The Board of Selectmen will hold a Meeting on Wednesday, August 13th, 2014
At the Island Hall beginning at 6:30pm, following executive sessions at 5:30pm

First Order of Business: Call meeting to order

Second Order of Business: Executive Session 60 minutes (regular meeting to start at 6:30)
To Have the Selectmen hold an Executive Session to discuss a court matter regarding Code Enforcement
Proceedings brought under MRSA 30-A § 4452(1)(c) pursuant to 1 MRSA, Section 405, subsection 6(H)
To Have the Selectmen hold an Executive Session to discuss personnel and legal matters pursuant to 1 MRSA,
Section 405, subsection 6(A)

Third Order of Business: Town Administrator & Treasurer’s Reports 10 minutes

Fourth Order of Business: Public Comment 10 minutes

Fifth Order of Business: Committee Reports 10 minutes

Sixth Order of Business: Regular Business 100 minutes

To Have the Board of Selectmen:

15-010: Review and approve prior meeting minutes
15-011: Set the date and time of a Special Town Meeting and Referendum
15-012: Review a draft warrant article for the construction of a radio communication tower
15-013: Make the following committee appointments:
   i. Board of Adjustment and Appeals: One, three year term expiring in 2017
   ii. Coastal Waters Commission: One, three year term expiring in 2017, and one, two year term expiring in 2016
   iii. Shellfish Conservation Committee: One, three year term expiring in 2017
   iv. Cemetery Committee: Three, three year terms expiring in 2017, and one, two year term expiring in 2016
   v. Road Plan Committee: One, three year term expiring in 2017, one, two year term expiring in 2016, and
      one, one year term expiring in 2015
   vi. Capital Planning and Finance Committee: One, three year term expiring in 2017
   vii. Planning Board: Two, three year terms expiring in 2017, and one, one year term expiring in 2015
   viii. Zoning and Comprehensive Plan Review Committee: Multiple one-year terms (9-11)
15-014: Make or approve the following municipal appointments:
   i. Approve recommendations for a Deputy Clerk, Deputy Tax Collector, and Deputy Treasurer (annual)
   ii. Appoint an alternate CEO
   iii. Appoint a selectman to represent the Town with the Maine Island Coalition
15-015: Consider a guiding document for the Zoning and Comprehensive Plan Review Committee
15-016: Consider a guiding document for a Solid Waste and Recycling Committee
15-017: Consider a proposal from All States Asphalt for paving of the John Small Road
15-018: Consider amending the ICMA Retirement plan to allow employees to leverage their savings for loans
15-019: Consider any carry forwards from FY14 to FY15 as recommended by the Treasurer
15-020: Complete a Maine Municipal Association Voting Ballot
15-021: Set a date to discuss the mill rate, overlay, revaluation process, and other items with the Assessor
15-022: Set a date to review the Town Administrator’s employment contract
15-023: Review potential agenda items for future meetings

Eighth Order of Business: Communications 5 minutes

Ninth Order of Business: Approval of Expense Warrant(s) 5 minutes

Tenth Order of Business: Other Business 5 minutes

Eleventh Order of Business: Adjourn Meeting
The Board of Selectmen held a public hearing / workshop and meeting
Wednesday, August 6, 2014 at the Parish House beginning at 6:00 p.m.

Public Hearing / Workshop:

Call to Order: Mark Dyer called the meeting to order at 6:08 p.m.

Selectmen present: David Hill, Susan Campbell, Bill Calthorpe, Donna Damon
and Mark Dyer

Also present: Eric Dyer, Gloria Brown, Ralph and Kim Munroe, Lisa Israel, Mark
Minkler, John Wilson, Phil Jordan, Herb Maine, Claire Ross, Eldon Mayer

Fire and Rescue Chief Ralph Munroe presented the department’s Issues and
Proposed Solutions document (see packet).

Discussion included
• A low cost solution via fiber optics and installation of another alarm system
• Siting a tower on the public safety building property
• Tower with guide wires vs. freestanding monopole
• Possibility of sending signal from Portland Back Bay directly to Indian Point
  instead of by way of Long Island
• Is this how dispatch is done nationwide? Is there emerging technology which
  would supersede this technology?
• Expecting to receive the bid for construction from the tower company via
  RCM tomorrow.
• Board will meet again to discuss the proposal.
• Request Town Administrator to research feasibility with Maine bond bank and
  impact on mil rate

Board of Selectmen meeting:

First Order of Business: Mark Dyer called the meeting to order at 7:07 p.m.

Second Order of Business: Regular Business
To have the Board of Selectmen:
  15-009: Consider any action related to the preceding Public Hearing and
  Workshop
Motion: Moved by David Hill and seconded by Donna Damon to instruct the Town Administrator to research possibilities for financing up to $100,000 for building a tower as discussed, to include Maine Bond Bank, the Town’s capital funds, fundraising, and to ascertain the impact on the mil rate.

Unanimous, Motion Carried

- Susan suggested a fund raising effort to alleviate tax liability.
- John Wilson said there is money in the capital fund fire reserve account.
- Eric look into all the possibilities for financing the project.

Public Comment:

Claire Ross asked regarding the new float at Cousins Island if existing pilings have been tested before we add additional load. Eric said they were inspected in the fall. Claire said there is a small local company which will drive piles in the bay; might be cheaper than trying to get one of the big companies. She will give Eric the name.

Third Order of Business: Executive Session

To have the Selectmen hold an Executive Session to discuss personnel matters relating to committee appointments pursuant to 1 MRSA, Section 406, subsection 6(A)

Motion: Moved by David Hill and seconded by Susan Campbell to enter executive session as referenced above at 7:11 p.m.

Vote: 4-0 (Donna Damon had stepped out); Motion Carried

Motion: Moved by Susan Campbell and seconded by Donna Damon to exit executive session and adjourn at 8:55 p.m.

Unanimous

Meeting Adjourned

Board of Selectmen Meeting
August 6, 2014 Minutes
The Board of Selectmen held a Meeting Wednesday, July 9, 2014 at the Island Hall beginning at 5:30 p.m.

First Order of Business: The meeting was called to order at 6:03 p.m.

Second Order of Business: Executive Session: The scheduled Executive Session was not held.

Selectmen present: David Hill, Susan Campbell, Bill Calthorpe, Donna Damon and Mark Dyer

Also present: Eric Dyer, Gloria Brown, Jane Frizzell, John Ash, Chris Loder, Deb Hall, Stephen Johnson, Ernie Burgess, Donna Colbeth, Andy Todd, Deb Bowman, Jay Corson, Jennifer Corson, Mabel Doughty, Jackie Trask, Ralph Munroe

Third Order of Business: Public Hearing

To Have the Board of Selectmen hold a Public Hearing to discuss and consider the expansion of the no parking zone during June and November.

Motion: Moved by Donna Damon and seconded by David Hill to table the proposal.

Second withdrawn; motion died

Motion: Moved by David Hill to reject the proposal.

No second; motion died

Lobstermen present spoke in favor of expanding the no parking zone on the Stone Wharf during June and November.

Motion: Moved by Donna Damon and seconded by David Hill to designate all of the parking spaces on the westward side of the Stone Wharf during June and November as no parking, for use by commercial fishermen.

Unanimous, Motion Carried

Fourth Order of Business: Town Administrator & Treasurer’s Reports (see attached)

- Susan commented
  - Regarding the old backhoe: in addition to engine problems, there are transmission problems.
  - When we are closed to shellfishing, we need better notice to the public.
Motion: Moved by David Hill and seconded by Susan Campbell, to accept the Town Administrator’s report.

Unanimous, Motion Carried

Motion: Moved by David Hill and seconded by Donna Damon, to accept the Town Treasurer’s report.

Unanimous, Motion Carried

Fifth Order of Business: Public Comment
- Deb Bowman voiced concerns regarding water drainage problems in front of the Library
  - Roadside mowing should occur earlier in the season
  - Town currently contracts for mowing; may need to obtain mowing equipment
- John Ash asked if the Town has reconsidered a proposal from the golf club regarding Wharf Road. Answer: no, wait for a report from the Sunset Committee
- Deb Hall spoke about a possible proposal from the golf club concerning reconfiguration of golf course. Donna responded that a problem with golf club proposals so far is that they will not sell the land involved and the golf club wanted to restrict parking in the area
- Ernie Burgess raised concerns about the review of the recommendations of Comprehensive Plan
- Deb Bowman suggested developing an emergency plan for the Town
  - Public Safety Dept.’s role; C.I.H.C.C.’S role
  - Resources: Red Cross and FEMA
- Andrew Todd suggested a serious, long-range plan to make the Stone Wharf a better, safer, user-friendly facility.
  - Pedestrian traffic control during busy times is needed now.
- Ernie suggested that boat access at the Stone Wharf would be improved if the dredgers cleaned close into the wharf when dredging.

Sixth Order of Business: Committee Reports

Sunset Committee is
- initiating its public outreach process
- currently reviewing a preliminary survey

Seventh Order of Business: Regular Business

15-001: Review and approve prior meeting minutes

Re: minutes of the June 11, 2014 meeting: Donna disagreed with the interpretation of the wording of article 14-198.

Motion: David Hill moved and Bill Calthorpe seconded to accept the prior meeting minutes as presented in the packet (March 26, April 17 and June 11).
Vote: 4-1 (Donna Damon opposed): Motion Carried

15-002: Set the date and time of a Special Town Meeting and Referendum

Motion: Moved by David Hill and seconded by Donna Damon, to hold a referendum ballot election on Tuesday, July 22, 2014, 8:00 a.m. to 8:00 p.m. pending availability of the Island Hall, with July 29 as a backup date.

Unanimous, Motion Carried

Discussion:
- Donna requested written proposal, quotes, draft plans, at a public hearing relative to a communications tower.
- Eric noted that funding for the project could be voted from the town’s reserved funds
- Questions re: alternatives to the proposed tower
- Ralph asked that a couple select persons meet with him prior to the public hearing
  o Mark and Susan volunteered; Mark will write up a report

Motion: Moved by David Hill and seconded by Donna Damon to
1. Hold a public hearing on July 23, 2014 at 6:00 p.m. to hear presentations from the Fire and Rescue Department and Radio Communications Management, Inc. regarding
   a. A proposed communications tower at the Public Safety Building, estimated to cost $60,000
   b. An alternative fiber optic cable solution (estimated to cost $10,000)
   c. Estimated impact upon the property tax rate of both alternatives
   d. Public comment
2. At the August 13 Selectmen’s meeting, the Board of Selectmen may set a date for a Special Town Meeting and decide whether or not to place an article on the warrant for the Special Town Meeting revising the FY2015 budget and/or tax commitment to fund a communication tower, including a 10% contingency. The Town Administrator will prepare a draft warrant article for consideration for the August 13 meeting.

Unanimous, Motion Carried

15-003: Make the following committee appointments:
   i. Board of Adjustment and Appeals: Two, three year terms expiring in 2017
   ii. Coastal Waters Commission: One, three year term expiring in 2017, and one, two year term expiring in 2016
   iii. Shellfish Conservation Committee: One, three year term expiring in 2017
   iv. Cemetery Committee: Three, three year terms expiring in 2017, and one, two year term expiring in 2016
   v. Road Plan Committee: One, three year term expiring in 2017, one, two year term expiring in 2016, and one, one year term expiring in 2015
   vi. Capital Planning and Finance Committee: One, three year term expiring in 2017
   vii. Planning Board: Two, three year terms expiring in 2017, and one, one year term expiring in 2015
Motion: Moved by Bill Calthorpe and seconded by Donna Damon, to table the committee appointments until the August 13 meeting and to add the Comprehensive Plan Recommendation Review Committee to the list of committees.

Unanimous, Motion Carried

Note for future discussion:
- charges for Transfer Station Operations Committee and Safety/Emergency Plan Committee
- forming a Stone Wharf Committee

Motion: Moved by Donna Damon and seconded by David Hill to
- extend committee member application period to close of business on August 1st
- hold an executive session to review applications on August 6th (at the public safety building meeting room) and
- make appointments at the August 13th regularly scheduled Selectmen’s meeting.

Unanimous, Motion Carried

Discussion re: advertising for volunteer committee members:
- Postcard mailing soliciting volunteers to serve on standing committees and posting in all the usual places. List all committee positions and include * to date we have not received applications for this position
- Post in all the usual places and Beverly’s website
- John Ash suggested contacting specific individuals for specific positions

15-004: Make the following municipal appointments
i. Treasurer, Road Commissioner, General Assistance Administrator, FOAA Administrator (annual)
ii. Clerk, Tax Collector, Registrar of Voters, (annual)
iii. Deputy Clerk, Deputy Tax Collector, Deputy Treasurer (annual)
iv. Health Officer (three year term)
v. Assessor (up to a three year term)
vi. A selectman to represent the Town with the Maine Island Coalition, Two selectmen to represent the Town with the (Yarmouth) Joint Standing Committee (annual)

Motion: Moved by Susan Campbell and seconded by David Hill to appoint Eric Dyer as Treasurer, Road Commissioner, General Assistance Administrator, FOAA.

Unanimous, Motion Carried
Motion: Moved by Susan Campbell and seconded by David Hill to appoint Michelle Jackson as Clerk, Tax Collector, Registrar of Voters, Deputy Treasurer.

Unanimous, Motion Carried

Motion: Moved by Susan Campbell and seconded by David Hill to appoint Gloria Brown as Deputy Clerk, Deputy Tax Collector

Unanimous, Motion Carried

Motion: Moved by Susan Campbell and seconded by David Hill to appoint Anita Anderson as Health Officer for a three-year term to expire in 2017.

Unanimous, Motion Carried

Motion: Moved by Susan Campbell and seconded by David Hill to appoint Robert Konczal as Assessor for a three-year term to expire in 2017.

Unanimous, Motion Carried

Motion: Moved by Bill Calthorpe and seconded by David Hill to table appointment of a representative of the Town to the Maine Island Coalition to allow time to ask Herb Maine if he would like to continue.

Unanimous, Motion Carried

Motion: Moved by Susan Campbell and seconded by Bill Calthorpe to appoint Beverly Johnson as alternate representative of the Town to the Maine Island Coalition

Unanimous, Motion Carried

Motion: Moved by Donna Damon and seconded by David Hill to appoint Mark Dyer and Susan Campbell as representatives and Bill Calthorpe as alternate to the Joint Standing Committee.

Unanimous, Motion Carried

15-005: Set the date and time of a Board retreat

Motion: Moved by Donna Damon and seconded by Susan Campbell set October 4th or 5th for a Board retreat.

Unanimous, Motion Carried

Motion: Moved by Donna Damon and seconded by David Hill to hire a facilitator for the October retreat.
Vote: 3-2 (Bill Calthorpe and Susan Campbell opposed); Motion Carried

Unanimous, Motion Carried

15-006: Discuss the process, and set the date for a workshop to review Transfer Station operations and fees

Motion: Moved by David Hill seconded by Bill Calthorpe to set September 24, 2014 at 6:00 p.m. for a workshop to discuss Transfer Station operations.

Unanimous, Motion Carried

15-007: Complete a Ballot for the MMA Policy Committee Election

Susan Campbell completed the MMA ballot.

15-008: Review potential agenda items for future meetings

Suggested items:
August: meet with Bob Konczal to discuss the revaluation process, the assessment, abatement process

Eighth Order of Business: Communications: none

Ninth Order of Business: Approval of Expense Warrant(s)

Questions were asked and answered.
Bill suggested placing public notices with the Forecaster rather than the Portland Press Herald.

Motion: Moved by Susan Campbell and seconded by Donna Damon to approve the warrant dated July 7, 2014 in the amount of $34,978.21.

Unanimous, Motion Carried

Tenth Order of Business: Approval of prior minutes: See 15-001 above.

Eleventh Order of Business: Other Business

- Donna asked status of the project to provide stairs at the foot of Fenderson and Cordes Roads. Eric is working on bid specifications and would like Donna’s help with specifying the locations with stakes in the ground.
- Donna would like authorization from Board to work with Eric and the town crews to fix the “right of way to the shore” signs. There were no objections.
Twelfth Order of Business: Adjourn Meeting

Motion: Moved by David Hill and seconded by Bill Calthorpe, to adjourn the meeting at 9:03 p.m.

Unanimous, Motion Carried

Respectfully submitted,

Gloria J. Brown
Deputy Town Clerk
Draft Board of Selectmen Meeting Minutes
March 26, 2014

The Board of Selectmen held a Meeting on Wednesday, March 26th, 2014 at the Island Hall beginning at 6:00pm.

Call to Order: Chair Donna Damon called the public meeting to order at 6:02 p.m.

Selectmen present: David Hill, Susan Campbell, Herb Maine, Donna Damon and Mark Dyer

Second Order of Business: Regular Business

To Have the Board of Selectmen:

14-145: Hear a presentation from the Sunset Landing Committee regarding recommendation of a preferred bidder for survey, paper streets, and other work.

- Paul Belesca presented background information and budget information
- Sandra McLean discussed the committee’s preference for Milone & MacBroom
- Mary Holt gave a summary report

14-146: Award a contract for survey, paper streets, and other work (subject to legal review)

Motion: Moved by David Hill and seconded by Mark Dyer
- to award the contract to Milone & MacBroom;
- to take an additional $1,500 from contingency; and
- to authorize the Town Administrator to work with the firm and the committee to finalize the contract.

Vote: 4-0 (Herb Maine recused), Motion Carried

Third Order of Business: Other Business

Fourth Order of Business: Adjourn Meeting

Respectfully submitted,

Eric Dyer
Town Administrator
Draft Board of Selectmen Meeting Minutes  
February 19, 2014

The Board of Selectmen held a Special Meeting on Wednesday, February 19th 2014 at the Island Hall beginning at 6:00pm.

First Order of Business: Call to Order:

Selectmen present: David Hill (via telephone), Herb Maine, Susan Campbell and Mark Dyer.  
Absent: Donna Damon

Second Order of Business:  Executive Sessions  
To Have the Selectmen hold an Executive Session to discuss personnel matters pursuant to 1 MRSA, Section 405, subsection 6(A).

Motion: Moved by Mark Dyer and seconded by Herb Maine to enter into an Executive Session as referenced above at 6:00 p.m.

Vote: 4-0, Motion Carried (Donna Damon absent)

Motion: Moved by Herb Maine and seconded by Susan Campbell to exit Executive Session at 8:55 p.m.

Vote 3-0, Motion Carried (David Hill and Donna Damon absent)

Third Order of Business: Other Business

Fourth Order of Business: Adjourn Meeting

Respectfully submitted,

Eric Dyer  
Town Administrator
The Board of Selectmen held a Budget Workshop and Meeting on Tuesday, January 28th 2014 at the Island Hall beginning at 5:30pm.

Budget Workshop in conjunction with School Committee

**First Order of Business:** Call to Order:

**Selectmen present:** David Hill, Donna Damon, Herb Maine, Susan Campbell and Mark Dyer.

**Second Order of Business:** Regular Business

**Motion:** Moved by Mark Dyer and seconded by David Hill to enter into an Executive Session to discuss personnel matters pursuant to 1 MRSA, Section 405, subsection 6(A) at 7:58 p.m.

*Unanimous, Motion Carried*

**Motion:** Moved by Mark Dyer and seconded by Herb Maine to exit Executive Session at 9:00 p.m.

*Unanimous, Motion Carried*

**Third Order of Business:** Other Business

**Fourth Order of Business:** Adjourn Meeting

Respectfully submitted,

Eric Dyer
Town Administrator
Town of Chebeague Island
192 North Road
Chebeague Island, ME 04017

Phone: 207-846-3148  townofchebeague@chebeague.net  Fax: 207-846-6413

Board of Selectmen Meeting October 23, 2013 (Draft)

First Order of Business: Chairman Donna Damon called the meeting to order at 6:03 p.m.

Selectmen Present: Donna Damon, David Hill, Susan Campbell, Herb Maine
Also present: Town Administrator Eric Dyer, CEO/Harbor Master Ron Tozier and Deputy Clerk Gloria Brown.

Second Order of Business: Regular Business

To Have the Board of Selectmen:

14-069: Consider a draft Road Opening License Application
14-070: Consider a draft Road Opening Policy
14-071: Consider a draft Road Opening License Agreement

Presentation:

- Eric Dyer presented a series of documents proposed to formalize a process to protect the interests of the public and for public safety with regard to road openings. These documents are made up of pieces from other towns’ ordinances and policies.
- The licensing application includes the basic information we would want from anyone wanting to open up the road. We may want more detail, including a model sketch.
- The policy touches on a few key areas that show up universally in other town’s documents: a fee is required, some definitions, construction guidelines. This is in the same format as the Town’s other policies.
- The license agreement would be the final document that would have final Board approval.

Discussion:

- Donna: re: definitions in the Road Opening Policy re: road drainage. Eric said the intent of the policy is to focus just on underground utilities; that drainage opens another set of issues including easements and abutting landowners.
- Reasons for denial of application:
  - Incomplete application
  - Ownership of property is in question (multiple owners?) or permission not granted by property owner 4.c.iii. Get permission in writing. Copy of the deed?
- Interference with any town activity, such as snow removal, ditching or brushing
- Road paving moratorium for stated number of years 4.c.v. With a ten year life-expectancy of the road; the purpose of the moratorium is to maintain the integrity of the roadway for as long as possible. Three-year moratorium seemed to be the consensus.
$200 suggested fee to cover town costs, including on-site inspection. Fee only the first time road is opened or every time? Re-apply for each opening? $100 in advance and $100 on completion? Herb suggested getting authorization from Town Meeting for fees. David: check to see if fees already enabled.

Donna: re: 4.3.i: not less than 72 hours. Need time for signage and line up inspector, etc. David agreed with Donna.

Herb: re: 4.3.i: 60 days instead of 30 days for start of excavation work

Donna: When does the work have to be done; from the time they open the road until they close? We should have a policy that a road shouldn’t be open more than 1 day or 2 days? Provide for temporary access over the road?

Herb proposed a list of construction requirements. Donna wants to be specific. Herb: setting it in policy may not be the smartest thing given the variety of circumstances. The license agreement would be more site-specific.

Ron Tozier suggested following the Planning Board model: develop a list of general criteria which will be used to develop the specific requirements for the specific project.

4.e.iii: “minimize interference” instead of “not interfere.”

4.e.iv: Herb would like to know about current engineering practices with regard to materials used.

4.e.v: Intent was to say 2 inches as a minimum patch thickness; Ron’s suggested wording: “meet or exceed existing road conditions.”

4.3.vi: 60 days, short term quality protection

Hear Herb’s rationale for his proposal. Criteria would be in the license as permanent part of the record. Next time the road is opened pull out this record. David suggested including Herb’s criteria to Eric’s proposal in 4.e. Eric suggested a separate job-specific punch list. David suggested Herb merge these two proposal.

Donna re: drainage. Herb: we need to discuss drainage. This proposed policy excludes drainage. Ron have a criteria that deals with what happens to the water. If the two property owners agree, why not? Herb criteria for depth and length of the ditch. Also, suggested a criteria for a 4 or 6 inch sleeve with the idea that if anyone has to replace the utility.

Herb: concern about gas as a utility that might require special handling, being explosive; need proof of insurance?

Eric culverts are typically a municipal issue. David suggests not having any exclusions at this point. Issues of who has to pay for culverts depending on circumstances.

Donna we need to talk about who has the final say, the Road Commissioner or the Board of Selectmen. Herb says it would be a 30 day turn-around for the homeowner if the Board of Selectmen issues the license and a probably a 14-day turn around if it’s
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issued by the Road Commissioner. Eric: in most towns, it's a Road Commissioner
function. David agrees it should be a Road Commissioner function. Herb suggested the
Code Enforcement Officer would have a role in inspecting the installation.

Re: an informal request on the table: Because the Cottage Road is in such bad shape now,
can we decide without having this policy in place? Donna: ditch needs to be at least 3 feet
deep. Ron: should be gravel for one foot then the pipe then another foot of gravel. Herb
will work with Eric to put together an agreement for the land owner for this particular
project. Donna asked that the agreement include the stipulation that it meet any future
criteria that is part of the policy we are developing now.

14-072: Appoint six (6) Election Clerks for the November 5, 2013 Election

Motion: Moved by Herb Maine, seconded by David Hill to appoint the election clerks and warden
for the November 5, 2013 election as presented on the slate tonight. Election Clerks: Joan
Robinson, Ruth Slagle, Jill Malony, Joyce Souchek, Martha O. Hamilton and Lynne Priest. Warden:
Michelle Jackson.

Unanimous, Motion Carried

Motion: Moved by Susan Campbell, seconded by David Hill to ask the Election Warden to review
the poll opening time and move it back to 8:00 AM.

Unanimous, Motion Carried

Third Order of Business: Executive Sessions

To Have the Board of Selectmen hold an Executive Session to discuss legal matters pursuant to 1
MRSA, Section 405, subsection 6(E).

To Have the Board of Selectmen hold an Executive Session to discuss personnel matters pursuant
to 1 MRSA, Section 405, subsection 6(A).

To Have the Board of Selectmen hold an Executive Session to discuss a matter related to the
acquisition of public property pursuant to 1 MRSA, Section 405, subsection 6(C).

MOTION: Moved by Herb Maine, seconded by Susan Campbell to move into Executive Session to
discuss legal matters pursuant to 1 MRSA, Section 405, subsection 6(E); to discuss personnel
matters pursuant to 1 MRSA, Section 405, subsection 6(A); and to discuss a matter related to the
acquisition of public property pursuant to 1 MRSA, Section 405, subsection 6(C).

Unanimous, Motion Carried at 7:07

MOTION: Moved by Herb Maine, seconded by Susan Campbell return from Executive Session.

Unanimous, Motion Carried at 8:36
Third Order of Business: Adjourn Meeting

Motion: Moved by David Hill, seconded by Susan Campbell that the Selectmen’s meeting be adjourned.

Unanimous, Motion Carried at 8:37

These minutes respectfully submitted by:
Gloria J. Brown, Deputy Clerk
(Draft) Board of Selectmen Meeting Minutes  
October 7, 2013

The Board of Selectmen held a Meeting Monday, October 7, 2013 at the Historical Society Museum beginning at 6:00 p.m.

First Order of Business: The meeting was called to order at 6:06 p.m.

Second Order of Business: Executive Session
To Have the Board of Selectmen hold an Executive Session to discuss personnel matters pursuant to 1 MRSA, Section 405, subsection 6(A).

Motion: Moved by Herb Maine and seconded by David Hill to enter into an Executive Session to discuss personnel matters pursuant to 1 MRSA, Section 405, subsection 6(A) at 6:06 p.m.

Unanimous, Motion Carried

Motion: Moved by Herb Maine and seconded by Mark Dyer to exit Executive Session 7:47 p.m.

Unanimous, Motion Carried

Motion: Moved by Herb Maine and seconded by Mark Dyer, to adjourn the meeting.

Unanimous, Motion Carried at 7:48 p.m.

Respectfully submitted,

Eric Dyer  
Town Administrator
The Board of Selectmen held a workshop on Wednesday, August 28, 2013 at the Island Hall beginning at 6:00 p.m.

First Order of Business: The meeting was called to order.

Selectmen present: David Hill, Donna Damon, Mark Dyer, Herb Maine [Susan?]

Second Order of Business: Workshop Items

To have the Board of Selectmen:

  Item 14-043: Hear the presentation of a proposed parking plan for Wharf Road and adjoining areas as developed by the Great Chebeague Golf Club

  Item 14-044: Consider the formation of a Sunset Landing Committee

Presentations were made and discussed for both issues: see packet

Third Order of Business: Adjourn Meeting

Respectfully submitted,

Eric Dyer
Town Administrator
Board of Selectmen Meeting & Workshop Minutes
August 22, 2013 (Draft)

The Board of Selectmen will held a meeting and workshop on Thursday, August 22, 2013 beginning at the Town Office at 5:30 p.m. and continuing to the Stone Wharf and then the Fire Station meeting room.

First Order of Business: The meeting was called to order at 5:35 p.m.

Selectmen present: David Hill, Susan Campbell, Donna Damon, Mark Dyer, Herb Maine

Second Order of Business: Regular Business Items
To have the Board of Selectmen:
  Item 14-035: Hear a report from the assessor and recommend a mil rate

  Bob Konczal discussed the mil rate, how it is arrived at, and his recommendation for what it shall be for FY14: 20.75 with 1% overlay

Motion: Moved by Herb Maine and seconded by David Hill to set the mil rate at 20.75 as recommended by the Town Assessor.

  Unanimous, Motion Carried

  Item 14-036: Briefly discuss the revaluation process with the assessor

  Bob provided a summary of the revaluation process:
  - Bob is gaining experience
  - Sequence of events
  - Purchase of software
  - Exp---- to be a 2-year program (in 9 month bursts with 3 months for other tax work)
  - Public involvement is key and will be solicited through mailer
  - Verification will include historic data (public responses plus on-site visits)
  - Fellow is a possibility and Bob will work with him/her.
  - Time goals
    - This fall and winter: data collection
    - Letter to be sent out next summer
    - Following winter: create tables of value and compare to sales
    - Following spring: letter updating values
    - 2015 completion year?
    - Cottages: How are they defined?
    - Talk with long-time residents about the "valuable" parts of the island

Third Order of Business: On-site Workshop at the Stone Wharf
To have the Board of Selectmen consider the following at the Stone Wharf:
  Item 14-037: Handicap Parking
  Item 14-038: The condition of the Barge Ramp
  Item 14-039: The condition of the NE side of the Stone Wharf
  Item 14-040: The condition of the area adjacent to the main gangway

- Develop language changes for the Stone Wharf and Design

**Fourth Order of Business:** Workshop (at the Fire Station Meeting Room)
To have the Board of Selectmen:
  Item 14-035: Further address the issues identified at the on-site workshop
  Item 14-042: Discuss future actions and issues relating to the Stone Wharf

- Rebuild of Stone Wharf
  o Other designs
  o Multiple bids: notify regular contractors and send an open bid out to the press
- Angled slope to stabilize?
- Gangway is #1 priority
  o Planning underway and bidding
- Barge Ramp
  o Action
  o No further engineering needed
- Agenda Item
  o Local bids for Barge Ramp
  o Initiate bids on Gangway work
  o Geological Survey
  o Repair NE side (Public Works)
  o Ask about permitting
- Add "New Wharf" to Coastal Waters Ordinance
- Floats to September 11 meeting

**Fifth Order of Business:** Adjourn Meeting

**Motion:** Moved by Mark Dyer and seconded by David Hill, to adjourn the meeting.  
**Unanimous, Motion Carried**

Respectfully submitted,

Eric Dyer  
Town Administrator
The Board of Selectmen held a meeting on Wednesday July 24, 2013 at the Fire Station meeting room beginning at 6:00 p.m.

First Order of Business: The meeting was called to order at 6:02 p.m.

Selectmen present:  David Hill, Susan Campbell, Donna Damon, Mark Dyer, Herb Maine

Also present:

Second Order of Business: To have the Board of Selectmen:
   Item 14-17: Meet with the Assessor to discuss the upcoming assessment and current valuation, the revaluation process, and other issues related to the position.

Third Order of Business: Executive Session
   To have the Board of Selectmen hold an Executive Session to hold negotiations for public property pursuant to 1 MRSA, Section 405, subsection 6(C).

Fourth Order of Business: Old Business
   To have the Board of Selectmen:
   Item 14-18: Discuss the terms of a possible repayment plan for costs associated with tax acquired property (map-lot 103-135 and map-lot 107-137).
   Item 14-19: Direct the Treasurer to work with the Town Attorney to finalize the language of a repayment plan, if one is deemed possible and appropriate by the Board of Selectmen, and authorized the Chair to execute the plan on their behalf.
   Item 14-20: Discuss the format, structure and timing of regular Selectmen’s meetings.
   - Eliminate committee reports
   - Committees to report by request with information ahead of time
   - Memo to committees explaining the process of committee presentations
   - Ground rules for board and public
   - Reminders about scope of items
   - Reports: read highlights not entire report
   - No old/new business; agenda in order of importance
   - Workshop with focus on developing items for next week's agenda
   - Two meeting per month
   - Hole in handicap parking area
   - No transportation workshop in August
Motion: Moved by Herb Maine and seconded by Mark Dyer to invite the Golf Course to meet with the Board of Selectmen in a workshop on August 28, 2013.

Unanimous, Motion Carried

• Road Committee: Board requests meeting and recommendations in August

  Item 14-21: Discuss the schedule, content, and goals for upcoming workshops and site visits.

  Item 14-22: Set a date to meet with representatives of the Golf Course to discuss parking at the Stone Wharf.

Fifth Order of Business: Other business as presented by Individual Selectmen

Sixth Order of Business: Adjourn Meeting

Motion: Moved by Herb Maine and seconded by Susan Campbell to adjourn at 8:30 p.m.

Unanimous, Motion Carried

Respectfully submitted,

Eric Dyer
Town Administrator
The Board of Selectmen held a meeting on Tuesday 23, 2013 at the Fire Station meeting room beginning at 6:00 p.m.

**First Order of Business:** The meeting was called to order at 6:05 p.m.

**Selectmen present:** David Hill, Susan Campbell, Donna Damon, Mark Dyer, Herb Maine via telephone

**Also present:** Ron Tozier, Anne Torregrossa, and Eric Dyer via telephone

**Second Order of Business:** Executive Session
To have the Board of Selectmen hold an Executive Session to discuss legal matters pursuant to 1 MRSA, Section 405, subsection 6(E).

**Motion:** Moved by David Hill and seconded by Mark Dyer to enter Executive Session to discuss legal matters as referenced above.

Unanimous, Motion Carried

**Motion:** Moved by David Hill and seconded by Mark Dyer to exit Executive Session

Unanimous, Motion Carried

**Third Order of Business:** New Business
To have the Board of Selectmen:
Discuss and possibly act on legal matters considered in the preceding executive session.

**Motion:** Moved by David Hill and seconded by Susan Campbell to allow the Town Administrator to sign the Consent Judgment in Scorpio Island Corporation, John Cacoulidis and Phyllis Cacoulidis, Maine District Court (Portland) Docket No. CV-13-170; to include the edits to paragraph 9 with regard to the Town's access to the subject property as discussed in executive session.

4 – 0 (Herb Maine had hung up), Motion Carried

**Fourth Order of Business:** Adjourn Meeting

**Motion:** Moved by Susan Campbell and seconded by Mark Dyer, to adjourn the meeting at 7:11 p.m.

Unanimous, Motion Carried
Respectfully submitted,

Eric Dyer
Town Administrator
SPECIAL TOWN MEETING WARRANT

TO: Gloria Brown, a resident of the Town of Chebeague Island, in the County of Cumberland and State of Maine,

GREETING:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Chebeague Island in the County of Cumberland, State of Maine, qualified by law to vote in town affairs, to meet at the Chebeague Island Community Hall, 247 South Road, Chebeague Island, Maine on XXXXX, the XX day of XXXXX, 2014 at 9 o’clock in the morning, then and there to act upon the following Articles, numbered 1 through X:

Article 1: To see what sum, if any, the Town will vote to appropriate for the purchase of a communications tower and associated emergency communications equipment to aid in the protection of the Town of Chebeague Island, and of such total appropriated amount to see what amount will be funded from the following sources: Fire Truck Reserve Fund, Undesignated Fund, such other Town funds or accounts to be identified at Town Meeting, or from the proceeds of Town bonds up to an amount of $100,000 (and notes in anticipation thereof), with such bonds as may be authorized to mature (not to exceed the maximum term permitted by law), bear interest and contain such other terms and conditions, including provisions for early redemption or prepayment, as may be approved by the Board of Selectmen to be in the best interest of the Town of Chebeague Island, and to further authorize the Town Treasurer to take any and all other action, including designating such debt as bank qualified under Internal Revenue Code Section 265(b), and to sign such other documents and certificates as may be necessary or convenient to accomplish the purchase of said Fire Truck and the issue and delivery of said bonds.

Fire Chief Request: $100,000

Selectmen Recommend: $100,000 with $XX,000 being appropriated from the Fire Truck Reserve, and $XX,000 from the Undesignated Fund.

MUNICIPAL TREASURER’S FINANCIAL STATEMENT [30-A M.R.S.A. § 5772(2-A)]

1. Total Town Indebtedness.
   A. Bonds outstanding and unpaid: $2,874,458.66
   B. Bonds authorized and un-issued: $0
   C. Bonds to be issued if this Article 2 is approved with borrowing: $107,812.14

   TOTAL: $2,982,270.80

2. Costs.
At an estimated maximum interest rate of 3% and an estimated term of 5 years, the estimated costs of this bond issue will be:

Principal: $100,000
Interest: $7,812.14
Total Debt Service: $107,812.14

3. **Validity.** The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service or the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

__________________________________________
Eric Dyer
Treasurer, Town of Chebeague Island

Given to our hands, this ___________ day of XXXXX, 2014 at Chebeague Island, Maine.

Chebeague Island Board of Selectmen

Mark Dyer, Chairman          Bill Calthorpe          Susan Campbell

__________________________________________
Donna M. Damon          David Hill

A True Copy

Attest: ___________________________________________  __________________________
         Town Clerk                                      Date
         Town of Chebeague Island
July 14, 2014

To: __Board of Selectmen;

Pursuant to 30-A M.R.S.A. § 2603 [30-A M.R.S.A. § 2654], I, the undersigned Clerk of the municipality of Chebeague Island, do hereby appoint Gloria Brown as Deputy Clerk & Deputy Tax Collector to serve at my pleasure, and to have duties as stated below.

- Vehicle Registrations
- IF&W licenses and Registrations
- Vital Records Issuance and Records Management
- Real Estate Tax Collection
- Elections

Unless earlier dismissed by me, her term of office expires on July 31, 2015, and in any event will cease upon the termination of my tenure in office as municipal clerk. Given under my hand this 14 day of July 2014.

State of Maine

County of Cumberland ss  

July 14, 2014.

Personally appeared before me the above-named __Gloria Brown__, who has been duly appointed as the __Town of Chebeague Island__ Deputy Clerk in said municipality and took the oath necessary to qualify for office and perform the duties thereof. Before me,

\[Signature of Clerk/Notary Public\]
July 14, 2014

To: Board of Selectmen;

Pursuant to 30-A M.R.S.A. § 2603 [30-A M.R.S.A. § 2654], I, the undersigned Clerk of the municipality of Chebeague Island, do hereby appoint Michelle J. Jackson as Deputy Treasurer to serve at my pleasure, and to have duties as stated below.

- Real Estate Collections
- Lien Processing and Payments

Unless earlier dismissed by me, her term of office expires on July 31, 2015, and in any event will cease upon the termination of my tenure in office as Treasurer. Given under my hand this 14 day of July 2014.

State of Maine

County of Cumberland ss July 14, 2014.

Personally appeared before me the above-named Michelle J. Jackson, who has been duly appointed as the Deputy Treasurer in said municipality and took the oath necessary to qualify for office and perform the duties thereof. Before me,

Signature of Clerk/Notary Public

GLORIA J. BROWN
NOTARY PUBLIC, MAINE
My Commission Expires September 3, 2020

______________________________
### 2014 Committee Appointments

<table>
<thead>
<tr>
<th>Committee</th>
<th>Applicants</th>
<th>Appointee</th>
<th>Term</th>
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<tr>
<td>Board of Adjustment and Appeals</td>
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<td>3 years expiring in 2017</td>
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<tr>
<td>Coastal Waters Commission</td>
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<td>3 years expiring in 2017</td>
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<td></td>
<td>2 years expiring in 2016</td>
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<tr>
<td>Coastal Waters Commission</td>
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<td></td>
<td>2 years expiring in 2016</td>
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<tr>
<td>Shellfish Conservation Committee</td>
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<td>Road Plan Committee</td>
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<tr>
<td>Road Plan Committee</td>
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<td></td>
<td>1 year expiring in 2015</td>
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<tr>
<td>Capital Planning and Finance Committee</td>
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<td>3 years expiring in 2017</td>
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<td>Zoning and Comp. Plan Review Committee</td>
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<tr>
<td>Planning Board</td>
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<td>3 years expiring in 2017</td>
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<td>3 years expiring in 2017</td>
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<tr>
<td>Planning Board</td>
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<td></td>
<td>1 year expiring in 2015</td>
</tr>
</tbody>
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### Municipal Appointments

<table>
<thead>
<tr>
<th>Position</th>
<th>Applicant</th>
<th>Appointee</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Clerk</td>
<td>Brown, Gloria</td>
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<td>1 year expiring in 2015</td>
</tr>
<tr>
<td>Deputy Tax Collector</td>
<td>Brown, Gloria</td>
<td></td>
<td>1 year expiring in 2015</td>
</tr>
<tr>
<td>Deputy Treasurer</td>
<td>Jackson, Michelle</td>
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<td>1 year expiring in 2015</td>
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<tr>
<td>Alternate CEO</td>
<td>Reed, Jonathan</td>
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<tr>
<td>Maine Islands Coalition</td>
<td></td>
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<td>1 year expiring in 2015</td>
</tr>
</tbody>
</table>

* CURRENTLY APPOINTED
To: Zoning and Comprehensive Plan Review Committee  
From: Board of Selectmen  
Date: 08/13/2014  
RE: The formation of the Zoning and Comprehensive Plan Review Committee

PURPOSE AND AUTHORITY
The purpose of the Ad-hoc Zoning and Comprehensive Plan Review Committee is to carry out the work outlined in this memorandum and advise the Board of Selectmen in these matters. The committee is formed pursuant to 30-A M.R.S.A. § 3001.

ORGANIZATION AND ADMINISTRATION

a) Committee Term. This committee shall have a term that expires upon adoption of the ordinance at Town Meeting but no longer than three years from the date of this memorandum.

b) Membership. The Committee shall consist of up to twelve members who shall serve without compensation and shall be appointed by the municipal officers such that the committee has the following representation:
   a. One member of the Board of Selectmen,
   b. One member from the Planning Board,
   c. One member from the Board of Adjustment and Appeals,
   d. Up to nine members at large.

c) Appointment. The Committee shall be appointed by the Board of Selectmen. Appointments may be terminated without cause by a majority vote of the Board of Selectmen.

d) Member Term. Members shall serve the same term as the committee.

e) Chairman. The Committee shall elect a Chairman from among its members. The Chairman shall call meetings as required by this memorandum, or as necessary or when so requested by a majority of members or the municipal officers. The Chairman shall preside at all meetings or appoint a chairman pro tempore with a term of one meeting.

f) Secretary. The Committee shall elect a Secretary. The Secretary shall maintain a record of all proceedings including all correspondence of the Committee and regularly submit the records to the Town Clerk. The secretary need not be a member of the committee.
g) **Notice.** All meetings shall be held in a public place and scheduled through the Town Administrator who shall provide reasonable notice.

h) **Quorum.** A quorum necessary to conduct business shall consist of at least a majority of members.

i) **Support.** The municipal officers and town staff shall cooperate with and provide the Committee with such information as may be reasonably necessary and available to enable it to carry out its duties. The town staff shall also provide assistance updating electronic records as necessary.

j) All meetings and records shall be subject to the Maine Freedom of Access Act, 1 M.R.S.A. Sections 401-410.

**TASKS LIST**

a) Review the Town’s land use zoning ordinances and Comprehensive Plan Recommendations for areas that are not aligned and make recommendations regarding which ordinances or elements of the Comprehensive Plan need to be considered for revision. *As approved at the June 11, 2014 Board of Selectmen meeting.*

b) Hold public meetings to solicit input from the community.

c) Involve committees, organizations and other interested parties in conducting the zoning and comprehensive plan review.

d) Submit regular progress reports to the Board of Selectmen every three months.

e) Submit final recommendations to the Board of Selectmen prior to the expiration of the committee.

**AUTHORITY OF THE COMMITTEE**

The Committee's authority shall be advisory only.
To: Solid Waste and Recycling Committee  
From: Board of Selectmen  
Date: 08/13/2014  
RE: The formation of the ad-hoc Solid Waste and Recycling Committee

PURPOSE AND AUTHORITY
The purpose of the Ad-hoc Solid Waste and Recycling Committee is to carry out the work outlined in this memorandum and advise the Board of Selectmen in these matters. The committee is formed pursuant to 30-A M.R.S.A. § 3001.

ORGANIZATION AND ADMINISTRATION

a) **Committee Term.** This committee shall have a term of two years from the date of this memorandum.

b) **Membership.** The Committee shall consist of up to five members who shall serve without compensation.

c) **Appointment.** The Committee shall be appointed by the Board of Selectmen. Appointments may be terminated without cause by a majority vote of the Board of Selectmen.

d) **Member Term.** Members shall serve for terms of two years.

e) **Chairman.** The Committee shall elect a Chairman from among its members. The Chairman shall call meetings as required by this memorandum, or as necessary or when so requested by a majority of members or the municipal officers. The Chairman shall preside at all meetings or appoint a chairman pro tempore with a term of one meeting.

f) **Secretary.** The Committee shall elect a Secretary. The Secretary shall maintain a record of all proceedings including all correspondence of the Committee and regularly submit the records to the Town Clerk. The secretary need not be a member of the committee.

g) **Notice.** All meetings shall be held in a public place and scheduled through the Town Administrator who shall provide reasonable notice.

h) **Quorum.** A quorum necessary to conduct business shall consist of at least three members.

i) **Support.** The municipal officers and town staff shall cooperate with and provide the Committee with such information as may be reasonably necessary and
available to enable it to carry out its duties. The town staff shall also provide assistance updating electronic records as necessary.

j) All meetings and records shall be subject to the Maine Freedom of Access Act, 1 M.R.S.A. Sections 401-410.

TASKS LIST

a) Research solid waste and recycling operations generally, with a focus on island communities.

b) Review existing solid waste and recycling operations at the Chebeague Island Transfer Station and make recommendations for improvement.

c) Review the Chebeague Island Transfer Station Operation Manual and make recommendations for improvement.


e) Hold public meetings to solicit input from businesses, residents, and other members of the community.

AUTHORITY OF THE COMMITTEE

The Committee's authority shall be advisory only.
# All States Asphalt, Inc.
**All States Materials Group**
**Maine Division**

<table>
<thead>
<tr>
<th>To:</th>
<th>Town Of Chebeague Island</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>192 North Road</td>
</tr>
<tr>
<td></td>
<td>Chebeague Island, ME 04017 USA</td>
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<tr>
<td>Project Name:</td>
<td>Town Of Chebeague Island-Fall 2014</td>
</tr>
<tr>
<td>Project Location:</td>
<td>John Small Rd, Chebeague Island, ME</td>
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<tr>
<th>Item #</th>
<th>Item Description</th>
<th>Estimated Quantity</th>
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<th>Unit Price</th>
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<tbody>
<tr>
<td>1</td>
<td>Cold Mix-Shim-Overlay</td>
<td>1,500.00</td>
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<td>$115.00</td>
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<tr>
<td>2</td>
<td>Chip Seal</td>
<td>11,735.00</td>
<td>SY</td>
<td>$3.50</td>
<td>$41,072.50</td>
</tr>
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</table>

**Notes:**
- Please find the attached Standard Conditions document. By signing below, buyer acknowledges and agrees that it has also read and approved Contractor’s Standard Conditions, as required included parts of this contract. This contract constitutes the entire agreement between the Contractor and Buyer and may only be modified by a written amendment executed by both parties. This proposal is accepted upon receipt of Buyer’s signature, and the Contract is effective as of the date of Contractor’s signature tendered to Buyer. Executed by both parties as a sealed instrument.
- Prices are based upon current liquid asphalt costs, which are not guaranteed by suppliers and, therefore, subject to sudden adjustment during the term of this agreement. The base cost (index) of asphalt for this quote is $622.50 per ton.
- Prices are based on 1 mobilization(s). Additional mobilizations which become necessary will be subject to a charge of $5000.00 each.
- All fees, permits, and engineering will be the responsibility of the buyer unless otherwise noted above. No bonds will be supplied. Above quantities are estimates only and are subject to adjustment determined by Field Measure unless otherwise noted above.

---

**ACCEPTED:**
The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: ____________________________
Signature: ____________________________
Date of Acceptance: ____________________________

---

**CONFIRMED:**
**All States Asphalt-Maine**

Authorized Signature: ____________________________
Estimator: Rob Mowatt
rmowatt@asmg.com
All States Asphalt, Inc.
All States Materials Group
Maine Division

**To:** Town Of Chebeague Island
**Address:** 192 North Road
Chebeague Island, ME 04017 USA

**Contact:** Eric Dyer
**Phone:** 207-846-3148
**Fax:**

**Project Name:** Town Of Chebeague Island Fall 2014
**Project Location:** John Small Rd, Chebeague Island, ME

**Bid Number:**
**Bid Date:**

<table>
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<tr>
<th>Item #</th>
<th>Item Description</th>
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<th>Unit</th>
<th>Unit Price</th>
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**Notes:**
- Please find the attached Standard Conditions document. By signing below, buyer acknowledges and agrees that it has also read and approved Contractor's Standard Conditions, as required included parts of this contract. This contract constitutes the entire agreement between the Contractor and Buyer and may only be modified by a written amendment executed by both parties. This proposal is accepted upon receipt of Buyer's signature, and the Contract is effective as of the date of Contractor's signature tendered to Buyer. Executed by both parties as a sealed instrument.
- Prices are based upon current liquid asphalt costs, which are not guaranteed by suppliers and, therefore, subject to sudden adjustment during the term of this agreement. The base cost (index) of asphalt for this quote is $622.50 per ton.
- Prices are based on 1 mobilization(s). Additional mobilizations which become necessary will be subject to a charge of $500.00 each.
- All fees, permits, and engineering will be the responsibility of the buyer unless otherwise noted above. No bonds will be supplied. Above quantities are estimates only and are subject to adjustment determined by field measure unless otherwise noted above.
- Price includes 3/4 Shim and a 2" overlay with Cold Mix.
- Chip Seal price is for one mile of road.

**CONTRACTOR:**
All States Asphalt-Maine

**Authorized Signatures:**

[Signature]
Dates of execution

[Signature]
Dates of execution
Loan Implementation Package for 457/401 Plan Sponsors

TABLE OF CONTENTS

Introduction and Summary Instructions .................................................. 2
Basic information and instructions for implementing your plan's loan program.

Loan Guidelines Agreement Instructions ............................................. 3
Important information and instructions for completing the Loan Guidelines Agreement

Loan Guidelines Agreement ................................................................. 7
Complete this agreement to establish the guidelines for your plan's loan program.

Maximum Loan Amount Worksheet ...................................................... 13
Use this worksheet to calculate the maximum loan amount that a participant is eligible to receive.

Suggested Resolution ........................................................................... 14
For use by plans whose governing body requires that a resolution be passed.

457 Plan Loan Administration Agreement ........................................... 15
457 Plans Only. If you have multiple 457 plan providers, you must complete and return this document to ICMA-RC.

Loan Amendment (401 Plans Only) ......................................................... 16
401 Plans Only. If you are amending your existing plan to add a loan program, you must complete and return this document to ICMA-RC.
Introduction and Summary Instructions for 457 and 401 Plan Sponsors

Making a loan program available in your retirement plan will provide eligible plan participants with the ability to borrow money from their accounts. As the administrator of your loan program, ICMA-RC will attempt to minimize the amount of resources you need to devote to the program. However, there are administrative and fiduciary responsibilities associated with offering loans which, as a practical matter, cannot be delegated to ICMA-RC.

Please review all of the information in this packet carefully prior to submitting the applicable forms to implement the loan program in your plan.

The below instructions provide you with easy-to-follow steps to implement a loan program in your ICMA-RC 457 or 401 plan.

STEP 1: Review the Loan Guidelines Agreement Instructions carefully prior to returning the required forms to implement your plan's loan program.

STEP 2: Complete the Loan Guidelines Agreement.

STEP 3: Determine whether any formal action is required by your legislative body and/or plan administrative committee to implement a loan program. If formal action is required, you may want to use the suggested resolution in this packet.

STEP 4: Complete the following documents (if applicable)

- 457 Plan Loan Administration Agreement — If you have multiple 457 plan providers, you must complete and return this document to ICMA-RC.
- Loan Amendment (401 Plans Only) — If you are amending your existing 401 plan to add loan provisions, you must complete and return this document to ICMA-RC.

STEP 5: Return copies of the following documents to ICMA-RC (please be sure to submit all pages and retain the originals for your records):

- Loan Guidelines Agreement
- Loan Amendment to the 401 Plan Adoption Agreement (if applicable)
- 457 Plan Loan Administration Agreement (if applicable)
- Suggested Resolution (if applicable)

FAX TO: 202-962-4601
ATTN: NBU Analyst

OR

MAIL TO:
ICMA-RC
ATTN: NBU Analyst
777 North Capitol Street, NE
Washington, DC 20002-4240

STEP 6: Please allow 5–7 business days for ICMA-RC to establish your plan's loan program.

Please retain original copies of any documents you return to ICMA-RC for your records.

If you have any questions relating to the adoption process, please contact your Plan Sponsor Services team at 800-326-7272.
Loan Guidelines Agreement Instructions

The information in this packet is intended to assist you with implementing a loan program within your ICMA-RC 457 or 401 plan(s). The packet provides an overview of the issues and complexities of establishing and maintaining a loan program under the most common types of retirement plan arrangements. It is not intended to be all inclusive. Special situations and/or solutions not discussed in this document will need to be reviewed on a case-by-case basis.

The instructions contain information that will help you understand the decisions you will need to make when you establish your loan program and help you complete the Loan Guidelines Agreement. Please carefully review the information in this section and complete all applicable sections of the Loan Guidelines Agreement.

Here are a few of the elections that you will need to make:

- Will loans be available for all purposes or only in hardship situations?
- How many loans will participants be allowed to have outstanding at one time? (up to five)
- How long will participants have to repay a loan used to purchase a new primary residence? (up to 30 years)
- How will participants repay their loans? (payroll deduction, ACH payments from their bank accounts, or both)

In order to offer loans within your retirement plan, the Internal Revenue Code requires that you establish written guidelines that govern the Plan’s loan program. You may elect to use the Loan Guidelines Agreement to serve this purpose for your Plan.

If you have any questions relating to the process of implementing a loan program, please contact your Plan Sponsor Services team at 800-326-7272.

Section I: Employer Plan Information

Enter the name of your employer plan. Also specify the plan type and your ICMA-RC plan number.

Section II: Eligibility & Loan Source

Loans are available to all active employees, except those with an existing loan in default.

Loan Source — Use this section to specify the sources that will be available for participant loans.

Section III: Loan Purpose

Specify whether loans may be taken for (A) all purposes or (B) only in the case of hardship. If you choose the “all purposes” option, more of your employees are likely to request loans than if you select the “hardship only” option.

(A) All Purposes

(B) Hardship Only

401 Plans: Under the Code, only employers can authorize a loan for hardship purposes. Generally, for loan purposes, the IRS defines “hardship” situations for these purposes to include, but not to be limited to: unreimbursed medical expenses, buying or rehabilitating the participant’s principal residence, and paying for college education for the participant or his/her qualified dependents. Car loan, car repairs, and the purchase or repair of a vacation or rental property would not be included in the hardship definition.

Employers have the ability to make their plan’s loan program more restrictive under both of the above options.

Section IV: Application Process

No action is required in this section. The application process available to participants will vary depending on the option you select in Section III (Loan Purpose).

Section V: Maximum Number of Loans

Specify whether participants may have only one (1) or up to five (5) loans outstanding at one time. The option you choose in this section will have a significant impact on the number of loans made from your Plan. Regardless of your election, a participant may receive a maximum of one (1) loan per calendar year.

Note: If you select Payroll Deduction as a repayment option for your participants in Section VIII, each loan repayment for each pay period must be accounted for separately. As such, repayments of multiple loans are a much larger burden on your payroll system (and personnel) than a repayment of a single loan.

Section VI: Loan Amount

No action is required in this section. The Maximum Loan Amount Worksheet includes instructions you can use to calculate the maximum loan amount for a participant. The loan modeling option on ICMA-RC’s Account Access website can also be used to calculate a participant’s maximum loan amount.
Section VII: Length of Loan

Loans must be repaid in substantially equal installments of principal and interest over a period that does not exceed five (5) years. However, if the participant will be using the loan to purchase a principal residence, the five (5) year time limit does not apply. In this section of the form, you specify the maximum repayment period for principal residence loans, with 30 years being the maximum term.

In determining the maximum repayment period for residential loans, you should be mindful that the loan term may extend beyond the period the participant is employed by you. If you allow employees to continue to pay their loans after they separate from service (see the Acceleration section), repayments would continue by the participant, through you, for the entire term of the loan (e.g., 30 years). Every payroll period, the participant (former employee) will be required to give you a check for the periodic loan repayment amount. You then include this amount with your next contribution submittal to ICMA-RC. Loan repayments may not be made directly to ICMA-RC by the participant, unless you choose ACH debit as a repayment option in Section VIII.

Section VIII: Loan Repayment Process

Specify the repayment method(s) and repayment frequency your plan will use.

Repayment Method — You can allow repayments to be made via payroll deduction and/or ACH payments from a participant's bank account.

(1) Payroll Deduction — With this option, you will include the loan repayment detail when you remit contribution detail to ICMA-RC via the EZLink website.

Initiating Payroll Deduction
Payroll deduction should begin within two payroll cycles following the employee's receipt of the loan. Employees using this method must notify the Employer immediately so that repayments will begin as soon as practicable, on a date determined by the Employer's payroll cycle. Failure to begin payroll deduction in a timely manner could lead to the employee's loan entering delinquency status.

(2) ACH — With this option, participants authorize ICMA-RC to debit loan repayments directly from the participant's bank account via Automated Clearing House (ACH). This feature frees you of the burden of establishing and monitoring loan repayments via payroll deduction.

Additional Loan Repayments and Early Pay-Off

A participant may pay off all or a portion of the principal and interest early without penalty or additional fee. Extra payments are applied forward to both principal and interest as specified in the original repayment schedule, unless the additional payment is for the full balance due. Please note that no payment date may be “skipped” even if the employee has made a large payment or submitted multiple payments.

Section IX: Loan Interest Rate

No action is required in this section. It simply describes the interest rate that will be used for participant loans.

Section X: Security/Collateral

No action is required in this section. It simply describes the amount that will be used as collateral for participant loans.

Section XI: Acceleration

Specify whether participants who have separated from service will be able to continue loan repayments until they have withdrawn their entire account balance from the plan, or if outstanding loans will be due and payable at the time participants separate from service.

You should consider the options in this section carefully, since your election will impact when outstanding loans become taxable to participants. If a participant does not repay the outstanding loan amount at the time it is due, the loan is “foreclosed,” and the outstanding loan amount must be reported by ICMA-RC as a taxable distribution in the year of the foreclosure.

Given the burdens associated with collecting loan repayments from former employees, you may not wish to maintain a potentially long term “relationship” with former employees (especially in the case of residential loans).

Section XII: Reamortization

No action is required in this section. It simply provides information related to the reamortization of participant loans.

Section XIII: Refinance

No action is required in this section. It simply provides information related to the refinancing of participant loans.
Section XIV: Reduction of Loan

No action is required in this section. It simply describes how outstanding loans will be handled in the event of a participant’s death.

Section XV: Deemed Distributions

No action is required in this section. However you should familiarize yourself with this information and note that loan repayments must be made in accordance with the plan document, plan loan guidelines, and as reflected in the promissory note signed by the participant. Failure to make loan repayments according to the loan terms will result in the outstanding loan balance being deemed distributed and taxable to the participant.

Timing

A loan will be deemed distributed when a scheduled payment is still unpaid at the end of the calendar quarter following the calendar quarter in which the payment was due. For example, if a participant does not make a loan payment that was scheduled to be made on February 1, the maximum cure period for the repayment is June 30. If the total amount of all delinquent payments is not received by the end of the cure period, the loan is deemed distributed.

Consequences of Deemed Distributed Loans (Employers)

Employers who do not ensure proper loan repayment practices in their retirement loan programs risk not only having individual participant loans being deemed distributed, but also potentially jeopardize the tax-favored status of the entire plan. In the extreme, plans with mismanaged loan programs—a high occurrence of deemed distributed loans, and/or program participants in default, for example—may be disqualified (in the case of 401 plans) or classified as ineligible (for 457 plans) by the IRS. Disqualification results in the loss of tax-deferred status for all contributions and a possible increase in the taxable income for participating employees.

It is a plan sponsor’s fiduciary obligation to properly manage the retirement plan and its benefits. Mismanagement of a loan program may be considered failure to meet this fiduciary obligation and may expose a plan sponsor to litigation, in addition to being in violation of applicable laws and regulations.

Employers, as plan sponsors and fiduciaries, have an obligation to comply with plan document and loan guideline requirements applicable to participant loans. In this regard, loan payments must be made in accordance with the plan document, plan loan guidelines, and as reflected in the promissory note signed by the participant. Employers retain this obligation if there is a loan program associated with their retirement plan, regardless of the provisions governing the loan program.

Consequences of Deemed Distributed Loans (Participants)

The principal balance, in addition to any accrued interest, is reported as a distribution to the IRS. However, the taxable distribution is not the only event in conjunction with a deemed distribution. The following negative consequences occur as a result of deemed distribution.

- The deemed distribution is a taxable event. However, it is not an actual distribution and therefore remains an asset of the participant’s account. The outstanding loan balance and accrued interest continue to be reported on the participant’s account statements.
- Repayment of a deemed distribution will not change or reverse the taxable event.
- The loan continues to be considered outstanding until it is repaid or “offset” using the participant’s account balance. An offset can occur only if the participant is eligible to receive a distribution from the plan as outlined in your plan document.
- Participants are required to repay any outstanding deemed distributed loan before they can become eligible for a new loan. The deemed distributed loan and any interest accrued since the date it became a taxable event is taken into account when determining the maximum amount available for a new loan.
- A participant who has had a prior deemed distribution must make repayments to a new loan through payroll deduction, or provide proof of adequate security.

Section XVI: Fees

No action is required in this section. It simply provides that fees may be charged for various services associated with the application for and issuance of loans. Participants should review the Annual Service and Fee Disclosure notice(s) for your plan for more information on the applicable fees.

Section XVII: Signatures

Please have an authorized plan representative sign and date this section of the agreement.

Special Circumstances

Emergency Withdrawals (457 Plans Only)

457 Plans: Loans must be coordinated with unforeseeable emergency withdrawals. The emergency withdrawal
regulations under Section 457 of the Code require that an emergency withdrawal be a resource of the “last resort.” If the participant is able to take a loan or refinance a current loan from your ICMA-RC 457 plan or any other plan you sponsor, the participant has resources available to meet, or partially meet, the financial need. Therefore, a participant will be required to take or refinance a loan before taking an emergency withdrawal.

Many emergency withdrawals are not approved because the financial need, while serious, may not meet the conditions itemized in the 457 regulations. The ability to take a loan allows participants to have access to money that is not otherwise available. And the repayment process for loans ensures that participants replenish their accounts, thereby preserving their retirement savings.

**Qualified Joint and Survivor Annuity**  
**(Applies to Some 401 Plans Only)**

If your plan uses the Qualified Joint and Survivor Annuity as the default form of payment, married participants must obtain spousal consent prior to obtaining a loan. The employee’s spouse must consent, in writing, to the loan and the consent must be witnessed by a plan representative or notary public. Such consent must be received in writing by ICMA-RC no more than ninety (90) days before the loan request is submitted through Account Access or the Call Center. In the case of the Direct Loan Application, spousal consent should be sent along with the application.

*Please be advised, that some states recognize a status, such as a civil union or registered domestic partnership, to carry the same rights and obligations as marriage under state law.*

**Multiple Plans/Providers**

If you have more than one retirement plan which offers loans, including “co-administered” or “co-provider” plans, ICMA-RC will administer your loan program in your plan(s) with ICMA-RC, but you will have to perform some loan verification activities. You will need to perform these activities if loans are available to your employees from several like retirement plans, such as two separate qualified plans, or if you have different types of retirement plans (e.g. Section 457 deferred compensation and section 401 qualified plan). The degree of your involvement will depend on your situation.

1. **MULTIPLE PLANS**

The Code sets a maximum on the aggregate of all loans from all retirement plans in which the employee participates. If you offer retirement plans through multiple plan providers, no provider will be able to calculate, by itself, the maximum amount that a participant may borrow at any point in time. Since only you, the employer, can determine the current outstanding loan balance and the highest outstanding loan balance in the past 12 months from all loans from any retirement plans, you will have to calculate the maximum amount that may be borrowed. This will involve obtaining all loan amounts currently outstanding and repaid in the last 12 months. Please refer to the Maximum Loan Amount Worksheet for instructions you can use to calculate the maximum loan amount for a participant.

2. **SINGLE RETIREMENT PLAN/MULTIPLE PROVIDERS**

If you have adopted a single retirement plan with one master plan document under which ICMA-RC and your other administrator(s) must operate, then you may ultimately have to self-administer your loan program, unless you require:

- that the maximum that may be borrowed from any provider is 50 percent of the balance with that provider
- that the loan must be repaid only to the provider from which the loan was made.

3. **MULTIPLE TYPES OF RETIREMENT PLANS/MULTIPLE PROVIDERS**

If you make loans available to your employees from all of your retirement plans (e.g. Section 457 deferred compensation plan and Section 401 qualified plan), no administrator will be able to calculate, by itself, the maximum amount that a participant may borrow at any point in time. This is because the Code sets a maximum on the aggregate of all loans from all 401 and 457 plans in which the participant participates. Since only you, the employer, can determine the current outstanding loan balance and the highest outstanding loan balance in the past 12 months from all loans from any 401 or 457 plans, you will have to calculate the maximum amount that may be borrowed. This will involve obtaining all loan amounts currently outstanding and repaid in the last 12 months. Please refer to the Maximum Loan Amount Worksheet for instructions you can use to calculate the maximum loan amount for a participant.
The purpose of this agreement is to establish the terms and conditions under which the Employer will grant loans to participants. You should consider each option carefully before making your selections because your selections will apply to all loans made while the selection is in effect. If you later change any provision, the changes will apply only to loans made after the change is adopted. Loans in existence at the time of any future changes will continue to operate under the guidelines that were in effect at the time the loan was originally made.

Please read the instructions and carefully complete all sections of this agreement.

I. EMPLOYER PLAN INFORMATION

Name of Plan (Enter the complete Employer name, including state): Town of Chebeague Island, ME

Plan Type: □ 457 Deferred Compensation Plan    □ 401(a) Money Purchase Plan    □ 401 Profit-Sharing Plan

ICMA-RC Plan Number: 306262

II. ELIGIBILITY & LOAN SOURCE

Loans are available to all active employees, except those with an existing loan in default.

401 Plans — If your 401 plan is funded by a combination of Employer and Employee contributions, you must specify whether one or both of the following can be used as a source for participant loans. (Select one or both options below)

☐ Employer Contribution Account (vested balances only)

☐ Participant Contribution Accounts (pre- and post-tax, if applicable, including Employee Mandatory, Employee Voluntary, Employer Rollover, and Portable Benefits Accounts, but excluding the Deductible Employee Contribution/Qualified Voluntary Employee Contribution Account)

Roth Assets (if applicable) — If your 457 or 401(k) plan allows Roth contributions, a participant’s Designated Roth Account balance will be included when calculating the amount a participant is eligible to borrow. However, you must specify whether or not a participant’s Designated Roth Account can be used as a source for participant loans. (Select one option below)

☐ A participant’s Designated Roth Account will not be available as a source for loans under the plan (default option)

☐ A participant’s Designated Roth Account will be available as a source for loans under the plan.

Note: If Roth assets are available as a source for loans, a loan that is deemed distributed will not satisfy the requirements for a qualified (tax-free) distribution of Roth assets. This may result in participants paying taxes on assets that would otherwise be available tax-free.

III. LOAN PURPOSE

Loans are available for the following purposes and must be requested in the corresponding method (select one):

☐ All Purposes — With this option, participants can request a loan for any reason. Participants will be able to request new loans or refinance existing loans using the Online Loans and Loans by Call Center options.

☐ Hardship Only — With this option, loans shall only be granted in the event of a participant’s hardship or for the purpose of enabling a participant to meet certain specified financial situations. Participants will need to complete the loan application form for your plan and obtain your approval (Online Loans and Loans by Call Center are not available).

The employer shall approve the participant’s loan application after determining, based on all relevant facts and circumstances that the amount of the loan is not in excess of the amount required to relieve the financial need, as defined by the employer. For this purpose, financial need shall include, but not be limited to: unreimbursed medical expenses of the participant or members of the participant’s immediate family, establishing or substantially rehabilitating the principal residence of the participant, or paying for a college education (including graduate studies) for the participant or his/her dependents.
IV. APPLICATION PROCESS

The loan application process will vary depending on the option you selected in Section III above (Loan Purpose).

(A) ALL PURPOSES

• Online Loans and Loans by Call Center — Participants can request a new loan or to refinance an existing loan using the ICMA-RC website at www.icmarc.org (Online Loans) or by speaking with an Investor Services Representative (Loan by Call Center).

• Direct Check Issuance — ICMA-RC sends loan documents with the loan check to the participant. When the participant endorses the check, that endorsement signifies acceptance of loan terms.

(B) HARDSHIP ONLY

• Paper Application — A loan application must be completed, signed by the participant and approved by you, the employer.

• Check Issuance — Upon receipt of an approved loan application, ICMA-RC will prepare the required loan documents (i.e., the promissory note and loan disclosure statement), and send them to the employer with the loan check.

– The loan check may not be given to the participant until the loan documents have been signed by the participant. Because the promissory note is considered a plan asset, all loan documents must be completed and preserved for at least the life of the loan. The employer should retain the original loan documents and send copies of all documents to ICMA-RC.

The loan amount will generally be redeemed from the employee’s account on the same day as either ICMA-RC receipt of a loan request/application (complete and in good order), if it is submitted prior to 4:00 p.m. ET on a business day. If not, the loan amount will be redeemed on the next business day following submission. The loan check is generally issued on the next business day following redemption, and will be mailed directly to the employee. The employee’s presentation of the loan check for payment constitutes an acknowledgment that the employee has received and read the loan disclosure information provided by ICMA-RC and agrees to the terms therein.

V. MAXIMUM NUMBER OF LOANS (SELECT ONE)

Participants may receive one loan per calendar year. Please specify whether participants may have only one (1) or up to five (5) loans outstanding at one time.

☐ One (1). Participants may have only one (1) outstanding loan at a time.

☐ Five (5). Participants may have up to five (5) loans outstanding at one time.

☐ Other. Participants may have up to ___3____ (enter 2, 3, or 4) loans outstanding at one time.

VI. LOAN AMOUNT

Maximum: The maximum amount of all loans to a participant from the Plan and all other plans of the Employer that are either eligible deferred compensation plans described in section 457(b) of the Code or qualified employer plans under Section 72(p)(4) of the Code (e.g., 401(a) plans) shall not exceed the lesser of:

1) $50,000, or

2) One-half of the value of the Participant’s interest in all of his or her Accounts under this Plan.

When calculating the maximum amount a participant is eligible to borrow from his/her account, the lesser value of (1) or (2) above must be reduced by the participant’s highest outstanding loan balance over the past 12 months.

Minimum: The minimum loan amount is $1,000.

A loan cannot be issued for more than the maximum amount. The participant’s requested loan amount is subject to downward adjustment without notice due to market fluctuation between the time of application and the time the loan is issued.

Loan amounts will be taken pro-rata from all of a participant’s investments.
VII. LENGTH OF LOAN

Loans must be repaid in substantially equal installments of principal and interest over a period that does not exceed five (5) years.

Principal Residence Loans
If the participant will be using the loan to purchase a principal residence, the five (5) year time limit does not apply. Participants can repay a principal residence loan over a period of up to 30 years. Please specify the maximum repayment period for principal residence loans from your plan below.

Maximum repayment period for principal residence loans = \( 30 \) (Enter a number of years, up to 30)

VIII. LOAN REPAYMENT PROCESS

Specify the repayment method(s) and repayment frequency your plan will use. Note that loan amounts plus interest, minus applicable fees paid to ICMA-RC, are repaid to participant accounts and not to ICMA-RC. You can allow repayments to be made via payroll deduction and/or ACH payments from a participant’s bank account. Loan repayments must be made at least monthly (457) or quarterly (401).

Repayment Method (Select One):

☐ Payroll deduction only.
☐ ACH debit only.*
☐ Employee may choose either payroll deduction or ACH debit.*

*ACH Reject Fee — Please note a $20 processing fee will be assessed to a participant’s ICMA-RC account when a scheduled loan repayment(s) via ACH is rejected due to insufficient funds, invalid bank account information, or account closure in the participant’s designated payment account.

Repayment Frequency (Select One):

☐ Weekly (52 per year)
☐ Bi-weekly (26 per year)
☐ Semi-monthly (24 per year)
☐ Monthly (12 per year)
☐ Quarterly (4 per year) — Available to 401 plans only.

Initiating Repayments:

• ACH debits from the employee’s designated bank account will begin approximately one month following the date the employee’s signed ACH authorization form is received and processed by ICMA-RC, or, in the case of online loans, approximately one month following the date the loan check has been cleared for payment. Debits will normally be made on a monthly basis.

• Payroll deduction should begin within two payroll cycles following the employee’s receipt of the loan. Employees using this method must notify the Employer immediately so that repayments will begin as soon as practicable, on a date determined by the Employer’s payroll cycle. Failure to begin payroll deduction in a timely manner could lead to the employee’s loan entering delinquency status.

Investment of Loan Repayments
All loan repayments are invested according to the instructions the participant has on file for the investment of contributions to his/her account.

Additional Loan Repayments and Early Pay-Off
A participant may pay off all or a portion of the principal and interest early without penalty or additional fee. Extra payments are applied forward to both principal and interest as specified in the original repayment schedule, unless the additional payment is for the full balance due. Please note that no payment date may be “skipped” even if the employee has made a large payment or submitted multiple payments.
VIII. LOAN REPAYMENT PROCESS (CONTINUED)

Loans in Default
Participants using the ACH repayment option may default on their loans for lack of repayment more frequently than those using the payroll deduction method. For this reason, you may choose to require that certain participants use the payroll deduction repayment method.

Multiple Loans
If a participant has multiple loans outstanding from the plan, each loan repayment must be separately reported to ICMA-RC.

Former Employees and Leave of Absence
Former employees and employees on a leave of absence must repay their loans on the same schedule that would have applied had they continued employment.

Your plan may allow terminated employees to continue to repay their loans either through ACH, or by giving/sending you a check each repayment period (see the Acceleration section). If you allow terminated employees to repay loans by giving/sending you a check, you will include the repayment amounts in your next regular employee contribution remittance to ICMA-RC.

In certain situations, employers may suspend loan repayments for a period of time for employees on a leave of absence or military leave. Please refer to Treasury Regulation section 1.72(p)-1, Q&A-9 for more information.

Repayments Must Continue
In implementing a loan program you should be aware that some employers have had to contend with the inability of some participants to repay their loan(s). You should be aware that you may not stop taking loan repayments from the employee's paycheck — even if the employee asks that repayments be stopped. Failure to payroll-deduct loan repayments on schedule could both jeopardize the eligibility or qualification of the entire plan as well as create a taxable event for the participant. Likewise, if an employee is repaying the loan through ACH debit of his/her bank account, and the employee fails to make payments, this could jeopardize the eligibility of your retirement plan. Employers are ultimately responsible for ensuring that loans are repaid according to the loan terms.

ICMA-RC will notify both you and the employee if a payment has not been received.

IX. LOAN INTEREST RATE
The loan interest rates are set for non-residential loans at the prime rate plus 0.5%, and for principal residence loans at the FHA/VA rate. The interest rate for new loans fluctuates from month-to-month. The rates for the following month are determined on the last business day of the month using www.moneycafe.com/library/primerate.htm (prime rate) and www.citimortgage.com (principal residence rate).

When a new loan is approved, the interest rate is locked in and remains constant throughout the life of the loan.

X. SECURITY/COLLATERAL
At the time a loan is taken, 50 percent of the participant's account balance or the amount of the loan, whichever is less, will be used as collateral for the loan.

XI. ACCELERATION (SELECT ONE)
Please specify whether participants who have separated from service will be able to continue loan repayments until they have withdrawn their entire account balance from the plan, or if outstanding loans will be due and payable at the time the participant separates from service.

All outstanding loans shall be due and payable by a participant upon:

□ Separation from service. All loan repayments must stop following an employee separating from service.

☐ Distribution of his/her entire account balance. Employees can continue making loan repayments until they have withdrawn their entire account balance.

Outstanding loan balances that are not repaid will be reported as distributions to the participant. See the Deemed Distributions section for additional information.
XII. REAMORTIZATION

Reamortization changes the terms of an outstanding loan (e.g., repayment period, interest rate, frequency of repayments). Any outstanding loan may be reamortized.

Reamortization cannot extend the repayment period beyond five (5) years from the date the loan was originally issued. Or, in the case of Principal Residence Loans, beyond the number of years specified in Section VII years from the date the loan was originally issued.

Participants can use a loan amortization form to request that an outstanding loan be reamortized. Upon processing the request, a new disclosure statement will be sent to the employer for endorsement by the participant and approval by the employer. The executed disclosure statement must be returned to the plan administrator within 10 calendar days from the date it is signed. The new disclosure statement is considered an amendment to the original promissory note; therefore a new promissory note will not be required.

Note: A loan reamortization will not be considered a new loan for purposes of calculating the number of loans outstanding or the one loan per calendar year limit.

XIII. REFINANCE

Refinancing involves a new loan replacing an employee's outstanding loan. The refinanced loan must be repaid over a period that does not exceed five (5) years from the date when the original loan was issued.

Actively employed participants with one (1) outstanding loan may elect to refinance the outstanding loan for an additional amount, subject to the loan amount limitations outlined in Section VI, provided that the participant has not yet taken out a loan during the calendar year. Participants with multiple outstanding loans, and those who are no longer employed, are not eligible to refinance an existing loan.

Note: Principal residence loans are not eligible for refinance.

XIV. REDUCTION OF LOAN

If a participant dies prior to full repayment of the outstanding loan(s), the outstanding loan balance(s) will be deducted from the account prior to distribution to the beneficiary(ies). The unpaid loan amount is a taxable distribution and may be subject to early withdrawal penalties. The participant’s estate is responsible for taxes and penalties on the unpaid loan amount, if any. A beneficiary is responsible for taxes due on the amount he or she receives. A Form 1099 will be issued to both the beneficiary and the estate for tax reporting purposes.

XV. DEEMED DISTRIBUTIONS

A loan will be deemed distributed when a scheduled payment is still unpaid at the end of the calendar quarter following the calendar quarter in which the payment was due. When a loan is deemed distributed, the principal balance and any accrued interest is reported to the IRS as a taxable distribution. However, since the participant received the loan amount previously, no money is actually paid to the participant as part of a deemed distribution.

The loan is deemed distributed for tax purposes, but it is not an actual distribution and therefore remains an asset of the participant’s account. Interest continues to accrue. The outstanding loan balance and accrued interest are reported on the participant's account statements.

Repayment of a deemed distribution will not change or reverse the taxable event.

The loan continues to be outstanding, and to accrue interest, until it is repaid or offset using the participant’s account balance. An offset can occur only if the participant is eligible to receive a distribution from the plan as outlined in the plan document. Participants are required to repay any outstanding loan which has been deemed distributed before they can be eligible for a new loan. The deemed distribution and any interest accrued since the date it became a taxable event is taken into account when determining the maximum amount available for a new loan. New loans must be repaid through payroll deduction.

Important Note: The employer is obligated by federal regulation to comply with the loan guideline requirements applicable to participant loans, and to ensure against deemed distribution by monitoring loan repayments, regardless of the method of repayment, and by advising employees if loans are in danger of being deemed distributed. The tax-qualified status or eligibility of the entire plan may be revoked in cases of frequent repayment delinquency or deemed distribution.

To assist plan sponsors whose plan options include loans, ICMA-RC will provide reports of participants with payments delinquent by 30 to 89 days, 90 or more days but not yet deemed, and those whose loans have been deemed distributed. ICMA-RC is committed to supporting employers who request assistance with their loan programs in order to reduce the number of delinquent loans and decrease the occurrence of deemed distributions.
XVI. FEES

Fees may be charged for various services associated with the application for and issuance of loans. All applicable fees will be debited from the participant's account balance and/or from the participant's loan repayments prior to crediting the repayment of principal and interest to the participant's account.

XVII. SIGNATURES

The Employer has the right to set other terms and conditions as it deems necessary for loans from the plan in order to comply with any legal requirements. Employer certifies that all terms and conditions will be administered in a uniform and non-discriminatory manner.

In Witness Whereof, the employer hereby caused these Guidelines to be executed this ______________ day of ______________, 20 ___.

EMPLOYER

By: _______________________________

Title: ______________________________

Attest: ______________________________
Maximum Loan Amount Worksheet

The maximum amount a participant can borrow from his or her account is $50,000 or 50% of the account balance, whichever is less. However, the amount must be reduced by a participant’s highest outstanding loan balance over the past 12 months (which, obviously, only impacts participants who have previously taken a loan from a 457 or qualified 401 plan). The minimum amount a participant can borrow is $1,000.

EXAMPLE 1

Michael has never taken a loan from his account before and his 457 plan account balance at the close of business yesterday was $84,000. To calculate the maximum loan amount he is eligible to receive, we need to determine if 50% of his account balance ($84,000 × 50% = $42,000) is greater than or less than $50,000. In this case, 50% of his account balance is less than $50,000, so the maximum loan amount Michael is eligible to receive is $42,000.

EXAMPLE 2

Kathy has never taken a loan from her account before and her 401 plan account balance at the close of business yesterday was $240,000. In this case, 50% of Kathy’s balance ($240,000 × 50% = $120,000) is greater than $50,000, so the maximum loan amount Kathy is eligible to receive is $50,000 (the lesser of the two amounts).

EXAMPLE 3

Pam took a $15,000 loan from her account eight months ago (in the previous calendar year) and her 457 plan account balance at the close of business yesterday was $130,000. In this case, 50% of Pam’s balance ($130,000 × 50% = $65,000) is greater than $50,000, but that amount must also be reduced by her highest outstanding loan balance over the past 12 months, so the maximum loan amount Pam is eligible to receive is $35,000. ($50,000 – $15,000 = $35,000)

MAXIMUM LOAN AMOUNT WORKSHEET

<table>
<thead>
<tr>
<th>Worksheet Template</th>
<th>Example (using numbers from Example 3 above)</th>
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<tbody>
<tr>
<td>1) Enter 50% of the participant’s total plan account balance.</td>
<td>1) $_________ 1) $65,000</td>
</tr>
<tr>
<td>2) Enter the answer to #1 or $50,000, whichever is less.</td>
<td>2) $_________ 2) $50,000</td>
</tr>
<tr>
<td>3) Enter the participant’s highest outstanding loan balance over the past 12 months (from all of your plans combined), if applicable.</td>
<td>3) –$_________ 3) –$15,000</td>
</tr>
<tr>
<td>4) Subtract #3 from #2 and you have the maximum amount the participant is eligible to receive as a new loan.</td>
<td>4) $_________ 0.00 4) $35,000 (maximum loan amount)</td>
</tr>
</tbody>
</table>
SUGGESTED RESOLUTION FOR A LEGISLATIVE BODY
RELATING TO AMENDING A RETIREMENT PLAN TO PERMIT LOANS

401 Money Purchase Plan # 10 ___ ___ ___
401 Profit-Sharing Plan # 10 ___ ___ ___
457 Deferred Compensation Plan # 30 6 2 6 2

Name of Employer: Town of Chebeague Island

Resolution of the above named Employer ("Employer")

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the Employer has established a retirement plan (the "Plan") for such employees which serves the interest of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that permitting participants in the retirement plan to take loans from the Plan will serve these objectives;

NOW THEREFORE BE IT RESOLVED that the Plan will permit loans.

I, Michelle J. Jackson Clerk of the (City, County, etc.) of Chebeague Island, ME, do hereby certify that the foregoing resolution, proposed by (Council Member, Trustee, etc.) Board of Selectmen, was duly passed and adopted in the (Council, Board, etc.) of the (City, County, etc.) of Chebeague Island at a regular meeting thereof assembled this ______________ day of ____________________, 20 __, by the following vote:

AYES: _______
NAYS: _______
ABSENT: _______

Clerk of the (City, County, etc.)
Town of Chebeague Island

Mail or fax copies of all completed documents to ICMA-RC.

Fax to: 202-962-4601
ATTN: NBU Analyst

OR

Mail to:
ICMA-RC
ATTN: NBU Analyst
777 North Capitol Street, NE
Washington, DC 20002-4240
**457 PLAN LOAN ADMINISTRATION AGREEMENT**

This Agreement is not required if you have 1) only one 457 plan provider or 2) more than one plan provider each with its own plan document and provisions unique to each provider. The Agreement only applies if you have adopted a single 457 plan document under which ICMA-RC and one or more other provider(s) must operate. Please refer to the Multiple Plans/Providers section of the Loan Guidelines Agreement Instructions for more details.

This Agreement shall serve as an Addendum to the Loan Guidelines established by the Employer identified below and as an Addendum to the Administrative Services Agreement (ASA) made by and between the ICMA Retirement Corporation (ICMA-RC) and the Employer.

The Employer currently sponsors a section 457 deferred compensation plan administered by two or more providers (co-provider plan). In order to ensure the efficient administration of the loan program established by the Employer, the Employer hereby agrees and declares that

1. For purposes of issuing loans from the plan, that portion of the plan’s assets administered by ICMA-RC will be treated as though it were a separate and distinct plan.

2. The Employer shall calculate the amount a participant may borrow from the ICMA-RC administered portion of the plan. No loan amount may exceed the lesser of (a) the maximum loan amount specified in Internal Revenue Code section 72(p)(2)(A) or (b) 50% of the participant’s ICMA-RC-administered account balance.

3. All loan repayments must be made to the participant’s ICMA-RC-administered account for the life of the loan.

AGREED as of the __________________________ day of _______________________, 20 __ __:

Name of Employer: __________________________

State: ___ ___

Employer Plan Number: 30 __ __ __ __

Authorized Official (Print Name): __________________________

Signature of Authorized Official: __________________________

Mail or fax copies of all completed documents to ICMA-RC.

Fax to:
202-962-4601
ATTN: NBU Analyst

OR

Mail to:
ICMA-RC
ATTN: NBU Analyst
777 North Capitol Street, NE
Washington, DC 20002-4240

Loan Implementation Package for 457/401 Plan Sponsors | 15
I. Name of Employer: ___________________________________________ State: ___ ___

II. ICMA-RC Plan # 10 ___ ___ ___

III. Loans are permitted under the plan, as provided in Article XIII of the Adoption Agreement and in the executed Loan Guidelines Agreement.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this _________________ day of _________________________, 20 ___ ___.

EMPLOYER

By: __________________________________________

Title: __________________________________________

Attest: ________________________________________

Mail or fax copies of all completed documents to ICMA-RC.

Fax to: 202-962-4601 OR Mail to: ICMA-RC
ATTN: NBU Analyst ATTN: NBU Analyst
777 North Capitol Street, NE Washington, DC 20002-4240

AC: 19449413
MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 15, 2014

VICE-PRESIDENT - 1 YEAR TERM

Proposed by MMA Nominating Committee:
Stephan Bunker, Selectman, Town of Farmington

DIRECTORS - 3 YEAR TERM

Proposed by MMA Nominating Committee:
Cynthia Mehnert, Councilor, Town of Orono
Laurie Smith, Town Manager, Town of Kennebunkport
Patricia Sutherland, Chair of Selectboard, Town of Chapman

Vote for One

Vote for Three

Please note that unlike municipal elections, MMA does not provide for “Write-in Candidates” since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: ___________________________ Municipality: ___________________________

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: ___________________________ Signature: ___________________________
Position: ___________________________

OR Signed by a Majority of Municipal Officers Current # of Municipal Officers: ______

Print Names: ___________________________ Signatures: ___________________________

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Return To:
MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3368 or 626-5947
Email: tchavarie@memun.org