such services. Because child support payments are considered a resource, applicants must make a good faith effort to secure such payments.
- d) **Income from Other Sources.** Payments from pensions and trust funds will be considered income. Payments from boarders or lodgers will be considered income as will cash or in-kind contributions provided to the household from any other source, including relatives. (22 M.R.S. § 4301(7)).
- e) **Earnings of a Son or Daughter.** Earned income received by sons and daughters below the age of 18 who are full-time students and who are not working full-time will not be considered income. The unearned income of a minor in the household will be considered available to the household.
- f) **Income from Household Members.** Income from household members will be considered available to the applicant, whether or not the household member is legally obligated for the support of the applicant, if the household members pool or share their income and expenses as a family or intermingle their funds so as to provide support to one another.
- g) **The Pooling or Non-Pooling of Income.** When two or more individuals share the same dwelling unit but not all members of the household are applying for GA, the Administrator shall make a finding under a rebuttable presumption that the entire household is pooling income. (22 M.R.S. § 4301(12-A)).

One or more applicants for assistance can successfully rebut the presumption that all household income is being pooled by providing the Administrator with verifiable documentation affirmatively demonstrating a pattern of non-pooling during the duration of the shared living arrangement. Such documentation would include evidence of the entire household’s expenses, bank statements, cancelled checks, receipts, landlord statements or

other vendor accounts clearly supporting a claim that the applicant has been and is presently solely and entirely responsible for their pro-rata share of household costs.

If the applicant is unable to successfully rebut the municipality's presumption that all household income is being pooled, eligibility of the entire household will be determined based on total household income. If the applicant successfully rebuts the municipality's presumption that all household income is being pooled, the applicant's eligibility will be determined on the basis of their income and their pro-rata share of actual household expenses.

- h) Lump Sum Income.** A lump sum payment received by any GA applicant or recipient prior or subsequent to the date of application for GA will be considered as income available to the household. However, verified required payments (i.e., any third-party payment which is required as a condition of receiving the lump sum payment, or any payments of bills earmarked for the purpose for which the lump sum payment was made) and any amount of the lump sum payment which the applicant can document was spent on basic necessities, as described below, will not be considered available income.

Where a household receives a lump sum payment at any time prior or subsequent to the date of application for GA, the Administrator will assess the need for prorating an applicant's eligibility for GA according to the following criteria. (22 M.R.S. § 4301(7), (8-A)):

- 1) identify the date the lump sum payment was received;
- 2) subtract from the lump sum payment all required payments;
- 3) subtract from the lump sum any amount the applicant can demonstrate was spent on basic necessities, including all basic necessities as defined by the GA program such as: reasonable payment of funeral or burial expenses for a family member; any reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities. Repayments of loans or credit, the proceeds of which can be verified as having been spent on basic necessities; and payment of bills earmarked for the purpose for which the lump sum is paid must also be subtracted. (22 M.R.S. § 4301(7), (8-A));
- 4) add to the remainder all income received by the household between the date of receipt of the lump sum payment and the date of application for GA; and
- 5) divide the sum created in subsection (4) by the verified actual monthly amounts for all of the household's basic necessities. 22 M.R.S. § 4305(3-B).

This dividend represents the period of proration determined by the Administrator to commence on the date of receipt of the lump sum payment. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

The household of an initial applicant that is otherwise eligible for emergency assistance may not be denied emergency assistance to meet an immediate need solely on the basis of the proration of a lump sum payment. (22 M.R.S. § 4308).

Section 6.8—Basic Necessities; Maximum Levels of Assistance

Overall Maximum Levels of Assistance. Notwithstanding any of the maximum levels of assistance for specific basic necessities listed in Ordinance Appendices B-H, an applicant’s eligibility for GA will be first determined by subtracting their income from the overall maximum level of assistance designated in Appendix A for the applicable household size. (22 M.R.S. § 4305 (3-B)). The difference yielded by this calculation shall be the applicant’s deficit.

Applicants will be eligible for GA up to the calculated deficit to the extent the applicant is unable to otherwise provide the basic necessities essential to maintain themselves or their families. Applicants with no deficit shall be found ineligible for GA unless they are in an emergency, in which case eligibility for emergency GA will be determined according to Ordinance § 4.9.

Maximum Levels of Assistance for Specific Basic Necessities. The municipality will grant assistance to eligible applicants for basic necessities according to the maximum levels for specific types of assistance set forth below. The Administrator, in consultation with the applicant, may apply the amount of the applicant’s deficit toward assistance with any one or combination of necessities not to exceed the total deficit. These maximum levels will be strictly adhered to unless the Administrator determines that there are exceptional circumstances and an emergency is shown to exist, in which case these absolute levels will be waived in order to meet immediate needs.

In all cases either the actual expenses the applicant incurs for basic necessities or the maximum amount allowed in each category, whichever is less, will be used in determining need.

In roommate situations, the applicant’s need for common living expenses for rent, fuel, electricity, etc., will be presumed to be reduced by an amount equal to the other household members’ proportionate fair share of the common living expenses. No applicant will be allowed to claim a need for any expense which has been or will be paid by another person. In addition, as a general rule the municipality will not provide a benefit toward a basic need by paying a bill that is issued to a person not living with the applicant’s household or that has otherwise been incurred by a person who has not been found eligible to receive assistance.

Temporary exceptions to this general rule may be made by the Administrator in the following circumstances: (1) a recent, unplanned separation has occurred in the household resulting in the sustained or permanent absence of a former household member in whose name the bill was customarily issued; (2) the applicant and members of the applicant’s household were or will be the sole recipients of the commodities or services covered by any bill to be paid or partially paid with GA; and (3) the applicant will make a good faith effort to direct the vendor to issue future bills in the name of the applicant or other responsible person residing in the household.

- (A) **Food.** The Administrator will provide food assistance to eligible persons up to the allowed maximum amounts designated by the U.S.D.A. Thrifty Food Plan for the appropriate household size.

For this purpose, the municipality hereby incorporates by reference the U.S.D.A. Thrifty Food Plan, as distributed by the Maine DHHS on or about October of each year. See Ordinance Appendix B for the current year’s food maximums.

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In determining need for food, the Administrator will not consider the value of the food stamps an applicant receives as income. (22 M.R.S. § 4301.7(A); 7 U.S.C. § 2017(b)). The municipality will authorize vouchers to be used solely for approved food products.

The Administrator will exceed the maximums when necessary for households having members with special dietary needs. The Administrator may require a doctor's statement verifying there is a special dietary need requiring an expenditure for food that is greater than the ordinance maximums.

- (B) **Housing.** The Administrator will provide assistance with rent or mortgage payments that are reasonable and/or within the allowed maximum levels. See Ordinance Appendix C for the current year's housing maximums. It is the applicant's responsibility to find suitable housing, although the Administrator may help the applicant find housing when appropriate. The Administrator will inform the applicant of the allowed housing maximums to assist the applicant in their search for housing. The allowed maximum for any applicant will be the categorical housing maximum representing the minimum dwelling unit space necessary to adequately shelter the applicant household. Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level for the number of rooms actually needed.

Temporary Lodging. The municipality cannot exceed maximum levels of assistance for an applicant household for more than 30 days in a 12-month period when assistance is granted for housing in a hotel, motel, inn or other lodging place as defined in 22 M.R.S. § 2491(7-F).

Large Recovery Residences. The maximum amount of housing assistance provided to or on behalf of a person residing in a recovery residence, as described in 22 M.R.S. § 4309(6), with occupancy of 26 or more beds, is equal to 70% of the maximum levels of housing assistance available for a person residing in a recovery residence with occupancy of 25 or fewer beds. (22 M.R.S. § 4305(3-E)).

Rental Payments to Relatives. The municipality may elect to not issue any rental payment to an applicant's relatives unless the rental relationship has existed for at least three months and the applicant's relative(s) rely on the rental payment for their basic needs. For the purpose of this section, a "relative" is defined as the applicant's parents, grandparents, children, grandchildren, siblings, parent's siblings, or any of those relative's children. (22 M.R.S. § 4319(2)).

Rental Payments to Non-Relatives. When applicants are living in private homes with the owner or sharing dwelling units with people who are not pooling income or who are not legally liable relatives, the amount allowed as the applicant's shelter expense will be the applicant's pro rata share of the actual, total shelter cost, up to the ordinance maximum. (22 M.R.S. § 4301(6)).

Any housing assistance issued to a recipient in such a circumstance will be issued, whenever reasonably possible, to the landlord or property owner with the most superior interest in the property; i.e., to a landlord before a tenant, or to a mortgagee before a mortgagor.

When the municipality issues in aggregate more than \$600 in rental payments to any landlord in any calendar year, a 1099 form declaring the total amount of rental payments issued during the

calendar year will be forwarded to the Internal Revenue Service (IRS) pursuant to IRS regulation (see § 6041(a) of Internal Revenue Code).

Any landlord wishing to regularly receive rental payments from the municipality on behalf of applicants renting rooms from the landlord's own residence must, at a minimum, make a good faith effort to obtain a lodging license from the DHHS Division of Health Engineering, pursuant to 10-144A CMR, Chapter 201, as a condition of that landlord receiving future GA payments on behalf of their tenants.

Mortgage Payments. In the case of a request for assistance with a mortgage payment, the Administrator will make an individual factual determination of whether the applicant has an immediate need for such aid. In making this determination, the Administrator will consider the extent and liquidity of the applicant's proprietary interest in the housing. Factors to consider in making this determination include:

- (1) the marketability of the shelter's equity;
- (2) the amount of equity;
- (3) the availability of the equity interest in the shelter to provide the applicant an opportunity to secure a short-term loan in order to meet immediate needs;
- (4) the extent to which liquidation may aid the applicant's financial rehabilitation;
- (5) a comparison between the amount of mortgage obligations and the anticipated rental charges the applicant would be responsible for if they were to be dislocated to rental housing;
- (6) the imminence of the applicant's dislocation from owned housing because of their inability to meet the mortgage payments;
- (7) the likelihood that the provision of housing assistance will prevent such dislocation; and
- (8) the applicant's age, health, and social situation.

These factors shall be considered when determining whether the equity in the shelter is an available asset which may be substituted for the assistance the municipality would otherwise be required to provide.

The Administrator shall consider issuing a benefit in response to the applicant's request for mortgage assistance to the extent the applicant is otherwise eligible for GA if after review of the criteria above, the Administrator determines that:

- (1) the monthly mortgage obligation is in accordance with the maximum levels of assistance available for housing appropriate to the applicant's household size;
- (2) there is no capacity in the accumulated equity in the property, when considered in the context of the applicant's borrowing capacity with the mortgagee or the general lending community, to suspend the mortgage obligation temporarily or re-amortize the mortgage in such a way as to suspend or reduce the mortgage obligation; and
- (3) the failure to provide a mortgage payment in a timely manner could jeopardize the applicant's continued right of possession of the property.

If a mortgage payment is necessary, the Administrator will pay the actual amount due, up to the amount allowed according to the maximum levels listed below. After an initial application, assistance with such payments will be given only after the applicant has made all reasonable efforts to borrow against the equity of their home. If there is not sufficient equity in the home with which

to secure a loan, and if the monthly mortgage payments are not realistically in line with the rental rates for similar housing in the area that could meet the applicant’s needs, the Administrator will inform the applicant that they are responsible for finding alternative housing within their ability to pay and will be obligated to make all reasonable efforts to secure such housing.

Liens. The municipality may place a lien on the property in order to recover its costs of granting assistance with mortgage payments. In addition, a municipality may claim a lien against the owner of real estate for the amount of money spent by it to make capital improvements to the real estate. (22 M.R.S. § 4320). No lien may be enforced against a recipient except upon their death or the transfer of the property. Further, no lien may be enforced against a person who is currently receiving any form of public assistance, or who would again become eligible for GA if the lien were enforced.

If the municipality determines that it is appropriate to place a lien on a person’s property to recover its costs of providing GA for a mortgage payment or capital improvement it must file a notice of the lien with the county registry of deeds where the property is located within 30 days of making the mortgage payment. That filing shall secure the municipality’s or the state’s interest in an amount equal to the sum of that mortgage or capital improvement payment and all subsequent mortgage or capital improvement payments made on behalf of the same eligible person, plus interest and costs.

Not less than 10 days prior to filing the lien in the registry, the municipal officers must send notice to the owner of the real estate, the GA recipient, and any record holder of the mortgage by certified mail, return receipt requested, that a lien on the property is going to be filed with the registry. This notice must clearly inform the recipient of the limitations upon enforcement plus the name, title, address and telephone number of the person who granted the assistance. The municipal officers must also give written notice to the recipient each time the amount secured by the lien is increased because of an additional mortgage payment. This notice must include the same information that appeared on the original intent-to-file notice sent to the recipient.

The municipality may charge interest on the amount of money secured by the lien. The municipal officers will establish the interest rate not to exceed the maximum rate of interest allowed by the State Treasurer to be charged against delinquent taxes. The interest will accrue from the date the lien is filed.

Property Taxes. In the event an applicant requests assistance with their property taxes, the Administrator will inform the applicant that there are two procedures on the local level to request that relief: the poverty abatement process (36 M.R.S. § 841(2)) and GA. If the applicant chooses to seek property tax assistance through GA, or if the applicant is denied a poverty tax abatement, the Administrator may consider using GA to meet this need only if:

- a) the property tax in question is for the applicant’s place of residence;
- b) there is a tax lien on the property which is due to mature within 60 days of the date of application;
- c) as a matter of municipal policy or practice, or on the basis of information obtained from the applicant’s mortgagee, if any, it is reasonably certain that a tax lien foreclosure will result in subsequent eviction from the residential property; and
- d) the applicant, with sufficient notice, applies for property tax relief through the Maine Property Tax Fairness Credit program, when available.

Housing Maximums. The maximum levels of housing assistance contained in this ordinance have been derived either from a locally accomplished fair market rental survey or the fair market rental values developed by the U.S. Department of Housing and Urban Development (HUD). If the maximum levels of housing are derived from the HUD values made effective as of every October 1, and adjusted to disregard the current and averaged utility allowances as developed by the Maine State Housing Authority, those levels are hereby incorporated by reference. See Ordinance Appendix C for the current year’s housing maximums.

If and when the maximum levels of housing assistance in this Ordinance are derived from a locally developed fair market rental survey, a record of that survey will be submitted to the DHHS, General Assistance Unit, and the maximum levels of housing assistance will be incorporated into this Ordinance pursuant to the ordinance adoption and amendment procedures found at 22 M.R.S. § 4305.

Note. The maximum amount of housing assistance provided to or on behalf of a person residing in a recovery residence, as described in 22 M.R.S. § 4309(6), with occupancy of 26 or more beds, is equal to 70% of the maximum levels of housing assistance available for a person residing in a recovery residence with occupancy of 25 or fewer beds. (22 M.R.S. § 4305(3-E)).

(C) **Utilities.** Expenses for lights, cooking, and hot water will be budgeted separately if they are not included in the rent. Applicants are responsible for making arrangements with the utility company regarding service, including entering into a special payment arrangement if necessary.

Assistance will be granted to eligible applicants on the basis of their most recent bill. The municipality is not obligated to pay back bills or utility security deposits. Exceptions may be made in emergency situations pursuant to section 4.9.

Disconnection of utility service will not be considered an emergency in all cases. The Administrator will make an individual, factual analysis to determine if the termination of utility service constitutes an emergency. The Administrator will consider the household composition, the time of year, the age and health of the household members, and other appropriate factors in reaching a decision. Applicants who had sufficient income, money, assets or other resources to pay their utility bill when it was received, but who spent all or part of their income on items which were not basic necessities, will not be eligible to receive GA to replace those funds.

Applicants have the burden of providing evidence of their income and use of income for the applicable time period (22 M.R.S. § 4308(2)) (*see Ordinance §§ 4.9; 6.3*). The Administrator will notify applicants in writing that they must give the Administrator prompt notice if their utility service is to be terminated or if their fuel supply is low. It is the applicant’s responsibility to attempt to make arrangements with the utility company to maintain their service and to notify the Administrator if assistance is needed with a utility bill prior to service being terminated.

Electricity Maximums for Households Without Electric Hot Water. See Ordinance Appendix D for the current year’s electricity maximums.

Electricity Maximums for Households that Use Electrically Heated Hot Water. See Ordinance Appendix D for the current year’s electricity maximums.

Non-Electric Utilities. The allowed amount for water and sewer utility service will be budgeted at a 30-day reasonable usage rate.

- (D) **Fuel.** Expenses for home heating will be budgeted according to the actual need for fuel during the heating season (September through May) provided such expenses are reasonable, and at other times during the year when the Administrator determines the request for fuel assistance is reasonable and appropriate.

Assistance will be granted to eligible applicants on the basis of their most recent bill. The municipality is not responsible for back bills except in an emergency as provided in Ordinance § 4.9. Applicants are responsible for monitoring their fuel supply and requesting assistance prior to depleting their fuel supply. When applicants who have been informed of this responsibility run out of fuel nonetheless, and can show no just cause for failing to give the Administrator timely notice of their need for fuel, the Administrator shall find that the emergency was not beyond the applicants’ control, and process the emergency request accordingly, pursuant to Ordinance § 4.9. See Ordinance Appendix E for the current year’s fuel maximums.

- (E) **Personal Care and Household Supplies.** Expenses for ordinary personal and household supplies will be budgeted and allowed according to the applicant’s actual need for these items. Personal and household supplies include: hand soap, toothpaste, shampoo, shaving cream, deodorant, dish detergent, laundry supplies and costs, household cleaning supplies, razors, paper products such as toilet paper, tissues, paper towels, garbage/trash bags light bulbs and supplies for children under 5 years of age. See Ordinance Appendix F for the current year’s personal care and household supplies maximums.

- (F) **Other Basic Necessities.** Expenses falling under this section will be granted when they are deemed essential to an applicant’s or recipient’s health and safety by the Administrator and, in some cases, upon verification by a physician. Assistance will be granted only when these necessities cannot be obtained through the utilization of available resources.

- 1) **Clothing.** The municipality may assist a household with the purchase of adequate clothing. Before assistance will be granted for clothing, the GA Administrator must be satisfied that the applicant has utilized all available resources to secure the necessary clothing. In some circumstances, clothing will be a postponable item. Exceptions to this would be, for example, if fire, flood or unusually cold weather makes extra clothing an immediate necessity, special clothing is necessary for the applicant’s employment, or a household member is without adequate clothing.
- 2) **Medical.** The municipality will pay for essential medical expenses, other than hospital bills (*see below*), provided that the municipality is notified and approves the expenses and services prior to their being made or delivered. Medical expenses include prescriptions, devices, treatments, or services that are determined to be ‘medically necessary’ by a licensed physician. The municipality will grant assistance for medical services only when assistance cannot be obtained from any other source and the applicant would not be able to receive necessary medical care without the municipality’s assistance. The applicant is required to utilize any resource, including any federal or state

program, that will diminish their need to seek GA for medical expenses. The municipality will grant assistance for non-emergency medical services only if a physician verifies that the services are essential. Provided there is no cost to the applicant, the Administrator may require a second medical opinion from a physician designated by the municipality to verify the necessity of the services.

Generally, the municipality will issue GA at the established Medicaid rates for all medical services, prescriptions, or other medical commodities. Before authorizing GA for any medical expenses, the Administrator will inform the pharmacy or medical service provider of the municipality's intention to pay for the medical service at the Medicaid rate and ask to be billed accordingly.

Ordinary medical supplies/non-prescription drugs will be budgeted at the actual amount when the applicant can demonstrate a need for such items. Allowable supplies include bandages, aspirin, cough syrup, and other generic brand, non-prescription medicines. In addition, the basic monthly rate for telephone service will be budgeted when a telephone is essential to the health and safety of the household. In order for telephone service to be considered an allowable expense the applicant must provide a written statement from a physician certifying that the telephone is essential.

- 3) **Hospital Bills.** In the event of an emergency admission to the hospital, the hospital must notify the Administrator within 5 business days of the admission. Notification must be by telephone, confirmed by certified mail, or by certified mail only. If a hospital fails to give timely notice to the Administrator, the municipality will have no obligation to pay the bill.

Any person who cannot pay their hospital bill must apply to the hospital for consideration under the Hospital's Free Care Program as provided in Title 22 M.R.S. § 1716. Anyone who is not eligible for the hospital's free care program may apply for GA. Applicants must apply for assistance within 30 days of being discharged from the hospital and provide a notice from the hospital certifying that they are not eligible for the hospital's free care program.

Before the Administrator will consider whether to allow a hospital bill as a necessary expense, the applicant must enter into a reasonable payment arrangement with the hospital. The payment arrangement will be based upon the Medicaid rate. In determining an applicant's eligibility, the municipality will budget the monthly payment to the hospital the applicant has agreed to pay. The applicant's need for assistance with a hospital bill will be considered each time they apply by including the amount of the bill in the applicant's monthly budget, but the recipient will be responsible for making any necessary payments to the hospital pursuant to the use-of-income requirements found at Ordinance § 6.6.

- 4) **Dental.** The municipality will pay for medically necessary dental services only. As is the case with medical services generally, the municipality will issue GA for dental services at the established Medicaid rates for those services, and before authorizing the GA benefit for dental services, the Administrator will inform the dentist or dental surgeon of the municipality's intention to pay at the Medicaid rate. If full mouth extractions are necessary, the municipality will pay for dentures provided the applicant has no other resources to pay for the dentures. The applicant will be referred to a dental clinic in the area whenever possible. The Administrator will expect the applicant to bear a reasonable

part of the cost for dental services, including extractions and dentures, taking into account the applicant’s ability to pay.

- 5) **Eye Care.** In order to be eligible to receive GA for eyeglasses, an applicant must have their medical need certified by a person licensed to practice optometry. The Administrator will provide assistance for eyeglasses to eligible persons only after the applicant has exhausted all other available resources and generally only at the Medicaid rate.
- 6) **Telephone Charge.** A payment for basic telephone will only be allowed if a telephone is necessary for medical reasons as verified by a physician. At the discretion of the GA Administrator, minimum/basic telephone services may be allowed for households with children, for households where job search or work-related reasons exist and/or for any other reasons the Administrator deems necessary.
- 7) **Work-Related Expenses.** In determining need, reasonable and actual work-related expenses will be deducted from earned income. These expenses include childcare costs, work clothes, supplies and transportation at the actual costs not to exceed the ordinance maximum. See Ordinance Appendix G for the current maximum mileage allotment. The applicant is required to provide documentation substantiating the costs and that the expenses were necessary.
- 8) **Travel Expenses.** In determining need, necessary travel which is not work-related will be budgeted if the applicant can satisfy the Administrator that the prospective need for travel is necessary. For applicants in rural areas, weekly transportation to a supermarket will be considered, as will any medically necessary travel. See Ordinance Appendix G for the current rate at which such necessary travel will be budgeted. This rate shall be construed to subsidize all costs associated with automobile ownership and operation, including gas/oil, tires, maintenance, insurance, financing, licensing/registration, excise tax, etc.
- 9) **Burials, Cremations.** Under the circumstances and in accordance with the procedures and limitations described below (*see Ordinance § 6.9*), the municipality recognizes its responsibility to pay for the burial or cremation of eligible persons. See Ordinance Appendix H for the current maximums.
- 10) **Capital Improvements.** The costs associated with capital improvements/repairs (e.g., heating/water/septic system repair) will generally not be budgeted as a basic necessity. Exceptions can be made only when the capital improvement/repair has been pre-approved by the Administrator as a necessary expense and the monthly cost of the capital improvement/repair has been reduced as far as reasonably possible; for example, by means of the applicant entering into an installment payment arrangement with the contractor. The Administrator may grant GA for capital improvements when:
 - 1) the failure to do so would place the applicant(s) in emergency circumstances;
 - 2) there are no other resources available to effect the capital repair; and
 - 3) there is no more cost-effective alternative available to the applicant or municipality to alleviate an emergency situation.

In some cases, the entire immediate cost of the capital improvement can be mitigated by the applicant entering into an installment payment arrangement with a contractor. The municipality reserves the right to place a lien on any property pursuant to 22 M.R.S. § 4320 when GA has been used to effect a capital improvement. The lien process shall be accomplished in the same manner as for mortgage payments, as described in subsection (B) “Liens”, above.

Section 6.9—Burials; Cremations

Funeral Director Must Give Timely Notice. In order for the municipality to be liable for a burial or cremation expense, the funeral director must notify the Administrator prior to the burial or cremation or by the end of three business days following the funeral director's receipt of the body, whichever is earlier. (22 M.R.S. § 4313(2)). This contact by the funeral director shall begin the process of developing an application for burial/cremation assistance on behalf of the deceased. It is the funeral director's responsibility to make a good-faith effort to determine if the family or any other persons are going to pay all or part of the burial expenses. If family members or others are unable to pay the expenses, and the funeral director wants the municipality to pay all or part of the expenses, the funeral director must make timely contact to the Administrator. In addition, the funeral director may refer legally liable relatives to the Administrator so that a timely determination of financial capacity may be accomplished.

Application for Assistance Shall be Calculated on Behalf of the Deceased. For the purposes of determining residency, calculating eligibility and issuing GA for burial or cremation purposes, an application for assistance shall be completed by the Administrator on behalf of the deceased.

With regard to residency, the municipality of responsibility for burial expenses shall be the municipality in which the eligible deceased person was a resident at the time of death as residency is determined under Ordinance § 4.10.

Although legally liable relatives may be asked to provide information regarding their income, assets, and basic living expenses, that information will not be construed as an application for GA in as much as living persons are not eligible for burial assistance. To clarify this point of law, although legally liable relatives have a financial responsibility to pay for the burial or cremation of their relatives, that financial responsibility only exists to the extent the legally liable relatives have a financial capacity to do so. Therefore, legally liable relatives who are themselves eligible for GA, have no legal obligation to pay for the burial or cremation of their relatives. For these reasons, all GA issued for burial or cremation purposes shall be issued on behalf of, and in the name of, the deceased.

The Financial Responsibility of Certain Family Members. Grandparents, parents, children and grandchildren of the deceased whether or not living in or owning property in Maine, and the spouse or registered domestic partner of the deceased, are financially responsible for the burial or cremation of the deceased to the extent those relatives, individually or as a group, have a financial capacity to pay for the burial or cremation either in lump sum or by means of a budgeted payment arrangement with the funeral home. Accordingly, at the request of the Administrator, all legally liable relatives must provide the Administrator with any reasonably requested information regarding their income, assets, and basic living expenses. The Administrator may also seek information from financial institutions holding assets of the deceased. Maine law requires a financial institution to disclose the amount deposited in the corporation or association when the municipality or its agents are acting in accordance with section 4313(2) and provide a written request and a notarized affidavit signed by the Administrator of the municipality or its agents stating that the named depositor is deceased.

Consideration of the Financial Responsibility of Family Members. Generally, when the Administrator can make a finding that one or more of the deceased's legally liable relatives have an obvious and demonstrable financial capacity to pay for the burial or cremation, by lump sum

payment or by means of a reasonable payment arrangement, the municipality will not grant the requested burial or cremation assistance. When the Administrator is unable to make such a finding, the following proration of familial responsibility will be implemented.

Proration of Familial Responsibility. A proration of familial financial responsibility will be used when no legally liable relative possesses an obvious and demonstrable capacity to pay for the burial or cremation, but one or more of the financially liable relatives is found to have a financial capacity to make a partial financial contribution, or the Administrator is unable to determine the financial capacity of one or more of said relatives.

Under these circumstances, each legally liable relative is considered to be responsible for their pro rata share of the total municipal contribution that would exist if no legally liable relatives had a financial capacity to contribute. Furthermore, and as long as all other eligibility factors have been satisfied, the municipality will provide as a burial or cremation benefit the aggregate of all pro rata shares less the share of any legally liable relative who refuses to cooperate with the Administrator by providing information or documentation reasonably necessary to determine that relative's financial capacity, and less any share or part of a share attributable to a legally liable relative who can financially contribute or partially contribute toward the burial or cremation to the extent of that relative's share.

Eight Days to Determine Eligibility. The Administrator may take up to 8 days from the date of an application for burial/cremation assistance to issue a written decision regarding the amount of the municipal contribution toward the burial or cremation. The 8-day eligibility determination period from the date of application shall be used as necessary to make third-party collateral contacts, verify the listing of legally liable family members and determine their respective financial capacities to contribute to the burial or cremation, contact the personal representative of the deceased's estate, if any, and other related administrative tasks. The Administrator shall not use this 8-day period allowed by law to unreasonably delay the municipality's decision.

The Municipal Obligation to Pay When Legally Liable Relatives or Others Can Contribute. The figures provided in this section are the maximum benefits provided by the municipality when no contributions toward the burial or cremation are available from any other source. To the extent any legally liable relatives of the deceased have a financial capacity to pay for the burial or cremation, that financial capacity shall be deducted from the maximum burial costs allowed by this section. In addition, any other benefits or resources that are available, such as Social Security burial benefits, veterans' burial benefits, or contributions from other persons, will be deducted from the maximum amount the municipality will pay, except there will be no deduction from the municipal benefit level with respect to any contribution provided for the purpose of publishing an obituary notice up to an aggregate contribution limit for this purpose of \$75 when a paid receipt demonstrating the purchase of an obituary notice is provided to the Administrator.

Burial Expenses. The Administrator will respect the wishes of family members concerning whether the deceased is interred by means of burial or cremated. See Ordinance [Appendix H](#) for the maximum levels of burial assistance.

Cremation Expenses. In the absence of any objection by any family members of the deceased, or when neither the Administrator nor the funeral director can locate any family members, the Administrator may issue GA for cremation services. See Ordinance [Appendix H](#) for the maximum assistance levels for cremations.

Section 6.10—Notice of Decision

Written Decision. Each time a person applies, the Administrator will provide a written decision to the applicant after making a determination of eligibility. The decision will be given to the applicant within 24 hours after a completed and signed application is received (22 M.R.S. § 4305(3)) (*see Ordinance § 4.6*).

In order to comply with the statutory requirement to issue a decision within 24 hours, if an applicant submits an incomplete or unsigned application, the Administrator may decide to issue a notice of “ineligibility” and provide the applicant with another application to submit as soon as is practicable for the applicant.

The Administrator must explain the applicant’s right to a fair hearing in the Administrator’s written notice of decision.

Contents of Decision. After an application has been completed, applicants will be given written notice of any decision concerning their eligibility for assistance. In addition to the items listed in Ordinance § 4.6, the notice of decision will include a statement that:

- a) the applicant has the right to a fair hearing and how to request a fair hearing, and;
- b) the applicant has the right to contact the DHHS if they believe the municipality has violated the law. The decision will include contact information for the appropriate DHHS office.

Disbursement of GA. Except when the Administrator determines it is impractical, all GA will be provided as a voucher or purchase order payable to a vendor or through direct municipal payment to a provider of goods or services. GA will not be issued in the form of a cash payment to an applicant unless there is no alternative to the cash payment, in which case the Administrator shall document the circumstances requiring GA to be issued in the form of cash. (22 M.R.S. § 4305(6)).

ARTICLE VII – The Fair Hearing

Section 7.1—Right to a Fair Hearing

Within 5 working days of receipt of a written notice of denial, reduction or termination of assistance, or within 10 working days after any other act or failure to act, the applicant or their authorized representative has the right to request a fair hearing. (22 M.R.S. § 4322). The right to review a decision of the Administrator is a basic right of the applicant to a full evidentiary hearing and is not limited solely to a review of the decision.

Section 7.2—Method of Obtaining a Fair Hearing

Upon receiving notification of the decision of the Administrator, all claimants will be informed of how to request a fair hearing. All complaints that are not clear requests for a fair hearing will be answered by a personal interview or in writing by the Administrator. If the client is satisfied with the adjustment or explanation, the Administrator will make an entry in the case record and file any correspondence involved.

Written Request. To obtain a fair hearing, the claimant, or their authorized representative, must make a written request within 5 working days of receipt of the Administrator’s decision to grant, deny, reduce or terminate assistance, or within 10 working days after any other act or failure to act. The Administrator will make a form available to request a fair hearing and will assist the claimant in completing it if necessary. On the printed form, the claimant will give the following information:

- a) the decision on which review is sought;
- b) the reason(s) the claimant is dissatisfied and why the claimant believes they are eligible to receive assistance; and
- c) the relief sought by the claimant.

The Administrator may not deny or dismiss a request for a hearing unless it has been withdrawn (in writing) by the claimant.

Scheduling the Fair Hearing. Upon receipt of the completed written request, the FHA must meet and hold the hearing within 5 working days. The Administrator will notify the claimant in writing when and where the hearing will be held. (22 M.R.S. § 4322). In addition to the date, time and place of the hearing, the notice of fair hearing shall include, at a minimum, the claimant’s rights to:

- a) be their own spokesperson at the fair hearing, or at the claimant’s own expense be represented by legal counsel or another;
- b) confront and cross-examine any witnesses presented at the hearing; and
- c) present witnesses on their own behalf.

Arrangements for the date, time, and place of the hearing will take into consideration the convenience of the claimant and hearing authority. The claimant will be given timely notice to allow for preparation and will also be given adequate preliminary information about the hearing procedure to allow for effective preparation of their case.

Section 7.3—The Fair Hearing Authority

The municipal officers will appoint a fair hearing authority (FHA) that will determine, based on all the evidence presented at the fair hearing, whether the claimant(s) were eligible to receive assistance at the time they applied for GA. The FHA is charged with ensuring that GA is administered in accordance with state law and this ordinance.

The FHA may consist of the municipal officers, one or more persons appointed by the municipal officers to act as the FHA, or, if designated by ordinance, a municipal board of appeals created under 30-A M.R.S. § 2691. (22 M.R.S. § 4322). In determining the FHA, the municipal officers will ensure that all person(s) serving as FHA must:

- a) have not participated in the decision which is the subject of the appeal;
- b) be impartial;
- c) be sufficiently skilled in interviewing techniques to be able to obtain evidence and the facts necessary to make a fair determination; and
- d) be capable of evaluating all evidence fairly and realistically, explaining to the claimant the laws and regulations under which the Administrator operated, and conveying to the Administrator any evidence of unsound, unclear, or inadequate policies, practices or actions.

Section 7.4—Fair Hearing Procedure

At the time that written notice of the date, time, and place of the fair hearing is provided to a claimant, they will also be given adequate information about the hearing procedure to allow them to effectively prepare their case. The claimant shall be permitted to review their file before the hearing. At a minimum, the claimant will be provided with the following information regarding fair hearing procedures. All fair hearings will:

- a) be conducted in private, with only to the claimant, witnesses, the claimant’s legal counsel, others whom the claimant wants present, and Administrator, the Administrator’s agents, counsel and witnesses present;
- b) be opened with a presentation of the issue by the FHA;
- c) be conducted informally, without technical rules of evidence, but subject to the requirements of due process;
- d) allow the claimant and the Administrator the option to present their positions for themselves or with the aid of others, including legal counsel;
- e) give all participants an opportunity to present oral or written testimony or documentary evidence, offer rebuttal; question witnesses presented at the hearing; and examine all evidence presented at the hearing;
- f) result in a decision, based exclusively on evidence or testimony presented at the hearing; and
- g) be tape recorded, and result in a written decision that is given to the claimant and filed with evidence introduced at the hearing. The FHA will allow the claimant to establish all pertinent facts and circumstances, and to advance any arguments without undue interference. Information that the claimant does not have an opportunity to hear or see will not be used in the fair hearing decision or made part of the hearing record. Any material reviewed by the FHA must be made available to the claimant or their representative. The claimant will be responsible for preparing a written transcript if they wish to pursue court action.

The FHA shall admit all evidence if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. (22 M.R.S. § 4322).

Claimant’s Failure to Appear. If the claimant fails to appear at the hearing, the FHA will send a written notice to the claimant indicating that the Administrator’s decision remains unchanged because of the claimant failure to appear. The notice will state that the claimant has 5 working days from receipt of the notice to provide the Administrator with information demonstrating “just cause,” for failure to appear.

“Just cause” for a claimant’s failure to appear at a fair hearing, may include:

- a) a death or serious illness in the family;
- b) a personal illness which reasonably prevents the party from attending the hearing;
- c) an emergency or unforeseen event which reasonably prevents the party from attending the hearing;
- d) an obligation or responsibility which a reasonable person in the conduct of their affairs could reasonably conclude takes precedence over the attendance at the hearing; or
- e) lack of receipt of adequate or timely notice; excusable neglect, excusable inadvertence, or excusable mistake.

If the claimant (or his/her attorney) establishes that just cause existed, the request for the hearing will be reinstated and a hearing rescheduled.

If a claimant who is represented by legal counsel fails to appear at a fair hearing, legal counsel shall not testify in place of the claimant on matters of ‘fact’ but may cross examine witnesses and make ‘legal’ arguments on behalf of the claimant.

Section 7.5—The Fair Hearing Decision

The FHA’s decision will be binding on the Administrator, and will be communicated in writing to the claimant within 5 working days after completion of the hearing. Written notice of the decision will contain:

- a) a statement of the issue;
- b) relevant facts brought out at the hearing;
- c) pertinent provisions in the law or GA ordinance related to the decision; and
- d) the FHA’s decision and the reasons for it.

A copy of the decision will be given to the claimant. The hearing record and the case record will be maintained by the Administrator.

The written decision will state that if the claimant is dissatisfied with the fair hearing decision, they may appeal pursuant to Maine Rule of Civil Procedure, Rule 80B. To take advantage of this right, the claimant must file a petition for review with the Superior Court within 30 days of receipt of the fair hearing decision.

When the decision by the FHA or court authorizes assistance to the claimant, the assistance will be provided within 24 hours.

ARTICLE VIII – Recovery of Expenses

Recipients. The municipality may recover the full amount of assistance granted to a person from either the recipient or from any person liable for the recipient, or their executors or administrators in a civil action. However, prior to recovering assistance granted, the municipality shall “offset” the value of any workfare performed by a GA recipient against the repayment obligation, at a rate not less than minimum wage.

Before filing a court action to seek repayment of GA benefits previously provided to a recipient, the municipality will seek voluntary repayment after written notice and discussion with the recipient. However, the municipality will not attempt to recover such amounts if, as a result of the repayment, the recipient would again become eligible for GA. (22 M.R.S. § 4318).

Recipients Anticipating Workers’ Compensation Benefits. The municipality shall claim a lien on any lump sum payment under the Workers’ Compensation Act or similar law of any other state, which lien shall equal the value of all GA payments made to a recipient of any such lump sum payment. (22 M.R.S. § 4318, 39-A M.R.S. § 106). After issuing any GA on behalf of a recipient who has applied for or is receiving Workers’ Compensation, the municipality shall file a notice of the municipal lien with the GA recipient and the Maine Office of Secretary of State, Uniform Commercial Code division.

The notice of lien shall be filed on a UCC-1 form which must be signed by the GA recipient who has applied for or is receiving Workers’ Compensation. Any GA applicant who has applied for or who is receiving Workers’ Compensation benefits and who refuses to sign a properly prepared UCC-1 form will be found ineligible to receive GA until they provide the required signature. The municipality shall also send a photocopy of that filing to the recipient’s Worker’s Compensation attorney, if known, the applicant’s employer or the employer’s insurance company, and, at the Administrator’s discretion, to the Workers’ Compensation Board. The lien shall be enforced at the time any lump sum Workers’ Compensation benefit is issued.

Recipients of SSI. All applicants who receive GA while receipt of their Supplemental Security Income (SSI) assistance is pending or suspended (and which therefore may be retroactively issued to the applicant at a later date), will be required to sign a statement on an Interim Assistance Agreement form distributed by the DHHS that authorizes the Social Security Administration to direct a portion of any retroactive SSI payment to the municipality and/or the state in repayment for the GA granted. Any GA applicant who has applied for or who may be applying for SSI, or who may be required to apply for SSI pursuant to 22 M.R.S. § 4317, and who refuses to sign the Interim Agreement SSI authorization form will be found ineligible to receive GA until they provide the required signature. (22 M.R.S. § 4318).

Relatives. The spouse of an applicant, and the parents of any applicant under the age of 25, are liable for the support of the applicant (22 M.R.S. § 4319). In addition, the grandchildren, children, parents, grandparents, the spouse and a registered domestic partner, are liable for the burial costs of each other. The municipality considers these relatives to be available resources and liable for the support of their relatives in proportion to their respective ability. The municipality may complain to any court of competent jurisdiction to recover any expenses made on behalf of a recipient if the relatives fail to fulfill their responsibility. (22 M.R.S. § 4319).

ARTICLE IX – Severability

If any provision of this ordinance is declared invalid by a court of competent jurisdiction, such decision shall not invalidate any other provision of the ordinance.

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2025-2026 GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	1,137	1,225	1,566	2,008	2,401
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	1,317	1,463	1,920	2,410	2,934
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	988	1,093	1,395	1,829	2,030
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	923	968	1,271	1,601	1,895
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,517	1,721	2,212	2,798	3,429
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	1,141	1,285	1,579	2,212	2,651

Appendix A
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COUNTY	1	2	3	4	5
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,278	1,443	1,778	2,347	2,586
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,487	1,681	2,168	2,807	3,641

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	803	871	1,085	1,486	1,569
Franklin County	842	936	1,228	1,621	1,816
Hancock County	1,139	1,140	1,349	1,787	1,791
Kennebec County	985	991	1,276	1,599	1,913
Knox County	972	987	1,200	1,597	1,780
Lincoln County	1,190	1,213	1,375	1,807	2,217
Oxford County	937	942	1,223	1,623	2,024
Piscataquis County	848	943	1,236	1,489	1,738
Somerset County	932	1,002	1,177	1,532	1,661
Waldo County	1,117	1,123	1,347	1,734	2,284
Washington County	871	875	1,136	1,582	1,695

* Please Note: Add \$75 for each additional person.

2025-2026 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2025, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	\$ 69.30	\$ 298.00
2	126.98	546.00
3	182.56	785.00
4	231.16	994.00
5	275.12	1,183.00
6	330.47	1,421.00
7	365.35	1,571.00
8	416.05	1,789.00

Note: For each additional person add \$218 per month.

2025-2026 GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)**

Non-Metropolitan FMR Areas

Aroostook County				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	149	640	181	779
1	155	667	196	844
2	192	826	245	1,054
3	273	1,174	338	1,451
4	278	1,196	356	1,529
Franklin County				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	158	679	190	818
1	170	732	211	909
2	225	969	278	1,197
3	304	1,309	369	1,586
4	336	1,443	413	1,776
Hancock County				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	231	995	260	1,118
1	231	995	260	1,118
2	260	1,118	307	1,322
3	351	1,509	408	1,756
4	351	1,509	408	1,756
Kennebec County				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	196	841	224	964
1	196	841	225	968
2	243	1,045	291	1,249
3	307	1,321	365	1,568
4	367	1,578	437	1,877

Non-Metropolitan FMR Areas

<u>Knox County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	192	828	221	951
1	192	828	224	964
2	225	969	273	1,173
3	307	1,319	364	1,566
4	336	1,445	406	1,744
<u>Lincoln County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	243	1,046	272	1,169
1	243	1,046	277	1,190
2	266	1,144	314	1,348
3	356	1,529	413	1,776
4	438	1,882	507	2,181
<u>Oxford County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	184	793	213	916
1	184	793	214	919
2	231	992	278	1,196
3	313	1,345	370	1,592
4	393	1,689	462	1,988
<u>Piscataquis County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	159	685	192	824
1	172	739	213	916
2	227	977	280	1,205
3	274	1,177	338	1,454
4	317	1,365	395	1,698
<u>Somerset County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	183	788	212	911
1	191	820	228	979
2	220	946	267	1,150
3	292	1,254	349	1,501
4	308	1,326	378	1,625

Non-Metropolitan FMR Areas

Waldo County	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	226	973	255	1,096
1	226	973	256	1,100
2	260	1,116	307	1,320
3	339	1,456	396	1,703
4	453	1,949	523	2,248

Washington County	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	169	727	198	850
1	169	727	198	852
2	210	905	258	1,109
3	303	1,305	361	1,551
4	316	1,360	386	1,659

Metropolitan FMR Areas

Bangor HMFA	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	231	993	260	1,116
1	243	1,043	280	1,202
2	310	1,335	358	1,539
3	402	1,730	460	1,977
4	481	2,066	550	2,365

Cumberland Cty. HMFA	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	273	1,173	301	1,296
1	298	1,281	335	1,440
2	393	1,689	440	1,893
3	496	2,132	553	2,379
4	604	2,599	674	2,898

Lewiston/Auburn MSA	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	196	844	225	967
1	212	911	249	1,070
2	271	1,164	318	1,368
3	361	1,551	418	1,798
4	394	1,695	464	1,994

Metropolitan FMR Areas

<u>Penobscot Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	181	779	210	902
1	183	786	220	945
2	242	1,040	289	1,244
3	308	1,323	365	1,570
4	363	1,560	432	1,859
<u>Portland HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	319	1,373	348	1,496
1	358	1,539	395	1,698
2	461	1,981	508	2,185
3	586	2,520	644	2,767
4	720	3,094	789	3,393
<u>Sagadahoc Cty. HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	232	997	261	1,120
1	256	1,103	293	1,262
2	313	1,348	361	1,552
3	450	1,934	507	2,181
4	539	2,316	608	2,615
<u>York Cty. HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	264	1,134	292	1,257
1	293	1,261	330	1,420
2	360	1,547	407	1,751
3	481	2,069	539	2,316
4	524	2,251	593	2,550
<u>York/Kittery / S. Berwick HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	312	1,343	341	1,466
1	349	1,499	386	1,658
2	450	1,937	498	2,141
3	588	2,529	646	2,776
4	769	3,306	838	3,605

2025-2026 Electric Utility Maximums

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

Number in Household	Weekly	Monthly
1	\$19.95	\$ 85.50
2	\$22.52	\$ 96.50
3	\$24.97	\$107.00
4	\$27.53	\$118.00
5	\$29.88	\$128.50
6	\$32.55	\$139.50

NOTE: For each additional person add \$10.50 per month.

2) Electricity Maximums for Households With Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

Number in Household	Weekly	Monthly
1	\$29.63	\$127.00
2	\$34.07	\$146.00
3	\$39.67	\$170.00
4	\$46.32	\$198.50
5	\$55.65	\$238.50
6	\$58.68	\$251.50

NOTE: For each additional person add \$14.50 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

2025-2026 Heating Fuel Maximums

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

2025-2026 Personal Care & Household Supplies Maximums

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel, etc. is 54 cents (54 ¢) per mile.

Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>.

Funeral Maximums / Burial Maximums and Cremation Maximums

The maximum amount of general assistance granted for the purpose of burial is **\$1,620**.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal Administrator.

Additional costs may be allowed by the GA Administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be **\$1,125**.

The municipality's obligation to provide funds for cremation purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable cremation expenses are limited to:

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- removal and transportation of the body from a local residence or institution
- professional fees
- crematorium fees
- a secured death certificate or obituary
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA Administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

APPENDIX I – Definition of Misconduct (26 M.R.S. § 1043 (23))

23. Misconduct. “Misconduct” means a culpable breach of the employee's duties or obligations to the employer or a pattern of irresponsible behavior, which in either case manifests a disregard for a material interest of the employer. This definition relates only to an employee's entitlement to benefits and does not preclude an employer from discharging an employee for actions that are not included in this definition of misconduct. A finding that an employee has not engaged in misconduct for purposes of this chapter may not be used as evidence that the employer lacked justification for discharge.

A. The following acts or omissions are presumed to manifest a disregard for a material interest of the employer. If a culpable breach or a pattern of irresponsible behavior is shown, these actions or omissions constitute "misconduct" as defined in this subsection. This does not preclude other acts or omissions from being considered to manifest a disregard for a material interest of the employer. The acts or omissions included in the presumption are the following:

- (1) Refusal, knowing failure or recurring neglect to perform reasonable and proper duties assigned by the employer;
- (2) Unreasonable violation of rules that are reasonably imposed and communicated and equitably enforced;
- (3) Unreasonable violation of rules that should be inferred to exist from common knowledge or from the nature of the employment;
- (4) Failure to exercise due care for punctuality or attendance after warnings;
- (5) Providing false information on material issues relating to the employee's eligibility to do the work or false information or dishonesty that may substantially jeopardize a material interest of the employer;
- (6) Intoxication while on duty or when reporting to work, or unauthorized use of alcohol or marijuana while on duty except for the use of marijuana permitted under Title 22, chapter 558-C;
- (7) Using illegal drugs or being under the influence of such drugs while on duty or when reporting to work;
- (8) Unauthorized sleeping while on duty;
- (9) Insubordination or refusal without good cause to follow reasonable and proper instructions from the employer;
- (10) Abusive or assaultive behavior while on duty, except as necessary for self-defense;
- (11) Destruction or theft of things valuable to the employer or another employee;

- (12) Substantially endangering the safety of the employee, coworkers, customers or members of the public while on duty;
- (13) Conviction of a crime in connection with the employment or a crime that reflects adversely on the employee's qualifications to perform the work; or
- (14) Absence for more than 2 work days due to incarceration for conviction of a crime.

[PL2019, c. 125, §1 (AMD).]

B. “Misconduct” may not be found solely on:

- (1) An isolated error in judgment or a failure to perform satisfactorily when the employee has made a good faith effort to perform the duties assigned;
- (2) Absenteeism caused by illness of the employee or an immediate family member if the employee made reasonable efforts to give notice of the absence and to comply with the employer's notification rules and policies; or
- (3) Actions taken by the employee that were necessary to protect the employee or an immediate family member from domestic violence if the employee made all reasonable efforts to preserve the employment.

[PL 2019, c. 125, §1 (AMD).]

[For use when adopting **updated appendices only** without amending the body of an existing GA ordinance]

MUNICIPALITY OF _____
GENERAL ASSISTANCE ORDINANCE

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of _____, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through G of the existing ordinance with the attached appendices A through G, which shall be in effect from October 1, 202__ through September 30, 202___. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

Signed this _____ day of _____, 20____, by the municipal officers:

(Print Name)

(Signature)

[Please send a copy of the enactment page only to DHHS, 109 Capitol Street, SHS 11, Augusta, ME 04330-0011]

[For use when adopting a new version of the GA ordinance or amending the body of the ordinance – not solely adoption of updated appendices]

MUNICIPALITY OF _____
GENERAL ASSISTANCE ORDINANCE

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of _____, after notice and hearing, hereby enact the attached General Assistance Ordinance with appendices in its entirety. This Ordinance shall supercede and replace all previous Ordinance versions. A copy of this Ordinance will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and shall be available for public inspection at the municipal office along with a copy of 22 M.R.S. chapter 1161.

Signed this _____ day of _____, 20____, by the municipal officers:

_____ (Print Name)	_____ (Signature)

[Send a copy of the enactment page and ordinance to DHHS, 109 Capitol Street, SHS 11, Augusta, ME 04330-0011]

ITEM #3: (b.) RFP - For Sale: Generator & Transfer Switch

TOWN OF LYMAN

11 So. Waterboro Rd Lyman, ME 04002

Tel: (207)-247-0642 FAX: (207)-499-7563

REQUEST FOR PROPOSALS

FOR SALE

GENERATOR & TRANSFER SWITCH

ITEM FOR BID: Generator & Transfer Switch

PROPOSAL DUE DATE: December 1, 2025 by 1:00pm

Sealed bids will be opened on **December 1, 2025** during the **Select Board meeting**.

1. OVERVIEW

The Town of Lyman is seeking written proposals from interested buyers for the purchase of a used generator and automatic transfer switch as described below. The equipment has been regularly serviced and is being **sold as-is**.

2. EQUIPMENT SPECIFICATIONS

Generator	Transfer Switch
Brand: Generac (Runs on Propane or Natural Gas)	Size: 100 Amp
Size: 20 kW	Type: Non-service rated automatic transfer switch
Voltage: 240/120 Volt	
Phase: Single Phase	
Breaker: 100 Amp	
Maintenance: Serviced and maintained regularly by Rod's Electric	
Approximate Age: 15 years	
Type: Non-service rated automatic transfer switch	

3. INSPECTION

Interested parties may arrange to inspect the equipment by contacting the Town Manager
Tel: (207)-247-0642 or
email: townmanager@lyman-me.gov

4. PROPOSAL REQUIREMENTS

MINIMUM BID AMOUNT IS \$3,500

Proposals must include the following:

1. Bid amount (offer price) for the purchase of the generator and transfer switch.
(Minimum bid amount is \$3,500)
2. Name, address, and contact information of the bidder.
3. Proposed timeline for removal and payment
4. Any additional relevant information.

TOWN OF LYMAN

11 So. Waterboro Rd Lyman, ME 04002

Tel: (207)-247-0642 FAX: (207)-499-7563

REQUEST FOR PROPOSALS

FOR SALE

GENERATOR & TRANSFER SWITCH

5. SUBMISSION OF PROPOSALS

Proposals must be submitted in a sealed envelope clearly marked “**Generator and Transfer Switch Sale Proposal**” and delivered to:

Town of Lyman

Attn: Town Manager

11 South Waterboro Rd

Lyman, ME 04002

Bids Due By: All proposals must be received no later than **1:00pm (EST) December 1, 2025**

The Town will not except late bids.

Proposals will be opened publicly during the Select Boards regular meeting on **December 1, 2025**

6. TERMS OF SALE

- Equipment is sold **as-is, where-is**, with no warranties expressed or implied.
- Buyer is responsible for removal and transportation of the equipment within 14 of notification of award.
- Full payment is required prior to removal.

7. CONDITIONS & INSTRUCTIONS TO BIDDERS

- Proposals must be completed in full in accordance with the provisions under Section 4 “Proposal Requirement”. Proposals may be withdrawn prior to the time set for the official opening. Request for withdrawn must be submitted in writing.
- Bids are due by: 1:00pm (EST) December 1, 2025
- Item is being sold as-is. Minimum bid amount is \$3,500
- Buyer must pay in full at the Town Hall prior to removal and must remove item within 14 days of notification of award.
- Proposals will be opened publicly. Bidders or representatives may be present at opening.
- Please state “Generator and Transfer Switch Sale Proposal” on submitted, sealed envelope.
- The Select Board will review sealed bids in an open public meeting and may, at the Boards’ discretion, delay award pending further review.
- Interested parties may arrange to inspect the equipment or submit inquires to:
Town Manager at (207)-247-0642 or townmanager@lyman-me.gov
- **RIGHT OF REFUSAL.** The Town reserves the right to: a) Reject any or all proposals, or to make no award. b) Select certain applications from the proposals. c) Require modifications to initial proposals. d) to make partial or multiple awards. e) award based on initial proposals received, without discussion of such proposals. f) invite selected vendors to make oral presentations to the evaluations team. Failure of a vendor to comply with the request for meeting may be grounds for bid rejections. g) excuse technical defects in a proposal when, in its sole discretion, such as excuse is beneficial to the Town.

ITEM #4: (c.) KerryJo Sampson updates/ tax assistance seminar and quarterly newsletter

KerryJo Sampson

- Update on the tax assistance seminar in February - am discussing the potential seminar with the Maine Society of CPAs, hopefully a Saturday (if possible) to provide as many people with the opportunity to attend. The society is hoping to help, kn
- Newsletter – I noticed an error in my request for input emails: I stated the deadline as Sunday, December 1st, but December 1st is actually a Monday. The correct deadline is **Monday, December 1st**. I'll send a reminder email to clarify this date. If anyone needs a few extra days beyond Monday the 1st, I'm happy to accommodate that—just ask them to reach out to me directly. I can work around late submissions if I have a general sense of the content (approximate size, any photos, key information). The final draft is due to you for review by December 9th, so I just need to build in enough time for completion on my end.

ITEM #4: (a.) GMFR - Request for Capital Funds



Goodwin's Mills Fire-Rescue

Serving Dayton & Lyman, ME

481 Goodwins Mills Rd. Lyman, ME 04002

(207) 499-2362 www.gmfd.org

Dylan D. Martin – Fire Chief

Benjamin J. Harris – Deputy Chief

Cole R. Tarbell – Deputy Chief

To: Lyman & Dayton Selectboards

From: Chief Martin

Subject: Gear Washer Purchase

Date: 11/17/2025

I am writing to formally request your approval to release funds from the **Building Capital Reserve** not to exceed **\$16,000 / (\$8,000 from Lyman and \$8,000 from Dayton)**. This money will be utilized to purchase a replacement Gear Washing Machine.

Our current washing machine has been out of service for approximately two months. The current machine is 20+ years old and has served our department well. We did attempt some repairs however many parts are no longer made and putting more money into an aged machine is not in the best interest to our department and the towns. The replacement machine we're looking to purchase is made specifically for fire gear and washes to NFPA Maintenance Standards helping to protect the longevity and quality of our equipment.

UniMac Gear Washer:	\$15,500.00
Utilities Hookup:	\$500.00
Project Total:	\$16,000.00

Dayton Share: \$8,000

Lyman Share: \$8,000

Respectfully,

Dylan D. Martin
Fire Chief

ITEM #4: (b.)Expense Report

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
101 - SALARIES	887,511.00	0.00	887,511.00	306,342.88	0.00	581,168.12
11 - TOWN HALL	540,222.00	0.00	540,222.00	204,026.62	0.00	336,195.38
10 - SALARIES	540,222.00	0.00	540,222.00	204,026.62	0.00	336,195.38
101 - TOWN MGR	107,213.00	0.00	107,213.00	45,359.38	0.00	61,853.62
103 - HR & FINANCE	83,535.00	0.00	83,535.00	35,341.68	0.00	48,193.32
105 - TOWN CLERK/T	91,772.00	0.00	91,772.00	28,096.97	0.00	63,675.03
106 - ADMIN CLERK	88,172.00	0.00	88,172.00	34,186.46	0.00	53,985.54
115 - ASSESSOR	81,375.00	0.00	81,375.00	34,427.91	0.00	46,947.09
117 - ASSESSING AS	20,155.00	0.00	20,155.00	4,701.54	0.00	15,453.46
120 - BLDGS & GROU	68,000.00	0.00	68,000.00	13,250.00	0.00	54,750.00
143 - ELECTRICIAN	0.00	0.00	0.00	8,662.68	0.00	-8,662.68
13 - ELECTIONS	4,822.00	0.00	4,822.00	1,058.47	0.00	3,763.53
10 - SALARIES	4,822.00	0.00	4,822.00	1,058.47	0.00	3,763.53
182 - BALLOT CLERK	4,472.00	0.00	4,472.00	1,058.47	0.00	3,413.53
183 - TM MODERATOR	350.00	0.00	350.00	0.00	0.00	350.00
17 - PLANNING	114,249.00	0.00	114,249.00	39,647.79	0.00	74,601.21
10 - SALARIES	114,249.00	0.00	114,249.00	39,647.79	0.00	74,601.21
141 - CEO	75,657.00	0.00	75,657.00	30,350.32	0.00	45,306.68
142 - CEO CLERK	33,592.00	0.00	33,592.00	8,672.46	0.00	24,919.54
147 - PB	5,000.00	0.00	5,000.00	625.01	0.00	4,374.99
18 - APPEALS BD	350.00	0.00	350.00	0.00	0.00	350.00
10 - SALARIES	350.00	0.00	350.00	0.00	0.00	350.00
148 - APPEALS BOAR	350.00	0.00	350.00	0.00	0.00	350.00
21 - RECREATION	4,230.00	0.00	4,230.00	1,057.50	0.00	3,172.50
10 - SALARIES	4,230.00	0.00	4,230.00	1,057.50	0.00	3,172.50
127 - REC DIRECT	4,230.00	0.00	4,230.00	1,057.50	0.00	3,172.50
31 - TRANSFER STA	139,382.00	0.00	139,382.00	35,073.68	0.00	104,308.32
10 - SALARIES	139,382.00	0.00	139,382.00	35,073.68	0.00	104,308.32
131 - TRF STATION	139,382.00	0.00	139,382.00	35,073.68	0.00	104,308.32
51 - ROADS	45,444.00	0.00	45,444.00	19,226.35	0.00	26,217.65
10 - SALARIES	45,444.00	0.00	45,444.00	19,226.35	0.00	26,217.65
151 - RD COMM	45,444.00	0.00	45,444.00	19,226.35	0.00	26,217.65
71 - GA	3,626.00	0.00	3,626.00	0.00	0.00	3,626.00
10 - SALARIES	3,626.00	0.00	3,626.00	0.00	0.00	3,626.00
171 - GA DIRECT	3,626.00	0.00	3,626.00	0.00	0.00	3,626.00
72 - ACO	7,966.00	0.00	7,966.00	3,370.18	0.00	4,595.82
10 - SALARIES	7,966.00	0.00	7,966.00	3,370.18	0.00	4,595.82

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
101 - SALARIES CONT'D						
175 - ACO	7,966.00	0.00	7,966.00	3,370.18	0.00	4,595.82
99 - NOT SPECIFIE	27,220.00	0.00	27,220.00	2,882.29	0.00	24,337.71
10 - SALARIES	27,220.00	0.00	27,220.00	2,882.29	0.00	24,337.71
179 - HEALTH OFFIC	1,553.00	0.00	1,553.00	0.00	0.00	1,553.00
180 - BUDGET COMM	1,500.00	0.00	1,500.00	25.00	0.00	1,475.00
191 - EXTRA TIME	1,500.00	0.00	1,500.00	7.29	0.00	1,492.71
194 - COMP ABS	1,267.00	0.00	1,267.00	0.00	0.00	1,267.00
196 - INCENTIVE PA	2,000.00	0.00	2,000.00	0.00	0.00	2,000.00
199 - SELECT BOARD	19,400.00	0.00	19,400.00	2,850.00	0.00	16,550.00
102 - BENEFITS	295,897.00	0.00	295,897.00	116,818.79	0.00	179,078.21
11 - TOWN HALL	10,495.00	0.00	10,495.00	3,455.64	0.00	7,039.36
20 - BENEFITS	10,495.00	0.00	10,495.00	3,455.64	0.00	7,039.36
280 - TRAINING	8,590.00	0.00	8,590.00	2,728.75	0.00	5,861.25
290 - MEMB & DUES	1,905.00	0.00	1,905.00	726.89	0.00	1,178.11
13 - ELECTIONS	540.00	0.00	540.00	0.00	0.00	540.00
20 - BENEFITS	540.00	0.00	540.00	0.00	0.00	540.00
280 - TRAINING	540.00	0.00	540.00	0.00	0.00	540.00
17 - BUILDINGS CO	1,460.00	0.00	1,460.00	55.00	0.00	1,405.00
20 - BENEFITS	1,460.00	0.00	1,460.00	55.00	0.00	1,405.00
280 - TRAINING	1,420.00	0.00	1,420.00	55.00	0.00	1,365.00
290 - MEMB & DUES	40.00	0.00	40.00	0.00	0.00	40.00
31 - TRANFER STAT	300.00	0.00	300.00	120.00	0.00	180.00
20 - BENEFITS	300.00	0.00	300.00	120.00	0.00	180.00
280 - TRAINING	300.00	0.00	300.00	120.00	0.00	180.00
99 - NOT SPECIFIE	283,102.00	0.00	283,102.00	113,188.15	0.00	169,913.85
20 - BENEFITS	283,102.00	0.00	283,102.00	113,188.15	0.00	169,913.85
201 - FICA	67,895.00	0.00	67,895.00	24,053.79	0.00	43,841.21
205 - PFML	4,438.00	0.00	4,438.00	1,494.72	0.00	2,943.28
210 - HEALTH	144,691.00	0.00	144,691.00	67,799.72	0.00	76,891.28
211 - DENTAL	5,852.00	0.00	5,852.00	2,054.59	0.00	3,797.41
214 - LIFE NO MED	380.00	0.00	380.00	210.90	0.00	169.10
230 - 457B ER MATC	21,594.00	0.00	21,594.00	7,054.06	0.00	14,539.94
231 - MPERS ER	38,252.00	0.00	38,252.00	10,520.37	0.00	27,731.63
110 - GEN ADMIN	163,544.00	0.00	163,544.00	78,803.44	20,072.50	64,668.06

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
110 - GEN ADMIN CONT'D						
11 - TOWN HALL	149,629.00	0.00	149,629.00	75,383.80	20,020.00	54,225.20
32 - CTRCT SVS EQ	74,412.00	0.00	74,412.00	43,984.54	18,970.00	11,457.46
310 - PROF SVS	74,412.00	0.00	74,412.00	43,984.54	18,970.00	11,457.46
39 - CONT SVS OTH	12,330.00	0.00	12,330.00	1,995.10	750.00	9,584.90
315 - MEMB & DUES	7,600.00	0.00	7,600.00	50.00	0.00	7,550.00
399 - OTHER	4,730.00	0.00	4,730.00	1,945.10	750.00	2,034.90
50 - UTILITIES	8,720.00	0.00	8,720.00	3,012.42	0.00	5,707.58
580 - COMM	8,720.00	0.00	8,720.00	3,012.42	0.00	5,707.58
60 - SUPPLIES	19,757.00	0.00	19,757.00	8,634.61	0.00	11,122.39
610 - SUPPLIES	12,000.00	0.00	12,000.00	4,705.27	0.00	7,294.73
650 - POSTAGE	7,757.00	0.00	7,757.00	3,929.34	0.00	3,827.66
80 - ADVER, PRINT	18,450.00	0.00	18,450.00	973.76	300.00	17,176.24
810 - ADVERTISE	2,500.00	0.00	2,500.00	0.00	300.00	2,200.00
830 - FORMS	8,350.00	0.00	8,350.00	973.76	0.00	7,376.24
850 - TOWN REPORT	3,000.00	0.00	3,000.00	0.00	0.00	3,000.00
860 - TAX BILLS	4,600.00	0.00	4,600.00	0.00	0.00	4,600.00
90 - OTHER	15,960.00	0.00	15,960.00	16,783.37	0.00	-823.37
910 - MILEAGE/TRAV	14,960.00	0.00	14,960.00	1,398.33	0.00	13,561.67
911 - MI/TRAV ELE	0.00	0.00	0.00	2,893.94	0.00	-2,893.94
915 - EE RECONIT	1,000.00	0.00	1,000.00	994.10	0.00	5.90
998 - LIBRARY FUND	0.00	0.00	0.00	11,497.00	0.00	-11,497.00
17 - BLDGS & CODE	9,415.00	0.00	9,415.00	3,419.64	52.50	5,942.86
39 - CONT SVS OTH	2,165.00	0.00	2,165.00	2,057.00	0.00	108.00
315 - MEMB & DUES	1,985.00	0.00	1,985.00	1,985.00	0.00	0.00
399 - OTHER	180.00	0.00	180.00	72.00	0.00	108.00
60 - SUPPLIES	1,200.00	0.00	1,200.00	386.07	0.00	813.93
610 - SUPPLIES	200.00	0.00	200.00	279.98	0.00	-79.98
650 - POSTAGE	1,000.00	0.00	1,000.00	106.09	0.00	893.91
80 - ADVER, PRINT	850.00	0.00	850.00	0.00	52.50	797.50
810 - ADVERTISE	850.00	0.00	850.00	0.00	52.50	797.50
90 - OTHER	5,200.00	0.00	5,200.00	976.57	0.00	4,223.43
910 - MILEAGE/TRAV	5,200.00	0.00	5,200.00	976.57	0.00	4,223.43
19 - COMMITTEES	4,500.00	0.00	4,500.00	0.00	0.00	4,500.00
90 - OTHER	4,500.00	0.00	4,500.00	0.00	0.00	4,500.00
999 - MISC	4,500.00	0.00	4,500.00	0.00	0.00	4,500.00
115 - ELECTIONS	11,350.00	0.00	11,350.00	39.25	0.00	11,310.75

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
115 - ELECTIONS CONT'D						
13 - ELECTIONS	11,350.00	0.00	11,350.00	39.25	0.00	11,310.75
39 - CONT SVS OTH	7,800.00	0.00	7,800.00	0.00	0.00	7,800.00
399 - OTHER	7,800.00	0.00	7,800.00	0.00	0.00	7,800.00
60 - SUPPLIES	2,200.00	0.00	2,200.00	39.25	0.00	2,160.75
610 - SUPPLIES	200.00	0.00	200.00	39.25	0.00	160.75
650 - POSTAGE	2,000.00	0.00	2,000.00	0.00	0.00	2,000.00
80 - ADVER, PRINT	400.00	0.00	400.00	0.00	0.00	400.00
810 - ADVERTISE	400.00	0.00	400.00	0.00	0.00	400.00
90 - OTHER	950.00	0.00	950.00	0.00	0.00	950.00
910 - MILEAGE/TRAV	950.00	0.00	950.00	0.00	0.00	950.00
117 - GEN ADMIN IN	31,222.00	0.00	31,222.00	23,992.50	0.00	7,229.50
99 - NOT SPECIFIE	31,222.00	0.00	31,222.00	23,992.50	0.00	7,229.50
38 - CONT SVS INS	31,222.00	0.00	31,222.00	23,992.50	0.00	7,229.50
325 - INS PROP & C	18,564.00	0.00	18,564.00	17,968.00	0.00	596.00
326 - INS W.C.	11,708.00	0.00	11,708.00	5,734.00	0.00	5,974.00
327 - INS UNEMPLOY	850.00	0.00	850.00	218.50	0.00	631.50
328 - INS VOLUNTEE	100.00	0.00	100.00	72.00	0.00	28.00
119 - CONTINGENCY	2,500.00	0.00	2,500.00	2,500.00	0.00	0.00
11 - TOWN HALL	2,500.00	0.00	2,500.00	2,500.00	0.00	0.00
90 - OTHER	2,500.00	0.00	2,500.00	2,500.00	0.00	0.00
999 - MISC	2,500.00	0.00	2,500.00	2,500.00	0.00	0.00
125 - ACO	8,607.00	0.00	8,607.00	7,387.20	0.00	1,219.80
72 - ACO	8,607.00	0.00	8,607.00	7,387.20	0.00	1,219.80
39 - CONT SVS OTH	7,107.00	0.00	7,107.00	6,858.00	0.00	249.00
381 - ACO	7,107.00	0.00	7,107.00	6,858.00	0.00	249.00
90 - OTHER	1,500.00	0.00	1,500.00	529.20	0.00	970.80
910 - MILEAGE/TRAV	1,500.00	0.00	1,500.00	529.20	0.00	970.80
128 - HHS G/A	1,500.00	0.00	1,500.00	1,410.54	0.00	89.46
71 - GA	1,500.00	0.00	1,500.00	1,410.54	0.00	89.46
39 - CONT SVS OTH	1,000.00	0.00	1,000.00	1,400.00	0.00	-400.00
310 - PROF SVS	1,000.00	0.00	1,000.00	1,400.00	0.00	-400.00
60 - SUPPLIES	150.00	0.00	150.00	10.54	0.00	139.46
610 - SUPPLIES	150.00	0.00	150.00	10.54	0.00	139.46

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
128 - HHS G/A CONT'D						
90 - OTHER	350.00	0.00	350.00	0.00	0.00	350.00
910 - MILEAGE/TRAV	350.00	0.00	350.00	0.00	0.00	350.00
129 - HHS SOCIAL S						
75 - SOCIAL SERV	1,131.00	0.00	1,131.00	1,131.00	0.00	0.00
91 - OTHER SOC SV	1,131.00	0.00	1,131.00	1,131.00	0.00	0.00
999 - OTHER	1,131.00	0.00	1,131.00	1,131.00	0.00	0.00
131 - ROADS						
51 - ROADS	855,440.00	0.00	855,440.00	196,559.41	0.00	658,880.59
33 - CONT PROF	1,000.00	0.00	1,000.00	0.00	0.00	1,000.00
310 - PROF SERV	1,000.00	0.00	1,000.00	0.00	0.00	1,000.00
40 - REPAIRS & MA	854,440.00	0.00	854,440.00	196,559.41	0.00	657,880.59
482 - RDS/RESURFA	670,940.00	0.00	670,940.00	119,156.56	0.00	551,783.44
483 - RDS/REPAIRS	183,500.00	0.00	183,500.00	77,402.85	0.00	106,097.15
141 - B&G CARE & M						
11 - TOWN HALL	15,620.00	0.00	15,620.00	5,274.48	0.00	10,345.52
31 - CTRCT SVS BL	11,895.00	0.00	11,895.00	4,486.00	0.00	7,409.00
310 - PROF SVS	11,895.00	0.00	11,895.00	4,486.00	0.00	7,409.00
40 - REPAIRS & MA	3,725.00	0.00	3,725.00	788.48	0.00	2,936.52
410 - BLDGS & GROU	3,725.00	0.00	3,725.00	788.48	0.00	2,936.52
21 - RECREATION	2,850.00	0.00	2,850.00	37.14	0.00	2,812.86
31 - CTRCT SVS BL	1,350.00	0.00	1,350.00	0.00	0.00	1,350.00
310 - PROF SVS	1,350.00	0.00	1,350.00	0.00	0.00	1,350.00
40 - REPAIRS & MA	1,500.00	0.00	1,500.00	37.14	0.00	1,462.86
410 - BLDGS & GROU	1,500.00	0.00	1,500.00	37.14	0.00	1,462.86
22 - BUNGANUT	5,140.00	0.00	5,140.00	1,413.67	0.00	3,726.33
31 - CTRCT SVS BL	1,140.00	0.00	1,140.00	680.00	0.00	460.00
310 - PROF SVS	1,140.00	0.00	1,140.00	680.00	0.00	460.00
40 - REPAIRS & MA	4,000.00	0.00	4,000.00	733.67	0.00	3,266.33
410 - BLDGS & GROU	4,000.00	0.00	4,000.00	733.67	0.00	3,266.33
23 - KBP	2,290.00	0.00	2,290.00	1,086.00	0.00	1,204.00
31 - CTRCT SVS BL	2,290.00	0.00	2,290.00	1,086.00	0.00	1,204.00
310 - PROF SVS	2,290.00	0.00	2,290.00	1,086.00	0.00	1,204.00
31 - TRANSFER STA	4,600.00	0.00	4,600.00	0.00	0.00	4,600.00

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
141 - B&G CARE & M CONT'D						
31 - CTRCT SVS BL	3,450.00	0.00	3,450.00	0.00	0.00	3,450.00
310 - PROF SVS	3,450.00	0.00	3,450.00	0.00	0.00	3,450.00
40 - REPAIRS & MA	1,150.00	0.00	1,150.00	0.00	0.00	1,150.00
410 - BLDGS & GROU	1,150.00	0.00	1,150.00	0.00	0.00	1,150.00
142 - B&G MOWING	54,798.00	0.00	54,798.00	33,769.50	0.00	21,028.50
21 - RECREATION	600.00	0.00	600.00	0.00	0.00	600.00
31 - CTRCT SVS BL	600.00	0.00	600.00	0.00	0.00	600.00
370 - MOWING	600.00	0.00	600.00	0.00	0.00	600.00
51 - ROADS	12,000.00	0.00	12,000.00	11,400.00	0.00	600.00
31 - CTRCT SVS BL	12,000.00	0.00	12,000.00	11,400.00	0.00	600.00
370 - MOWING	12,000.00	0.00	12,000.00	11,400.00	0.00	600.00
90 - MISC	42,198.00	0.00	42,198.00	22,369.50	0.00	19,828.50
31 - CTRCT SVS BL	42,198.00	0.00	42,198.00	22,369.50	0.00	19,828.50
370 - MOWING	42,198.00	0.00	42,198.00	22,369.50	0.00	19,828.50
143 - B&G PLOWING	693,140.00	0.00	693,140.00	264,335.43	262,570.00	166,234.57
11 - TOWN HALL	4,640.00	0.00	4,640.00	1,546.66	0.00	3,093.34
31 - CTRCT SVS BL	4,640.00	0.00	4,640.00	1,546.66	0.00	3,093.34
360 - PLOW & SAND	4,640.00	0.00	4,640.00	1,546.66	0.00	3,093.34
22 - BUNGANUT	900.00	0.00	900.00	0.00	0.00	900.00
31 - CTRCT SVS BL	900.00	0.00	900.00	0.00	0.00	900.00
360 - PLOW & SAND	900.00	0.00	900.00	0.00	0.00	900.00
23 - KBP	1,200.00	0.00	1,200.00	0.00	0.00	1,200.00
31 - CTRCT SVS BL	1,200.00	0.00	1,200.00	0.00	0.00	1,200.00
360 - PLOW & SAND	1,200.00	0.00	1,200.00	0.00	0.00	1,200.00
31 - TRANSFER STA	7,500.00	0.00	7,500.00	0.00	0.00	7,500.00
31 - CTRCT SVS BL	7,500.00	0.00	7,500.00	0.00	0.00	7,500.00
360 - PLOW & SAND	7,500.00	0.00	7,500.00	0.00	0.00	7,500.00
51 - ROADS	678,900.00	0.00	678,900.00	262,788.77	262,570.00	153,541.23
31 - CTRCT SVS BL	678,900.00	0.00	678,900.00	262,788.77	262,570.00	153,541.23
360 - PLOW & SAND	678,900.00	0.00	678,900.00	262,788.77	262,570.00	153,541.23
145 - B&G WASTE SV	18,620.00	0.00	18,620.00	6,467.50	0.00	12,152.50
11 - TOWN HALL	1,820.00	0.00	1,820.00	210.00	0.00	1,610.00
31 - CTRCT SVS BL	1,820.00	0.00	1,820.00	210.00	0.00	1,610.00

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
145 - B&G WASTE SV CONT'D						
330 - WASTE SVS	1,820.00	0.00	1,820.00	210.00	0.00	1,610.00
21 - RECREATION	4,230.00	0.00	4,230.00	1,785.00	0.00	2,445.00
31 - CTRCT SVS BL	1,710.00	0.00	1,710.00	945.00	0.00	765.00
330 - WASTE SVS	1,710.00	0.00	1,710.00	945.00	0.00	765.00
35 - CTRCT SVS WA	2,520.00	0.00	2,520.00	840.00	0.00	1,680.00
331 - PROF PORTA P	2,520.00	0.00	2,520.00	840.00	0.00	1,680.00
22 - BUNGANUT	7,130.00	0.00	7,130.00	2,472.50	0.00	4,657.50
31 - CTRCT SVS BL	2,660.00	0.00	2,660.00	420.00	0.00	2,240.00
330 - WASTE SVS	2,660.00	0.00	2,660.00	420.00	0.00	2,240.00
35 - CTRCT SVS WA	4,470.00	0.00	4,470.00	2,052.50	0.00	2,417.50
331 - PROF PORTA P	4,470.00	0.00	4,470.00	2,052.50	0.00	2,417.50
23 - KBP	4,080.00	0.00	4,080.00	1,485.00	0.00	2,595.00
31 - CTRCT SVS BL	1,560.00	0.00	1,560.00	645.00	0.00	915.00
330 - WASTE SVS	1,560.00	0.00	1,560.00	645.00	0.00	915.00
35 - CTRCT SVS WA	2,520.00	0.00	2,520.00	840.00	0.00	1,680.00
331 - PROF PORTA P	2,520.00	0.00	2,520.00	840.00	0.00	1,680.00
51 - ROADS	1,360.00	0.00	1,360.00	515.00	0.00	845.00
31 - CTRCT SVS BL	1,000.00	0.00	1,000.00	305.00	0.00	695.00
330 - WASTE SVS	1,000.00	0.00	1,000.00	305.00	0.00	695.00
35 - CTRCT SVS WA	360.00	0.00	360.00	210.00	0.00	150.00
331 - PROF PORTA P	360.00	0.00	360.00	210.00	0.00	150.00
147 - B&G ENERGY	24,952.00	0.00	24,952.00	6,119.74	0.00	18,832.26
11 - TOWN HALL	10,100.00	0.00	10,100.00	1,865.31	0.00	8,234.69
50 - UTILITIES	10,100.00	0.00	10,100.00	1,865.31	0.00	8,234.69
510 - PROPANE	3,200.00	0.00	3,200.00	0.00	0.00	3,200.00
560 - ELECTRICITY	6,900.00	0.00	6,900.00	1,865.31	0.00	5,034.69
21 - RECREATION	600.00	0.00	600.00	179.04	0.00	420.96
50 - UTILITIES	600.00	0.00	600.00	179.04	0.00	420.96
560 - ELECTRICITY	600.00	0.00	600.00	179.04	0.00	420.96
22 - BUNGANUT	2,500.00	0.00	2,500.00	1,140.78	0.00	1,359.22
50 - UTILITIES	2,500.00	0.00	2,500.00	1,140.78	0.00	1,359.22
560 - ELECTRICITY	2,500.00	0.00	2,500.00	1,140.78	0.00	1,359.22
23 - KBP	852.00	0.00	852.00	294.15	0.00	557.85
50 - UTILITIES	852.00	0.00	852.00	294.15	0.00	557.85
560 - ELECTRICITY	852.00	0.00	852.00	294.15	0.00	557.85

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
147 - B&G ENERGY CONT'D						
31 - TRANSFER STA	5,200.00	0.00	5,200.00	1,162.79	0.00	4,037.21
50 - UTILITIES	5,200.00	0.00	5,200.00	1,162.79	0.00	4,037.21
560 - ELECTRICITY	5,200.00	0.00	5,200.00	1,162.79	0.00	4,037.21
51 - ROADS	5,700.00	0.00	5,700.00	1,477.67	0.00	4,222.33
50 - UTILITIES	5,700.00	0.00	5,700.00	1,477.67	0.00	4,222.33
560 - ELECTRICITY	5,700.00	0.00	5,700.00	1,477.67	0.00	4,222.33
148 - B&G SIGNS						
21 - RECREATION	100.00	0.00	100.00	0.00	0.00	100.00
60 - SUPPLIES	100.00	0.00	100.00	0.00	0.00	100.00
670 - SIGNS	100.00	0.00	100.00	0.00	0.00	100.00
22 - BUNGANUT	100.00	0.00	100.00	0.00	0.00	100.00
60 - SUPPLIES	100.00	0.00	100.00	0.00	0.00	100.00
670 - SIGNS	100.00	0.00	100.00	0.00	0.00	100.00
23 - KENNEBUNK PD	100.00	0.00	100.00	0.00	0.00	100.00
60 - SUPPLIES	100.00	0.00	100.00	0.00	0.00	100.00
670 - SIGNS	100.00	0.00	100.00	0.00	0.00	100.00
31 - TRANSFER STA	250.00	0.00	250.00	0.00	0.00	250.00
60 - SUPPLIES	250.00	0.00	250.00	0.00	0.00	250.00
670 - SIGNS	250.00	0.00	250.00	0.00	0.00	250.00
51 - ROADS	5,500.00	0.00	5,500.00	1,297.61	0.00	4,202.39
60 - SUPPLIES	5,500.00	0.00	5,500.00	1,297.61	0.00	4,202.39
670 - SIGNS	5,500.00	0.00	5,500.00	1,297.61	0.00	4,202.39
150 - TRF STATION						
31 - TRANSFER STA	363,185.00	0.00	363,185.00	106,263.56	0.00	256,921.44
35 - CTRCT SVS WA	336,305.00	0.00	336,305.00	105,181.74	0.00	231,123.26
310 - PROF SVS	3,505.00	0.00	3,505.00	1,246.00	0.00	2,259.00
349 - PROF SVS CAN	2,400.00	0.00	2,400.00	800.00	0.00	1,600.00
350 - PROF SVS TIP	190,275.00	0.00	190,275.00	67,499.88	0.00	122,775.12
351 - PROF SVS TW	43,000.00	0.00	43,000.00	11,148.51	0.00	31,851.49
352 - PROF SVS REC	20,550.00	0.00	20,550.00	4,930.85	0.00	15,619.15
354 - PROF SVS FWD	3,000.00	0.00	3,000.00	0.00	0.00	3,000.00
355 - PROF SVS HAU	32,775.00	0.00	32,775.00	9,645.00	0.00	23,130.00
356 - PROF SVS HW	18,900.00	0.00	18,900.00	5,330.00	0.00	13,570.00
357 - PROF SVS HR	9,450.00	0.00	9,450.00	1,845.00	0.00	7,605.00

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
150 - TRF STATION CONT'D						
358 - PROF SVS HWO	3,000.00	0.00	3,000.00	686.50	0.00	2,313.50
359 - PROF SVS MET	9,450.00	0.00	9,450.00	2,050.00	0.00	7,400.00
40 - REPAIRS & MA	18,330.00	0.00	18,330.00	0.00	0.00	18,330.00
450 - EQUIPMENT	18,330.00	0.00	18,330.00	0.00	0.00	18,330.00
50 - UTILITIES	3,200.00	0.00	3,200.00	1,055.96	0.00	2,144.04
570 - FUEL	1,200.00	0.00	1,200.00	353.14	0.00	846.86
580 - COMM	2,000.00	0.00	2,000.00	702.82	0.00	1,297.18
60 - SUPPLIES	4,250.00	0.00	4,250.00	25.86	0.00	4,224.14
610 - SUPPLIES	250.00	0.00	250.00	25.86	0.00	224.14
690 - PPG	4,000.00	0.00	4,000.00	0.00	0.00	4,000.00
90 - OTHER	1,100.00	0.00	1,100.00	0.00	0.00	1,100.00
920 - STATE FEE'S	600.00	0.00	600.00	0.00	0.00	600.00
930 - HEALTH & WEL	500.00	0.00	500.00	0.00	0.00	500.00
161 - PARKS & REC	11,350.00	0.00	11,350.00	5,179.11	0.00	6,170.89
21 - RECREATION	9,250.00	0.00	9,250.00	4,381.11	0.00	4,868.89
40 - REPAIRS & MA	1,000.00	0.00	1,000.00	0.00	0.00	1,000.00
450 - EQUIPMENT	1,000.00	0.00	1,000.00	0.00	0.00	1,000.00
90 - OTHER	8,250.00	0.00	8,250.00	4,381.11	0.00	3,868.89
940 - REC PROGRAMS	8,000.00	0.00	8,000.00	4,381.11	0.00	3,618.89
999 - MISC	250.00	0.00	250.00	0.00	0.00	250.00
22 - BUNGANUT	500.00	0.00	500.00	148.00	0.00	352.00
50 - UTILITIES	500.00	0.00	500.00	148.00	0.00	352.00
580 - COMM	500.00	0.00	500.00	148.00	0.00	352.00
23 - KPB	1,600.00	0.00	1,600.00	650.00	0.00	950.00
50 - UTILITIES	1,600.00	0.00	1,600.00	650.00	0.00	950.00
580 - COMM	1,600.00	0.00	1,600.00	650.00	0.00	950.00
171 - RES EQUIP	15,000.00	0.00	15,000.00	15,000.00	0.00	0.00
99 - NOT SPECIFIE	15,000.00	0.00	15,000.00	15,000.00	0.00	0.00
95 - RESERVES	15,000.00	0.00	15,000.00	15,000.00	0.00	0.00
970 - TOWN RESERVE	15,000.00	0.00	15,000.00	15,000.00	0.00	0.00
173 - RES BLDG	100,000.00	0.00	100,000.00	100,000.00	0.00	0.00
99 - NOT SPECIFIE	100,000.00	0.00	100,000.00	100,000.00	0.00	0.00
95 - RESERVES	100,000.00	0.00	100,000.00	100,000.00	0.00	0.00

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
173 - RES BLDG CONT'D						
970 - TOWN RESERVE	100,000.00	0.00	100,000.00	100,000.00	0.00	0.00
175 - RES CON SVC	38,000.00	0.00	38,000.00	38,000.00	0.00	0.00
99 - NOT SPECIFIE	38,000.00	0.00	38,000.00	38,000.00	0.00	0.00
95 - RESERVES	38,000.00	0.00	38,000.00	38,000.00	0.00	0.00
970 - TOWN RESERVE	38,000.00	0.00	38,000.00	38,000.00	0.00	0.00
177 - RES MISC	159,400.00	0.00	159,400.00	159,400.00	0.00	0.00
99 - NOT SPECIFIE	159,400.00	0.00	159,400.00	159,400.00	0.00	0.00
95 - RESERVES	159,400.00	0.00	159,400.00	159,400.00	0.00	0.00
970 - TOWN RESERVE	159,400.00	0.00	159,400.00	159,400.00	0.00	0.00
179 - RESERVES GMF	105,000.00	0.00	105,000.00	105,000.00	0.00	0.00
91 - GMFR	105,000.00	0.00	105,000.00	105,000.00	0.00	0.00
95 - RESERVES	105,000.00	0.00	105,000.00	105,000.00	0.00	0.00
978 - GMFR RESERVE	105,000.00	0.00	105,000.00	105,000.00	0.00	0.00
181 - OUTS GEN AD	136,600.00	0.00	136,600.00	49,854.34	0.00	86,745.66
11 - TOWN HALL	63,850.00	0.00	63,850.00	37,910.43	0.00	25,939.57
33 - CONT PROF	63,850.00	0.00	63,850.00	37,910.43	0.00	25,939.57
310 - PROF SERV	38,850.00	0.00	38,850.00	31,200.00	0.00	7,650.00
320 - PROF SERV LE	19,000.00	0.00	19,000.00	6,710.43	0.00	12,289.57
323 - PROF SERV AU	6,000.00	0.00	6,000.00	0.00	0.00	6,000.00
15 - CEMETERIES	16,000.00	0.00	16,000.00	410.41	0.00	15,589.59
37 - CONT OUT	16,000.00	0.00	16,000.00	410.41	0.00	15,589.59
399 - CONT SVS OTH	16,000.00	0.00	16,000.00	410.41	0.00	15,589.59
17 - PLANNING	46,750.00	0.00	46,750.00	1,533.50	0.00	45,216.50
33 - CONT PROF	46,750.00	0.00	46,750.00	1,533.50	0.00	45,216.50
310 - PROF SERV	41,750.00	0.00	41,750.00	0.00	0.00	41,750.00
320 - PROF SERV LE	5,000.00	0.00	5,000.00	1,533.50	0.00	3,466.50
22 - BUNGANUT	10,000.00	0.00	10,000.00	10,000.00	0.00	0.00
37 - CONT OUT	10,000.00	0.00	10,000.00	10,000.00	0.00	0.00
399 - CONT SVS OTH	10,000.00	0.00	10,000.00	10,000.00	0.00	0.00
185 - OUTSOURCE OT	209,804.00	0.00	209,804.00	209,803.50	0.00	0.50
95 - LIBRARY	157,291.00	0.00	157,291.00	157,291.00	0.00	0.00

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
185 - OUTSOURCE OT CONT'D						
37 - CONT OUT	157,291.00	0.00	157,291.00	157,291.00	0.00	0.00
399 - CONT SVS OTH	157,291.00	0.00	157,291.00	157,291.00	0.00	0.00
99 - NOT SPEC	52,513.00	0.00	52,513.00	52,512.50	0.00	0.50
37 - CONT OUT	47,513.00	0.00	47,513.00	47,512.50	0.00	0.50
399 - CONT SVS OTH	47,513.00	0.00	47,513.00	47,512.50	0.00	0.50
90 - OTHER	5,000.00	0.00	5,000.00	5,000.00	0.00	0.00
999 - MISC	5,000.00	0.00	5,000.00	5,000.00	0.00	0.00
186 - OUTS GMFR						
91 - GMFR	865,661.00	0.00	865,661.00	432,830.22	432,830.22	0.56
37 - CONT OUT	865,661.00	0.00	865,661.00	432,830.22	432,830.22	0.56
391 - GMFR PERSONN	653,223.00	212,438.00	865,661.00	432,830.22	432,830.22	0.56
392 - GMFR CONTRAC	212,438.00	-212,438.00	0.00	0.00	0.00	0.00
191 - OTHER CIP						
11 - TOWN HALL	24,388.00	0.00	24,388.00	18,178.50	0.00	6,209.50
70 - EQUIPMENT	24,388.00	0.00	24,388.00	18,178.50	0.00	6,209.50
710 - COMP EQUIP	6,150.00	-2,500.00	3,650.00	0.00	0.00	3,650.00
730 - OFFICE EQUIP	3,638.00	0.00	3,638.00	3,589.62	0.00	48.38
790 - OTHER EQUIP	14,600.00	2,500.00	17,100.00	14,588.88	0.00	2,511.12
21 - RECREATION	2,840.00	0.00	2,840.00	0.00	0.00	2,840.00
70 - EQUIPMENT	2,840.00	0.00	2,840.00	0.00	0.00	2,840.00
790 - OTHER EQUIP	2,840.00	0.00	2,840.00	0.00	0.00	2,840.00
22 - BUNGANUT	2,620.00	0.00	2,620.00	0.00	0.00	2,620.00
70 - EQUIPMENT	2,620.00	0.00	2,620.00	0.00	0.00	2,620.00
790 - OTHER EQUIP	2,620.00	0.00	2,620.00	0.00	0.00	2,620.00
195 - RSU # 57						
92 - RSU # 57	6,345,445.00	0.00	6,345,445.00	3,172,722.42	3,172,722.46	0.12
90 - OTHER	6,345,445.00	0.00	6,345,445.00	3,172,722.42	3,172,722.46	0.12
999 - MISC	6,345,445.00	0.00	6,345,445.00	3,172,722.42	3,172,722.46	0.12
197 - COUNTY						
97 - COUNTY	432,177.00	0.00	432,177.00	432,177.23	0.00	-0.23
90 - OTHER	432,177.00	0.00	432,177.00	432,177.23	0.00	-0.23

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
197 - COUNTY CONT'D						
999 - MISC	432,177.00	0.00	432,177.00	432,177.23	0.00	-0.23
199 - OVERLAY	15,000.00	0.00	15,000.00	11,528.40	0.00	3,471.60
99 - NOT SPECIFIE	15,000.00	0.00	15,000.00	11,528.40	0.00	3,471.60
90 - OTHER	15,000.00	0.00	15,000.00	11,528.40	0.00	3,471.60
999 - MISC	15,000.00	0.00	15,000.00	11,528.40	0.00	3,471.60
Final Totals	11,913,232.00	0.00	11,913,232.00	5,910,723.36	3,888,195.18	2,114,313.46

ITEM #5: (a.) TRIO/ Town Cloud updates

Here is the bill for Trio for the second half.

The Board will need this information and make a vote about the \$2,777.71 coming from Computer Reserve (balance \$20,893.71)

Budget	\$20,500.00
First Half Trio	\$(12,082.40)
Balance	\$8,417.60

Invoice \$11,195.31

Difference \$\$2,777.71

Jeanette Lemay
H.R. and Finance Officer

Invoice No. TRIMN0003509
Date 11/19/2025
Due Date 01/01/2026
Customer No. LYM500
Page 1 of 2



Bill To

Lyman, Town of
 Accounts Payable
 11 SOUTH WATERBORO RD.
 LYMAN, ME 04002
 USA

Ship To

Lyman, Town of
 11 SOUTH WATERBORO RD.
 LYMAN, ME 04002
 USA

Contract/Project Number	Purchase Order	Payment Terms	Currency	
		MN JAN	USD \$	
Item Number	Description	Quantity	Unit Price	Amount
TRIO MAINT PROP	Tax Billing: 1/1/2026 to 6/30/2026	0.50	1,164.02	582.01
TRIO MAINT PROP	Budgetary: 1/1/2026 to 2/28/2026	0.50	685.04	342.52
TRIO MAINT PROP	Cash Receipting: 1/1/2026 to 6/30/2026	0.50	980.10	490.05
TRIO MAINT PROP	Tax Collections: 1/1/2026 to 6/30/2026	0.50	695.57	347.79
TRIO MAINT PROP	Real Estate Commercial Assessing: 1/1/2026 to 6/30/2026	0.50	2,529.39	1,264.70
TRIO MAINT PROP	Motor Vehicle: 1/1/2026 to 6/30/2026	0.50	2,750.71	1,375.36
TRIO MAINT PROP	MV Rapid Renewal: 1/1/2026 to 6/30/2026	0.50	632.33	316.17
TRIO MAINT PROP	Unlimited TRIO User License: 1/1/2026 to 6/30/2026	0.50	1,106.62	553.31
TRIO MAINT PROP	Payroll: 1/1/2026 to 6/30/2026	0.50	695.57	347.79
TRIO MAINT PROP	Personal Property Assessing: 1/1/2026 to 6/30/2026	0.50	1,043.38	521.69
TRIO MAINT PROP	Real Estate Assessing: 1/1/2026 to 6/30/2026	0.50	4,110.23	2,055.12
TRIO MAINT PROP	Blue Book - Auto & Light Truck: 1/1/2026 to 6/30/2026	0.50	1,580.84	790.42
TRIO MAINT PROP	TRIO Cash Receipting MOSES Interface: 1/1/2026 to 6/30/2026	0.50	387.14	193.57
TRIO MAINT PROP	Blue Book - Motorcycles: 1/1/2026 to 6/30/2026	0.50	347.80	173.90
TRIO MAINT HOSTING	Harris Online Property Portal - Annual Hosting: 1/1/2026 to 6/30/2026	0.50	2,018.54	1,009.27
TRIO MAINT HOSTING	Harris Online Property Portal - Photos & Sketches - Annual Hosting: 1/1/2026 to 6/30/2026	0.50	879.55	439.78
TRIO MAINT SAAS	Harris Online Property Portal: 1/1/2026 to 6/30/2026	0.50	139.21	69.61
TRIO MAINT PROP	Blue Book - Heavy Trucks: 1/1/2026 to 6/30/2026	0.50	351.54	175.77

Invoice No. TRIMN0003509
Date 11/19/2025
Due Date 01/01/2026
Customer No. LYM500
Page 2 of 2



Bill To

Lyman, Town of
 Accounts Payable
 11 SOUTH WATERBORO RD.
 LYMAN, ME 04002
 USA

Ship To

Lyman, Town of
 11 SOUTH WATERBORO RD.
 LYMAN, ME 04002
 USA

Contract/Project Number	Purchase Order	Payment Terms	Currency
		MN JAN	USD \$

Item Number	Description	Quantity	Unit Price	Amount
TRIO MAINT PROP	TRIO/Government Window Online Bill Pay Interface: 1/1/2026 to 6/30/2026	0.50	292.95	146.48
NOTE	reissue for invoice TRIMN0003454 (updated Budgetary and remove Clerk)	1.00	0.00	0.00

Remit Checks to: Harris Computer Corporation
 PO BOX 74007259, Chicago, IL 60674-7259, USA

ACH Information - Account No: 4451240415
 ABA No (ACH Payments): 111000012
 Bank: Bank of America; Dallas, Texas 75283-2406

Subtotal	11,195.31
Misc	0.00
Taxes	0.00
Total	11,195.31

CHECKS: Include invoice # on remittance.
ACH: Email remittance to contact below.



Tax Exempt? Please send your exemption certificate to the email below.

Invoice Questions? Please call Devon Wiggins at +1 (613) 519-9121 or at our toll-free number
 +1 (888)847-7747 Ext. 500208. You can also reach us by email at AR_HLG@harriscomputer.com

Please note we do require 90-day written notice in order to cancel modules without a penalty fee. Your
 Annual Support Guidelines can be found online at:
<https://support.harrislocalgov.com/trio/guidelines.html>

Thank you for your business!

ITEM #5: (b.) Library Funds

Lindsay,

It's been noted that the Library's bill did not match the budget that was voted. Upon further investigation I realized that I had added FY 25 column to the FY 26 budget in error. The difference is \$11,497.

How would you like to handle this?

We could hold off and see if there is somewhere in the Budget where we can make it up

We could call for a special town meeting and ask for the difference to come out of fund balance

Any other thoughts would be appreciated. Please advise. Sorry for error.

Jeanette Lemay

H.R. and Finance Officer

COMMUNITY LIBRARY BUDGET PROPOSAL 2025-2026

	PROPOSED		INCREASE
PROGRAMMING ACCOUNTS	2025-2026	2024-2025	
Books, DVDs, etc	\$9,500.00	\$9,000.00	\$500.00
Magazines	\$150.00	\$150.00	\$0.00
Programming- all ages	\$3,000.00	\$2,800.00	\$200.00
Subscriptions (e-books, card catalog, ILL)	\$4,500.00	\$4,000.00	\$500.00
TOTAL PROGRAMMING ACCOUNTS	\$17,150.00	\$15,950.00	\$1,200.00
OPERATIONAL ACCOUNTS			
Contracted Cleaning Services	\$6,300.00	\$5,200.00	\$1,100.00
Janitorial Supplies	\$600.00	\$500.00	\$100.00
Library Supplies and Materials	\$2,000.00	\$1,900.00	\$100.00
Building Maint and Repairs	\$500.00	\$500.00	\$0.00
Equipment Maint and Repairs	\$1,495.00	\$1,495.00	\$0.00
Telephone	\$1,200.00	\$800.00	\$400.00
Electricity	\$720.00	\$1,000.00	-\$280.00
HVAC/Propane	\$4,100.00	\$4,000.00	\$100.00
Lawn Care, Snow Removal	\$3,150.00	\$2,400.00	\$750.00
Rubbish and Book Removal	\$170.00	\$170.00	\$0.00
Postage and Mailing	\$75.00	\$125.00	-\$50.00
Promotional/Advertising	\$100.00	\$50.00	\$50.00
Computer Equipment/Hardware	\$1,250.00	\$750.00	\$500.00
Computer Software and Updates	\$350.00	\$350.00	\$0.00
Accounting/Legal Services	\$800.00	\$800.00	\$0.00
Professional/Association Dues	\$500.00	\$500.00	\$0.00
Insurance Building/Liability/D&O	\$6,850.00	\$5,300.00	\$1,550.00
Miscellaneous Expenses	\$200.00	\$200.00	\$0.00
TOTAL OPERATIONAL ACCOUNTS	\$30,360.00	\$26,040.00	\$4,320.00
TOTAL PROGRAMMING AND OPERATIONAL	\$47,510.00	\$41,990.00	\$5,520.00

*Additional
hours*

ADMINISTRATIVE

Salaries and Wages	\$95,438.00	\$88,642.00	\$6,796.00
Payroll Taxes, Unemployment Taxes	\$8,380.00	\$10,922.00	-\$2,542.00
MMA Health Insurance	\$14,400.00	\$12,727.00	\$1,673.00
Workers' Comp Insurance	\$360.00	\$360.00	\$0.00
MMA Annual Dues	\$700.00	\$650.00	\$50.00
TOTAL ADMINISTRATIVE	\$119,278.00	\$113,301.00	\$5,977.00

CAPITAL IMPROVEMENT ACCOUNT	\$2,000.00	\$2,000.00	\$0.00
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<u>TOTAL BUDGET</u>	<u>\$168,788.00</u>	<u>\$157,291.00</u>	<u>\$11,497.00</u>
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PERCENTAGE OVER FY25 **7%**

APPROVED BY BOARD OF DIRECTORS 10/8/24

**TOWN OF LYMAN
BUDGET FOR FY 2026**

AS OF: FINAL

Dept: 185 - OUTSOURCED OTHER

95 - Library

37 - 399

Contract Svcs Outsourced - Other

Prior Acct Number

**2022
Budget**

**2022
Actual**

**2023
Budget**

**2023
Actual**

**2024
Budget**

**2024
Actual**

**2025
Budget**

**2026
Requested**

**2026
Board**

45-10-35

120,942

120,942

128,678

128,678

141,270

141,270

157,291

157,291

157,291

PROGRAMMING ACCOUNTS:	
Books, CD's etc.	
Magazines	
Programs for all ages	
Subscriptions (E-Books/Card Catalog/ILL/etc.)	
TOTAL PROGRAMMING ACCOUNTS:	
OPERATIONAL ACCOUNTS:	
Contracted Cleaning Services	
Janitorial Supplies	
Library Materials & Supplies	
Building Maintenance & Repaires	
Equipment Maintenance, Upkeep & Repairs	
Telephone	
Electricity	
HVAC/Propane	
Yard Car/Lawn/Snow Removal & Sanding	
Rubbish & Book Removal	
Postage & Mailing Expenses	
Promotional/Advertising Printing Costs	
Computer Equipment/Hardware	
Computer Software/Updates	
Accountant/Legal/Tax Filing/etc. Costs	
Librarian Professional Assoc. Dues	
Insurances for Building/Liability/D&O/Others	
Miscellaneous Expenses	
TOTAL OPERATIONAL EXPENSES:	
SALARIES/BENEFITS ACCOUNTS:	
Salaries/Hourly Wages for All Employees (adding additional hours)	
Fed & State Taxes	
MMA Health Insurance	
Workers' Comp. Insurance	
MMA Annual Dues	
TOTAL SALARIES/BENEFITS ACCOUNTS:	
CAPITAL IMPROVEMENT ACCOUNT:	

9,000
150
2,800
4,000
5,200
500
1,900
500
1,495
800
1,000
4,000
2,400
170
125
50
750
350
800
500
5,300
200
88,642
10,922
12,727
360
650
2,000

**TOWN OF LYMAN
BUDGET FOR FY 2026**

AS OF: FINAL

	Prior Acct Number	2022 Budget	2022 Actual	2023 Budget	2023 Actual	2024 Budget	2024 Actual	2025 Budget		2026 Requested	2026 Board
2025 budget											
PROGRAMMING ACCOUNTS:											
Books, CD's etc.											
Magazines											
Programs for Children, Students & Adults											
Subscriptions (E-Books/Card Catalog/ILL/etc.)											
TOTAL PROGRAMMING ACCOUNTS:								15,950			
OPERATIONAL ACCOUNTS:											
Contracted Cleaning Services											
Janitorial Supplier											
Library Materials & Supplier											
Building Maintenance & Repairs											
Equipment Maintenance, Upkeep & Repairs											
Telephone											
Electricity											
HVAC/Refrigeration											
Yard Care/Lawn/Snow Removal & Sanding											
Rubbish & Bulk Removal											
Postage & Mailing Expenses											
Promotional/Advertising/Printing Costs											
Computer Equipment/Hardware											
Computer Software/Updates											
Accountant/Legal/Tax Filing/etc. Costs											
Librarian Professional Assoc. Dues											
Insurance for Building/Liability/D&O/Other											
Miscellaneous Expenses											
TOTAL OPERATIONAL EXPENSES:								26,040			
SALARIES/BENEFITS ACCOUNTS:											
Salaries/Hourly Wages for All Employees											
Fed & State Taxes											
MMA Health Insurance											
Workers' Comp. Insurance											
MMA Annual Dues											
TOTAL SALARIES/BENEFITS ACCOUNTS:								113,301			
CAPITAL IMPROVEMENT ACCOUNT:											
								2,000			
99 - Not Specified											
37 - 399 Contract Svcs Outsourced - Other	PSAP 10-35-20	38,010	38,010	39,594	39,594	44,119	40,725	45,250		47,513	47,513

**TOWN OF LYMAN
BUDGET FOR FY 2026**

AS OF: FINAL

	Prior Acct Number	2022 Budget	2022 Actual	2023 Budget	2023 Actual	2024 Budget	2024 Actual	2025 Budget	2026 Requested	2026 Board
	PSAP: Contractual (\$10.50 per capita EST) @ 4525							47,513		
99 - Not Specified										
90 - 999	Contract Svcs Outsourced - Other								5,000	5,000
	N/A	0	0	5,000	5,000	5,000	5,000	5,000		
	Lyman Historical Society							5,000		
Dept: 185 - OUTSOURCED OTHER		158,952	158,952	173,272	173,272	190,389	186,995	207,541	209,804	209,804

Special Town Meeting Timeline

Draft Warrant

Budget Committee Review and Recommendation

Select Board Public Hearing

Select Board Review & Sign Warrant

Schedule Town Meeting

Post warrant 7 days prior to Town Meeting

December 2025						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
	1	2	3	4	5	6
		Draft Warrant				
7	8	9	10	11	12	13
	Draft Warrant					
14	15	16	17	18	19	20
	Budget Committee Review					
21	22	23	24	25	26	27
	BC Review		Christmas Eve	Christmas Day		
28	29	30	31			
	BC Review		New Years Eve			

January 2026						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
				1	2	3
				New Years Day		
4	5	6	7	8	9	10
	Public Hearing / Select Board Sign Warrant					
11	12	13	14	15	16	17
		Town Meeting				
18	19	20	21	22	23	24
	MLK Day	Town Meeting				
25	26	27	28	29	30	31
		Town Meeting				

Contingency Account
Available funds \$2,500

New Well Pump and Installation Cost
\$2,400

ITEM #6: (a.) Minutes

**Town of Lyman
Select Board Regular Meeting Minutes
Monday November 17th, 2025– Lyman Town Hall**

These are summary minutes in nature only and a full video recording of the proceeding is available to view on our YouTube channel at <https://www.youtube.com/@LymanTownHall/streams> or visit our website: <https://lyman-me.gov/committees/board-of-selectmen/agenda-and-minutes/>

Selectboard members present: Victoria Gavel, Amber Swett, David Alves, Joseph Wagner, KerryJo Sampson
Selectboard members absent:

ITEM #1 **SPECIAL OFFERS/ PRESENTATIONS**

ITEM #2 **HEARING OF DELEGATIONS / PUBLIC INPUT**

- a. *Public Input – Public in attendance will have up to 5 minutes to address the Board. Please use the podium to address the board and please be respectful of others. The Board may not be able to respond to Q&A during public comment; If you wish to be placed on a future agenda, please contact the Town Manager.*
No Public Comment.
- b. *Mail •York County Sheriff Report*

ITEM #3 **UNFINISHED BUSINESS**

- a. *Franchise Agreement, Updates if any –*
KerryJo Sampson - Tony reported that an email was received with several attachments, though there was no significant update to review. He explained that work is still ongoing and that he and Brad have not begun substantive discussions because they are waiting for the nonprofit MCMA attorney to complete work on the model MCA franchise agreement. The matter remains on hold at this time.

ITEM #4 **DEPARTMENT AND COMMITTEE REPORTS**

- a. *Fire Commission/ Fire Chief – Review/Approve EMS Billing Fee Schedule*
KerryJo Sampson – Motions to accept the updated fees.
Joseph Wagner – Seconds the motion. Motion passes: 5-0-0
- b. *Treasurer – Expense Report – Reviewed in agenda packet*
- c. *Parks & Rec Report – Reviewed in agenda packet*
- d. *Town Manager Report*
Discussion regarding the Southern Maine Planning and Development Commission (SMPDC) has begun the Ordinance audit as of September 2025.
- e. *Town Clerk Report*
Discussion about boat excise revenue and why the amount appears low. It was explained that boat excise is calculated based on the motor size, the age of the boat, and the length of the hull, with the minimum excise amount being \$6.00 unless the vessel is newer and larger, which results in a higher tax. A question was raised about where the revenue goes, and it was clarified that boat excise is deposited into the general fund and may be used to offset taxes if approved at Town Meeting.
- f. *ECO ME Rep Report*
Discussion about the new Extended Producer Responsibility (EPR) law and how it applies. It was clarified that the program is state-specific and will require companies to pay fees based on the tons of material they ship into Maine that municipalities are responsible for recycling. The program begins January 1, 2026, with payments expected in 2027. Kevin Roche, CEO of Ecomaine, will attend the December 1st meeting to provide an overview. It was noted that many large companies already follow similar requirements in Europe. The group also discussed Ecomaine’s planned \$25 million

**Town of Lyman
Select Board Regular Meeting Minutes
Monday November 17th, 2025– Lyman Town Hall**

investment in a new, more advanced recycling facility, which is expected to expand processing capability.

ITEM #5

NEW BUSINESS

a. **Cemetery Committee – Request for approval of funds for tree removal**

A question was raised about why three quotes had been submitted from the same company. It was explained that multiple vendors were contacted, but some did not respond and in some cases contractors may indicate they are booked for long periods. The Cemetery Committee documented who they attempted to reach and how many times. The budget includes \$12,000 designated specifically for tree removal. There was some discussion about whether additional funds were available, but it was clarified that other line items, such as those for veteran grave flags, are budgeted for their intended purposes. It was also noted that contractors must sign a hold harmless agreement in accordance with policy and submit all required insurance documentation.

KerryJo Sampson – Motioned to accept the quotes provided.

Amber Swett – Seconds the motion. Motion passes: 4-1-0 (Victoria Gavel, KerryJo Sampson, Joseph Wagner, Amber Swett approve; David Alves opposed).

b. **Review/ Sign Notice of Determination of Abandonment for Old Post Road**

The appeals time frame has now passed and once signed, we can submit to the registry of deeds for filing.

c. **Discussion on Office Closures Due to Limited Staffing – Friday, December 26 and Friday, January 2**

Due to the upcoming holidays and staffing being limited, we will likely be running low on staff. It's recommended that the Office close for December 26th and January 2nd and the employees can use their Paid Time Off accruals to cover the time off. We're seeing threads among other communities of this being a common theme.

KerryJo Sampson – Motions to accept the Town Managers recommendations.

Joseph Wagner – Seconds the motion. Motion passes: 5-0-0

d. **Review/ Approve Funky Bow Special Amusement Permit**

Funky Bow has requested to waive the public hearing as there have been no written complaints. They are changing their horns and will be closing in the winter. They will be renewing their liquor license online through the States online process.

KerryJo Sampson – Motions to approve the Special Amusement Permit

Joseph Wagner – Seconds the motion. Motion passes: 5-0-0

e. **KerryJo Sampson – Discussion of outreach to local organizations for food and clothing donations**

KerryJo Sampson is interested in reaching out to local organizations that provide food, clothing, and similar assistance to explore potential partnerships for collecting donations on behalf of the Town. The idea includes determining which items local food pantries will accept, their drop-off schedules, and whether they take perishable or non-perishable goods. It was noted that the Town would also need to confirm how much storage space is available and establish clear arrangements, such as pickup schedules and acceptable donation types. A memorandum of understanding may be helpful once details are confirmed. The Board expressed support for moving forward with this outreach.

f. **KerryJo Sampson – Discussion of public seminar on income tax basics**

KerryJo Sampson expressed interest in looking into hosting a public seminar on basic income tax information, particularly to help residents navigate recent and upcoming changes in both federal and Maine tax codes. The goal is to invite a certified CPA who specializes in individual tax returns to provide tips, clarify common areas of confusion, and offer updates on filing options. The session could be recorded for YouTube so residents may view it later. Suggestions were made to also coordinate with York County Community Action and statewide tax assistance programs. The Board expressed support for moving forward with outreach to potential presenters.

**Town of Lyman
Select Board Regular Meeting Minutes
Monday November 17th, 2025– Lyman Town Hall**

- g. **Joseph Wagner – Discussion of proposal to review Arundel Zoning Ordinance**
Discussion regarding a proposal to review Arundel’s zoning ordinance as a potential model for future updates to Lyman’s ordinance. Joseph Wagner explained that the Town has previously relied on model ordinances from neighboring communities when drafting regulations, and suggested that members of the Comprehensive Plan Committee, Ordinance Review Committee, Planning Board, Select Board, and the Code Enforcement Officer individually review Arundel’s ordinance over the next year. He described this as a voluntary effort intended to help identify ideas and inform future revisions, noting that SMPDC’s work for Arundel had been positively received. Board members and committee representatives expressed concerns. David Alves, referencing his experience with Arundel’s zoning, noted that some provisions may be overly complex or burdensome and may not suit Lyman. Comprehensive Plan Committee Chair Michelle Felicitti stated that her committee is not yet at the stage of ordinance review and emphasized that comparing another town’s ordinance is premature, especially given existing inconsistencies within Lyman’s current ordinances that SMPDC’s audit will help identify. It was also noted that the Code Enforcement Officer already has a full workload and should not be assigned this task. It is noted that providing directives to committees should come formally from the Select Board with a clear process and expectations.
- h. **Review/ Approve Committee Resignation – Parks & Rec**
David Alves – Motions to accept the resignation.
KerryJo Sampson – Seconds the motion. Motion fails: 0-0-5
- i. **Review/ Approve Committee Resignation – IT Committee**
Joseph Wagner Motions to accept Nigel Sampson’s Resignation.
Amber Swett – Seconds the motion. Motion passes: 4-0-1 (Victoria Gavel, Amber Swett, Joseph Wagner, David Alves in favor; KerryJo Sampson abstains).
- j. **Review/ Approve Committee Resignation – Ordinance Review Committee**
David Alves – Motions to accept Peg Macdonald’s resignation.
Joseph Wagner – Seconds the motion. Motion passes: 5-0-0

ITEM #6

MINUTES

- a. **Review / Approve meeting minutes 10/20/2025**
KerryJo Sampson – Motions to approve. Amber Swett seconds. Motion passes: 5-0-0
- b. **Review / Approve meeting minutes 11/03/2025**
KerryJo Sampson – Motions to approve. Amber Swett seconds. Motion passes: 5-0-0
Discussion – There were no bids received for the generator. The bid will go out again.

ITEM #7

SIGN WARRANTS

- a. **Payroll Warrant #21 in the amount of \$31,965.12**
David Alves – Motions to approve. Joseph Wagner seconds. Motion passes: 5-0-0
- b. **Accounts Payable Warrant #22 (FY2026) in the amount of \$134,650.90**
Joseph Wagner – Motions to approve. David Alves seconds. Motion passes: 5-0-0
Discussion – Kennebunk Pond Beach Gate repairs were covered under the insurance reimbursement that was previously paid to the Town. The recycling tipping fees indicate a low amount due to an overcharge on recycling containers for the Food Waste Diversion Program and ECO Maine has been applying a credit towards the tipping fees to the Town to cover the overcharged amount.
- c. **Accounts Payable Warrant #23 (FY2026) in the amount of \$5,258.72**
David Alves – Motions to approve. KerryJo Sampson seconds. Motion passes: 5-0-0

**Town of Lyman
Select Board Regular Meeting Minutes
Monday November 17th, 2025– Lyman Town Hall**

EXECUTIVE SESSION

1 M.R.S.A § 405(6)(A) – Discussion regarding personnel matters

Discussion regarding an agenda item initially scheduled for executive session. Three individuals requested that the matter be addressed in open session, which requires all related materials to be included in the public packet. The Board agreed that the item should be tabled until the next meeting on December 1st so the information can be properly prepared and made publicly accessible.

Joseph Wagner – Motions to table the item for open discussion in open session until the next meeting on December 1st. KerryJo Sampson – Seconds the motion. Motion passes: 5-0-0

There was further discussion about ensuring due process under the Town Charter. A recommendation was made to have the Fair Hearing Officer conduct an independent review of the complaint and the rebuttals once submitted. This review would occur separately from the Board’s public discussion, with the officer providing a written recommendation afterward. Questions were raised about the Fair Hearing Board consisting of only one active member, and whether the Charter’s requirement for three members prevents the review from proceeding. It was noted that, if necessary, the Board could alternatively hire an outside attorney to conduct an independent review. The Board generally expressed support for using the Fair Hearing Board for this purpose, acknowledging that the member may consult with legal counsel as needed. The matter will continue at the next meeting following the collection and submission of all relevant materials.

ADJOURN

Amber Swett – Motions to adjourn. David Alves seconds. Motion passes: 5-0-0

Victoria Gavel

Joseph Wagner

David Alves

KerryJo Sampson

Amber Swett

I, Lindsay Gagne, Town Manager of the Town of Lyman, Maine, do hereby certify that the foregoing document consisting of 4 pages are the original minutes of the Select Board Meeting dated November 17th, 2025

Lindsay Gagne

ITEM #7: (a.) Payroll Warrant

LYMAN
9:43 AM

Payroll Check Register

Pay Date: 11/26/2025

11/21/2025

Page 1

Check	D / D	Check	Amount	Date	Employee
-------	-------	-------	--------	------	----------

Employee Checks

1	1,786.59	0.00	1,786.59	11/26/25	79 SUSAN J BELLEROSE
2	1,807.80	0.00	1,807.80	11/26/25	011 RALPH A BLACKINGTON
3	946.23	0.00	946.23	11/26/25	026 ERIN N CAMARENA
4	295.93	0.00	295.93	11/26/25	126 DAVID A CARLMAN
5	1,370.37	0.00	1,370.37	11/26/25	025 THOMAS M CROTEAU
6	2,836.32	0.00	2,836.32	11/26/25	028 LINDSAY GAGNE
7	1,998.46	0.00	1,998.46	11/26/25	016 LAURIE L GONSKA
8	239.42	0.00	239.42	11/26/25	117 PAUL HAKALA
9	275.66	0.00	275.66	11/26/25	007 THOMAS M HOLLAND
10	27.06	0.00	27.06	11/26/25	18 BARBARA E HULL
11	2,232.42	0.00	2,232.42	11/26/25	015 JEANETTE E LEMAY
12	1,211.18	0.00	1,211.18	11/26/25	021 JANICE M LITTLE
13	558.25	0.00	558.25	11/26/25	125 PAUL J MARTEL
14	6.12	0.00	6.12	11/26/25	041 RANDALL L MURRAY
15	553.59	0.00	553.59	11/26/25	19 BRIAN D. RACICOT
16	368.20	0.00	368.20	11/26/25	002 DAVID W RILEY
17	329.84	0.00	329.84	11/26/25	020 DAVID H SANTORA
18	27.06	0.00	27.06	11/26/25	34 IRENE C SINGLE
19	1,945.53	0.00	1,945.53	11/26/25	037 REBEKAH S THOMPSON
20	277.04	0.00	277.04	11/26/25	118 PHILIP A WEYMOUTH
Total	19,093.07	0.00	19,093.07		

Direct Deposit Checks

21	0.00	19,093.07	19,093.07	11/26/25	D / D 1 BIDDEFORD SAVINGS BANK
Total	0.00	19,093.07	19,093.07		

Trust & Agency Checks

22	0.00	6,793.79	6,793.79	11/26/25	T & A 1 I.R.S.
23	0.00	1,502.58	1,502.58	11/26/25	T & A 3 ICMA
24	0.00	1,229.66	1,229.66	11/26/25	T & A 2 MAINE REVENUE SERVICES
25	0.00	1,580.80	1,580.80	11/26/25	T & A 9 MPERS
26	0.00	268.58	268.58	11/26/25	T & A 10 TREASURER, STATE OF MAINE
Total	0.00	11,375.41	11,375.41		

Summary

Checks:	Regular	0.00	20
	D / D	19,093.07	1
	Employee	19,093.07	
	T & A	11,375.41	5
	Voided		0
	Total	30,468.48	26

WARRANT: 25

Check	D / D	Check	Employee	Gross Pay
1	1,786.59	0.00	79 SUSAN J BELLEROSE	2,554.27
2	1,807.80	0.00	011 RALPH A BLACKINGTON	2,500.00
3	946.23	0.00	026 ERIN N CAMARENA	1,156.80
4	295.93	0.00	126 DAVID A CARLMAN	322.06
5	1,370.37	0.00	025 THOMAS M CROTEAU	2,060.50
6	2,836.32	0.00	028 LINDSAY GAGNE	4,123.58
7	1,998.46	0.00	016 LAURIE L GONSKA	3,129.81
8	239.42	0.00	117 PAUL HAKALA	314.96
9	275.66	0.00	007 THOMAS M HOLLAND	306.38
10	27.06	0.00	18 BARBARA E HULL	29.30
11	2,232.42	0.00	015 JEANETTE E LEMAY	3,212.88
12	1,211.18	0.00	021 JANICE M LITTLE	2,186.26
13	558.25	0.00	125 PAUL J MARTEL	681.46
14	6.12	0.00	041 RANDALL L MURRAY	62.30
15	553.59	0.00	19 BRIAN D. RACICOT	658.30
16	368.20	0.00	002 DAVID W RILEY	478.40
17	329.84	0.00	020 DAVID H SANTORA	358.95
18	27.06	0.00	34 IRENE C SINGLE	29.30
19	1,945.53	0.00	037 REBEKAH S THOMPSON	3,071.77
20	277.04	0.00	118 PHILIP A WEYMOUTH	308.06
21	0.00	19,093.07	D / D 1 BIDDEFORD SAVINGS BANK	
22	0.00	6,793.79	T & A 1 I.R.S.	
23	0.00	1,502.58	T & A 3 ICMA	
24	0.00	1,229.66	T & A 2 MAINE REVENUE SERVICES	
25	0.00	1,580.80	T & A 9 MPERS	
26	0.00	268.58	T & A 10 TREASURER, STATE OF MAINE	
Total	19,093.07	30,468.48		27,545.34

Put into A/P **12,195.24**
 Taken out of A/P **(11,375.41)**
Total Payroll 31,288.31

Count
 Checks 26

TO THE MUNICIPAL TREASURER OF LYMAN, MAINE: THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE THE SUM AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

TOWM OF LYMAN, BOARD OF SELECTMEN

DAVID ALVES _____
 VICTORIA GAVEL _____
 KERRYJO SAMPSON _____
 AMBER SWETT _____
 JOSEPH WAGNER _____

ITEM #7: (b.) AP Warrant

Lyman
9:31 AM

A / P Check Register

Bank: BIDDEFORD SAVINGS

11/21/2025
Page 1

Type	Check	Amount	Date	Wrnt	Payee
P	12050	4,014.50	11/18/25	24	0569 SECRETARY OF STATE
R	12051	2,710.00	12/02/25	24	0022 BEAN DATA
R	12052	4,300.00	12/02/25	24	0335 C.I.A. SALVAGE INC
R	12053	130,044.00	12/02/25	24	0420 CARLISLE BROOK ESTATES
R	12054	40.00	12/02/25	24	0994 CINTAS CORPORATION- # 758
R	12055	1,248.33	12/02/25	24	0133 DAVID W. RILEY
R	12056	42,966.00	12/02/25	24	0248 DAYTON SNOW FIGHTERS INC.
R	12057	4,992.77	12/02/25	24	0024 EASTERN SALT COMPANY INC
R	12058	72,138.37	12/02/25	24	0233 GOODWINS MILLS FIRE & RESCUE
R	12059	11,195.31	12/02/25	24	0650 HARRIS COMPUTER
R	12060	1,700.00	12/02/25	24	0428 KENNETH PELLETIER
R	12061	125.00	12/02/25	24	0391 LYMAN STORAGE LLC
R	12062	13,862.95	12/02/25	24	0376 M M E H T
R	12063	95.00	12/02/25	24	0414 MAINE MUNICIPAL ASSOCIATION
R	12064	50.00	12/02/25	24	0427 MEGFOA
R	12065	78.00	12/02/25	24	0502 REGISTRY OF DEEDS
R	12066	528,787.07	12/02/25	24	0419 RSU #57
R	12067	649.99	12/02/25	24	0148 VERIZON WIRELESS
P	99999	45.00	12/02/25	24	0095 CARDMEMBER SERVICE
P	99999	462.00	12/02/25	24	0095 CARDMEMBER SERVICE
P	99999	7.20	12/02/25	24	0095 CARDMEMBER SERVICE
P	99999	923.08	12/02/25	24	0095 CARDMEMBER SERVICE
Total		820,434.57			

Count

Checks	22
Voids	0

A / P Warrant

Warrant 24

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
00022 BEAN DATA						
0277	12051	12	MONTHLY MGD SVS	BEANDEC25		
MONTHLY MGD SVS			E 110-11-32-310		2,710.00	2,710.00
			CTRCT SVS EQ / PROF SVS			
Vendor Total-					2,710.00	
00335 C.I.A. SALVAGE INC						
0277	12052	12	HAULING	OCTOBER 25		
MSW HAULING			E 150-31-35-355		1,640.00	0.00
			CTRCT SVS WA / PROF SVS HAU			
WOOD/BULKY HAULING			E 150-31-35-356		1,435.00	0.00
			CTRCT SVS WA / PROF SVS HW			
RECYCLE HAULING			E 150-31-35-357		410.00	0.00
			CTRCT SVS WA / PROF SVS HR			
CAN RENTAL			E 150-31-35-349		200.00	0.00
			CTRCT SVS WA / PROF SVS CAN			
METAL HAULING			E 150-31-35-359		615.00	0.00
			CTRCT SVS WA / PROF SVS MET			
Vendor Total-					4,300.00	
00095 CARDMEMBER SERVICE						
0277	99999	12	MAILCHIMP	MC24185183		
MAILCHIMP			E 110-11-32-310		45.00	0.00
			CTRCT SVS EQ / PROF SVS			
Invoice Total-					45.00	
0277	99999	12	MICROSOFT	E0600XU6TH		
MICROSOFT			E 110-11-32-310		462.00	0.00
			CTRCT SVS EQ / PROF SVS			
Invoice Total-					462.00	
0277	99999	12	MICROSOFT	E0600XU831		
MICROSOFT			E 110-11-32-310		7.20	0.00
			CTRCT SVS EQ / PROF SVS			
Invoice Total-					7.20	
0277	99999	12	AUDIT ADJUSTMENT	11/18/25		
AUDIT ADJUSTMENT			G 1-201-00		923.08	0.00
			ACTS PAYABLE			
Invoice Total-					923.08	
Vendor Total-					1,437.28	
00420 CARLISLE BROOK ESTATES						
0277	12053	12	DRAWDOWN	CARLISLE BROOK		
DRAWDOWN			G 1-269-01		125,641.50	0.00
			PB ESCROWS			
Invoice Total-					125,641.50	
0277	12053	12	SITE ENGINEERING SERVICES	J2501501-2025-1		
DRAWDOWN			G 1-269-01		4,402.50	0.00
			PB ESCROWS			
Invoice Total-					4,402.50	
Vendor Total-					130,044.00	
00994 CINTAS CORPORATION- # 758						
0277	12054	12	13117643	4250209179		
RUGS-TH			E 141-11-31-310		40.00	0.00
			CTRCT SVS BL / PROF SVS			

A / P Warrant

Warrant 24

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
Vendor Total-					40.00	
00133 DAVID W. RILEY						
0277	12055	12	GAS	11/14/25		
GAS			E 150-31-50-570		140.00	0.00
			UTILITIES / FUEL			
Invoice Total-					140.00	
0277	12055	12	SERVICES	2025-200		
CHAD TRASH REMOVAL			E 145-21-31-330		150.00	0.00
			CTRCT SVS BL / WASTE SVS			
TH TRASH REMOVAL			E 145-11-31-330		35.00	0.00
			CTRCT SVS BL / WASTE SVS			
KBP TRASH REMOVAL			E 145-23-31-330		150.00	0.00
			CTRCT SVS BL / WASTE SVS			
PAYMENT #2 SNOWPLOW			E 143-11-31-360		773.33	0.00
			CTRCT SVS BL / PLOW & SAND			
Invoice Total-					1,108.33	
Vendor Total-					1,248.33	
00248 DAYTON SNOW FIGHTERS INC.						
0277	12056	12	PLOWING	PLOWINGDEC25		
PLOWING			E 143-51-31-360		42,966.00	42,966.00
			CTRCT SVS BL / PLOW & SAND			
Vendor Total-					42,966.00	
00024 EASTERN SALT COMPANY INC						
0277	12057	12	SALT LYMANM05	INV149839		
SALT LYMANM05			E 143-51-31-360		4,992.77	0.00
			CTRCT SVS BL / PLOW & SAND			
Vendor Total-					4,992.77	
00233 GOODWINS MILLS FIRE & RESCUE						
0277	12058	12	APPROP FY 26	GMFRDEC25		
APPROP FY 26			E 186-91-37-391		72,138.37	72,138.37
			CONT OUT / GMFR PERSONN			
Vendor Total-					72,138.37	
00650 HARRIS COMPUTER						
0277	12059	12	TRIO	TRIMN0003509		
LYM500			E 110-11-32-310		8,417.60	0.00
			CTRCT SVS EQ / PROF SVS			
LYM500			E 704-86-90-999		2,777.71	0.00
			COMP / RESERVES - OTHER / MISC			
Vendor Total-					11,195.31	
00428 KENNETH PELLETIER						
0277	12060	12	TREE SERVICE	11/12/25		
TREE SERVICE			E 131-51-40-483		1,700.00	0.00
			REPAIRS & MA / RDS/REPAIRS			
Vendor Total-					1,700.00	
00391 LYMAN STORAGE LLC						
0277	12061	12	UNIT RENTAL	STORAGEDEC25		
UNIT RENTAL			E 110-11-39-399		125.00	125.00
			CONT SVS OTH / OTHER			
Vendor Total-					125.00	

A / P Warrant

Warrant 24

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
00376 M M E H T						
0277	12062	12	MHT.31171	DECEMBER		
INSURANCE-EMPLOYEE	G 1-205-00				1,632.21	0.00
	BENFTS-EMPLE					
HEALTH	E 102-99-20-210				11,841.50	0.00
	BENEFITS / HEALTH					
DENTAL	E 102-99-20-211				353.84	0.00
	BENEFITS / DENTAL					
LIFE NO MED	E 102-99-20-214				35.40	0.00
	BENEFITS / LIFE NO MED					
Vendor Total-					13,862.95	
00414 MAINE MUNICIPAL ASSOCIATION						
0277	12063	12	31170	0000557059		
33170	E 102-11-20-280				95.00	0.00
	BENEFITS / TRAINING					
Vendor Total-					95.00	
00427 MEGFOA						
0277	12064	12	DUES 2026	1000497638		
DUES 2026	E 102-11-20-290				50.00	0.00
	BENEFITS / MEMB & DUES					
Vendor Total-					50.00	
00502 REGISTRY OF DEEDS						
0277	12065	12	Variance 03 24 A	11/14/25		
NOTICE OF DECISION	E 110-17-39-399				21.00	0.00
	CONT SVS OTH / OTHER					
Invoice Total-					21.00	
0277	12065	12	DISCHARGES	139, 1382, 262		
DISCHARGES	E 110-11-39-399				57.00	0.00
	CONT SVS OTH / OTHER					
Invoice Total-					57.00	
Vendor Total-					78.00	
00419 RSU #57						
0277	12066	12	APPROP FY 26	RSUDEC25		
APPROP FY 26	E 195-92-90-999				528,787.07	528,787.07
	OTHER / MISC					
Vendor Total-					528,787.07	
00569 SECRETARY OF STATE						
0277	12050	12	31170	11/6-11/14		
31170	G 1-250-00				4,014.50	0.00
	MTR VEHICLE					
Vendor Total-					4,014.50	
00148 VERIZON WIRELESS						
0277	12067	12	6423575065-00001	6127686532		
642357065-00001	E 110-11-60-610				649.99	0.00
	SUPPLIES / SUPPLIES					
Vendor Total-					649.99	

A / P Warrant

Warrant 24

Jrnl	Check	Month	Invoice Description	Reference	Encumbrance
Description	Account		Proj	Amount	
			Prepaid Total-	5,451.78	
			Current Total-	814,982.79	
			EFT Total-	0.00	
			Warrant Total-	820,434.57	

TO THE MUNICIPAL TREASURER OF LYMAN, MAINE: THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE THE SUM AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

TOWM OF LYMAN, BOARD OF SELECTMEN

DAVID ALVES

VICTORIA GAVEL

KERRYJO SAMPSON

AMBER SWETT

JOSEPH WAGNER

ITEM #3: (d.) Complaint Submitted

Analysis of Charter Violations – Wagner, Kane, and Sampson

Prepared by Michelle Felicitti

Date: October 27, 2025

1. Executive Summary

This report analyzes the email correspondence between elected officials Joe Wagner, Karen Kane, and KJ Sampson contained in 'Joseph Wagner Personal Emails.pdf' in relation to the Town of Lyman Charter (Amended November 5, 2024). The findings indicate that these officials held non-public meetings, formed ad hoc committees outside the authority of the Select Board, and made administrative decisions without notice or citizen involvement. These actions collectively breached Charter sections governing transparency, the Select Board and Town Manager's administrative authority, and public participation.

2. Meetings Without Public Notice

Relevant Charter Excerpt (§3.9 Meetings):

“The Board shall provide notice of special Board meetings in advance... Notices shall state the date, time, place and business to be transacted... The agenda for each meeting shall be posted... No votes should be taken for any item not on the agenda.”

Evidence:

- 9/19/2025 – Kane and Wagner met at Bunganut Park with state and local participants to discuss a State Trails grant, without public notice.
- 9/22/2025 – Sampson joined Wagner and Kane for a walk and planning discussion.
- 10/1/2025 – Wagner, Kane, and Sampson met at Kane's private residence to finalize recommendations without any public meeting.

Two Select Board members participated in these meetings. While it may not constitute a quorum of the Select Board, two members conducting a workshop relevant to discussing Town business requires public notice. A third elected official, from the Budget Committee, was also engaged in these meetings constituting a joint meeting of three elected officials. No public posting or minutes exist for these sessions, indicating violations of §3.9 regarding open meeting requirements.

None of the officials involved were appointed to any formal or authorized committee for the purposes of conducting these meetings. Because no committee was established or approved in accordance with the charter, and no appointments were made through proper channels, the participants were acting solely in their capacities as elected officials. Accordingly, the discussions and decision-making activities undertaken in these sessions constituted official town business, not informal committee work, and were therefore subject to the open meeting and public notice requirements outlined in the Charter.

3. Formation of Unauthorized Committees

Relevant Charter Excerpt

3.5 (b) – Select Board Enumerations of Responsibilities “Appoint members of all boards, committees, and commissions except those required to be elected under this Charter or applicable law.” And “The Board shall ensure that all boards, committees, and commissions are established and operated in accordance with the provisions of this Charter and applicable law.”

(§4.2.1 Elements of Town Government):

“Unless otherwise established by this Charter... all elements of Town government are under the direct supervision, management, and control of the Town Manager.”

4.2.5 of the Charter “Two types of committees may be established: Standing Committees and Ad Hoc Committees”

4.2.5 (a) of the Charter “Establishment of a standing committee must be done by ordinance or by Town Meeting Warrant”

4.2.5 (b) of the Charter “(Ad Hoc Committees) These committees may be established by the Board for a term of one year”

Appendix I – Definitions “Ad Hoc Committee – A committee established for a special purpose, to be disbanded when the purpose is complete or no longer required”

Appendix I – Definitions “Standing Committee - A committee that has been established by law or by ordinance for an ongoing period of time.”

5.1.1 of the Charter “Applications (to all boards and committees) shall be solicited from residents and current members of boards seeking appointment or reappointment”

5.1.2 of the Charter “On any board or committees shall be filled by new appointments by the (Select) Board in accordance with current hiring policy” and “The Town Manager, with concurrence of the (Select) Board, shall appoint members to boards and committees as listed in Section 4.2” and “each board and committee . . . shall adopt bylaws to govern itself, subject to approval by the (Select) Board.” And “Mission statements shall be developed by each board and committee and shall be approved by the (Select) Board. . . and shall be reviewed annually by the (Select) Board”

Appendix I – Definitions “Shall – As used in this Charter, the word shall is used to state a requirement”

Evidence:

- 8/20/2025 – Kane emailed, 'We're planning to put a small committee together to start working through what we would need to submit for the 2026 round.'

This committee was neither created by a formal Board vote nor established by proper channels in accordance with the Municipal Charter.

Analysis:

This ad hoc group conducted official town business—developing a grant and facilities plan—without authorization or oversight. In doing so, the group operated outside the established municipal structure, bypassing the Select Board and Town Manager's authority, and excluding required public process and accountability mechanisms. No residents were notified of the group's meetings, nor were they invited to participate or considered for appointment, and there was no formal action by the Board to create a committee. Additionally, no mission statement, bylaws, or project statement was drafted and approved as required for official Town committees. The absence of Board authorization and lack of transparency raises valid concern as to why three elected officials chose to meet privately to conduct Town business outside of the public process.

4. Usurpation of Town Manager and Departmental Authority

Relevant Charter Excerpt (§4.1 and §4.2.2):

“The administration of the Town and Town employees shall be vested in the Town Manager... “Town government shall be organized into elements of Departments, Offices, Boards, Committees, and Commissions. These elements are for the effective delegation of tasks and span of control to ensure efficient operation of Town government.” And “Unless otherwise established by this Charter, ordinance, statute, interlocal agreement, or other directive, all elements of Town government are under the direct supervision, management, and control of the Town Manager”

Evidence:

- 9/12/2025 – Spaulding requested park access for the grant walk via email chain including Kane and Wagner, rather than through the Town Manager or the appropriate Department. No public notice was given to the residents to attend.
- 9/9/2025 – Kane asked Wagner if the Town Manager had been informed they were 'taking this on as a private group.'

There is more detail in the emails that shows this wasn't just “general interest” in trails, but rather:

Specific administrative and operational planning

Formulation of phases and grant submission strategy

Delegation of tasks within a private planning group

Discussion of technical design choices (example: gate placement, trail access)

Formation of an unofficial “small committee” acting outside Town authority

Below is the evidence drawn from the emails:

1. Evidence of Administrative & Operational Actions (Not Just Discussion)

From the email chain dated **September 24–October 1, 2025**, Karen Kane, Joe Wagner, and KJ Sampson coordinated specific, actionable planning steps for the trail project.

Examples of operational-level decisions:

Type of Action	Email Evidence
Trail design choices	Karen Kane to Joe Wagner: "I love your suggestion about moving the gate! It's the best way to get an all-accessible trail..."
Planning project phases for grant submission	"We're planning to put a small committee together to start working through what we would need to submit for the 2026 round..."
Scheduling private design/grant meetings	Meeting planned at a private residence: "I will be at Karen's at 4 today. See you then!"
Reference to earlier trail site inspections	"Thank you for including me on Monday's trail walk..."
Preparation of technical materials	"I will bring copies of various maps."

These actions go far beyond "brainstorming"—they constitute operational planning, grant-phase structuring, design choices, and field work.

2. Evidence They Intended to Act as a "Private Group" or Subcommittee

"We're planning to put a **small committee** together to start working through what we would need to submit for the 2026 round..."

This is important because:

- They were forming a **non-public working group**, separate from posted Parks & Rec meetings.
 - No vote by the Select Board created this subcommittee (required by Charter §3.6.2).
 - This "small committee" took on **administrative planning functions** (grants, design, maps, phases), which legally fall under **Town Manager / Public Works / Grounds & Facilities Director** authority—not elected officials acting privately.
-

3. Evidence of Task Delegation and Roles (Implied or Stated)

While tasks were not always formally assigned ("You do this, I do that"), the emails show clear functional delegation:

Task or Responsibility	Person Taking Lead
Coordinate with Maine DACF/State grant officials	Karen Kane (cc Joe & KJ)
Site walk organization & field planning	Karen & Joe
Gate-moving design suggestion	Joe Wagner
Map preparation for planning meeting	Holly Spaulding
Coordinating meeting times/locations	Karen Kane
Attendance and contribution from Select Board members in planning	Joe Wagner & KJ Sampson

These actions show **coordination of work**, assignment of **preparatory materials**, and **design influence**, which qualifies as **delegation of project-related tasks**.

4. Why This Matters: It Exceeds Their Legal Role

According to the Town Charter and Parks & Rec Mission Statement:

- Only the **Town Manager** directs administrative work, staff planning, project development (Charter §4.1, §4.2.1).
- Parks & Rec Committee must only **recommend**, not execute plans.
- Elected officials cannot form private working groups to design town projects or submit grants without Board vote and public notice (§3.6.2, §3.9).
- All communication must go through official parksandrec@lyman-me.gov for FOAA compliance—not Gmail or Roadrunner accounts.

These emails show **actual planning steps**, not just “ideas”—and that is the difference between lawful advisory interest and improper administrative control.

In Conclusion:

Yes. The emails show:

Formulation of trail design elements (ex: gate placement)

Planning of project phases for future grant submission

Formation of a “small committee” acting privately

Task roles (maps, meetings, grant timelines)

Actions consistent with administrative/operational work—not policy oversight

These messages show that elected officials engaged in administrative and operational activities, contrary to the Charter’s delegation of daily operations to the Town Manager and Department Directors.

5. Exclusion of Citizens from the Decision-Making Process

Relevant Charter Principle (§2.1 Town Meeting and Legislative Authority):

The Charter grants legislative authority to the citizens of Lyman through the Town Meeting and ensures transparency in government actions.

Evidence:

- Private meetings (9/19, 9/22, 10/1) were used to discuss trail development phases and grants before any public presentation (10/8 Parks & Rec meeting).
- The early-stage decisions determined the scope of public projects, effectively excluding citizens from the initial input process.

Analysis:

This pattern of private pre-meetings and withheld information contradicts the Charter’s intent for open and participatory governance. The citizens of Lyman were denied the opportunity to provide input before key policy directions were set.

6. Summary of Charter Violations

Charter Section	Provision	Violation Summary	Officials Involved
§3.9	Meeting Notice and Agenda	Held private meetings without notice or agenda.	Wagner, Kane, Sampson
§4.2.1	Town Manager Authority	Created ad hoc committees outside Town Manager’s oversight.	Kane, Wagner
§4.1 & §4.2.2	Department Oversight	Directed staff operations and access at park facilities.	Wagner, Kane
§2.1	Citizen Legislative Role	Excluded public participation from key phases of project planning.	Wagner, Kane, Sampson

7. Conclusion

The emails demonstrate a consistent pattern of decision-making outside public view, unauthorized committee activity, and interference in administrative functions. These actions violated the Town Charter and undermined the integrity of transparent governance. It is recommended that the Select Board initiate an ethics review, issue formal censure, and reestablish adherence to Charter-mandated procedures for public meetings, Town Manager oversight, and citizen participation.

Comprehensive Analysis: Parks & Recreation Operational Directives, Select Board Actions, and Violations by Joseph Wagner and KerryJo Sampson

Prepared by Michelle Felicitti

Date: October 27, 2025

1. Parks & Recreation Committee's Scope Excludes Trails

The Parks & Recreation Committee Project Statement establishes that the Committee's mission is limited to promoting recreational programming and events, not the management, maintenance, or development of trails. The Committee serves an advisory and programming function only, reporting directly to the Select Board through the Town Manager; a distinction discussed during the development and approval process of the Project Statement.

Key Text:

"The Committee does not hold authority over other municipal officials or departments and reports directly to the Town Manager and Select Board." (Parks & Rec Committee Project Statement, p. 3)

This language explicitly removes any administrative or operational authority, including trail oversight, from the Parks & Recreation Committee.

2. Select Board Action: Joe Wagner Seconded the Motion

On July 7, 2025, the Select Board formally adopted the Parks & Recreation Committee Project Statement. The minutes reflect that Selectperson Amber Swett made the motion, and Selectperson Joseph Wagner seconded it. The motion passed 5-0, meaning Wagner and affirmatively voted to formalize the project statement outlining the scope, function, purpose, responsibilities and direct objectives of the Parks & Recreation Committee. Sampson also signed this Project Statement.

Source: July 7, 2025 Select Board Minutes – 'Selectperson Amber Swett made the motion to approve the Parks and Recreation Committee Project Statement as presented. Selectperson Joseph Wagner seconded the motion. Vote: 5-0.'

3. Violations of the Parks & Recreation Statement

Despite voting to adopt the Project Statement, Joseph Wagner later organized and participated in multiple meetings and actions that directly contradict the Select Boards directives as approved by a majority vote of the Board. These included meetings that were held without public notice on September 19, September 22, and October 1, 2025.

These actions disregarded the following provisions of the Parks & Recreation Project Statement:

- 'The Committee does not hold authority over other municipal officials or departments and reports directly to the Town Manager and Select Board.' – No reports were provided to the Select Board nor the Town Manager in accordance with the directives as outlined in the Parks & Recreation Committee project Statement.
 - 'On matters pertaining to delegated tasks... recommendations shall be provided to the Select Board through the Town Manager in writing.' – Again, no reports were provided as mentioned above.
 - 'All written communication is connected and passed through the parksandrec@lyman-me.gov email to ensure FOAA requirements.' – Email correspondence was done primarily through personal emails.
- * 'The Committee shall hold all meetings open to the public and ensure adequate notification is published in accordance with the Committee Handbook and applicable State laws' as well as 'All Committees are required to provide agendas to be posted on the website and livestream their meetings on the Official Town's YouTube channel.' – The meetings organized and held were not made open to the public, nor was there adequate notification published violating Maine's Right to Know Laws, as well as other adopted policies and procedures of the Town.

By bypassing the Select Board and the Town Manager, directing operational actions, and communicating through private email accounts, Wagner and Sampson violated both the reporting structure and the transparency requirements he voted to uphold.

4. Violation of Ethical and Collaborative Standards

The Parks & Recreation Committee Project Statement also sets ethical expectations for its members, emphasizing teamwork, transparency, and community service. This includes the provision that the Committee must also adhere to all requirements of the Municipal Charter, Committee Handbook and other applicable policies:

"Committee members are encouraged to work together in a spirit of teamwork, with a shared focus on open communication, transparency, and constructive problem-solving. Members should support initiatives that contribute to thoughtful, long-term solutions and will work to ensure that the Town's parks and recreational programs reflect the needs and interests of the community and support Lyman's overall quality of life."

Wagner and Sampson's conduct violated each of these principles:

- They failed to work collaboratively, organizing off-record meetings without inclusion of all Committee members or public input.
- They neglected open communication and transparency by using personal email addresses instead of the official Parks & Rec email account.
- They prioritized expedience over thoughtful, community-driven planning by advancing projects privately rather than through public deliberation.
- They excluded citizens and fellow committee members from participating in long-term, community-centered decision-making processes, violating Maine Freedom of Access laws.

This pattern of unilateral behavior directly undermines the Committee's commitment to teamwork, transparency, and constructive problem-solving. It also betrays the trust placed in him and her as a Select Board member tasked with upholding both the Charter and the policies he approved.

5. Conclusion

Joseph Wagner and KerryJo Sampson's actions following the July 7, 2025 adoption of the Parks & Recreation Committee Project Statement represent a clear conflict between their vote and their subsequent conduct. By continuing to organize meetings, communicate outside official channels, and bypass the Town Manager's and Select Board's oversight, he violated multiple provisions of the adopted Parks & Recreation Project Statement and Sections 3.6.2, 3.9, 4.1, and 4.2.1 of the Town Charter. These actions disregarded established governance protocols, obstructed transparency, and excluded both committee members and citizens from participating in decisions affecting the Town's public resources.

In conclusion, Wagner and Sampson's behavior undermined the cooperative, transparent, and accountable standards of municipal service that he publicly endorsed through his own vote. These findings warrant formal review by the Select Board and potential ethics action consistent with the Town Charter.

Refutation of Joe Wagner's 'Chronology of Events' made in his submission of his FOAA'd e-mails

Prepared by Michelle Felicitti

Date: October 27, 2025

1. Purpose

This report systematically refutes the claims made by Joe Wagner in his so-called 'Chronology of Events' that he put at the beginning of the FOAA'd emails he turned over, which attempts to justify unlawful meetings and administrative interference. The analysis cross-references statements made in that document with email evidence from 'Joseph Wagner Personal Emails.pdf' and specific provisions of the Town of Lyman Charter (Amended November 5, 2024). Each claim is addressed point-by-point, with Charter citations and documentary evidence demonstrating the falsehoods and Charter violations contained in Wagner's explanations.

2. Claim: 'These were informal get-togethers, not meetings.'

'Chronology of Events' Statement:

Wagner refers to the 9/19/2025 and 10/1/2025 gatherings as 'informal get-togethers' or 'discussions' that were not official meetings.

Email Evidence:

- 8/20/2025 – Karen Kane to Emily Brown (cc Joe Wagner): 'We're planning to put a small committee together to start working through what we would need to submit for the 2026 round.'

- 9/17/2025 – Karen Kane to Adam Fisher (cc Wagner, Spaulding): Confirmed 9/19 Bunganut meeting to 'go over some grant specifics.'

These were not spontaneous gatherings but scheduled meetings involving multiple Select Board members discussing Town business.

Charter Refutation:

- §3.6.2 – 'The Board shall act as a body settling all questions by formal vote in a properly noticed meeting. Members must not act individually unless some duty had been delegated...'

- §3.9 – Requires public notice, an agenda, and proper posting for all meetings.

Holding multi-member, planned discussions of Town business outside public notice directly violates these sections.

3. Claim: 'The Town Manager and Director were informed.'

'Chronology of Events' Statement:

Wagner claims the Town Manager and Director of Buildings and Facilities were 'informed in advance' of the Bunganut walk and that this constituted compliance.

Charter Refutation:

- §4.1 – 'The administration of the Town and Town employees shall be vested in the Town Manager.'
- §4.2.1(b) – 'All elements of Town government are under the direct supervision, management, and control of the Town Manager.'
- §4.2.2(e) – Parks & Recreation Department operates through its Director under Town Manager supervision.

Merely 'informing' staff does not satisfy the legal requirement for public notice or excuse bypassing the Town Manager's authority. These sessions still constituted unauthorized administrative direction by elected officials.

4. Claim: 'An ad-hoc or small committee was appropriate preparation.'

'Chronology of Events' Statement:

Wagner defends the creation of a 'small working group' to explore the grant as permissible informal preparation.

Email Evidence:

- 8/20/2025 – Kane email explicitly creates a 'small committee' with Wagner included to plan the grant.
- 9/9/2025 – Kane to Wagner: 'Did you advise the Town Manager that we were taking this on as a private group?'

This confirms they knowingly operated outside the Town's administrative structure.

Charter Refutation:

- §4.2.1 – All Town elements must operate under Town Manager supervision.
- §3.6.2 – Select Board members cannot act individually unless formally delegated.
- * 4.2.5 & 4.2.5 (b) – Ad Hoc Committees . . . the Town Manager shall prepare a project statement to establish a committee. . . These committees may be established by the Board for a term of one (1) year.

By forming an unapproved ad-hoc committee to handle Town business, they usurped the authority of the Select Board, the Town Manager and violated the Board's collective action requirements.

5. Claim: 'The information was later presented publicly, so it's fine.'

'Chronology of Events' Statement:

Wagner argues that since the outcomes were shared at a public Parks & Rec meeting on 10/8/2025, there was no harm in prior private sessions.

Charter Refutation:

- §3.9 – Requires all deliberations on Town business to occur in properly noticed public meetings.
- §2.1 – Legislative authority is vested in the citizens of Lyman, guaranteeing open and transparent participation.

Holding private decision-making sessions first and merely reporting results later denies citizens the opportunity for input during the formative stage of decision-making. This contravenes both the spirit and letter of the Charter.

6. Claim: 'No formal votes were taken, so no violation occurred.'

'Chronology of Events' Statement:

Wagner claims that because no votes were taken, these sessions were not subject to Charter meeting requirements.

Charter Refutation:

- §3.6.2 – Clearly prohibits members from acting individually unless delegated by formal vote.

Emails show members coordinating with the State, directing staff, and shaping policy outside a public session, which constitutes official action even absent a formal vote.

7. Conclusion

The 'Chronology of Events' defenses are inconsistent with both the factual record of emails and the explicit mandates of the Town Charter. By labeling official meetings as 'informal,' failing to provide public notice, and conducting policy and operational planning outside the proper channels established and enacted by the Voter's, Wagner, Kane, and Sampson collectively violated multiple Charter sections (§§3.6.2, 3.9, 4.1, 4.2.1, 4.2.2, and 2.1). Their private meetings at Bunganut Park and Kane's home excluded public participation, usurped administrative control, and undermined the integrity of the Select Board's governance.

Action:

In accordance with §3.7.2(b), the Select Board should consider forfeiture proceedings for intentional Charter violations, as well as public censure and a formal ethics hearing under §4.3.2.

Select Board Meeting - November 3, 2025

Board members present: Vicy Gavel (Chair), Amber Swett (Vice Chair), David Alves, KerryJo Sampson, Joe Wagner

YouTube - 2:17

Joe Wagner: Good morning, Joe Wagner, 26 day Road. At the October 7th, 2024 Lyman Select Board meeting, after a presentation on the AARP age friendly community program, Dave Alves moved to allow Karen Kane and myself to pursue grants without needing to meet with the Board. Jessica Picard seconded the motion. The Motion was approved 4-0, one member was absent. Subsequently, Karen and I prepared grant applications for funding for the Lifelong Maine program and the AARP challenge grant program. These applications were reviewed by the Town Manager prior to submission. Through the lifelong Maine program, the Town of Lyman received approximately 13,000 for ramps to improve accessibility through the water at Bunganut and approximately 20,000 for 16 new ADA compliant picnic tables for the park. In the Summer of 2025 Karen and I initiated inquiries through the Maine trails grant program. The goal was to build on recent reclamation work that had been by an Eagle Scout candidate on the trails at Bunganut. Given her knowledge of the trails, Holly Wooldridge of the Parks and Rec committee and of the Ad Hoc Bunganut Park committee was asked to participate in informal conversations about this endeavor. Holly had previously contacted Emily Brown of the Maine State trails program, Karen re-initiated contact with Mrs. Brown. On Friday February 19th Holly, Karen and I got together at Bunganut with Adam Fisher of the Maine State trails program and Missy Grant of the York County Soil and Water Conservation Program which owns the Sid Emery Trail that is adjacent to the Bunganut Property. The Town Manager and Director of Building and Facilities were verbally informed in advanced of this get-together. A walk with the Bunganut trails was taken and the group discussed the upcoming round of the Maine State trails grant program. On Monday September 22nd, KJ Sampson, the Select board liaison to Parks and Rec, joined Holly, Karen and I on walk of the Sid Emery trail for the purpose of seeing how the Bunganut Trails might be similarly improved. On Wednesday October 1, KJ, Holly, Karen, and I got together at Karens' home to exchange ideas on trail improvements that would be presented at the next Parks and Rec meeting that was held on October 8th. Those ideas were discussed at that meeting which was broadcast and recording on YouTube. On Friday, October 10th, KJ, Holly and Karen and I, received from the Town Manager a Freedom of Access Act (FOAA) request for any and all emails from our personal email addresses related to Bunganut Park and Bunganut Trails for the period of August 1 through October 8th. I submitted a hard copy of those emails on October 23rd. My Copy. The Select Board had approved our work on grants at a public meeting. So, the fact that we were working on this was a matter of public record. This was not any kind of secret or nefarious activity. There needs to be a definitive interpretation of what constitutes a meeting that requires prior public notification. It is absurd that informal conversations between a few members of different committees during which no formal decisions or commitments are made for the Town would somehow constitute as an official meeting under State Law. I ask that Town Counsel be consulted for guidance in the interpretation of this section of the State Law. I have been subject to five FOAA requests over the last two years and one month. When the fourth such request was made demanding access to my cell phone as well as my personal email account threatening civil penalties if I did not comply, I retained at personal expense, legal counsel an attorney with expertise with the application of FOAA. The purpose of FOAA is to prevent government agencies from withholding

information from the public. But here in Lyman, FOAA has been used by public officials to demand information from other public officials. That is not what FOAA is for. If a public official has questions of another public official, the respectful and responsible approach is straight forward, just ask. There is no need to file a FOAA request. Doing so sends the wrong message. Using FOAA in this way risks turning a tool for transparency into a weapon for intimidation. When people step up to serve their community and met not with courtesy and conversation but formal

Vicky Gavel: That's five minutes

Joe Wagner: Well last person who got here got last dibs in, I would like to do the same

Vicky Gavel: I had stopped her at five minutes

Joe Wagner: And there was also an opportunity granted to that person for a little bit more

Amber Swett: How much do you have left

Joe Wagner: One sentence. Such behavior says more about the character about those making the accusations then it does about the character of those receiving it. Thank you.

Rebuttal to Joe's incorrect public speech:

Joe mentions the Select Board approved Him and Karen pursuing grants without needing to go to the Board on 10/7/2024

Joe choosing to ignoring or is "forgetting" and incorrectly informing the public:

Point 1 - on 2/18/2025 – The Board (Including Joe) approved and adopted the Town of Lyman Grant Application & Management Policy

Point 2 - On 2/18/2025 – The Board (Including Joe) approved and adopted the Town of Lyman Committee Handbook, which covers procurement policies, grant funding, etc, as well as all volunteers will adhere to Town policies.

Point 3- On 6/2/2025 – The Board (Including Joe) approved and amended the Town of Lyman Purchasing Policy

**Below are the two policies and procedures from the Handbook to help refresh Joe's memory:
Municipal Purchasing and Grant Application & Management Policy**

TOWN OF LYMAN

Municipal Purchasing Policy

Adopted: June 15th, 2020 Amended: June 2, 2025

PURPOSE

The purpose of this policy is to standardize the purchasing procedures of the Town of Lyman, thereby securing for the Town the advantages of centralized and uniform purchasing procedures saving the taxpayer's money and increasing public confidence in the procedures for purchasing. This policy includes Section 7.7 of the Town of Lyman Charter Purchasing and Sales Procedures.

DEFINITIONS

“Bid most advantageous to the Town” means a bid chosen on the basis of price, quality of merchandise, suitability of merchandise, and service reputation of the vendor, and not necessarily the lowest bid received.

“Emergency” means and situation or circumstance by its nature or severity, as deemed so by the Town Manager, that would inhibit the Department from providing delivery of services when said services are or may be, needed that requires an override of the procedures set out in this policy.

“Professional Services” means services provided to or for the Town by licensed professionals such as lawyers, architects, engineers, auditors and consultants.

“Purchase” means buying, renting, leasing, or otherwise acquiring supplies or services for a price.

“Purchase Order” means the form specified by the Purchasing Agent for the purpose of identifying the vendor, item(s) purchased, quantities, prices, terms, and budgetary account(s) to be charged.

“Purchasing Agent” means the Town Manager or the Town Manager's designee. **“Quotation”** means a written or oral proposal obtained from a prospective vendor.

“Services” means the lease or rental of all grounds, buildings, offices, space or equipment required by the Town, the repair or maintenance of equipment or real property owned by or the responsibility of the Town and all labor furnished to the Town by persons, firms, individuals or corporations 13019359.1 not part of or connected with the Town government. “Services” shall not include Professional Services, or utilities such as electricity, water, and phone services.

“Supplies” means all materials and equipment.

“Town Official” means any elected, appointed, volunteer, or employee of the Town that in their capacity serve a role in the functions or business operations of the municipality or provide any such services related to municipal affairs.

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TOWN OF LYMAN

Municipal Purchasing Policy

PURCHASING

Except in matters pertaining to normal road maintenance or in emergency situations as determined by the Board in those cases where the scope of work or services to be performed for the Town shall require an expected expenditure of \$10,000 or more, the following guidelines shall be followed:

a. A clear statement defining the required scope of services or specifications of the work to be performed shall be provided to the potential bidders, along with notice as to where the bid forms may be picked up. Notices shall be mailed to prior and appropriate bidders, notifying them of the current bid request.

b. Requests for bids shall be advertised in the local papers early enough to give bidders sufficient time to prepare bids. Such advertisements should include the statement that, "The Board reserves the right to accept or reject any or all bids". Awards shall be made to the most responsible, qualified, and responsive bidder.

c. The manner in which the bids are to be submitted, when they shall be due in the Town Office, and when the bids are to be publicly opened, shall be clearly stated in the ad. d. The Board may contractually require a bid bond and/or a performance bond. e. For purchases between \$5,000 and \$9,999, at least three (3) price quotes for comparable products must be solicited prior to the purchase.

LIMITATIONS ON PURCHASES

Limit amount is fifty dollars (\$50.00) or a combination thereof, which shall require a purchase order(s) to be completed and submitted to the Town Manager's Office. The guidelines for purchasing procedures listed below are expected to be followed:

- The Town Manager shall be the Purchasing Agent for the Town, responsible for overseeing all purchases of supplies, materials, and equipment for use by the Town. The Town Manager reserves the right to deny any purchases based on funding availability and the scope of the current budget.
- Any purchase over \$50.00 shall require a purchase order subject to approval of the Purchasing Agent and submittal of an approved purchase order to the Finance Officer.
- The purchase order shall include confirmation of funds available for the purchases, a description of items purchased, or an invoice attached to the purchase order. An invoice is the vendor's statement of his/her charges against the Town for materials or services rendered. Invoices should contain substantially the same information as on the purchase order

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TOWN OF LYMAN

Municipal Purchasing Policy

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- No purchases or services, supplies, materials, and equipment shall be made without prior approval of the Purchasing Agent.
 - Once approved, the Town Manager will order or submit approval to the appropriate Town Official

- Neither the Purchasing Agent nor any Town Official shall make any purchase or allow any purchase to be made until an appropriation therefore has been approved by the Town
- Payments will be made in accordance with Title 30-A MRS §5603(2)(A)

All Town Officials acting in their official capacity on behalf of the Town are expected to:

- Practice economy in the use of materials, goods, and services

- Maintain property and equipment in serviceable condition
- Determine acceptable quality of commodities and supplies to be purchased
- Share knowledge of special factors which will implement a policy designed to enable the Town to minimize cost and maximize quality.
- Prepare requisitions and keep corresponding records to facilitate correct accounting charges.
- Be empowered to reject any unacceptable supply or commodity on the grounds of high cost or low quality, and provide the Purchasing Agent with a written detailed report of rejection.
- Choose vendors on the basis of responsibility, quality, prior experience with providing goods and/or service to the Town, reputation, and references from other municipalities or customers.
- Report to the Purchasing Agent the following
 - o Items beyond use
 - o Items being replaced or to be replaced
 - o Items no longer of use to Department operations.

Disposal of all surplus equipment valued over \$500 shall be by sealed bid process established by the Board who reserves the right to reject all bids. Advertisements for the disposition of surplus Town equipment shall be posted at the normal locations in Town and on available electronic media. If there are no bids, the Board may dispose of the surplus equipment as deemed necessary.

- Plan future purchases to provide ample time to secure favorable prices and terms, and to minimize direct purchases.

EMERGENCIES

Purchases made in emergency circumstances shall be considered exempt. Notification that the emergency exists is made to the Town Manager with details to the nature of the emergency, the source of funding for the emergency and the most advantageous manner in which to make the purchase of services, supplies, materials and equipment. Emergency notification will be

for emergencies only and not used to circumvent this policy. The Town Manager will apprise the Board of emergency expenditures.

CREDIT CARD USE

The Town Manager shall determine who is authorized to utilize Town Credit cards.

- a. The card will not be used at any time for personal expenditure.
- b. The card will not be used at any time without prior purchase order approval within the guidelines listed in this policy.

Each time the Town's credit card is used, it will be immediately returned to the Finance Officers. All receipts will be attached to the approved purchase order with expense codes written on the receipt to be used for payment of the charges. The Finance Officer will pay the bill in a timely manner to avoid any interest or penalties whenever possible so long as the payment is not in conflict with Title 30-A MRS §5603(2)(A)

All purchases made with any Town credit card and purchase order require the Town's tax exemption to be utilized whenever it is reasonable feasible to do so. If tax appears on the receipt the person authorized to use the card must contact the vendor to have the tax removed from the purchase.

Each time a Town Official is authorized to use any Town credit card the use must signed out and signed in the credit card usage log with the Finance Officer. Upon signing the log, the card user is acknowledging they have read and understood this policy.

The individual issued a municipal credit card is responsible for its protection and custody and shall immediately notify the Finance Officer if the card is lost or stolen.

REQUIREMENTS FOR USING STATE AND FEDERAL FUNDS

The Town shall ensure that all state and federal funds are used in strict compliance with applicable laws, regulations, and grant requirements. All expenditures made with such funds must directly support the purposes for which the funds were awarded and must be properly documented and accounted for in accordance with generally accepted accounting principles and any specific requirements set by the granting agency. Town Officials utilizing state or federal

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TOWN OF LYMAN

Municipal Purchasing Policy

funds are responsible to ensure proper tracking, reporting, and audit readiness. Any employee or official found to have misused or misappropriated such funds may be subject to disciplinary action, up to and including termination, and may be held personally liable for the repayment of disallowed costs. The Town reserves the right to void any agreement or purchase made in violation of this policy.

CONFLICTS OF INTEREST

Any Town Official who has financial interest, direct or indirect, or by reason of ownership of stock in any corporation, or ownership interest in a business entity, in any contract with the Town, or in the sale of any land, material, supplies, or services to the Town or to a contractor supplying the Town, shall make known that interest and shall refrain from voting upon or otherwise participating in his/her capacity as an official in making such sale or otherwise in the making or performing of such contract.

Any Town Official who knowingly conceals a financial interest, or who willfully violates the provisions of this section, shall be deemed to have committed malfeasance in office and may be subject to disciplinary action. Additionally, any violation of this section that occurs with the express or implied knowledge of the individual or business entity entering into a contract or sale with the Town may, at the Town's discretion, render the contract or sale voidable

In all proceedings before the Town, every Town Official shall attempt to avoid the appearance of a conflict of interest by disclosure or abstention.

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TOWN OF LYMAN

Municipal Purchasing Policy

This policy supersedes any prior policy related to this subject. **Adopted: June 15th, 2020**

Amended: June 2, 2025

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TOWN OF LYMAN

Grant Application & Management Policy

Page 1 | 2

Adopted: Amended:

PURPOSE: The purpose of this policy is to establish a clear and structured process for identifying, applying for, and managing grants and funding opportunities in the Town of Lyman.

To coordinate grant-writing efforts and avoid duplication, all grant applications must be approved by the Town Manager before submission, and a copy of the application and supporting documents must be filed with the Town. Volunteers may not enter into contracts on behalf of the Town and must coordinate any such work with a staff liaison or the Town Manager as appropriate.

Before submitting a grant application, committees or volunteers must present a proposal to the Town Manager detailing the scope and purpose of the grant, the anticipated outcomes, and the parties responsible for overseeing the project. The proposal must include cost estimates, any financial commitments required from the Town, including maintenance, upkeep, subscriptions and services, and a clear breakdown of matching fund requirements, if applicable. If the project involves permitting, detailed information regarding the necessary permits must be provided. It is the responsibility of the committee or volunteer(s) to gather all relevant information necessary for the grant submission unless otherwise assigned by the Town Manager. Depending on the project's scope, the Town Manager may present the proposal to the Select Board for approval.

Committees or volunteers must track all grant-related documentation and are responsible for completing any required post-grant reporting. They must also ensure that projects funded through grants are completed within the specified deadlines. They will be responsible for coordinating the project through completion unless otherwise assigned by the Town Manager.

All purchases must comply with the Town's purchasing procedure and Town Charter. If a grant project requires matching or additional funding from the Town, the committee or volunteers must follow the appropriate budgeting process for approval of funds.

To avoid delays and any unforeseen challenges, planning, budgeting, and coordination of projects should be done as early as possible. All grant-related records, whether in digital or physical format, are considered official Town records and must be submitted for records retention in compliance with Town policies. Any proposed project must align with the best interests of the Town and support its long-term objectives.

TOWN OF LYMAN

Grant Application & Management Policy

Adopted: 2/18/25

Effective: Immediately

From: jwagner1980@roadrunner.com
To: "Karen Kane"
Cc: "Holly Spaulding"; KerryJo Sampson
Subject: RE: Bunganut Trails
Date: Wednesday, September 24, 2025 6:02:44 AM

Karen,

I'd say continuing as an informal conversational group is the way to go for now. We are making no commitments nor formal grand plans on the Town's behalf. We are merely exploring possibilities.

I like your 1-2-3 approach to assessing the Bunganut trail situation.

Just a thought that came the day after our walk on the Sid Emery Trail - the path leading to the Boy Scout building seems similar to the vehicular path from Brock Road onto the Side Emery property. Could clearing that, moving the gate back a bit and making for more space for parking be a start for creating a more accessible trail?

Monday and Wednesday evening next week are good for me.

Thanks!
Joe

From: "Karen Kane"
To: "Holly Spaulding", "Joe Wagner", "KerryJo Sampson"
Cc:
Sent: Tuesday September 23 2025 1:27:50PM
Subject: Bunganut Trails

Hello, everyone!

Holly, thank you, again, for arranging the trail walk yesterday. It was AWESOME and I'm definitely going snowshoeing there!

It sounds like we all want to keep this effort moving with an informal committee and focus on Bunganut trails in Phase I. If anyone thinks that this approach will not be favored by the town, it would be better to know now vs. later. I certainly don't want to overstep or step on anyone's toes.

Assuming, it's a go ... the first step, in my mind and according to some research I've done, is to review the existing trails to:

- characterize what shape they/re in
- determine what needs to be done to get them to desired level, and
- define the area to be included in the scope of the project.

Holly, if you could bring a few copies of your maps to mark up, that'd be great! I think this

would be a great first step and will certainly require more than one meeting.

In parallel, I'm going to start organizing and gathering up whatever grant elements that I can.

My available evenings next week are Monday and Wednesday at any time, so you can let me know what works best for you. If next week doesn't work, the following week, I'm open any evening, except Tuesday (as of right this minute).

If I'm moving forward too quickly, let me know. Patience is a virtue, just not one of mine! :)

Karen

From: [Karen Kane](#)
To: [KerryJo Sampson](#)
Subject: Re: Bunganut Trails

KJ, what time would be best for you? We haven't set a time yet, so we may be able to accommodate your schedule.

Karen

On Wed, Sep 24, 2025 at 11:48 AM KerryJo Sampson <kerryjos@lyman-me.gov> wrote:

Good morning all,

Thank you for including me on Monday's trail walk – it was a beautiful location.

I'll do my best to attend Wednesday at Karen's, though I may be delayed due to training courses in Scarborough that week. Regardless, I'm happy to contribute however I can.

KJ

From: jwagner1980@roadrunner.com <jwagner1980@roadrunner.com>
Sent: Wednesday, September 24, 2025 11:37 AM
To: 'Karen Kane' <kjkane04@gmail.com>
Cc: 'Holly Spaulding' <hollybspaulding@yahoo.com>; KerryJo Sampson <kerryjos@lyman-me.gov>
Subject: Re: Bunganut Trails

See everyone there and then.

Best,

Joe

From: "Karen Kane"
To: "Holly Spaulding"
Cc: "KerryJo Sampson"
Sent: Wednesday September 24 2025 9:33:32AM
Subject: Re: Bunganut Trails

Great! I'm at 14 Pines Lane.

On Wed, Sep 24, 2025 at 8:35 AM Holly Spaulding <hollybspaulding@yahoo.com> wrote:

Hello,

I'm available on Wednesday after 4pm.

I will bring copies of various maps.

Thank you so much for the interest & organization!

I'm open to meeting anywhere.

Thank you,

Holly

[Yahoo Mail: Search, Organize, Conquer](#)

On Wed, Sep 24, 2025 at 8:05 AM, Karen Kane

<kjkane04@gmail.com> wrote:

Joe,

I love your suggestion about moving the gate! It's the best way to get an all-accessible trail and having that will help with the grant.

FYI, Monday is now out for me, so hoping Wednesday will work for others.

Karen

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If I'm moving forward too quickly, let me know. Patience is a virtue, just not one of mine! :)

Karen

From: [Karen Kane](#)
To: [KerryJo Sampson](#)
Subject: Re: Bunganut Trails

Will do! Good luck in the new job!

I've never had Jersey pizza so will definitely try it. Thanks!

Hope to see you on Wednesday.

On Wed, Sep 24, 2025 at 3:46 PM KerryJo Sampson <kerryjos@lyman-me.gov> wrote:

Hi Karen,

I'm not sure - my first day with USPS is Monday. I'll be working a route out of the Sanford office but have training Monday through Thursday in Scarborough next week. They give a time of 730-130 but it also says dependent (Wednesday & Thursday is training in the vehicles I'll be driving). You are very kind to ask, I'd say, if ok with y'all, keep it at 4 and I will make every effort to be there. For all I know, we could have a government shutdown and it wont matter anyway. Fun fun!

Wishing you a safe and wonderful trip to NJ. My good friend is from there and always brings back jersey pizza and bagels. They know how to do food right!

From: Karen Kane <kjkane04@gmail.com>
Sent: Wednesday, September 24, 2025 12:07 PM
To: KerryJo Sampson <kerryjos@lyman-me.gov>
Subject: Re: Bunganut Trails

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Karen

From: [Karen Kane](#)
To: jwagner1980@roadrunner.com
Cc: [Holly Spaulding](#); [KerryJo Sampson](#)
Subject: Re: Bunganut Trails

Joe,

I love your suggestion about moving the gate! It's the best way to get an all-accessible trail and having that will help with the grant.

FYI, Monday is now out for me, so hoping Wednesday will work for others.

Karen

On Wed, Sep 24, 2025 at 6:02 AM <jwagner1980@roadrunner.com> wrote:

Karen,

I'd say continuing as an informal conversational group is the way to go for now. We are making no commitments nor formal grand plans on the Town's behalf. We are merely exploring possibilities.

I like your 1-2-3 approach to assessing the Bunganut trail situation.

Just a thought that came the day after our walk on the Sid Emery Trail - the path leading to the Boy Scout building seems similar to the vehicular path from Brock Road onto the Side Emery property. Could clearing that, moving the gate back a bit and making for more space for parking be a start for creating a more accessible trail?

Monday and Wednesday evening next week are good for me.

Thanks!

Joe

From: "Karen Kane"
To: "Holly Spaulding", "Joe Wagner", "KerryJo Sampson"
Cc:
Sent: Tuesday September 23 2025 1:27:50PM
Subject: Bunganut Trails

Hello, everyone!

Holly, thank you, again, for arranging the trail walk yesterday. It was AWESOME and I'm definitely going snowshoeing there!

It sounds like we all want to keep this effort moving with an informal committee and focus on Bunganut trails in Phase I. If anyone thinks that this approach will not be favored by the

town, it would be better to know now vs. later. I certainly don't want to overstep or step on anyone's toes.

Assuming, it's a go ... the first step, in my mind and according to some research I've done, is to review the existing trails to:

- characterize what shape they/re in
- determine what needs to be done to get them to desired level, and
- define the area to be included in the scope of the project.

Holly, if you could bring a few copies of your maps to mark up, that'd be great! I think this would be a great first step and will certainly require more than one meeting.

In parallel, I'm going to start organizing and gathering up whatever grant elements that I can.

My available evenings next week are Monday and Wednesday at any time, so you can let me know what works best for you. If next week doesn't work, the following week, I'm open any evening, except Tuesday (as of right this minute).

If I'm moving forward too quickly, let me know. Patience is a virtue, just not one of mine! :)

Karen

RTP Specialist

DACE, Bureau of Parks & Lands

54 Independence Drive

Augusta, ME 04333-0124

207-557-0625

From: Karen Kane <kjkane04@gmail.com>
Sent: Friday, July 11, 2025 8:30 AM
To: Brown, Emily <Emily.Brown@maine.gov>
Subject: RTP Grant

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Emily,

I'm working with Holly Woolridge and a few other folks to determine if there's any grant money out there to help us re-establish a trail system within Bunganut Park in Lyman. I believe you and Holly met a while ago, so you may be somewhat familiar with the area. I came across the RTP Grant on the state website, but it's unclear to me if that's still available. If not, would you know of any other grant opportunities that might help us out?

I appreciate any information or guidance you can provide. Please feel free to get back to me via email or phone (number below).

Thanks so much!

Karen Kane

781-956-7801

From: "Kerryjo S" <vegaskj@gmail.com>
To: jwagner1980@roadrunner.com
Cc:
Priority: Normal
Date: Saturday September 20 2025 5:21:13PM

Re: Maine Trails Program

Happy Saturday!

Sounds great, see you then!

Cheers
KJ

On Sat, Sep 20, 2025 at 4:28 PM <jwagner1980@roadrunner.com> wrote:
KJ,

Holly Wooldridge, Karen Kane and I had an informal meeting with Adam Fisher of the State Maine Trails Program at Bunganut last Friday. The Town Manager and Rusty were informed in advance. We are exploring the possibility of applying for a grant in the spring for trail reclamation. A person from the York County Soil and Water Conservation was there as well. That organization owns and maintains the Sid Emery Trail that is adjacent to Bunganut. The possibility of partnering with this group on a grant proposal was discussed.

Holly, Karen and I are going to walk a portion of the Sid Emery trail on Monday at 5:45PM. MJ may be coming along as well. This trail by repute is a model for maintenance and accessibility.

My apologies for not contacting you sooner. I forgot which SB member was the liaison for Parks and Rec.

Best,
Joe

From: "Karen Kane"
To: "Holly Spaulding"
Cc: "Kerry Jo Sampson"
Sent: Wednesday September 24 2025 9:33:32AM
Subject: Re: Bunganout Trails

Great! I'm at 14 Pines Lane.

On Wed, Sep 24, 2025 at 8:35 AM Holly Spaulding <hollybspaulding@yahoo.com> wrote:

Hello,

I'm available on Wednesday after 4pm.

I will bring copies of various maps.

Thank you so much for the interest & organization!

I'm open to meeting anywhere.

Thank you,

Holly

Yahoo Mail: Search, Organize, Conquer

On Wed, Sep 24, 2025 at 8:05 AM, Karen Kane

<kjkane04@gmail.com> wrote:

Joe,

I love your suggestion about moving the gate! It's the best way to get an all-accessible trail and having that will help with the grant.

FYI, Monday is now out for me, so hoping Wednesday will work for others.

Karen

On Wed, Sep 24, 2025 at 6:02 AM <jwagner1980@roadrunner.com> wrote:

Karen,

Attached per the 10/10/2025 FOAA request initiated by Select Board member Amber Swett are all emails from my personal email address related to Bunganut Park and Bunganut Trails for the period of August 1, 2025 through October 8, 2025.

Chronology of relevant events:

In the summer of 2025, Karen Kane and Joe Wagner initiated inquiries into the Maine Trails grant program, the goal being building on recent reclamation work that had been done by an Eagle Scout candidate on the trails at the town park at Bunganut Pond. Given her knowledge of the trails, Holly Wooldrige of the Parks and Rec Committee and the ad hoc Bunganut Committee was asked to participate in informal conversations about this endeavor. Holly had previously contacted Emily Brown of the State Maine Trails Program. Karen Kane reinitiated contact with Ms. Brown.

On Friday, September 19, 2025 Holly Woolridge, Karen Kane, and Joe Wagner got together at Bunganut with Adam Fisher of the Maine Trails program and Missy Brandt of the York County Soil and Water Conservation program [York County Soil and Water Conservation owns the Sid Emery trail that is adjacent to the town's property at Bunganut]. The Town Manager and the Director of Buildings and Facilities were informed in advance of this get together. A walk of the Bunganut trails was taken and the group discussed the upcoming round of State Maine Trails grant program scheduled for the spring.

On Monday, September 22, 2025, KJ Sampson, Select Board liaison to the Parks and Rec Committee, joined Holly Woolridge, Karen Kane and Joe Wagner on a walk of the Sid Emery trail for the purpose of seeing how the Bunganut trails may be similarly improved.

On Wednesday October 1, 2025 KJ Sampson, Holly Woolridge, Karen Kane and Joe Wagner got together at Karen Kane's home to exchange ideas on trail improvements that were later presented at the Parks and Rec meeting that was held on October 8.

Joe Wagner
10/23/25

From: "Karen Kane" <kjkane04@gmail.com>
To: jwagner1980@roadrunner.com
Cc: "Holly Spaulding" <hollybspaulding@yahoo.com>
Priority: Normal
Date: Tuesday September 9 2025 9:43:05AM

Re: Bunganut trails

Great!! Thank you!

On Tue, Sep 9, 2025 at 9:10 AM <jwagner1980@roadrunner.com> wrote:
Karen,

Yes, I did mention to the Town Manager that we were meeting with a State official at Bunganut to discuss the RTP program.

Best,
Joe

From: "Karen Kane"
To: "Holly Spaulding", "Joe Wagner"
Cc:
Sent: Tuesday September 9 2025 7:51:12AM
Subject: Re: Bunganut trails

Hello!

Back from Switzerland and catching up on emails.

At our meeting with Adam, in addition to understanding the trail work, I'd like to spend time discussing the grant requirements, i.e., town commitments, ability to use in-kind matching, time frames to complete work, sources to get work done and how best to establish cost estimates. So, I'm wondering if we can walk just a few of the trails and cover the rest with maps. Let me know if you think that's possible.

Joe, did you advise the town manager that we were taking this on as a private group and if so, are we good to go? Sorry for the paranoia!

Lastly, I may be able to help with tables on Thursday or you need me. I'll confirm beforehand.

Karen

On Tue, Sep 9, 2025 at 7:23 AM Holly Spaulding <hollybspaulding@yahoo.com> wrote:

Hi All,

Adam Fisher from the Maine Trails Program will be meeting us at Bunganut at 1pm on Friday September 19th to go over the Program and answer questions in preparation for the 2026 grant cycle.

I would like to walk the whole loop & extensions this Friday the 12th to get a handle on the growth since June (I haven't walked the whole thing since then) and gather ideas & input before meeting with Adam. He said he would meet us at Bunganut at 1pm on the 19th to check out the trails, but it's a lot of ground to cover and I'm not sure if we should start him in the Bunganut parking lot or over at the Boyscout road. I want to make sure we maximize our time with him!

Re: Bunganut trails

From: Karen Kane (kjkane04@gmail.com)
To: hollybspaulding@yahoo.com
Cc: jwagner1980@roadrunner.com
Date: Tuesday, September 9, 2025 at 11:23 AM EDT

Great! Thanks. Sorry to hear about Holly's back.

On Tue, Sep 9, 2025 at 9:55 AM Holly Spaulding <hollybspaulding@yahoo.com> wrote:

Welcome back, traveler!

Yes yes, agree about the strategy with Adam. It's a large network, so I'd love to whittle down what we plan to show him by doing the preview this week.

Holly hurt her back, so I'm assuming she won't be ready to do the trails this week. I texted her to let her know what and who I emailed about the plan & she suggested that she give Lindsay a heads up. I'm paranoid too.

Holly

Yahoo Mail: Search, Organize, Conquer

On Tue, Sep 9, 2025 at 7:51 AM, Karen Kane
<kjkane04@gmail.com> wrote:

Hello!

Back from Switzerland and catching up on emails.

At our meeting with Adam, in addition to understanding the trail work, I'd like to spend time discussing the grant requirements, i.e., town commitments, ability to use in-kind matching, time frames to complete work, sources to get work done and how

best to establish cost estimates. So, I'm wondering if we can walk just a few of the trails and cover the rest with maps. Let me know if you think that's possible.

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I will be there at 9am this Friday if anyone would like to join. I'm also flexible on time!

I think most of us have walked portions of it starting at the Boyscout Road, so I'll plan to start in the main parking lot, if we can, this time instead and go from there.

Thanks!

Holly Wooldridge
603-674-7945

Yahoo Mail: Search, Organize, Conquer

From: [Karen Kane](#)
To: [Holly Spaulding](#)
Cc: [KerryJo Sampson](#); jwagner1980@roadrunner.com
Subject: Re: Bunganut Trails

Sounds good!

On Wed, Sep 24, 2025 at 5:07 PM Holly Spaulding <hollybspaulding@yahoo.com> wrote:
4:15 ok?

Holly

[Yahoo Mail: Search, Organize, Conquer](#)

On Wed, Sep 24, 2025 at 11:48 AM, KerryJo Sampson
<kerryjos@lyman-me.gov> wrote:

Good morning all,

Thank you for including me on Monday's trail walk – it was a beautiful location.

I'll do my best to attend Wednesday at Karen's, though I may be delayed due to training courses in Scarborough that week. Regardless, I'm happy to contribute however I can.

KJ

From: jwagner1980@roadrunner.com <jwagner1980@roadrunner.com>
Sent: Wednesday, September 24, 2025 11:37 AM
To: 'Karen Kane' <kjkane04@gmail.com>
Cc: 'Holly Spaulding' <hollybspaulding@yahoo.com>; KerryJo Sampson
<kerryjos@lyman-me.gov>
Subject: Re: Bunganut Trails

See everyone there and then.

Best,

Joe

From: "Karen Kane"
To: "Holly Spaulding"
Cc: "KerryJo Sampson"
Sent: Wednesday September 24 2025 9:33:32AM
Subject: Re: Bunganut Trails

Great! I'm at 14 Pines Lane.

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I'm open to meeting anywhere.

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[Yahoo Mail: Search, Organize, Conquer](#)

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To: "Holly Spaulding", "Joe Wagner", "KerryJo Sampson"
Cc:
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If I'm moving forward too quickly, let me know. Patience is a virtue, just not one of mine! :)

Karen

RE: Trails & Tables

From: Holly Spaulding (hollybspaulding@yahoo.com)
To: jwagner1980@roadrunner.com; kjkane04@gmail.com
Cc: vegaskj@gmail.com
Date: Friday, October 10, 2025 at 09:03 AM EDT

Thank you, Karen! I'll give you a call this evening. A meeting with Sanford and/or Three Rivers would be fantastic.

Thank you,
Holly

Yahoo Mail: Search, Organize, Conquer

On Thu, Oct 9, 2025 at 12:37 PM, jwagner1980@roadrunner.com <jwagner1980@roadrunner.com> wrote:

Karen,

Yes, please pursue a meeting with the Sanford and Three Rivers folks.

Best,

Joe

From: "Karen Kane"
To: "Holly Spaulding", "Joe Wagner", "KerryJo S"
Cc:
Sent: Thursday October 9 2025 10:28:01AM
Subject: Trails & Tables

If you don't mind, I'd like to schedule a meeting with a person(s) on the Sanford Trail

Committee, as well as Three Rivers Land Trust. I think we can learn a lot from them and hopefully, they're amenable to sharing. Let me know if you're okay, or not, with this.

Holly, I watched P&R meeting last night. Whenever you have a chance, give me a call and we can catch up on the Sanford trails.

Also, if you want help with the picnic tables, let me know when you're going and what tools I need to bring. Happy to help if I can make it.

Enjoy your day!

Karen

Re: Photos of ramps at Bunganut

From: Parks and Recreation (parksandrec@lyman-me.gov)

To: hollybspaulding@yahoo.com; kjkane04@gmail.com; jwagner1980@roadrunner.com

Cc: vegaskj@gmail.com

Date: Monday, October 6, 2025 at 06:32 AM EDT

Lindsey said they are done

Holly

[Get Outlook for iOS](#)

From: Holly Spaulding <hollybspaulding@yahoo.com>

Sent: Sunday, October 5, 2025 11:59:56 AM

To: kjkane04@gmail.com <kjkane04@gmail.com>; jwagner1980@roadrunner.com <jwagner1980@roadrunner.com>

Cc: Parks and Recreation <parksandrec@lyman-me.gov>; vegaskj@gmail.com <vegaskj@gmail.com>

Subject: Re: Photos of ramps at Bunganut

I agree, that would be nice!

I'll bring this up at the PR meeting.

I'll also ask that ramps be added to the agenda because I haven't heard anything from the office about the status. They look done, but I haven't heard anything official.

Thank you,

Holly

Yahoo Mail: [Search](#), [Organize](#), [Conquer](#)

On Fri, Oct 3, 2025 at 8:34 AM, Karen Kane

<kjkane04@gmail.com> wrote:

In reading through the Project Canopy paperwork, I was very impressed with the correspondence from the town to the funding source. If we want to keep tapping that well

for funding, particularly after all of the delays with the ramp project, might it be prudent to have a nice letter of thanks come from the town, in addition to the required report?

Holly, you've probably already planned to do so, but if not and you want help drafting a letter, let me know.

Karen

On Fri, Oct 3, 2025 at 6:52 AM <jwagner1980@roadrunner.com> wrote:

Holly,

Here are some photos of the completed ramps at Bunganut. Thought you might like to include them in the report to the funding source. Got more if you wish.

Best,
Joe

Re: Fw: Fwd: Lyman Turkeys

From: jwagner1980@roadrunner.com

To: kjkane04@gmail.com

Cc: hollybspaulding@yahoo.com; vegaskj@gmail.com

Date: Friday, October 3, 2025 at 11:23 AM EDT

Karen,

I agree. If there was a lower-level parking area - something that I think was discussed for handicap parking - toting a canoe/kayak would not be a hassle - no key to acquire, no long distance to traverse.

I see the point, though, about charging fees being in conflict with stocking the pond - the notion being public access to publicly funded fish should not involve a fee.

Best,

Joe

From: "Karen Kane"

To: jwagner1980@roadrunner.com

Cc: "Holly Spaulding", "vegaskj@gmail.com"

Sent: Friday October 3 2025 8:26:55AM

Subject: Re: Fw: Fwd: Lyman Turkeys

Joe,

A boat launch for non-motorized boats was discussed at the Bunganut Committee meetings. I don't see any reason one couldn't go there. It was my thought that at a minimum, a ramp could've been put at the makeshift boat entry area that's near the handicap parking spot for kayaks, canoes, paddle boards.

A better method for bringing watercraft to the water was also discussed, like creating lower level parking. Right now, it's a major hassle for the boaters and the folks manning the upper level booth - they have to go down and unlock the gate.

Stocking the pond comes with a price tag. According to Maine Inland Fisheries, when we considered charging a fee for Kennebunk Pond parking, we were told they frown upon charging Maine residents and if we were to do so, it had to be a nominal amount. I think Lindsay has a different interpretation, so checking with her would be wise.

Karen

On Fri, Oct 3, 2025 at 6:26 AM <jwagner1980@roadrunner.com> wrote:

Holly,

Interesting information from Al Raychard. The passage about a boat launch got my attention. Might a public launch limited to non-motorized watercraft 1] be feasible and 2] induce the State to stock the pond?

MJ and I took our canoe there once and getting it to the water was such a pain in the neck, we haven't gone back with it since.

Best,
Joe

From: "Holly Spaulding"
To: "Joe Wagner", "Karen Kane"
Cc:
Sent: Thursday October 2 2025 10:10:20AM
Subject: Fw: Fwd: Lyman Turkeys

My last correspondence with Al Raychard, which started off as an inquiry about turkey hunting his property, hence the email subject!
Holly

Yahoo Mail: [Search](#), [Organize](#), [Conquer](#)

----- Forwarded Message -----

From: "Holly Wooldridge" <hwkwooldridge@gmail.com>
To: "hollybspaulding@yahoo.com" <hollybspaulding@yahoo.com>
Cc:
Sent: Thu, Oct 2, 2025 at 10:07 AM
Subject: Fwd: Lyman Turkeys

----- Forwarded message -----

From: **Al Raychard** <alraychard@sacoriver.net>
Date: Tue, Jan 23, 2024, 10:56 AM
Subject: RE: Lyman Turkeys
To: Holly Wooldridge <hwkwooldridge@gmail.com>

Hi Holly,

Good work.

My understanding is the town doesn't run the park. My wife and granddaughter go there all the time in the summer to swim. As you probably know non-residents have to pay to get in, which is why it's locked after hours. Residents are free. It seems the town doesn't want much to do with it, which is why it's been difficult to get anything done.

Al

From: Holly Wooldridge [mailto:hwkwooldridge@gmail.com]
Sent: Tuesday, January 23, 2024 10:12 AM
To: Al Raychard <alraychard@sacoriver.net>
Subject: Re: Lyman Turkeys

Thanks again, Al!

I found the survey from 1984 on the registry of deeds.

I contacted the soil & water conservation group too. We'll get to the bottom of it!

Agreed, neglected. The deed from the state to the town said something in there about it being maintained by the town for public recreational use. Hard to recreate on it if it's locked all the time.

I'm looking forward to helping.

Thank you,

Holly

On Tue, Jan 23, 2024, 8:04 AM Al Raychard <alraychard@sacoriver.net> wrote:

Hi Holly,

Don't know if the property was ever surveyed, but I assume it has been at some point. I would think it should be in town hall somewhere since the boundaries of every other property in town are well known.

Also not aware of any "trail" maps. Never saw one. And I am not aware of any communication with York County Soil and Water. Someone should contact them. I recall walking the park years ago before they logged and what "trails" existed were mere foot paths and as I recall nothing was technically maintained.

Sorry I don't have better information. But when it comes to the park the town has been historically neglectful. There's great recreational and green space opportunities there if all ducks get in a row.

Al

From: Holly Wooldridge [mailto:hwkwooldridge@gmail.com]

Sent: Monday, January 22, 2024 9:43 PM

To: Al Raychard <alraychard@sacoriver.net>

Subject: Re: Lyman Turkeys

Hi Al,

Thank you! We had another meeting tonight.

I've been told that the Bunganut property will need to be surveyed in order to proceed with further grants. Do you recall if it was surveyed for the project, or maybe if you were using an older existing survey? I can't imagine that there isn't one. In the report it states that the three parcels selected to study have clear title and boundary status.

Also, in the copy of the Project Canopy report that we got via email, it says that there is a map of the trails in an appendix, but I don't see it included in the report we were sent. It looks as though it might not have scanned in correctly. Do you by chance have a copy of the trail map? I see where it also states that the York County Soil & Water Conservation District offered to create brochures and maps. Do you know if they did, and would you have any?

I've spent a lot of time over on that piece of property, but only started exploring over there during the time of the active logging. I do see remnants of trails, but never have bothered in the past to try to follow them, as I'm mostly just "bushwhacking". I'm going to try to make it over there on Friday to pick up a trail and see if I can make out a discernable loop.

Thanks again, Al.

Holly Wooldridge

On Thu, Jan 11, 2024, 11:59 AM Al Raychard <alraychard@sacoriver.net> wrote:

Hi Holly,

Nice to hear from you. Didn't do much turkey hunting this fall. Concentrated on deer instead. But there's still plenty around.

Yes, Diane, my wife and I were both on the conservation committee. One of our projects was listing all town-owned property and making a recommendation to the selectmen which should be sold and those that should be retained as green space and future recreational purposes. As I recall we suggested the smaller ones be sold to get them on the tax books and keeping the larger tracts. Unfortunately, nothing came of it. The selectmen at the time just didn't seem willing to go the distance. Many of the parcels were taken over a period of years, due to lack of taxes I think, and there were questions of deeds and legal work. I think they didn't want to spend the money it might have taken to get everything legal so the parcels could be sold.

Concerning Bunganut Park, as you may know the town did a tree thinning there a few years ago and there are skidder trails where they hauled out tree, so trails are basically there. They just have to be better developed, which I believe could be done by volunteer, maybe getting any local Boy Scout troops involved if there are any.

One thing I personally would like to see is a public boat access. There are currently none, unless someone wants to carry a canoe or kayak in. We talked about it in the Conservation Committee once as I recall, but got resistance from the two campground owners. I think they, and probably home owners as well wanted to keep the pond private. There was also a concern about big power boats but regulations could be set in place to limit outboard engine size, It's done on other smaller ponds around the state. Anyways, the idea didn't go anywhere. Too bad. It's a beautiful lake with clean water and the state would probably stock it if there was a public boat access increasing recreational fishing use. The state doesn't stock unless there is access. The nice thing, it probably would cost the town anything. I'm sure there are grants through the state or feds for boat access.

Anyway, good to hear from you. Keep in touch.

Al

From: Holly Wooldridge [mailto:hwkwooldridge@gmail.com]

Sent: Thursday, January 11, 2024 10:59 AM

To: Al Raychard <alraychard@sacoriver.net>

Subject: Re: Lyman Turkeys

Hi there, Al.

I've joined the recently formed Bunganut Committee because I was interested in helping develop/restore trails on that property. Last week, the Town Manager sent us a pdf of the Town's Forestry Management Project, and I'm fascinated by this! I was unaware that Lyman ever had a Conservation Committee. I see your name on these documents. I'd love to chat with you about your experiences on the board and to get your thoughts about how maybe this Bunganut Committee could use this valuable work.

I've been researching grants that might pertain to our committee goals and I was very excited to see this plan as an example.

I also find this very interesting because I love to get out there and explore a lot of the town owned properties. I was excited to read that increased recreational use was a goal, as it increases public awareness of the environmental value of the land. This is really important to me.

Anyways, I hope you guys ended up getting your #2 turkeys & had a great fall.

I look forward to hearing any input you have!

Thank you,

Holly Wooldridge

On Fri, May 20, 2022, 10:42 AM Holly Wooldridge <hwkwooldridge@gmail.com> wrote:

Thank you, Al.

I will check it out on Sunday!

My son does usually have an opportunity to hunt mid-week before school.

I'm pretty familiar with the woods between the dump & Williams Rd., and also the large portion between S. Waterboro Rd all the way to Rt111.

I go all over!

I've been duped by a nice tom across the street from the snowmobile club a few times now. My son wants to start there tomorrow. Both my son, daughter, and my friend's son have had very close calls with a gang of really nice toms in Sid Emery. Those birds are very smart & suspicious at this point!

I was able to call in some jakes for my friend's son earlier this week on the town property by Bunganut & he was able to double up!

It's been a race trying to find birds accessible for the kids! I've never put on so many miles in a season! My kids are 11 & 9. I'm exhausted! We'll keep pushing though!

Please let me know if you end up with one tomorrow. I love it so much!

I poked around the snowmobile trail over off the Davis Rd this morning. Only one gobbler, but what a nice misty morning. Attached is my first white (painted?) trillium I think I've ever seen. Only inches from the side of the trail.

Thank you,

Holly

On Fri, May 20, 2022, 8:37 AM Al Raychard <alraychard@sacoriver.net> wrote:

Hi Holly,

Yes, we have turkeys all over this place. We've killed two so far, the first week, an 18-pounder and 21 pounder. Still looking for our second birds. We typically see them every day, or hear them. We hunt the property on weekends, including tomorrow but if you want to sneak in during the week feel free. We don't hunt during the week except during deer season. If you walk up the snowmobile trail a ways you'll come to a small clearing, almost like a small field. You'll notice I've roto-tilled it in the past for a small food plot. I've been noticing turkey tracks and scratchings there in the dirt. At the far end is a brush pile. Be a nice place to set up and call. If possible I'd take a walk in Sunday to get to know the sport. The turkeys often roost further back but I had a buddy call one in to that area. We've been seeing some nice toms here every day so they're around but they're getting smarter. I also think the hens are nesting so the toms are sticking close to them. Lately, we've been seeing and hearing them first thing in the morning and off and on later in the day. Good luck.

By the way. How far behind the salt shed do you go? Not sure if you're aware of it but there's an old tote road that goes back quite a ways. We always hear birds over there. The tote road comes to a "T." If you turn left it'll take you back out to the South Waterboro Road. Turn right it goes up a hill. At the top another road to the right eventually comes out on the Blueberry Hill Road. It's a hike but there's lots of woods and good hunting area in there and lots of birds.

Al

From: Holly Wooldridge [mailto:hwkwooldridge@gmail.com]

Sent: Friday, May 20, 2022 8:12 AM

To: alraychard@sacoriver.net

Subject: Lyman Turkeys

Hi Al,

My name is Holly and my family and I live on Oscar Littlefield Rd in Lyman. I got your email from the Northwoods Sporting Journal (love the articles).

I've been running all over town trying to get my kids some turkeys this season! We've seen some action but haven't been able to get one to close in. I often will start early morning locating at the sand shed next to the dump. The last few times I did (including this morning), they responded, but across the street on what sounds like over on your property, according to my OnX app.

Could we try over on your property if we access it from the snowmobile trail?

Any other tips you have would be appreciated!

Thank you,

Holly Wooldridge

20 Oscar Littlefield Rd

603-674-7945

Re: MTP Grant

From: Karen Kane (kjkane04@gmail.com)
To: jwagner1980@roadrunner.com
Cc: hollybspaulding@yahoo.com
Date: Wednesday, August 20, 2025 at 08:57 AM EDT

Good morning!

I'll reach out to Emily and Adam to see what would be good for them that week.

Keep me posted on the assembly gathering. If I can, I'm happy to help.

Karen

On Wed, Aug 20, 2025 at 6:05 AM <jwagner1980@roadrunner.com> wrote:

Ladies,

I am good for the week of 9/15 with, like Karen, the exception of Thursday.

The Select Board went with the Uline bid for hexagonal tables for Bunganut. Instead of 9, 16 were ordered. Date of receipt to be determined. Some assembly will be required. I was thinking of an assembly gathering after they arrive at Bunganut.

Best,

Joe

From: "Holly Spaulding"
To: kjkane04@gmail.com, jwagner1980@roadrunner.com
Cc:
Sent: Tuesday August 19 2025 10:31:01AM
Subject: Re: MTP Grant

Hello!

Excellent! I'm free evenings that week after 6pm & any time of day on Friday.

Holly

Yahoo Mail: Search, Organize, Conquer

On Tue, Aug 19, 2025 at 9:47 AM, Karen Kane

<kjkane04@gmail.com> wrote:

Hi!

Sorry I'm just responding to this. My trip is from 8/30-9/8. I could also use a trail refresher.

I also heard back from Emily about the grant, so we should probably schedule a meeting with her and Adam. I suggest the week of 9/15. Is there a day/time that works best for you? Thursdays are out for me, but otherwise, can make it work.

Holly, glad you're on board with our little committee. I'm hopeful that we can get a lot accomplished this way.

Karen

On Sat, Aug 16, 2025 at 3:38 PM <jwagner1980@roadrunner.com> wrote:

Holly,

Let me know whenever you'd like to check out the trails. The time frame you suggest, 6-7:30 PM is fine. As you suggest, it will be far cooler, and we will still have daylight.

Karen, my apologies, but I cannot recall when your upcoming trip begins and concludes.

Been in recent contact with Kevin and he will be unavailable for some time. He sustained injuries from a vehicle collision earlier this month. He is on the mend, but is, understandably, being cautious.

Best,

Joe

From: "Holly Spaulding"
To: kjkane04@gmail.com
Cc: "Joe Wagner"
Sent: Saturday August 16 2025 3:21:06PM
Subject: Re: MTP Grant

Hello!

Apologies for the late reply! I was away at the end of July & early Aug. I was up north with no service and it was AMAZING! I've taken my sweet time to get caught back up.

I love this idea so much. Thank you for putting this forward! I haven't been to the trail since June! I'm patiently (not really, lots of complaining from me) waiting for the heat to break. I took the kids on a short hike yesterday, thinking it would be slightly cooler. Nope. I fried.

I'm eager to get out there, see what things look like, & start in again. If we're still a go, I can let Missy know and see if she'd like to join too.

Time frame for getting started could be any time. My son has football practice every night from 6-7:30, so that time slot would be ideal, but I'm flexible! Once it cools off, I'll hopefully be over on the trails during that time slot as well.

Let me know what works for you.

Thank you!

Holly

Yahoo Mail: Search, Organize, Conquer

On Tue, Jul 29, 2025 at 10:22 AM, Karen Kane
<kjkane04@gmail.com> wrote:

Hello!

Joe and I were just catching up on the MTP grant and I was wondering if you'd be up for having an informal group (outside of P&R or Town Hall)

work together on developing a plan, in preparation for submitting in 2026.

It'll take some work, so what I propose is that the 3 of us meet somewhat regularly once summer is over and things quiet down. Joe suggested including Kevin V, as well. I do think we need to be cognizant of having 3 elected officials meeting, though. You may also want to include others, i.e., Missie.

Let us know your thoughts and if you're on board, what time frame would work best for you to get started. My dining room table is open for our meetings.

Karen

Re: Beach project

From: jwagner1980@roadrunner.com
To: kjkane04@gmail.com
Cc: hollybspaulding@yahoo.com; vegaskj@gmail.com
Date: Friday, October 3, 2025 at 06:13 AM EDT

Ladies,

I will call Dave and Kevin today for information on the beach project.

Best,
Joe

From: "Karen Kane"
To: jwagner1980@roadrunner.com
Cc: "Holly Spaulding", "vegaskj@gmail.com"
Sent: Thursday October 2 2025 5:54:11PM
Subject: Re: Beach project

Joe,

It would be interesting to get an update and I believe Dave would be the right person to ask, so okay with me.

Karen

On Thu, Oct 2, 2025 at 6:06 AM <jwagner1980@roadrunner.com> wrote:

Ladies

It would be interesting to see DEP's response to this inquiry from January of this year. My understanding from a recent conversation with Dave Alves is that DEP had no significant

objection to the proposal. The images in the Town's correspondence makes me think that Kevin was involved. Without objection, I'll contact Dave and Kevin for further information on the status of this inquiry to the DEP.

Best,

Joe

From: "Holly Spaulding"

To: "Karen Kane", "Joe Wagner"

Cc:

Sent: Wednesday October 1 2025 9:13:28PM

Subject: Beach project

This is available online on the Maine MELS Hub. This is what I assumed the 25k at Bunganut was for. I have no knowledge of whether it's been worked further, or not.
Holly

Yahoo Mail: [Search](#), [Organize](#), [Conquer](#)

From: [KerryJo S](#)
To: [Holly Spaulding](#)
Cc: [Joe Wagner](#); [Karen Kane](#)
Subject: Re: Bunganut Park - Forestry Management Plan

Good morning all:

Below are the questions we discussed that, once answered, may make it clearer for the path forward on trail clearing and grant research:

- What is the schedule for gates to be open (daily and seasonal if applicable)
- the budget approved at annual town meeting (\$25k), is that projected for anything for FY26, or for an as-needed" basis
- what is the remaining budget?

Accessible and clearly marked trails can benefit our community. I believe there may be potential to generate \$ for the town in future:

- tour trail walks via Massabesic adult ed
- companies who have health events can pay to use marked trails for their employees or fundraising events

Have a great day
KJ

On Oct 2, 2025, at 10:32 AM, Holly Spaulding <hollybspaulding@yahoo.com> wrote:

Sorry, to add any Davis Rd; I had heard that would be logged this year too. I took a drive out there over the summer and hadn't seen any logging activity. I'll take another look this week. I'm pretty familiar with that piece of town property. There was an old old remnant of some sort of trail/road that just sort of fizzles out, starting behind the pit, and another larger "road" that cuts across it from the "Perry Gannon" property and the field at the end of Lord's Ln.

You can see on the topo map that it's fairly flat, compared to Bunganut. Town owned is the shaded rectangle.

<Screenshot_20251002_102212_onX Hunt.jpg>

Holly

[Yahoo Mail: Search, Organize, Conquer](#)

On Thu, Oct 2, 2025 at 6:42 AM, jwagner1980@roadrunner.com <jwagner1980@roadrunner.com> wrote:

Holly,

Thanks for forwarding this information on Project Canopy.

Might it be helpful to contact Calen Colby [I think he lives in Cape Elizabeth now] and Al Raychard for additional information on this project? Maybe some of the volunteers as well [I noticed some familiar names]?

Mention of Davis Road got my attention. The town, through Jones Associates and Beaulieu Logging, has harvested timber there recently, Might that open up an area for a trail?

The diagram of a cleared path on page 36 is a particularly interesting guide.

Best,
Joe

From: "Holly Spaulding"
To: "Karen Kane", "Joe Wagner"
Cc:
Sent: Wednesday October 1 2025 9:36:49PM
Subject: Fw: Bunganut Park - Forestry Management Plan

Project Canopy grant put together by the Lyman Conservation Committee in 2006 attached. I found this so interesting. Looks like there was a lot of time spent clearing trails as part of one of the goals to increase recreational usage of the town forests, but I don't think it states exactly where. There are some pictures (which include blue blazes), but nothing looks

familiar to me. It might be Dennis Hamman in the pictures. I can ask him. The last logging that took place at Bunganut was well after this, and the trails didn't fair well.
We'd probably want to go over this pretty good if we ever wanted to consider Project Canopy again and verify what happened to these projects.
Holly

[Yahoo Mail: Search, Organize, Conquer](#)

----- Forwarded Message -----

From: "Town Manager" <townmanager@lyman-me.gov>

To: "Michelle Feliccitti" <mfeliccitti@gmail.com>, "emily.m.bauer@outlook.com" <emily.m.bauer@outlook.com>, "Karen Kane" <kjkane04@gmail.com>, "Kevin Veilleux" <kevinv1973@gmail.com>, "Holly Hart" <hhart927@yahoo.com>, "hollybspaulding@yahoo.com" <hollybspaulding@yahoo.com>, "Liz Mitchell" <lymitchell88@gmail.com>, "Ralph Blackington" <RalphB@lyman-me.gov>, "Thomas Hatch" <thomash@lyman-me.gov>

Cc:

Sent: Thu, Dec 28, 2023 at 2:51 PM

Subject: Bunganut Park - Forestry Management Plan

Hello,

Here is a forestry management plan done back in 2006. It does offer a little bit of insight into Bunganut Parks site evaluation. I thought it may be useful or interesting for the Committee.

Best regards,

Lindsay Gagne

Town Manager / Town Clerk

FOAA officer

11 So. Waterboro Rd Lyman, ME 04002

207-247-0642

207-499-7562

townmanager@lyman-me.gov

lyman-me.gov

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return e-mail. Thank you for your cooperation.

<Screenshot_20251002_102212_onX Hunt.jpg>

From: jwagner1980@roadrunner.com
To: "Holly Spaulding"
Cc: "Karen Kane"; "vegaskj@gmail.com"
Subject: RE: Fw: Bunganut Park - Forestry Management Plan
Date: Saturday, October 4, 2025 5:57:44 AM

Holly,

Good! As I recall there is a clearing at the entrance off Davis that might serve as a parking area.

Best,
Joe

From: "Holly Spaulding"
To: jwagner1980@roadrunner.com
Cc: "Karen Kane", "vegaskj@gmail.com"
Sent: Friday October 3 2025 1:05:11PM
Subject: RE: Fw: Bunganut Park - Forestry Management Plan

Joe,
I'm out at the Davis Rd lot now and it's been logged for sure. According to the sign posted, it looks like they wrapped in late June. I walked the perimeter and skidder roads criss crossing it. It's got really nice potential for trails.
Holly

[Yahoo Mail: Search, Organize, Conquer](#)

On Fri, Oct 3, 2025 at 6:21 AM, jwagner1980@roadrunner.com <jwagner1980@roadrunner.com> wrote:

Holly,

Thanks for the follow up and the map on Davis Road. First off, that looks like a rather sizeable amount of land.

About two or three months ago at a meeting of the Lyman Historical Society, a couple of members who live on Davis Road asked me about the logging going on there. I did not know that it had begun. Right after the meeting I drove down there and found that logging had been done [stacks of timber, heavy equipment]. I cruise by again soon and inquire about the status.

Best,
Joe

From: "Holly Spaulding"
To: jwagner1980@roadrunner.com
Cc: "Karen Kane", "vegaskj@gmail.com"
Sent: Thursday October 2 2025 10:32:54AM
Subject: RE: Fw: Bunganut Park - Forestry Management Plan

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From: "Town Manager" <townmanager@lyman-me.gov>
To: "Michelle Felicitti" <mfelicitti@gmail.com>, "emily.m.bauer@outlook.com" <emily.m.bauer@outlook.com>, "Karen Kane" <kjkane04@gmail.com>, "Kevin Veilleux" <kevinv1973@gmail.com>, "Holly Hart" <hhart927@yahoo.com>, "hollybspaulding@yahoo.com" <hollybspaulding@yahoo.com>, "Liz Mitchell" <lvmitchell88@gmail.com>, "Ralph Blackington" <RalphB@lyman-me.gov>, "Thomas Hatch" <thomash@lyman-me.gov>
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**Town Manager / Town
Clerk**

FOAA officer

11 So. Waterboro Rd Lyman, ME 04002

207-247-0642

207-499-7562

townmanager@lyman-me.gov

lyman-me.gov

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Best,
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Karen

On Thu, Oct 2, 2025 at 6:06 AM <jwagner1980@roadrunner.com> wrote:

Ladies

It would be interesting to see DEP's response to this inquiry from January of this year. My understanding from a recent conversation with Dave Alves is that DEP had no significant objection to the proposal. The images in the Town's correspondence makes me think that Kevin was involved. Without objection, I'll contact Dave and Kevin for further information on the status of this inquiry to the DEP.

Best,
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Holly

[Yahoo Mail: Search, Organize, Conquer](#)

KerryJo Sampson, My Response to Complaint Received on 11/14/25

Procedural Concerns

Before addressing the substance of the complaint:

Town Legal Representation: On November 13th, I requested to the Town Manager and Board via email for the town attorney to be present at this meeting to provide insight and clarification on interpretation of the Charter and supporting policies. That request was not fulfilled, and I do not know why. No response was received.

Timeline

October 7, 2024: At a regularly scheduled Select Board meeting, Joe Wagner presented information about a grant opportunity with a deadline eight days away and requested Board input. The Town Manager stated: "*if you are applying for a grant, I don't think it's an issue just to apply for a grant because even if we get approved, maybe a project the board doesn't want to move forward with, you can always not use the money.*" Following discussion, Select Board member David Alves made the following motion: "*allow Joseph Wagner and Karen Kane to go after grants without coming back to us every single time they want to go out for a grant*" (from transcripts, YouTube video of Select Board Meeting 10/7/24). The motion passed 4-0-0. This authorization was in place nearly one year before the events described in this complaint.

September 20, 2025: J. Wagner contacted me via email about walking the Sid Emery Trail to explore ideas on how similar improvements may apply to Bunganut trails. I agreed to participate in this discussion.

September 22, 2025: Four individuals walked the Sid Emery Trail:

- KerryJo Sampson (Select Board member)
- Joseph Wagner (Select Board member)
- Karen Kane (Budget Committee member)
- Holly Woolridge (Parks & Recreation Committee member)

We examined the trail conditions, trail markings, and accessibility. We returned to our cars and, since it was dark, decided to get together at another time to discuss our observations.

October 1, 2025: The same four individuals met at K. Kane's residence to discuss observations from the trail walk. The discussion was exploratory and included my input on several considerations:

- What kind of trails might people want to use (beginner versus advanced), which led to discussion of a new beginner-friendly trail soon opening in Sanford. Perhaps finding out what their trail was like and how they went about renovating it might shed light on a potential process for future Bunganut trail improvements.
- Grant reimbursement structures: I had heard that some grants are "reimbursed," meaning the town pays for work upfront and the grant reimburses the town once complete. If any grants operate this way, it would be helpful to know what the current budget for Bunganut is—what is the point of applying for a grant if it exceeds the town's budget capacity?
- Gate access: There had been several times I've gone to Bunganut to find locked gates. Understanding the schedule for gate opening/closing (daily or seasonal) could affect which trails are practical for consideration for renovation.
- Future sustainability: It's beneficial if grants can restore trails, but what about ongoing upkeep? What are the potentials for trails to be self-sustaining? For example, Massabesic adult classes sometimes offers fee-based assisted walking classes—perhaps something to consider in the future.

No decisions were made. No votes were taken. No commitments were made on behalf of the town. I emailed my thoughts to the other participants after this gathering.

October 10, 2025: I received a FOAA request for all town and personal emails regarding Bunganut and Bunganut Trails dated August 1 - October 1. The other 3 members present at our trail walk and discussion were also requested for emails, as listed in the same FOAA. I fulfilled this request and provided the requested emails on October 14th.

October 15, 2025: I submitted a FOAA for the FOAA I had just responded to. Initiator was SB member Amber Swett, FOAA dated October 7, 2025.

October 20, 2025: A town resident (same as person who filed this complaint – Michelle Felicitti) made a statement during the public input portion of the SB meeting. Resident stated (condensed) that two SB members were in violation of the Charter and should forfeit their board seats.

October 27, 2025: Complainant (Michelle Felicitti) wrote the complaint (based on the date written on the complaint). I do not know when it was submitted to the Town Manager.

November 13, 2025: Seventeen (17) days later, I was notified that the complaint had been filed and was placed on the agenda for the SB Meeting scheduled for November 17th under Executive Session.

November 14, 2025: I received access to the written complaint for the first time (printed copy). I note that I was given 3 days between receiving the complaint and preparing a rebuttal response—a timeline I consider inadequate for a matter of this significance.

Composition of Attendees

I note that Holly Woolridge's presence is not mentioned in the complaint's "evidence" section, though she participated in both the September trail walk and the October gathering and is noted in emails. The complaint provides a timeline but omits Holly's name entirely. I am not in any way stating Holly or any of us named in this complaint did anything wrong. However, it is unclear why she was excluded from the complaint's account of events labeled as "evidence" and already made these statements inaccurate.

No FOAA Violation Occurred

- Maine's Freedom of Access Act requires public notice for "public proceedings." Under 1 MRS §406 and 1 MRS §402, a "public proceeding" requiring notice is "any meeting of a body or agency consisting of 3 or more persons," and in which (MMA Manual May 2024, pg 114, Notice Requirements) where the phrase "3 or more persons" refers to the formal membership of the body or agency, not to the number of board members actually attending a particular meeting."
- 1 MRS §403 6: Advisory bodies exempt from record requirements. Subsection 2 (Record of public proceedings) does not apply to advisory bodies that make recommendations but have no decision-making authority.

The gatherings on September 22nd and October 1st do not meet the legal definition of a "public proceeding" requiring notice:

1. No Quorum Present: Neither the Select Board (2 of 5 members), nor the Budget Committee (1 of 6 members), nor the Parks & Recs Committee (1 of 4 members) had a quorum present. No body or agency was meeting as an official entity.
2. No Official Meeting Called: The complaint labeled our gatherings as a special board meeting, which per Town Charter 2.2.8 is called by the board or a petition of voters.
3. No Joint Meeting: The complaint suggests a "joint meeting" occurred. However, for a gathering to constitute an official joint meeting of multiple bodies, quorums from each participating body would need to be present. No such quorums existed: the Select Board had only 2 of 5 members, the Budget Committee had only 1 of 6 members, and the Parks & Recreation Committee had only 1 member present.
4. No Decisions Made: These were informal discussions. No votes were taken, no policies set, no commitments made on behalf of the town, and no official actions taken.
5. Maine FOAA guidance and legal interpretations recognize that not all gatherings of public officials constitute "public proceedings" requiring notice. The document "Maine's Freedom of Access Act and the Conduct of the Business of the Legislature" (*prepared for the Right to Know Advisory Committee by the Office of Policy and Legal Analysis and the Office of the Attorney General, December 2020*) explicitly states: "informal meetings of the members of a committee are not public proceedings when members are not designated by the committee to conduct business...". While this guidance addresses legislative committees, the principle applies broadly: informal gatherings where members are not designated to conduct official business do not constitute public proceedings. The Maine FOAA FAQ further clarifies: "*The law does not prohibit communications outside of public proceedings between members of a public body unless those communications are used to defeat the purposes of the FOAA.*"

Select Board Prior Authorization and Grant Policy

As mentioned previously, the Select Board had authorized the grant exploration activity nearly one year before the gatherings in question (October 7, 2024).

In February 2025, the Town adopted a Grant Policy. The policy's stated purpose is "*to establish a clear and structured process for identifying, applying for, and managing grants and funding opportunities.*" A key provision includes:

- The policy states, "*Before submitting a grant application, committees or volunteers must present a proposal to the Town Manager*" (and the requirements for that presentation are detailed in the policy). It further states "*if the project involves permitting, detailed information regarding the necessary permits*

*must be provided. It is the **responsibility** of the committee or volunteer(s) to gather all relevant information necessary for the grant submission unless otherwise assigned by the Town Manager."*

Whether this February 2025 policy supersedes, modifies, or coexists with the October 2024 Board authorization is not directly relevant to this complaint because no grant applications were written or submitted. Even under the Grant Policy, the initial stages—"identifying" grant opportunities and gathering preliminary information—are contemplated and appropriate.

Response to Specific Allegations

1. "Ad Hoc Committee Formed": No committee was formed. Committees must be appointed by the Select Board per the charter. No such appointment occurred. These were informal discussions among volunteers interested in potential town improvements.
2. "Administrative Decisions Made Without Notice": No administrative decisions were made nor any taskings given.
3. "Violated Charter Section 3.9": Charter Section 3.9 defines special board meetings as those "*called by the chair or by at least 3 members of the board.*" No such call or vote was made. These were not Select Board meetings, special or otherwise.
4. "Breached Transparency and Public Participation": The Select Board had already authorized grant exploration at a properly noticed public meeting on October 7, 2024, and reference to Grant Policy referenced above.
5. "Acting in Official Capacity": We were acting as community members exploring ways to benefit the town. However, I want to point out the complaint's statement asserting that the Parks and Recs Committee's scope excludes trails and that "*its mission is limited to promotion recreational programming and events, not the management maintenance or development of trails, and that the committee serves an advisory and programming function only.*" This assertion is based on incomplete information and misrepresents the Committee's full mission statement.
 - The Parks and Recreation official mission statement includes the following provisions: "*The Parks & Recreation Committee shall assist the Town of Lyman in developing, promoting, and supporting recreational programming and events that serve residents of all ages and abilities.*" "*In addition to program development, the Committee also makes thoughtful recommendations for park enhancements, ensuring that public spaces remain safe, welcoming, and supportive of a wide range of recreational activities.*"
 - The mission statement further emphasizes that Parks & Recs "*works with professionals and organizations to promote public education on topics such as outdoor recreation, environmental stewardship, and healthy living*" and "*conducts workshops, surveys, and outreach events to gather input and better understand the recreational needs and interests of residents.*"
 - The complaint's characterization excludes critical language from the mission statement, specifically the Committee's role in making "*recommendations for park enhancements*" and ensuring public spaces are "*supportive of a wide range of recreational activities.*" Trails are recreational facilities, and exploring their potential improvement falls squarely within the Committee's mission to enhance parks and recreational opportunities.
 - Even though the September and October discussions were not committee meetings, Holly, as a Parks and Recs member, was entitled to research ideas and gather information to potentially discuss with her committee for their consideration. This type of preparatory work by individual committee members supports the committee's advisory function and does not constitute official committee business requiring public notice.
6. "Decision-Making Outside Public View": Research is not decision-making. For example, when I recently brought ideas to the board about a food and clothing drive, I had researched this idea before discussing it with the board. I read about other towns that hold similar events, looked up local food pantries, and businesses to potentially request donations. Basic research was done before bringing it to the board. It was done outside public view. Will these efforts also be subject to future allegations of wrongdoing?

Questions About the Complaint Process

I note several concerns about how this complaint was developed and filed:

- Source of Complaint: As mentioned previously, Select Board member Swett FOAA'd the emails, but did not file the complaint. Instead, another elected official (Michelle Felicitti) filed this complaint. At no time did any Board member raise concerns with me directly or request amplifying information. As outlined in the SB

Code of Conduct "*Board members should point out to the offending SB member infractions of the code of conduct.*"

- Coordination Between Officials: Of note, the emails provided in response to the FOAA request are the same emails included in this complaint. While the complainant had a legal right to access public records once released, the sequence of events warrants scrutiny. Select Board member Swett requested the emails through FOAA but did not file a complaint or raise concerns through the Code of Conduct's process. Instead, Budget Committee member Felicitti—who serves on a different elected body—filed the complaint based on those same emails. This coordination between officials from separate boards itself circumvents established procedures. The complaint alleges that we conducted business outside proper channels, yet the complaint itself was developed and filed outside the internal review process contemplated by the Code of Conduct. At no time did any Select Board member raise concerns with me directly or bring the matter to the Board for discussion as our established procedures require.
- Selective Presentation of Evidence: The complaint relies on email excerpts as "evidence" while omitting other relevant communications that provide important context. Specifically, J. Wagner's email dated September 24 states: "I'd say continuing as an informal conversational group is the way to go for now. We are making no commitments nor formal grand plans on the town's behalf. We are merely exploring possibilities." This email directly contradicts the complaint's assertion that we were conducting official business or making decisions on behalf of the town. The selective presentation of evidence, combined with the omission of Holly Woolridge's participation and the failure to seek clarifying information before filing, raises concerns about whether this complaint reflects an objective assessment of the facts.

Closing Response to Allegations

The complaint "recommends that the Select Board *'initiate an ethics review, and issue formal censure'*"—the complainant is prescribing both the process AND the judgement and sentencing before any review has even occurred.

I respectfully but firmly disagree with these conclusions, which are not supported by the facts. The complaint concludes with serious allegations: "*The emails demonstrate a consistent pattern of decision-making outside public view, unauthorized committee activity, and interference in administrative functions. These actions violated the town charter and undermined the integrity of transparent governance.*"

- On the allegation of "unauthorized committee activity": No committee was formed. The charter requires that committees be appointed by the Select Board. No such appointment occurred. These were informal discussions.
- On the allegation of "interference in administrative functions": The exploratory discussions about potential grants did not encroach upon administrative functions, did not task or assign tasks to any staff, or direct operations of any kind.
- On the severity of the recommended sanctions: The complaint recommends ethics review and formal censure. The Charter contemplates serious consequences for intentional violations of its provisions. I did not violate the Charter, intentionally or otherwise. The gatherings did not constitute official meetings under FOAA (no quorum, no decisions), did not create unauthorized committees (no appointment by the Board), did not interfere with administrative functions, and involved no actions that circumvented proper procedures or public participation.

I support transparency in government. I support FOAA and public participation. I support citizens questioning their elected officials. However, this complaint is based on incomplete information, mischaracterizes the nature of informal community discussions, and applies an incorrect legal standard to resident engagement in exploring ways to benefit our community.

Closing Statement

I have served on the Select Board for just a short time, but have done so with integrity and with the town's best interests as my priority. My work includes creation of our town's newsletter, meetings with the treasurer to better understand budget and expense reporting so I can more informatively vote on warrant articles, and bringing forward ideas such as the food drive and community seminars. All done on my personal time.

In small communities like Lyman, residents—including elected officials and committee members because we are residents—often contribute their personal time to community improvement efforts. This type of civic engagement reflects a commitment to community and should be encouraged, not discouraged. I believe the gatherings in question fall within this same category of individuals investing their time to explore ways to

improve our town. I continue to believe that residents working together to explore ways to improve our community is not only appropriate but essential.

The gatherings in question violated no law, no charter provision, and no Code of Conduct. They were exactly what they appeared to be: individuals interested in exploring whether grant opportunities existed to improve our town's trails as allowed by board vote and within policy guidelines. I acted properly, transparently, and in the best interests of Lyman's residents.

I respectfully request that this complaint be dismissed.

TOWN OF LYMAN

11 South Waterboro Rd Lyman, ME 04002
Tel: (207)-499-7562 Fax: (207)-499-7563

Request for information

*All requests for information should be in writing, either on this form or other suitable, legible written format.

To view Freedom of Access Law, go to: www.maine.gov/foaa

All requests should be sent to the attention of FOAA Officer.

Date: 10/7/2025

Request made by: Amber Swett Phone: 207-205-6850

Address: 31 Red Brook Drive Town/City/State Lyman, ME

Please detail the public record you are seeking:

I would like any and all emails from Parks and Rec member Holly Wooldridge, Budget Committee member Karen Kane, Selectboard members KerryJo Sampson and Joe Wagner pertaining to Bunganut Park and Bunganut Park Trails. I would like any and all emails from official town email addresses as well as their personal email(s) addresses. I would also like to request any and all text messages between the above named people for the time period of August 1, 2025 through October 8, 2025, regarding the same subject matter.

How can the Town office contact you with our response?

Please email me all responses to amberswett@gmail.com

Signature: Amber M. Swett

Received by (name of employee): Lindsay Gagne Time: 9:00am

Date Received: 10/8/2025 Date of Reply: 10/14/2025

Items Given:

Discussion on 10/8/25 to remove the request for text messages and continue with the request for emails as written above. Items provided on 10/14/2025 include emails from Town emails: Josephw@lyman-me.gov ; Kerryjos@lyman-me.gov ; Parksandrec@lyman-me.gov, and emails from KerryJo Sampson personal email. Currently waiting on Holly Wooldridge. Karen Kane and Joseph Wagner have not provided anything and I'm still waiting for a response from them.

Signature of recipient receiving information: Lindsay Gagne Date: 10/14/2025

Costs of photocopying: \$0.10 per page

Research Fees: The first 2 hours are free / \$25.00 per additional hour(s)

We will notify you in writing if the cost exceeds \$30.00. Fees in excess of \$100.00 will require payment in advanced

Payment received: n/a

*We request you put your request in writing for clarification purposes only. It is not required by law to do so, nor are you required to give your name and address. You may have a copy of this request at no cost.

Karen Kane's Rebuttal to Complaint filed by Michelle Felicitti on 10/27/25, submitted on 11/21/25 to the Lyman Town Manager and copied to parties involved

- 1) On October 7, 2024, the Selectboard authorized Joe Wagner and I to "go for grants without having to come back to us (the Selectboard) each time". *YouTube recording at 1:03:32 <https://www.youtube.com/watch?v=3N1I5upPOZo>* This is what we were in the process of doing. All activities and requested correspondence related to the Bunganut Trails were directly related to pursuing the feasibility of a grant.

- 2) The Maine Trails Program ("MTP") Grant was identified as a possible way to get funds to establish or re-establish trails at Bunganut Park and perhaps tie into the Sid Emery trails. Joe, Holly, Missy (Sid Emery) and I met with Adam Fisher from MTP, and the purpose of that meeting was to understand the parameters of the grant and determine how feasible it would be to pursue. In preparation for this meeting, I asked Holly to bring a map that was developed when we were on the Bunganut Committee, so that we could orient Adam to the property.
 - a) To make a recommendation to the town to go for a grant requires legwork to determine if it's worthwhile. This is the same process we followed for the three other grants that Joe and I submitted on behalf of the town. This particular grant is much larger and more complex with respect to the terms and requirements, so there was a lot to explore.
 - b) On September 19, 2025, the Town Manager and Facilities Director were made aware that we were meeting to discuss the MTP grant. In fact, the Facilities Director was invited to join us. At that time, either, or both of them, could have advised that they had a concern with what we were doing. Neither of them expressed any concerns.

- 3) My understanding of when a public meeting and public notification is required is when three or more members of the same committee/board meet. I asked the State Ombudsman to clarify this. She indicated that the statute is very vague and is often interpreted in different ways. So, until this is defined and included in our Town Charter, it is left to interpretation and no violation can be considered at this time.

- 4) Whenever we met, it was to gather information related to understanding the grant requirements and to determine if pursuing the grant was feasible. These were not, as alleged:
 - a) decision-making meetings

- b) no committee was formed (“planning” to form a committee is not the same as having a committee – there never was a committee formed)
 - c) grant and facilities plans were not developed
 - d) there was no usurpation of Town Manager or Department authority
 - e) there were no trail design choices made (moving the gate was simply an idea)
 - f) there were no planning project phases determined
 - g) there was no preparation or creation of technical materials, and
 - h) there was no delegation of tasks or definition of roles
- 5) There were a few questions that came up during the course of our discussions that would have been helpful to have answered by the Selectboard. According to the Bunganut Committee Project Statement, “Upon disestablishment, responsibility will carry over to the Parks and Recreation Committee”; therefore, this was the appropriate channel to pursue answers. Again, these were not plans, designs or decisions.
- i) One question was related to when the gates would be open so we would know if the scope of the grant would include year-round or seasonal park use.
 - ii) The other two questions related to budget because this grant requires the payment of project costs as they’re incurred, prior to reimbursement. Understanding if existing funds were available would’ve been helpful. There are other ways to obtain upfront money, as well, and they were also being explored.
- 6) I want to share a very similar project. In January of this year, a group of us worked to pull together a DEP grant for the Waste Diversion Project. Leading up to the grant submission, we needed to determine if it was feasible.
- a) On 1/23/25, Amber Swett scheduled an “informal” meeting, held at the Town Hall, to discuss the project. This included Amber, myself, Randy from the Transfer Station, Jonathan Tibbetts and I believe, the Town Manager was present, as well.
 - b) On 1/28/25, Amber Swett asked me to meet her at the library so we could work on an implementation plan and suggested if Joe was available that he could come, too. The three of us met that day.
 - c) So, I ask, how is this any different? If it is determined that there were violations of charter and statute and there are grounds for forfeiture under this complaint, then the same would apply to Amber Swett for her actions described herein. I, however, do not believe that there are violations in either case.
- 7) The town had four highly motivated individuals seeking to find a way to fund a project that was requested by town residents in the Age-Friendly Survey. We were willing to donate our time and energy to delve into the requirements of a very complex grant application. Given

the negativity and mean-spiritedness that seems to have taken hold here, all that's been accomplished is turning people away from wanting to work with the town. This is all very sad for the town and for the people of Lyman.

- 8) Lastly, to give the complainant the benefit of the doubt:
 - a) I can understand that if one was not aware, or forgot, that Joe and I were given Selectboard approval to go for grants on behalf of the town, they might think that what we were doing was wrong.
 - b) If one was not aware that the Town Manager and the Director of Facilities was informed of what we were doing, I can see how they might think we were doing something wrong.
 - c) If one was under the impression that a meeting of 3 town officials, not necessarily of the same committee/board, required a public meeting and notification, I can see why they may think we were doing something wrong.
 - d) And, if one wasn't present for all of the conversations and was only teasing bits and pieces out of emails, I can understand why they wouldn't have the full story.
 - e) However, now that the facts and full disclosure have been made, it should be clear to all that the allegations made by Michelle Felicitti are unfounded and as such, I move to have this complaint dismissed in its entirety.

Thank you,
Karen Kane

Response to Allegations of Charter violations:

This response addresses and corrects several misunderstandings underlying the allegations of Charter or FOAA violations. As outlined below, all grant-related activity was expressly authorized by the Select Board, conducted transparently, and limited to informal, exploratory conversations that did not constitute “public proceedings/meetings” under Maine law. Further, the Town Manager was informed of these activities and reviewed and approved all grant submittals.

At the October 7, 2024 Lyman Select Board meeting, after a presentation on the AARP Age-Friendly Community program, David Alves moved to allow Karen Kane and myself to pursue grants without needing to meet with the Board. Jessica Picard seconded the motion; The motion was approved by a vote of 4 to 0 [one Select Board member was absent].

Subsequently Karen and I prepared grant applications for funding through the LifeLong Maine program and the AARP Challenge grant program. These applications were reviewed by the Town Manager prior to submission. Through the LifeLong Maine program, the Town received approximately thirteen thousand dollars for ramps to improve accessibility to the water at the town park at Bunganut and approximately twenty thousand dollars for 16 new ADA compliant picnic tables for the park.

In the summer of 2025, Karen and I then initiated inquiries into the Maine Trails grant program. The goal was to build on recent reclamation work that had been done by an Eagle Scout candidate on the trails at the town park at Bunganut. Given her knowledge of the trails, Holly Wooldrige of the Parks and Rec Committee and of the ad hoc Bunganut Committee was asked to participate in informal conversations about this endeavor. Holly had previously contacted Emily Brown of the Maine State Trails Program. Karen reinitiated contact with Ms. Brown.

On Friday, September 19, Holly, Karen, and I got together at Bunganut with Adam Fisher of the Maine State Trails program and Missy Brandt of the York County Soil and Water Conservation program which owns the Sid Emery trail that is adjacent to the town's property at Bunganut. The Town Manager and the Director of Buildings and Facilities were verbally informed in advance of this get together. A walk of the Bunganut trails was taken and the group discussed the upcoming round of Maine State Trails grants.

On Monday, September 22, KJ Sampson, Select Board liaison to the Parks and Rec Committee, joined Holly, Karen and I on a walk of the Sid Emery trail for the purpose of seeing how the Bunganut trails may be similarly improved.

On Wednesday October 1, KJ, Holly, Karen and I got together at Karen's home to exchange ideas on trail improvements that would be presented at the next Parks and Rec meeting that was held on October 8. Those ideas were discussed at that meeting which was broadcast and recorded on YouTube.

On Friday October 10, KJ, Holly, Karen and I received from the Town Manager a Freedom of Access Act, FOAA, request for any and all emails from our personal email addresses related to Bunganut Park and Bunganut Trails for the period of August 1 through October 8. I submitted a hard copy of those emails on Thursday, October 23.

The Select Board had approved our work on grants at a public meeting, so the fact that we were doing this work was a matter of public record—this was NOT any kind of secret or nefarious activity.

There needs to be a definitive interpretation of what constitutes a meeting that requires prior public notification. It is absurd that informal conversations between a few members of different committees during which no formal decisions or commitments made for the town would somehow constitute an official meeting

under State law. 1 MRS Chapter 13, Subchapter 1 section 406 reads “public notice shall be given for all public meetings as defined in section 402 if these proceedings are a meeting of a body or agency consisting of three or more persons.” The words body and agency indicate members of the same government entity. In Section 402, public meetings, part G: “Any board, commission, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision” seems to be the only definition that could be considered for the situation at hand. This definition which refers to formal governmental bodies, would not apply to the gatherings of volunteers engaged in informal exploratory conversations seeking information on the prospective application for a grant.

I ask that Town Counsel be consulted for guidance in the interpretation of this section of State law.

Response to specific allegations:

- Meetings without public notice

No committee was formed. On October 7 2024, the Select Board authorized Karen and myself to pursue grant opportunities for the benefit of the town. We did so with the involvement of the Town Manager. To do so we engaged in informal conversations to obtain information and draft grant applications which the Town Manager reviewed, revised and approved before submission. This process was followed when the town applied for a solid waste diversion grant through the State Department of Environmental Protection. On the afternoon of January 28, 2025 Karen Kane, Select Board member Amber Swett and I met at the Community Library to discuss applying for this grant. No objection to this gathering of volunteers has been made.

Note that the Lyman grant policy adopted on February 18, 2025 makes reference to “volunteers”.

- Formation of an unauthorized committee

Again, no committee was formed. A few volunteers engaged in informal exploratory discussions does not constitute a “committee”.

- Usurpation of Town Manager and Departmental Authority

The Town Manager had been verbally informed of the September 19 get together at Bunganut to obtain information on the Maine Trails Program. The Director of Facilities and Buildings was twice invited to attend.

- Exclusion of citizen in decision making

No decisions on behalf of the town were made by the volunteers involved in the exploration of the trails grant program. Obtaining information was the only activity in which the volunteers were involved.

Joe Wagner