



**City Council Workshop & Meeting  
Agenda  
October 21, 2024  
Auburn Hall, Council Chambers**

**5:30 PM Workshop**

- Taxpayer Relief Programs
- **Executive Session** pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss a legal matter. No action to follow. *Passage requires 3/5 majority vote to enter executive session.*
- **Executive Session** pursuant to 1 M.R.S.A. Section 405(6)(A) to discuss a personnel matter. No action to follow. *Passage requires 3/5 majority vote to enter executive session.*

**7:00 PM Meeting**

Pledge of Allegiance & Roll Call - *Roll call votes will begin with Councilor Milks*

- I. **Consent Items** – *All items with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Passage of items on the Consent Calendar require majority vote.*
  1. **ORDER 145-10212024\*** - Appointing Arthur Wing to the Auburn Housing Authority Board of Commissioners for a term that expires 10/1/2029, as recommended by the Appointment Committee.
- II. **Minutes** – October 7, 2024 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
  - Auburn Fire Department Recognition
  - Recognizing Republic Jewelry's 40<sup>th</sup> anniversary
  - 2024 Extra Mile Award Recipient - Volunteers at The Drop-In Center
- IV. **Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*
- V. **Unfinished Business**
  1. **ORDINANCE 19-10032024**– Adopting revised MMA General Assistance Ordinance and 2024/2025 GA Maximums. *Second reading/public hearing. Passage requires majority vote. ROLL CALL VOTE.*

2. **ORDER 146-10212024** – Amending ORDER 106-08192024 regarding the City’s Comprehensive Plan Committee. *Passage requires majority vote.*

**VI. New Business**

1. **Public Hearing** – CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2023. No action.
2. **ORDER 147-10212024** - Authorizing the City’s general obligation bonds in the amount of \$983,000 to finance the School Department’s FY25 Capital Improvement Program. *First reading. ROLL CALL VOTE. Passage requires an affirmative vote of 5 Councilors at the second reading.*

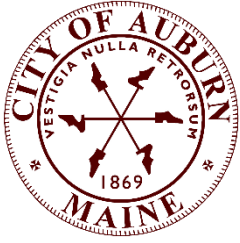
**VII. Reports**

- a. **Mayor’s Report**
- b. **City Councilors’ Reports**
- c. **Student Representative Report**
- d. **City Manager Report**
- e. **July 2024 Finance Report – Kelsey Earle, Finance Director**

- VIII. Open Session** - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

**IX. Executive Session**

**X. Adjournment**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** October 21, 2024

**Subject:** Executive Session

**Information:** Executive Session pursuant to 1 M.R.S.A. Section 405(6) (E) to discuss a legal matter.

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

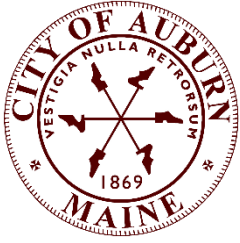
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** October 21, 2024

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- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

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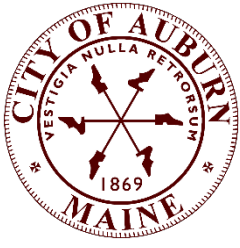
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E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** October 21, 2024

**Order: 145-10212024**

**Author:** Emily F. Carrington, City Clerk

**Subject:** Appointing Arthur Wing to the Auburn Housing Authority Board of Commissioners for a term that expires 10/1/2029, as recommended by the Appointment Committee

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**Information:** After ORDER 111-09162024\* failed to pass at the September 16, 2024 meeting, the City Clerk reposted for applications on September 17, 2024 with a specified deadline to receive applications by October 4, 2024. One application was received (Arthur Wing). The Council was informed of applications received by email, as stated in the policy, on October 7, 2024. The Appointment Committee was scheduled to meet October 15, 2024 to review applications and make a recommendation for the October 21, 2024 Council meeting. The Appointment Committee unanimously voted at the meeting to nominate Arthur Wing.

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**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** N/A

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**Previous Meetings and History:** ORDER 111-09162024\* was removed from Consent Items and failed to pass at the September 16, 2024 meeting by a vote of 2-3 (Milks, Weisner, Walker opposed; Gerry recused; Cowan absent). The city clerk reposted on September 17, 2024 for applications due October 4, 2024.

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**City Manager Comments:** I concur with the recommendation. Signature: *Phillip Crowell, Jr.*

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**Attachments:** None



**ORDER 145-10212024**

# City Council Order

**IN CITY COUNCIL**

**ORDERED**, that the City Council hereby appoints Arthur Wing to the Auburn Housing Authority Board of Commissioners for a term that expires 10/1/2029, as recommended by the Appointment Committee.

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**Richard S. Whiting**, Ward One  
**Benjamin J. Weisner**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Stephen G. Milks**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

## **IN COUNCIL WORKSHOP & MEETING OCTOBER 7, 2024 VOL 37 PAGE 193**

Mayor Harmon called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. City Manager Phil Crowell was absent; Assistant City Manager Denis D'Auteuil was present. Student Representative Egge was absent. Mayor Harmon and all Councilors were present.

### **I. Consent Items**

*Councilor Milks removed #3 through #12 from the Consent Items, to be placed under New Business.*

1. ORDER 127-10032024\* - Confirming the appointments of Election Wardens and Ward Clerks for the November 5, 2024 State-wide General/Referendum Election.
2. ORDER 128-10032024\* - Confirming Chief Moen's appointment of Joshua Perkins as Constable without firearms/arrest powers for the Auburn Police Department.
13. ORDER 139-10032024\*— Appointing Riley Bergeron and Paul Jacques, of the Planning Board, to the Comprehensive Plan Committee, as nominated by the Planning Board.
14. ORDER 140-10032024\* - Appointing John Ruccolo to the Complete Streets Committee for an unexpired term that expires 1/1/2025, as nominated by the Appointment Committee.
15. ORDER 141-10032024\* - Appointing Patrick DeFilipp to the Auburn Sewer District for an unexpired term that expires 3/1/2026, as nominated by the Appointment Committee.

Motion for passage of remaining Consent Items by Councilor Cowan, seconded by Councilor Weisner. Motion passed 7-0.

### **II. Minutes** – September 16, 2024 Regular Council Meeting

Motion to accept the minutes by Councilor Walker, seconded by Councilor Whiting. Motion passed 6-0-1 (Cowan abstained).

### **III. Communications, Presentations and Recognitions**

- Proclamation recognizing the Month of October as Manufacturing Month
- Proclamation recognizing the Month of October as Domestic Violence Awareness Month
- Reminder: Absentee voting now available; ballots may be requested until October 31
- Auburn Fire Department Recognition – *This item was postponed to the 10/21 agenda.*

### **IV. Open Session**

None.

**IN COUNCIL WORKSHOP & MEETING OCTOBER 7, 2024 VOL 37 PAGE 194**

**V. Unfinished Business**

1. ORDINANCE 18-09162024 - Zoning map amendment to convert certain parts of City Assessor's Parcel I.D.s 289-001, 277-026 and 289-002 with addresses of 369 Mount Auburn Ave, 225 Gracelawn Road, and 125 Gracelawn Pit Road from the General Business zoning district to the Multifamily Suburban zoning district. Second reading/public hearing. Passage requires majority vote. ROLL CALL VOTE.

Motion for passage by Councilor Whiting, seconded by Councilor Walker. The Mayor opened this item for public comment. There was no comment. Mayor Harmon closed the public hearing at 7:10pm. Motion passed 6-1 (Gerry opposed) on a roll call vote.

**VI. New Business**

1. ORDER 142-10032024 – Appointing two City Councilors to the Comprehensive Plan Committee.

Councilor Gerry nominated Councilor Whiting. Councilor Platz nominated Councilor Cowan. Councilor Milks nominated Councilor Weisner. Councilor Walker nominated Councilor Milks. Councilor Weisner nominated Councilor Gerry. Councilor Gerry declined the nomination. Mayor Harmon asked Councilors to vote in favor as nominations were read. On a vote of 4 Councilors in favor for each nomination, Councilor Whiting and Councilor Cowan were appointed.

2. ORDER 143-10032024 – Authorizing acceptance of the 2024 Byrne Jag Grant in the amount of \$17,209.00 for the Auburn Police Department. Passage requires majority vote.

Councilor Gerry moved for passage, seconded by Councilor Walker. The motion passed 6-1 (Weisner opposed).

3. ORDINANCE 19-10032024– Adopting revised MMA General Assistance Ordinance and 2024/2025 GA Maximums. First reading. Passage requires majority vote. ROLL CALL VOTE.

Councilor Gerry moved for passage, seconded by Councilor Walker. There was no comment. Motion passed 7-0 on a roll call vote.

4. ORDER 144-10032024 - Casting a vote for Councilor Leroy Walker to represent County Commission District 6 on the Androscoggin County Budget Committee. Passage requires majority vote.

Councilor Gerry moved to suspend the rules to allow this item to be added to the agenda, seconded by Councilor Milks. Motion passed 7-0.

Councilor Whiting moved for passage of ORDER 144-10032024, seconded by Councilor Weisner. Motion passed 7-0.



**IN COUNCIL WORKSHOP & MEETING OCTOBER 7, 2024 VOL 37 PAGE 195**

*Below are the items which were removed from Consent Items (Councilor Milks).*

3. ORDER-129-10032024\* - Appointing Rex Rhoades, Ward 1, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Gerry moved for passage, seconded by Councilor Whiting.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Weisner. Councilor Platz asked for discussion on the motion. A vote to postpone without discussion was held and retracted by Mayor Harmon, as it was stated that discussion on the motion was allowed. Councilor Milks stated he wished to postpone this item to November 18, 2024 and to amend ORDER 08192024 to allow for more applicants. The motion to postpone ORDER 129-10032024 passed 4-3 (Gerry, Whiting, Cowan opposed).

4. ORDER-130-10032024\* - Appointing Rebecca Swanson Conrad, Ward 2, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Walker. Motion passed 4-3 (Gerry, Whiting, Cowan opposed).

5. ORDER-131-10032024\* - Appointing John Cleveland, Ward 2, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Weisner. Motion passed 5-2 (Gerry, Whiting opposed).

6. ORDER-132-10032024\*- Appointing Adam Lee, Ward 2, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Walker. Motion passed 5-2 (Gerry, Whiting opposed).

7. ORDER-133-10032024\*- Appointing Denis Bergeron, Ward 2, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Walker. Motion passed 5-2 (Gerry, Whiting opposed).

8. ORDER-134-10032024\*- Appointing Mathieu Duvall, Ward 3, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Weisner. Motion passed 5-2 (Gerry, Whiting opposed).

## IN COUNCIL WORKSHOP & MEETING OCTOBER 7, 2024 VOL 37 PAGE 196

9. ORDER-135-10032024\*- Appointing Kelly Butler, Ward 4, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Walker. Motion passed 5-2 (Gerry, Whiting opposed).

10. ORDER-136-10032024\*- Appointing Bruce Rioux, Ward 5, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Walker. Motion passed 5-2 (Gerry, Whiting opposed).

11. ORDER-137-10032024\*- Appointing Jane Costlow, Ward 5, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Weisner. Motion passed 5-2 (Gerry, Whiting opposed).

12. ORDER-138-10032024\*- Appointing Dana Staples, Ward 5, to the Comprehensive Plan Committee, as nominated by the Appointment Committee.

Councilor Milks moved to postpone this item to the 2<sup>nd</sup> meeting in November 2024 (November 18, 2024). Seconded by Councilor Walker. Motion passed 5-2 (Gerry, Whiting opposed).

Councilor Milks moved to suspend the rules to take up an item not on the agenda. Seconded by Councilor Walker. Motion passed 5-2 (Gerry, Whiting opposed).

Councilor Milks moved to amend ORDER 106-08192024 to extend the date to accept applications to November 8, 2024. Seconded by Councilor Weisner. Motion passed 5-2 (Gerry Whiting opposed).

### **VII. Reports**

**a. Mayor's Report** – Mayor Harmon commented on the ice rink; Lost Valley's Oktoberfest event; MMA meeting, and Manufacturing Month.

**b. City Councilors' Reports** – Councilor Whiting commented on the expanding trails and lift at Lost Valley. Councilor Cowan spoke on great presentation regarding EMS. Councilor Weisner recognized Auburn Water District for swift repairs to water main breaks these past few weeks. Councilor Walker informed the public of the Halloween event at Anniversary Park on 10/27, and the work of the Age Friendly Community Committee. Councilor Platz gave two School-related updates, the first regarding the hiring of a new events coordinator for the School, and the second regarding a student hit by Fairview School and how the School and City are working to improve safety.

**c. Student Representative Report** – Representative Mubarik Abdulahi recognized an upcoming event at the Riverwalk at 5:30pm.

**d. City Manager Report** – Mr. D’Auteuil shared news that the fire which occurred at Mt. Auburn Ave and destroyed a housing project will be rebuilt. He shared an update on 46 Fair St, and noted that County Budget meetings have started.

**VIII. Open Session**

Stephen Beale, Durham  
David Bilodeau, Auburn  
Anthony Cararro, Auburn  
Reed Lizotte, Leavitt St

**IX. Executive Session**

**X. Adjournment**

Councilor Walker moved to adjourn, seconded by Councilor Milks. Motion passed 7-0. Council adjourned at 8:43pm.

**A TRUE COPY ATTEST**

**Emily F. Carrington, City Clerk**



## PROCLAMATION | **EXTRA MILE DAY**

**WHEREAS**, Auburn, Maine is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

**WHEREAS**, Auburn is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

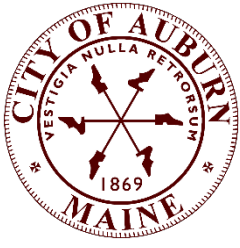
**WHEREAS**, Auburn is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

**WHEREAS**, the City of Auburn acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2024.

**NOW THEREFORE**, I Jeffrey D. Harmon, Mayor of the City of Auburn, do hereby proclaim November 1, 2024, to be Extra Mile Day. I urge each individual in our community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Auburn, Maine to be fixed this <sup>21</sup> day of October, 2024.

Mayor Jeffrey D. Harmon



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** October 21, 2024

**Ordinance:** 19-10032024

**Author:** Jamie Longley, General Assistance Manager

**Subject:** Amending Chapter 24, "Human Relations and Services", Article II, Sec. 24-23 of the City's General Assistance Program regarding annual adjustment of maximum benefits. SECOND READING/PUBLIC HEARING.

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**Information:** Maine Municipal Association has updated their General Assistance Ordinance and updates have been made to Appendix A (overall maximums), Appendix B (food maximums), Appendix C (housing maximums) and Appendix H (funeral maximums) of the General Assistance Ordinance. There is also a new Recovery Residence Housing Maximums guide.

This amendment adopts these changes for the 2024/2025 year. The language in the ordinance has been amended to specify all of the adopted GA Maximums (Appendices A-H) and Recovery Residence maximums, and specifies the City's adoption of the MMA General Assistance Ordinance (dated September 2024). A copy of these records in their entirety are kept on file in the office of the city clerk for public information.

As an ordinance amendment, first reading passed 7-0 on October 7, 2024 and second reading and public hearing will be scheduled for October 21, 2024.

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**City Budgetary Impacts:** The overall maximums (Appendix A) are an average increase of 3.96% per person/household per month. The food maximums (Appendix B) are an average increase of 0.26% per individual per month. The housing maximums (Appendix C) are an average increase of 3.86% per unit per month. The funeral maximums are an average increase of 9.79% per case. Recovery houses have increased 4.02% per month. This is estimated to be an annual increase of \$37,500. *There are no changes in appendices D-G.*

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**Staff Recommended Action:** Approval of changes to the General Assistance Ordinance, Appendices A-C, H, and Recovery Residences as required by State statute and ordinance. Recommend passage.

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**Previous Meetings and History:** This is an annual approval needed by council for changes made to the appendices.

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**City Manager Comments:**

I concur with the recommendation. Signature: *Phillip Crowell Jr.*

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**Attachments:**

Order

Appendix A, Overall Maximums

Appendix B, Food Maximums

Appendix C, Housing Maximums

Appendix H, Funeral Maximums

Recovery Residences

Ordinance & Adoption form for 24/25

# **GENERAL ASSISTANCE ORDINANCE**



**MAINE MUNICIPAL  
ASSOCIATION SINCE 1936**

**Prepared by**

**Maine Municipal Association**

**September 2024**

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**ARTICLE I – Statement of Policy**

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

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

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



recipients to make informed choices; and value and facilitate the exchange of information with recipients. (22 M.R.S. § 4305(7)).

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

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

The Administrator will post notice stating that any person may apply for general assistance during the municipality's regular business hours. The Administrator, or other designated person/entity, will be available to take applications in the event of an emergency at all other times. A copy of this ordinance and Maine General Assistance law will be available to any member of the public upon request. Notice to this effect will be posted.

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

**ARTICLE II – Definitions**

**Section 2.1—Common Meaning of Words**

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

**Section 2.2—Special Definitions**

**Administrator.** See “General Assistance Administrator,” below.

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

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

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

“Basic necessities” do not include:

- Phone bills
- Cable or satellite dish television
- Mail orders
- Vehicle payments
- Credit card debt\*\*
- Furniture
- Loan re-payments\*\*
- Cigarettes
- Alcohol
- Pet care costs

- Vacation costs
- Legal fees
- Late fees
- Key deposits
- Security deposits for rental property (except when no other permanent lodging is available unless a security

deposit is paid, and a waiver, deferral or installment arrangement cannot be made between landlord and tenant to avoid need for immediate payment of the security deposit in full). (22 M.R.S. § 4301(1)).

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

**Case Record.** An official file containing application forms; correspondence; narrative records and all other communications pertaining to an applicant or recipient; written decisions regarding eligibility including reasons for those decisions and types and amounts of assistance provided; records concerning an applicant’s request for fair hearing; and fair hearing decisions.

**Categorical Assistance.** All state and federal income maintenance programs.

**Claimant.** A person who has requested a fair hearing.

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

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

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

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

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

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

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

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

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

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

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

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

- Net remuneration for services performed;
- Cash received on either secured or unsecured credit;

## ARTICLE II – Definitions

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

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

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

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

- Benefits received pursuant to public benefit programs that are specifically exempt from being counted as income for purposes of GA. These programs include:

- Supplemental Nutrition Assistance Program (SNAP) (7 U.S.C. § 2017(b))
- Li-Heap (42 U.S.C. § 8624)
- Family Development Accounts (22 M.R.S. § 3762)
- AmeriCorp VISTA program benefits (42 U.S.C. § 5044 (f))
- Property tax rebates issued under the Maine Property Tax Fairness Credit program, but only if the money is spent on basic necessities (22 M.R.S. § 4301(7))
- ASPIRE Support Service Payments (10-144 CMR Chapter 323)

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

Potential resources include, but are not limited to, state or federal assistance programs, employment benefits, governmental or private pension programs, available trust funds, support from legally liable relatives, child support payments, and jointly held resources where the applicant or recipient share may be available to the individual. (22 M.R.S. § 4317). Potential resources include the TANF (previously known as AFDC) program, Food Stamps, fuel assistance (HEAP), subsidized housing, and similar programs.

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

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

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

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

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

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

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

**ARTICLE III – Administrative Rules and Regulations**

**Section 3.1—Confidentiality of Information**

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

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

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

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

a material fact to the Administrator commits a Class E crime. (22 M.R.S. § § 4314, 4315).

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

### **Section 3.2—Maintenance of Records**

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

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

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

## ARTICLE III – Administrative Rules and Regulations

- vendor forms

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

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

## **ARTICLE IV – Application Procedure**

### **Section 4.1—Right to Apply**

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

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

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

**Applications Accepted; Posted Notice.** Any person may apply for general assistance during the municipality’s regular business hours. In an emergency, however, the Administrator or their designee will be available to accept applications for assistance whenever necessary.

The municipality will post notice stating the times and location where people may apply for assistance and contact information for the Administrator available to take



emergency applications at all other times. In addition, the posted notice shall state that the municipality must issue a written decision on all applications within 24-hours and will include the DHHS toll-free telephone number for reporting alleged violations or complaints. (22 M.R.S. § 4304).

**Section 4.2—Application Interview**

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

**Section 4.3—Contents of the Application**

An application must contain the following information:

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

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

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

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

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

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

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

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

- review the municipal GA ordinance and Maine GA statute and regulations;
- apply for assistance;
- receive a written decision concerning eligibility within 24-hours after application;
- confidentiality of the application and other records;

- contact the DHHS with complaints;
- challenge the Administrator’s decision by requesting a fair hearing.

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

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

**Section 4.5—Responsibilities of the Applicant at Time of Application**

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

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

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

- a) has remained employed, if previously employed, and has not quit work without just cause or been discharged from employment for misconduct;

- b) has been seeking employment, if previously unemployed or employed on a part-time basis, has accepted any suitable offer of employment, and has satisfactorily performed all workfare assignments or had just cause not to perform those assignments;
- c) has made use of all available and potential resources when directed in writing to such a program by the Administrator, including, but not limited to, other government benefit programs or the assistance of liable relatives of sufficient means; and
- d) has participated in any training, retraining, educational or rehabilitative program when appropriate and when directed in writing to such a program by the Administrator, in order to diminish the applicant’s need for general assistance. (22 M.R.S. § § 4316-A, 4317).

**Section 4.6—Action on Applications**

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

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

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

**Section 4.7—Withdrawal of an Application**

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

**Section 4.8—Temporary Refusal to Accept Application**

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

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

**Section 4.9—Emergencies**

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

and also have not had sufficient income and resources to avert the emergency. (22 M.R.S. § 4308).

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

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

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

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

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

Benefits provided prior to verification are limited as follows:

## ARTICLE IV – Application Procedure

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

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

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

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

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

- a) The applicable time period shall be the 30 days preceding the application for emergency assistance, except in those cases where the emergency was created by a negative account balance for a commodity or service (such as rent, mortgage, or utility payments), and the negative account balance was created over a longer period of time. In such cases, the applicable time period

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shall be the consecutive length of time the account balance has been in the negative.

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

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



**Section 4.10—Residence**

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

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

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

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

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

## ARTICLE IV – Application Procedure

**Note:** A municipality which illegally denies housing assistance will be responsible for the applicant for up to 6 months if, as a result of the denial, the applicant stays in temporary lodging. The municipality may also be subject to other penalties. (22 M.R.S. § 4307(4)).

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

## **ARTICLE V – Eligibility Factors**

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

### **Section 5.1—Initial Application**

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

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

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

### **Section 5.1A – Presumptive Eligibility**

A person who is provided shelter in an emergency shelter for the homeless located in the municipality shall be presumed to be an eligible person. Presumed eligibility may not exceed 30 days within a 12-month period. After the period of presumed eligibility,

full eligibility must be verified before assistance will be issued. When presumptive eligibility is determined under this section, no other municipality may be determined to be the municipality of responsibility during that 30-day period.

**Section 5.1B – Recovery Residences**

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

**Section 5.2—Eligibility for Categorical Assistance**

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

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

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

**Section 5.3—Personal Property**

**a) Liquid Assets.**

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

**b) Tangible Assets.**

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

**c) Automobile Ownership.**

Ownership of one automobile per household will not make a person ineligible for assistance if such vehicle is essential for transportation to employment or for seeking employment, obtaining medical care, rehabilitation, or training facilities, or for any other reason the GA Administrator determines reasonable

for the maintenance of the applicant’s household. GA recipients who own an automobile with a market value greater than \$8,000 may be required, with 7-day’s written notice, to make a good faith effort to trade that automobile for an automobile with a market value of less than \$8,000. Any income received by the applicant by virtue of such a trade down must be used for their basic necessities. Failure to liquidate or trade down the excess value of any automobile asset can result in disqualification. (22 M.R.S. § 4317).

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

**d) Insurance.**

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

**e) Transfer of Property.**

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

**Section 5.4—Ownership of Real Estate**

**a) Principal Residence.**

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

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

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

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

**b) Other Property.**

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

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

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

**Section 5.5—Work Requirement**

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

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

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



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

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

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

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

- f) refuse to participate or participate in a substandard manner in the municipal work program (*see Ordinance § 5.6*).

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

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

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

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

**Eligibility Regained.** Persons who are disqualified for 120 days because they violated a work requirement may regain their eligibility if and only when they become employed

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or otherwise satisfy the Administrator that they are complying with the work requirement by fulfilling the work requirement(s) the person violated.

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

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

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

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

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

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

The requirements of this section will not be imposed so as to interfere with an applicant’s existing employment, ability to pursue a bona fide job offer, ability to attend an interview for possible employment, classroom participation in a primary or secondary educational program intended to lead to a high school diploma, classroom

or on site participation in a training program which is either approved by the Department of Labor (DOL) or determined by the DOL to be expected to assist the applicant in securing employment, or classroom participation in a degree-granting program operated under the control of the DOL.

**Section 5.6—Municipal Work Program**

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

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

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

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

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

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- 1) No person shall, as a condition of eligibility, be required to perform any amount of work that exceeds the value of the net GA that the person receives under municipal GA standards. Any person performing work under this subsection shall be provided with net GA, the value of which is calculated at a rate of at least the prevailing minimum wage under state or federal law at the time the workfare was performed.
- 2) No workfare participant shall be required to work for a nonprofit organization if that work would violate the participant's basic religious beliefs.
- 3) In no case shall eligible persons performing work under this subsection replace regular municipal employees.
- 4) In no case will work performed under this subsection interfere with an eligible person's:
  - a) existing employment;
  - b) ability to follow up on a bona fide job offer;
  - c) attendance at an interview for possible employment;
  - d) classroom participation in a primary or secondary educational program intended to lead to a high school diploma; or
  - e) classroom or on-site participation in a training program which is approved by the Department of Labor (DOL) or determined by the DOL to be reasonably expected to assist the person in securing employment, or classroom participation in a degree-granting program administered by the DHHS or the DOL.
- 5) In no case may an eligible person be required to work more than 40 hours per week. An eligible person who has full or part-time employment shall be exempt from the work requirement to the extent that the work requirement in combination with their regular employment would result in the person working more than 40 hours per week.
- 6) In no case will an eligible person be required to perform work beyond their capabilities. However, when an illness or disability is claimed, an

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eligible person may be required as a condition of receiving assistance to present a doctor’s statement detailing the extent of the disability or illness. (22 M.R.S. § 4309).

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

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

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

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

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to performing any workfare for the municipality associated with that request for assistance.

That written decision must include:

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

- 5) If any part of the workfare assignment is not performed because the workfare participant was temporarily unable to perform the assignment for just cause reasons, it shall be reassigned or excused at the discretion of the Administrator.

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

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

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

- Recipients who fail to complete the first municipal work assignment they have been given will be disqualified from receiving assistance during the next 120 days, although dependents in the household may be eligible (*see Ordinance § 5.5, “Dependents”*).
- If during the 120-day disqualification period the recipient requests an opportunity to perform the work assignment which they, without just cause failed to perform, the disqualified recipient will be given one opportunity to regain eligibility. The Administrator will give the recipient a work assignment as soon as possible.
- If a recipient under a 120-day disqualification has an emergency need and the Administrator is unable to schedule a work assignment in time to alleviate the emergency, the Administrator will provide sufficient assistance to the



recipient to avert the emergency. However, the provision of emergency assistance will not bar the Administrator from subsequently enforcing the previously issued 120-day disqualification if the recipient fails to regain eligibility by satisfactorily performing the work assignment. The amount of emergency assistance granted will be considered in the computation of the total number of hours the recipient must work.

- Recipients who have asked for the opportunity to regain their eligibility during a 120-day disqualification period and who agreed to fulfill the assignment which they previously failed to perform but who, without just cause, fail to fulfill their municipal work assignment will be considered to have acted in bad faith. In such a circumstance, the Administrator will enforce the 120-day disqualification for the term of its initial duration.
- If a workfare participant regains eligibility under this section but is subsequently disqualified within the initial 120-day period of ineligibility for failing to comply with the municipal work program, that participant will be ineligible for a new 120-day period beginning with the new disqualification date but will be provided no opportunity to requalify.
- Any recipient who intentionally causes damage to property, harasses or harms other employees or who otherwise conducts themselves in a disruptive manner and is discharged by the work supervisor will not be entitled to regain eligibility by returning to the work program. Eligibility may be regained by otherwise becoming employed and meeting the definition of need.

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

#### **Section 5.7—Use of Resources**

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

required to prove that they have made a good faith effort to secure the resource. (22 M.R.S. § 4317).

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

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

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

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

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

**Written Notice; Disqualification.** The Administrator will give each applicant written notice whenever the applicant is required to utilize any specific potential resource(s). Any applicant who refuses to utilize potential resources, without just cause, after receiving written 7-day notice will be ineligible for further assistance until they have made a good faith effort to utilize or obtain the resources. GA will not be withheld from the applicant pending receipt of a resource if the applicant has made, or is in the process of making, a good faith effort to obtain the resource.

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

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

#### **Section 5.8—Period of Ineligibility**

No one will have their GA terminated, reduced, or suspended prior to being given written notice and an opportunity for a fair hearing. (22 M.R.S. § § 4321-4322). Each person will be notified in writing of the reasons for their ineligibility, and any person

disqualified for not complying with the ordinance will be informed in writing of the period of ineligibility.

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

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

### **Section 5.9 – Unemployment Fraud**

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

## **ARTICLE VI – Determination of Eligibility**

### **Section 6.1—Recognition of Dignity and Rights**

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

### **Section 6.2—Determination; Redetermination**

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

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

### **Section 6.3—Verification**

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

**Applicant's Responsibilities.** Applicants and recipients for GA are responsible for providing to the Administrator all information necessary to determine eligibility. If further information or documentation is necessary to demonstrate eligibility, the applicant must have the first opportunity to provide the specific information or

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documentation required by the Administrator. When such information is unavailable, the Administrator must accept alternative available information, which is subject to verification.

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

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

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

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

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

and the name of the employer representative contacted) as required by the Administrator.

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

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

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

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

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

- legally and non-legally liable relatives

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

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

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

#### **Section 6.4—Fraud**

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

False representation means any individual who knowingly and willfully:



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

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

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

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

The notification of ineligibility issued by the Administrator shall inform the applicant of their right to appeal the Administrator’s decision to the fair hearing authority (FHA) within 5 working days of receipt. The period of ineligibility shall commence on the day following the end of the period covered by the grant of assistance fraudulently received or upon the date of notification of ineligibility, whichever is later.

**Right to a Fair Hearing.** Any applicant who is denied assistance for making a false representation will be afforded the opportunity to appeal the decision to the fair hearing authority (FHA) in accordance with Article VII of this Ordinance. No recipient shall have their assistance reduced or revoked during the period of eligibility before being notified and given the opportunity to appeal the decision. Any person who is dissatisfied with the decision of the FHA may appeal that decision to the Superior

Court pursuant to Rule 80-B of the Maine Rules of Civil Procedure. (22 M.R.S. § 4309(3)).

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

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

### **Section 6.5—Period of Eligibility**

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

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

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

to the initial determination of need unless the applicant’s financial situation changes substantially enough to warrant a redetermination of eligibility.

**Section 6.6—Determination of Need**

The period of time used to calculate need will be the next 30-day period from the date of application. (22 M.R.S. § 4301(7)). The Administrator will calculate applicants’ expenses according to the actual expense of the basic necessity or the maximum levels for the specific necessities allowed in Ordinance § 6.8, whichever is less. The sum of these expenses, as calculated for a prospective 30-day period, is the applicant’s 30-day need. Applicants will not be considered eligible if their income and other resources exceed this calculation except in an emergency. (22 M.R.S. § 4308(2)) (*see Ordinance § 4.9*).

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

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

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

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sufficient income to provide their basic necessities but who use that income to purchase goods or services which are not basic necessities will not be considered eligible for assistance. Persons who exhaust their income on basic necessities and who still need assistance with other basic necessities will be eligible, provided that their income does not exceed the overall maximum level of assistance.

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

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

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

- Internet services
- Cable or satellite television
- Cellular phones, except when deemed essential by the overseer for medical or work related purposes
- Cigarettes/alcohol
- Gifts purchased
- Pet care costs
- Costs of trips or vacations
- Paid court fines
- Repayments of unsecured loans
- Legal fees
- Late fees

- Credit card debt

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

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

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

The municipality will provide assistance in an amount up to the deficit to the extent the applicant also has an unmet need and is in need of basic necessities. The municipality will not grant assistance in excess of the maximum amounts allowed in Ordinance § 6.8 for specific basic necessities except in an emergency or when the

Administrator elects to consolidate the applicant’s deficit, as provided immediately below.

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

- 1) The practice of consolidating the deficit and applying it toward a basic necessity in amounts greater than the ordinance maximum shall be the exception rather than the rule;
- 2) The total GA grant cannot exceed the total deficit unless the applicant is in an emergency situation; and
- 3) The need for the application of the recipient’s consolidated deficit toward a basic necessity was not created by the recipient misspending their income or resources in violation of the use-of-income requirements of this ordinance.

**Section 6.7—Income**

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

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

household's need for basic necessities, up to the maximum levels contained in Ordinance § 6.8, applicants will not be considered in need.

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

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

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

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

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

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HEAP/ECIP benefit has sufficiently credited their account or otherwise prevented the fuel-related costs for the prospective 30-day period.

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

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

- Family Development Accounts (22 M.R.S. § 3762)
- Americorp VISTA program benefits (42 U.S.C. § 5044(f))
- Property tax rebates issued under the Maine Property Tax Fairness Credit program, only so long as the money is spent on basic necessities. (22 M.R.S. § 4301(7))

**c) Court-Ordered Support Payments.** Alimony and child support payments will be considered income only if actually received by the applicant. The Administrator will refer cases in which support payments were not actually received to the Maine DHHS Child Support Enforcement Unit. In order to be eligible for future GA benefits, applicants referred to DHHS for support enforcement assistance shall be required to follow-through with such services. Because child support payments are considered a resource, applicants must make a good faith effort to secure such payments.

**d) Income from Other Sources.** Payments from pensions and trust funds will be considered income. Payments from boarders or lodgers will be considered



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income as will cash or in-kind contributions provided to the household from any other source, including relatives. (22 M.R.S. § 4301(7)).

- e) **Earnings of a Son or Daughter.** Earned income received by sons and daughters below the age of 18 who are full-time students and who are not working full-time will not be considered income. The unearned income of a minor in the household will be considered available to the household.
- f) **Income from Household Members.** Income from household members will be considered available to the applicant, whether or not the household member is legally obligated for the support of the applicant, if the household members pool or share their income and expenses as a family or intermingle their funds so as to provide support to one another.
- g) **The Pooling or Non-Pooling of Income.** When two or more individuals share the same dwelling unit but not all members of the household are applying for GA, the Administrator shall make a finding under a rebuttable presumption that the entire household is pooling income. (22 M.R.S. § 4301(12-A)).

One or more applicants for assistance can successfully rebut the presumption that all household income is being pooled by providing the Administrator with verifiable documentation affirmatively demonstrating a pattern of non-pooling during the duration of the shared living arrangement. Such documentation would include evidence of the entire household's expenses, bank statements, cancelled checks, receipts, landlord statements or other vendor accounts clearly supporting a claim that the applicant has been and is presently solely and entirely responsible for their pro-rata share of household costs.

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

- h) **Lump Sum Income.** A lump sum payment received by any GA applicant or recipient prior or subsequent to the date of application for GA will be considered as income available to the household. However, verified required

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payments (i.e., any third-party payment which is required as a condition of receiving the lump sum payment, or any payments of bills earmarked for the purpose for which the lump sum payment was made) and any amount of the lump sum payment which the applicant can document was spent on basic necessities, as described below, will not be considered available income.

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

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

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

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

**Section 6.8—Basic Necessities; Maximum Levels of Assistance**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

If a mortgage payment is necessary, the Administrator will pay the actual amount due, up to the amount allowed according to the maximum levels listed below. After an initial application, assistance with such payments will be given only after the applicant has made all reasonable efforts to borrow against the equity of their home. If there is not sufficient equity in the home with which to secure a loan, and if the monthly mortgage payments are not realistically in line with the rental rates for similar housing in the area that could meet the applicant's needs, the Administrator will inform the applicant that they are responsible for finding alternative housing within their ability to pay and will be obligated to make all reasonable efforts to secure such housing.

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

If the municipality determines that it is appropriate to place a lien on a person's property to recover its costs of providing GA for a mortgage payment or capital

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

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

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

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

- a) the property tax in question is for the applicant's place of residence;
- b) there is a tax lien on the property which is due to mature within 60 days of the date of application;
- c) as a matter of municipal policy or practice, or on the basis of information obtained from the applicant's mortgagee, if any, it is reasonably certain that



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a tax lien foreclosure will result in subsequent eviction from the residential property; and

- d) the applicant, with sufficient notice, applies for property tax relief through the Maine Property Tax Fairness Credit program, when available.

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

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

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

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

Disconnection of utility service will not be considered an emergency in all cases. The Administrator will make an individual, factual analysis to determine if the termination of utility service constitutes an emergency. The Administrator will consider the household composition, the time of year, the age and health of the household members, and other appropriate factors in reaching a decision. Applicants who had sufficient income, money, assets or other resources to pay

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their utility bill when it was received, but who spent all or part of their income on items which were not basic necessities, will not be eligible to receive GA to replace those funds.

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

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

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

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

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

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

request accordingly, pursuant to Ordinance § 4.9. See Ordinance Appendix E for the current year’s fuel maximums.

- (E) **Personal Care and Household Supplies.** Expenses for ordinary personal and household supplies will be budgeted and allowed according to the applicant’s actual need for these items. Personal and household supplies include: hand soap, toothpaste, shampoo, shaving cream, deodorant, dish detergent, laundry supplies and costs, household cleaning supplies, razors, paper products such as toilet paper, tissues, paper towels, garbage/trash bags light bulbs and supplies for children under 5 years of age. See Ordinance Appendix F for the current year’s personal care and household supplies maximums.
  
- (F) **Other Basic Necessities.** Expenses falling under this section will be granted when they are deemed essential to an applicant’s or recipient’s health and safety by the Administrator and, in some cases, upon verification by a physician. Assistance will be granted only when these necessities cannot be obtained through the utilization of available resources.
  - 1) **Clothing.** The municipality may assist a household with the purchase of adequate clothing. Before assistance will be granted for clothing, the general assistance Administrator must be satisfied that the applicant has utilized all available resources to secure the necessary clothing. In some circumstances, clothing will be a postponable item. Exceptions to this would be, for example, if fire, flood or unusually cold weather makes extra clothing an immediate necessity, special clothing is necessary for the applicant’s employment, or a household member is without adequate clothing.
  - 2) **Medical.** The municipality will pay for essential medical expenses, other than hospital bills (*see below*), provided that the municipality is notified and approves the expenses and services prior to their being made or delivered. Medical expenses include prescriptions, devices, treatments, or services that are determined to be ‘medically necessary’ by a licensed physician. The municipality will grant assistance for medical services only when assistance cannot be obtained from any other source and the applicant would not be able to receive necessary medical care without the municipality’s assistance. The applicant is required to utilize any resource, including any federal or state

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

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

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

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

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

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

- 4) **Dental.** The municipality will pay for medically necessary dental services only. As is the case with medical services generally, the municipality will issue GA for dental services at the established Medicaid rates for those services, and before authorizing the GA benefit for dental services, the Administrator will inform the dentist or dental surgeon of the municipality's intention to pay at the Medicaid rate. If full mouth extractions are necessary, the municipality will pay for dentures provided the applicant has no other resources to pay for the dentures. The applicant will be referred to a dental clinic in the area whenever possible. The Administrator will expect the applicant to bear a reasonable part of the cost for dental services, including extractions and dentures, taking into account the applicant's ability to pay.
- 5) **Eye Care.** In order to be eligible to receive GA for eyeglasses, an applicant must have their medical need certified by a person licensed to practice optometry. The Administrator will provide assistance for eyeglasses to eligible persons only after the applicant has exhausted all other available resources and generally only at the Medicaid rate.
- 6) **Telephone Charge.** A payment for basic telephone will only be allowed if a telephone is necessary for medical reasons as verified by a physician. At the discretion of the GA Administrator, minimum/basic telephone services may be allowed for households with children, for households where job search or work-related reasons exist and/or for any other reasons the Administrator deems necessary.

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

- 3) there is no more cost-effective alternative available to the applicant or municipality to alleviate an emergency situation.

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

### **Section 6.9—Burials; Cremations**

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

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

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

## ARTICLE VI – Determination of Eligibility

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

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

**Consideration of the Financial Responsibility of Family Members.** Generally, when the Administrator can make a finding that one or more of the deceased's legally liable relatives have an obvious and demonstrable financial capacity to pay for the burial or cremation, by lump sum payment or by means of a reasonable payment arrangement, the municipality will not grant the requested burial or cremation assistance. When the Administrator is unable to make such a finding, the following proration of familial responsibility will be implemented.



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

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

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

**The Municipal Obligation to Pay When Legally Liable Relatives or Others Can Contribute.** The figures provided in this section are the maximum benefits provided by the municipality when no contributions toward the burial or cremation are available from any other source. To the extent any legally liable relatives of the deceased have a financial capacity to pay for the burial or cremation, that financial capacity shall be deducted from the maximum burial costs allowed by this section. In addition, any

## ARTICLE VI – Determination of Eligibility

other benefits or resources that are available, such as Social Security burial benefits, veterans' burial benefits, or contributions from other persons, will be deducted from the maximum amount the municipality will pay, except there will be no deduction from the municipal benefit level with respect to any contribution provided for the purpose of publishing an obituary notice up to an aggregate contribution limit for this purpose of \$75 when a paid receipt demonstrating the purchase of an obituary notice is provided to the Administrator.

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

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

### **Section 6.10—Notice of Decision**

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

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

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

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

## ARTICLE VI – Determination of Eligibility

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

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

## **ARTICLE VII – The Fair Hearing**

### **Section 7.1—Right to a Fair Hearing**

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

### **Section 7.2—Method of Obtaining a Fair Hearing**

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

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

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

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

**Scheduling the Fair Hearing.** Upon receipt of the completed written request, the FHA must meet and hold the hearing within 5 working days. The Administrator will notify

the claimant in writing when and where the hearing will be held. (22 M.R.S. § 4322). In addition to the date, time and place of the hearing, the notice of fair hearing shall include, at a minimum, the claimant's rights to:

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

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

**Section 7.3—The Fair Hearing Authority**

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

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

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

**Section 7.4—Fair Hearing Procedure**

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

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

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

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

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

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

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

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

**Section 7.5—The Fair Hearing Decision**

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

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

## ARTICLE VII – The Fair Hearing

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

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

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



## **ARTICLE VIII – Recovery of Expenses**

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

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

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

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

**Recipients of SSI.** All applicants who receive GA while receipt of their Supplemental Security Income (SSI) assistance is pending or suspended (and which therefore may

## ARTICLE VIII – Recovery of Expenses

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

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

## ARTICLE IX – Severability

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

## **APPENDICES**

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## 2024-2025 GA Overall Maximums

### Metropolitan Areas

#### Persons in Household

COUNTY	1	2	3	4	5*
<b>Bangor HMFA:</b> Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	969	1,068	1,367	1,744	2,333
<b>Cumberland County HMFA:</b> Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	1,139	1,280	1,689	2,131	2,476
<b>Lewiston/Auburn MSA:</b> Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	881	965	1,232	1,608	1,947
<b>Penobscot County HMFA:</b> Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	874	884	1,169	1,464	1,603
<b>Portland HMFA:</b> Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,451	1,663	2,141	2,715	3,332
<b>Sagadahoc HMFA:</b> Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	969	1,159	1,413	1,939	2,335

# Appendix A

Effective: 10/01/24-09/30/25

COUNTY	1	2	3	4	5*
<b>York County HMFA:</b> Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,192	1,261	1,567	2,039	2,297
<b>York/Kittery/S.Berwick HMFA:</b> Berwick, Eliot, Kittery, South Berwick, York	1,371	1,444	1,905	2,589	3,305

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

## Non-Metropolitan Areas

### Persons in Household

COUNTY	1	2	3	4	5*
<b>Aroostook County</b>	766	842	1,043	1,421	1,524
<b>Franklin County</b>	807	893	1,174	1,558	1,764
<b>Hancock County</b>	1,096	1,102	1,307	1,734	1,740
<b>Kennebec County</b>	943	946	1,214	1,529	1,784
<b>Knox County</b>	935	946	1,163	1,550	1,657
<b>Lincoln County</b>	1,037	1,076	1,332	1,733	2,154
<b>Oxford County</b>	902	910	1,185	1,575	1,869
<b>Piscataquis County</b>	777	860	1,131	1,398	1,689
<b>Somerset County</b>	897	931	1,140	1,487	1,612
<b>Waldo County</b>	1,075	1,085	1,305	1,620	2,219
<b>Washington County</b>	838	846	1,101	1,508	1,598

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

## Appendix B

Effective: 10/01/24 to 09/30/25

# 2024-2025 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the [U.S.D.A. Thrifty Food Plan](#). As of October 1, 2024, those amounts are:

<b>Number in Household</b>	<b>Weekly Maximum</b>	<b>Monthly Maximum</b>
1	67.91	292.00
2	124.65	536.00
3	178.60	768.00
4	226.74	975.00
5	269.30	1,158.00
6	323.26	1,390.00
7	357.21	1,536.00
8	408.37	1,756.00

**Note: For each additional person add \$220 per month.**

## 2024-2025 GA Housing Maximums (Heated & Unheated Rents)

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

### Non-Metropolitan FMR Areas

<u>Aroostook County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	619	174	748
1	152	654	191	822
2	186	798	237	1,019
3	261	1,123	324	1,393
4	270	1,162	347	1,492
<u>Franklin County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	154	660	184	789
1	164	705	203	873
2	216	929	267	1,150
3	293	1,260	356	1,530
4	326	1,402	403	1,732
<u>Hancock County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	224	964	251	1,079
1	224	964	252	1,083
2	253	1,087	299	1,284
3	341	1,467	397	1,707
4	341	1,467	397	1,707
<u>Kennebec County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	189	811	215	926
1	189	811	216	927
2	231	994	277	1,191
3	294	1,262	349	1,502
4	339	1,459	407	1,752

**Non-Metropolitan FMR Areas**

<b><u>Knox County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	187	803	214	918
1	187	803	216	927
2	219	943	265	1,140
3	298	1,283	354	1,523
4	310	1,332	378	1,625
<b><u>Lincoln County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	210	905	237	1,020
1	211	906	246	1,057
2	259	1,112	304	1,309
3	341	1,466	397	1,706
4	425	1,829	493	2,122
<b><u>Oxford County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	179	770	206	885
1	179	770	207	891
2	224	965	270	1,162
3	304	1,308	360	1,548
4	359	1,544	427	1,837
<b><u>Piscataquis County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	147	630	177	759
1	156	672	195	840
2	206	886	257	1,107
3	256	1,100	319	1,370
4	309	1,327	385	1,657
<b><u>Somerset County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	178	765	205	880
1	178	765	212	912
2	214	920	260	1,117
3	284	1,220	339	1,460
4	299	1,287	367	1,580



**Non-Metropolitan FMR Areas**

<b><u>Waldo County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	219	943	246	1,058
1	219	943	248	1,066
2	252	1,085	298	1,282
3	315	1,353	370	1,593
4	440	1,894	509	2,187

<b><u>Washington County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	164	706	191	821
1	164	706	192	827
2	205	881	251	1,078
3	289	1,241	344	1,481
4	296	1,273	364	1,566

**Metropolitan FMR Areas**

<b><u>Bangor HMFA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	195	837	221	952
1	209	898	244	1,049
2	267	1,147	312	1,344
3	344	1,477	399	1,717
4	467	2,008	535	2,301

<b><u>Cumberland Cty. HMFA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	234	1,007	261	1,122
1	258	1,110	293	1,261
2	342	1,469	387	1,666
3	434	1,864	489	2,104
4	500	2,151	568	2,444

<b><u>Lewiston/Auburn MSA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	174	749	201	864
1	185	795	220	946
2	235	1,012	281	1,209
3	312	1,341	368	1,581
4	377	1,622	445	1,915

**Metropolitan FMR Areas**

<b><u>Penobscot Cty. HMFA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	173	742	199	857
1	173	742	201	865
2	221	949	266	1,146
3	278	1,197	334	1,437
4	297	1,278	365	1,571
<b><u>Portland HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	307	1,319	334	1,434
1	347	1,493	382	1,644
2	447	1,921	492	2,118
3	569	2,448	625	2,688
4	699	3,007	767	3,300
<b><u>Sagadahoc Cty. HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	195	837	221	952
1	230	989	265	1,140
2	277	1,193	323	1,390
3	389	1,672	445	1,912
4	467	2,010	536	2,303
<b><u>York Cty. HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	247	1,060	273	1,175
1	254	1,091	289	1,242
2	313	1,347	359	1,544
3	412	1,772	468	2,012
4	459	1,972	527	2,265
<b><u>York/Kittery/S. Berwick HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	288	1,239	315	1,354
1	296	1,274	331	1,425
2	392	1,685	438	1,882
3	540	2,322	596	2,562
4	693	2,980	761	3,273

## 2024-2025 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2024 to September 30, 2025.**

### APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
<b>NOTE:</b> For each additional person add \$75 per month.						
<b>(The applicable figures from Appendix A, <i>once adopted</i>, should be inserted here.)</b>						

### APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	\$ 67.91	\$ 292.00
2	124.65	536.00
3	178.60	768.00
4	226.74	975.00
5	269.30	1,158.00
6	323.26	1,390.00
7	357.21	1,536.00
8	408.37	1,756.00
<b>NOTE:</b> For each additional person add \$220 per month.		

### APPENDIX C - HOUSING MAXIMUMS

<b>Number of Bedrooms</b>	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				
<b>(The applicable figures from Appendix C, <i>once adopted</i>, should be inserted here.)</b>				

*FOR MUNICIPAL USE ONLY*

## APPENDIX D - UTILITIES

### ELECTRIC

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

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

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

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

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

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

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

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

## APPENDIX E - HEATING FUEL

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

*FOR MUNICIPAL USE ONLY*

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

**APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES**

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

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

**SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5**

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

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

## **2024-2025 Mileage Rate**

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Comptroller. The current rate for approved employment and necessary medical travel etc. is 50 cents (50¢) per mile.

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

## **Funeral Maximums**

### **Burial Maximums**

The maximum amount of general assistance granted for the purpose of burial is **\$1,620**. The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

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

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

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

### **Cremation Maximums**

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

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

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

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

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



# 2024-2025 GA Housing Maximums

## Recovery Residences

The following Recovery Residence maximums are in effect from 10/1/2024- 9/30/2025

### Non-Metropolitan FMR Areas

<u>Aroostook County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$143.25	\$616.50

<u>Franklin County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$152.25	\$654.75

<u>Hancock County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$189.00	\$812.25

<u>Kennebec County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$162.00	\$695.25

<u>Knox County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$162.00	\$695.25

<u>Lincoln County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$184.50	\$792.75

<u>Oxford County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$155.25	\$668.25

<u>Piscataquis County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$146.25	\$630.00

<u>Somerset County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$159.00	\$684.00

<u>Waldo County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$186.00	\$799.50

<u>Washington County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$144.00	\$620.25

### Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$183.00	\$786.75

<u>Cumberland Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$219.75	\$945.75

<u>Lewiston/Auburn MSA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$165.00	\$709.50

<u>Penobscot Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$150.75	\$648.75

<u>Portland HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$286.50	\$1,233.00

<u>Sagadahoc Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$198.75	\$855.00

<u>York Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$216.75	\$931.50

<u>York/Kittery/S Berwick HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	\$248.25	\$1,068.75

Oct 1, 2024 to Sept 30, 2025

<p align="center"><b><u>OVERALL MAXIMUMS (A)</u></b></p> <p align="center">Persons in Household</p> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr> <td>\$881</td><td>\$965</td><td>\$1,232</td><td>\$1,608</td><td>\$1,947</td></tr> </table> <p align="center">Household of 6 = \$2,022 * Add \$75 for each additional person</p>	1	2	3	4	5	\$881	\$965	\$1,232	\$1,608	\$1,947	<p align="center"><b><u>HOUSING MAXIMUMS (C)</u></b></p> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <td></td><th colspan="2">UNHEATED</th><th colspan="2">Heated</th></tr> <tr> <th>BEDROOM</th><th>Weekly</th><th>Monthly</th><th>Weekly</th><th>Monthly</th></tr> <tr> <td>0</td><td>\$174</td><td>\$749</td><td>\$201</td><td>\$864</td></tr> <tr> <td>1</td><td>\$185</td><td>\$795</td><td>\$220</td><td>\$946</td></tr> <tr> <td>2</td><td>\$235</td><td>\$1,012</td><td>\$281</td><td>\$1,209</td></tr> <tr> <td>3</td><td>\$312</td><td>\$1,341</td><td>\$368</td><td>\$1,581</td></tr> <tr> <td>4</td><td>\$377</td><td>\$1,622</td><td>\$445</td><td>\$1,915</td></tr> <tr> <td colspan="3">Recovery Residence</td><td>\$165</td><td>\$709.50</td></tr> </table>		UNHEATED		Heated		BEDROOM	Weekly	Monthly	Weekly	Monthly	0	\$174	\$749	\$201	\$864	1	\$185	\$795	\$220	\$946	2	\$235	\$1,012	\$281	\$1,209	3	\$312	\$1,341	\$368	\$1,581	4	\$377	\$1,622	\$445	\$1,915	Recovery Residence			\$165	\$709.50	<p align="center"><b><u>ELECTRIC (D)</u></b></p> <p>NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is not automatically entitled to the "maximums" established applicants must demonstrate need.</p> <p>1) Electricity Maximums for Households <u>Without</u> Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses excluding electric hot water and heat:</p> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <th>Number in Household</th><th>Weekly</th><th>Monthly</th></tr> <tr> <td>1</td><td>\$19.95</td><td>\$85.50</td></tr> <tr> <td>2</td><td>\$22.52</td><td>\$96.50</td></tr> <tr> <td>3</td><td>\$24.97</td><td>\$107.00</td></tr> <tr> <td>4</td><td>\$27.53</td><td>\$118.00</td></tr> <tr> <td>5</td><td>\$29.88</td><td>\$128.50</td></tr> <tr> <td>6</td><td>\$32.55</td><td>\$139.50</td></tr> </table> <p>NOTE: For each additional person add \$10.50 per month.</p>	Number in Household	Weekly	Monthly	1	\$19.95	\$85.50	2	\$22.52	\$96.50	3	\$24.97	\$107.00	4	\$27.53	\$118.00	5	\$29.88	\$128.50	6	\$32.55	\$139.50
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<p align="center"><b><u>HEATING FUEL (E)</u></b></p> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <th>Month</th><th>Gallons</th><th>Month</th><th>Gallons</th></tr> <tr> <td>January</td><td>225</td><td>June – Aug</td><td>0</td></tr> <tr> <td>February</td><td>225</td><td>September</td><td>50</td></tr> <tr> <td>March</td><td>125</td><td>October</td><td>100</td></tr> <tr> <td>April</td><td>125</td><td>November</td><td>200</td></tr> <tr> <td>May</td><td>50</td><td>December</td><td>200</td></tr> </table> <p>NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.</p>	Month	Gallons	Month	Gallons	January	225	June – Aug	0	February	225	September	50	March	125	October	100	April	125	November	200	May	50	December	200	<p align="center"><b><u>SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5</u></b></p> <p>When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:</p> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <th>Number of Children</th><th>Weekly Amount</th><th>Monthly Amount</th></tr> <tr> <td>1</td><td>\$12.80</td><td>\$55.00</td></tr> <tr> <td>2</td><td>\$17.40</td><td>\$75.00</td></tr> <tr> <td>3</td><td>\$23.30</td><td>\$100.00</td></tr> <tr> <td>4</td><td>\$27.90</td><td>\$120.00</td></tr> </table>	Number of Children	Weekly Amount	Monthly Amount	1	\$12.80	\$55.00	2	\$17.40	\$75.00	3	\$23.30	\$100.00	4	\$27.90	\$120.00	<p align="center"><b><u>MILEAGE RATE (G)</u></b></p> <p align="center">50 cents (\$0.50) per mile</p>																																
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	<p align="center"><b><u>FUNERAL MAXIMUMS (H)</u></b></p> <p align="center">Burial: \$1,620+; Cremation: \$1,125+</p>	<p align="center"><b>1-800-442-6003</b></p> <p align="center"><b>(Revised 09/09/24)</b></p>																																																																							

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

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

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

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

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

[PL2019, c. 125, §1 (AMD).]

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

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

[PL 2019, c. 125, §1 (AMD).]



# City of Auburn, Maine

General Assistance Office

Jamie Longley, Manager

60 Court Street | Auburn, Maine 04210 [www.auburnmaine.gov](http://www.auburnmaine.gov) |

207.333.6601 Extension 1411

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

Signed this \_\_\_\_ **day of** \_\_\_\_\_ **2024**, by the municipal officers:

Richard S. Whiting, Ward 1

\_\_\_\_\_  
(Signature)

Timothy M. Cowan, Ward 2

\_\_\_\_\_  
(Signature)

Stephen G. Milks, Ward 3

\_\_\_\_\_  
(Signature)

Benjamin J. Weisner, Ward 4

\_\_\_\_\_  
(Signature)

Leroy G. Walker, Sr., Ward 5

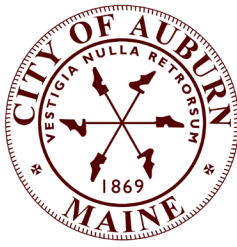
\_\_\_\_\_  
(Signature)

Belinda A. Gerry, At-Large

\_\_\_\_\_  
(Signature)

Adam R. Platz, At-Large

\_\_\_\_\_  
(Signature)



# City Council Ordinance

## IN CITY COUNCIL

**Be it ordained**, that the City Council hereby amends Sec. 24-23 of the City's Code of Ordinances as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

(a) The City of Auburn adopts the Maine Municipal Association's General Assistance Ordinance, dated September 2024, and a copy thereof is available in the office of the city clerk.

(b) Each year the Maine Municipal Association provides the city ~~three appendices~~ Appendices A-H providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:

(1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.

(2) Appendix B, a listing of maximum levels of assistance for food.

(3) Appendix C, a listing of maximum levels for heated and unheated housing.

(4) Appendix D, a listing of maximum levels of assistance for electricity.

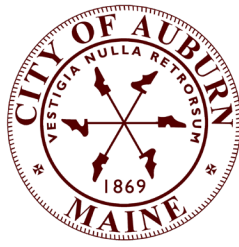
(5) Appendix E, a listing of maximum levels of assistance for heating fuel.

(6) Appendix F, a listing of maximum levels of assistance for personal care & household supplies.

(7) Appendix G, adopting the State of Maine travel expense reimbursement rate.

(8) Appendix H, a listing of maximum levels of assistance for funeral expenses.

(9) Recovery Residence Maximums for the Lewiston/Auburn MSA.



## City Council Ordinance

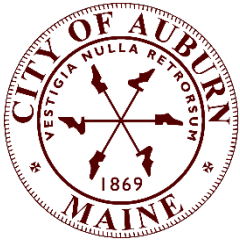
(cb) The portion of these annual appendices applicable to the city, as adopted each year by the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the office of the city clerk.

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**Richard S. Whiting**, Ward One  
**Benjamin J. Weisner**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Stephen G. Milks**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** October 21, 2024

**Order: 146-10212024**

**Author:** Councilor Steve Milks & Councilor Benjamin Weisner

**Subject:** Amending ORDER 106-08192024 regarding composition of the City's Comprehensive Plan Committee

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**Information:** Councilors Milks and Weisner are submitting the following proposed amendment to ORDER 106-08192024:

**Removing** bullet point:

- Up to 10 residents of Auburn, who are not a member of the City Council or Planning Board, including at least one resident residing in each Ward, nominated by the Appointment Committee and appointed by the City Council (voting members)

**Replacing** with:

- To ensure a committee that represents all Wards of the City, each sitting member of the Auburn City Council will appoint two residents of Auburn, not to exceed 14.
- 

**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** N/A

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**Previous Meetings and History:** ORDER 106-08192024 was passed August 19, 2024 and amended at the October 7, 2024 meeting.

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**City Manager Comments:** *Phillip Crowell Jr.*

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**Attachments:** ORDER 106-08192024 as amended at the 10/7/24 meeting (amendment shown in red text), ORDER 146-10212024 with proposed amendment to ORDER 106-08192024





**ORDER 106-08192024**

# City Council Order

**AMENDED 10/7/24**

**IN CITY COUNCIL**

**Ordered, that the Auburn City Council adopt the attached** Membership, Schedule, Charge and Directive defining and initiating the appointment process for the Comprehensive Plan Committee and directing the City Manager to provide staff support for selecting a consultant, the planning process and to provide facilities for meetings.

Passed 8/19/24, 7-0.  
Amended 10/7/24, 5-2 (Gerry, Whiting).

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**Richard S. Whiting**, Ward One  
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**Jeffrey D. Harmon**, Mayor

**Stephen G. Milks**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

### **Comprehensive Plan Committee Membership**

- The mayor (voting member)
- Up to two city councilors, appointed by the City Council (voting members)
- Up to two members of the Planning Board, nominated by the Planning Board and appointed by the City Council (voting members)
- Up to 10 residents of Auburn, who are not a member of the City Council or Planning Board, including at least one resident residing in each Ward, nominated by the Appointment Committee and appointed by the City Council (voting members)
- Up to two residents of the State of Maine who have expertise in municipal comprehensive or master planning and/or land use regulation, nominated jointly by the Mayor and City Manager and appointed by the City Council (voting if an Auburn resident, non-voting if not an Auburn resident)
- The city manager (non-voting)
- The assistant city manager (non-voting)

### **Comprehensive Plan Committee Schedule**

- **The deadline to receive applications shall be November 8, 2024.**
- Nominations for members of the Comprehensive Plan Committee shall be forwarded to the City Council within 35 days of the enactment of this order.
- The Comprehensive Plan Committee shall meet within 30 days of the enactment of the order confirming nominated members to the Comprehensive Plan Committee.
- The Comprehensive Plan Committee shall elect, from their voting membership, a chairperson and a vice-chairperson at their first meeting.
- The Comprehensive Plan Committee shall submit a draft comprehensive plan to the Planning Board for their review within 12 months of the Committee's first meeting.
- The Planning Board shall review the draft comprehensive plan and submit their recommendations regarding the draft plan to the City Council within 65 days of receipt of the draft plan from the Comprehensive Plan Committee.

### **Comprehensive Plan Committee Charge**

- Shall prepare a comprehensive plan and implementation strategies in compliance with 30-A M.R.S.A Chapter 187, Subchapter 2.
- Shall review the current zoning district regulations and zoning maps and prepare recommendations for revised zoning district regulations and maps.
- Shall review all relevant local municipal information related to the comprehensive planning process including but not limited to maps, data, capital plans, city services, inventories, and analysis.

### **Directive to City Manager**

- The city manager shall provide staff support and meeting facilities to the Comprehensive Plan Committee.
- The city manager shall provide subject matter experts from the city staff to assist the Comprehensive Plan Committee with the preparation of the comprehensive plan.
- The city manager shall develop a request for proposal to secure the services of a comprehensive planning consultant to assist the Comprehensive Plan Committee with the preparation of the comprehensive plan.
- The city manager shall create a proposal review committee to review the responses from the consultants to the RFP, and to select a successful proposer, which includes an equal number of city staff and members of the Comprehensive Plan Committee.



**ORDER 146-10212024**

# City Council Order

## IN CITY COUNCIL

ORDERED, that **ORDER 106-08192024**, as passed August 19, 2024 and amended on October 7, 2024, be amended as follows:

**Removing** bullet point:

- Up to 10 residents of Auburn, who are not a member of the City Council or Planning Board, including atleast one resident residing in each Ward, nominated by the Appointment Committee and appointed by the City Council (voting members)

**Replacing** with:

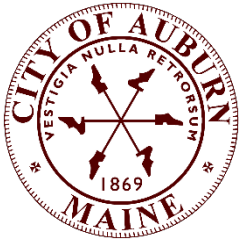
- To ensure a committee that represents all Wards of the City, each sitting member of the Auburn City Council will appoint two residents of Auburn, not to exceed 14.

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**Richard S. Whiting**, Ward One  
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**Jeffrey D. Harmon**, Mayor

**Stephen G. Milks**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** October 21, 2024

**PUBLIC HEARING**

**Author:** Glen E. Holmes, Director of Business & Community Development

**Subject:** CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2023

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**Information:**

The City of Auburn receives allocations from the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) and HOME Investment Partnership programs each year. This CAPER incorporates the utilization of Auburn's CDBG funds, HOME funds for Auburn and Lewiston as well as leveraged funds for the period spanning July 1, 2023, through June 30, 2024.

This program year, a key focus has been the deployment of HOME-ARP funds across both Auburn and Lewiston. This one-time funding is specifically aimed at addressing the needs of individuals experiencing homelessness or those at imminent risk of becoming homeless. Through the HOME-ARP program, new initiatives have been launched, including public service sub-grants that are vital to meeting the increasing demands of vulnerable populations.

Since these activities were not outlined in the original Five-Year Consolidated Plan, they are not reflected in the data tables within this report. However, their significance and the substantial staff resources dedicated to their success will be highlighted in the narrative sections. This will provide a comprehensive overview of the initiatives, detailing their impact, the staff efforts involved, and the allocation of resources to support these critical programs.

---

**City Budgetary Impacts:**

CDBG funds expended during this program year totaled \$1,560,240.88. Home Funds expended totaled \$140,458.61. Total HOME-ARP funds expended totaled \$347,689.78. Funds expended from the Office of Lead Hazard and Healthy Homes totaled 232,930.74. These federal grant dollars cover staff salary/benefits as well as program activities for the Business and Community Development program.

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**Staff Recommended Action:**

Hold Public Hearing

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**Previous Meetings and History:**

Draft CAPER published October 10th, 2024

Public Comment Period October 10th - Oct. 28th, 2024

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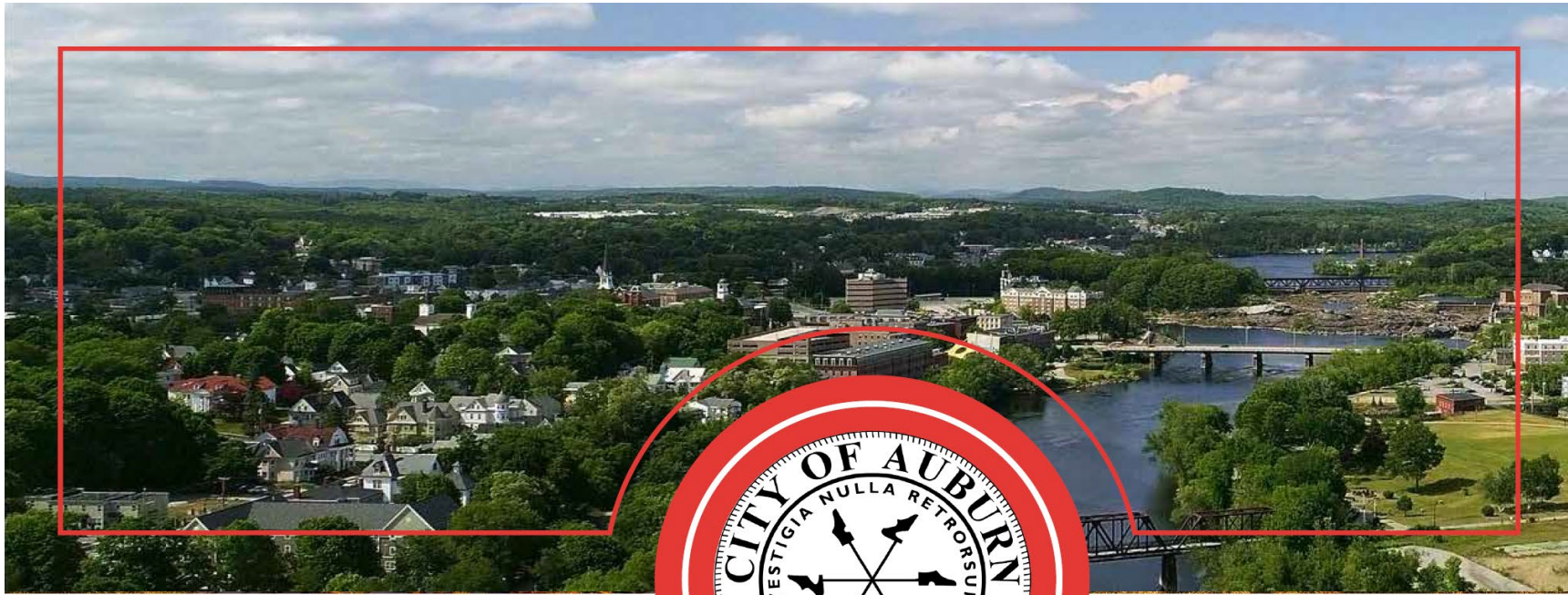
**City Manager Comments:**

I concur with the recommendation. Signature:

**Attachments:**

PY23 CAPER

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# Consolidated Annual Performance Report (CAPER)

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CITY OF AUBURN

## Program Year 2023

On behalf of:

The Auburn-Lewiston Home Consortium &  
City of Auburn CDBG program

Prepared by Auburn Community Development Office

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## **CR-05 - Goals and Outcomes**

### **Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)**

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The City of Auburn receives entitlement funding from the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) and HOME Investment Partnership programs. The CDBG program aims to strengthen urban communities by enhancing housing quality, improving living environments, and expanding economic opportunities for low- and moderate-income individuals. Similarly, the HOME program is dedicated to creating affordable housing solutions for low-income households, aligning with national objectives to assist those in greatest need.

This Consolidated Annual Performance Evaluation Report (CAPER) encompasses the utilization of HOME funds for both Auburn and Lewiston, along with CDBG funds specific to Auburn, as well as leveraged funding for the period from July 1, 2023, through June 30, 2024. The objectives and anticipated outcomes for the deployment of HOME and CDBG funds are informed by the Consolidated Plan developed for the program years 2020-2024. The Annual Action Plan outlines specific 1-year performance measures and strategies to achieve these objectives.

This program year, a key focus has been the deployment of HOME-ARP funds across both Auburn and Lewiston. This one-time funding is specifically aimed at addressing the needs of individuals experiencing homelessness or those at imminent risk of becoming homeless. Through the HOME-ARP program, new initiatives have been launched, including public service sub-grants that are vital to meeting the increasing demands of vulnerable populations.

Since these activities were not outlined in the original Five-Year Consolidated Plan, they are not reflected in the data tables within this report. However, their significance and the substantial staff resources dedicated to their success will be highlighted in the narrative sections. This will provide a comprehensive overview of the initiatives, detailing their impact, the staff efforts involved, and the allocation of resources to support these critical programs.

### **Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)**

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.



Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Improve Infrastructure and reduce blight	Non-Housing Community Development	CDBG: \$ / HOME: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	3000	7215	240.50%	1000	3625	362.50%
Improve Infrastructure and reduce blight	Non-Housing Community Development	CDBG: \$ / HOME: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0				
Promote Economic Opportunities	Non-Housing Community Development	CDBG: \$ / HOME: \$	Jobs created/retained	Jobs	10	11	110.00%	5	0	0.00%
Promote Economic Opportunities	Non-Housing Community Development	CDBG: \$ / HOME: \$	Businesses assisted	Businesses Assisted	10	7	70.00%	5	0	0.00%
Provide Essential Services	Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	1200	3915	326.25%	500	1650	330.00%

Provide Essential Services	Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Homeless Person Overnight Shelter	Persons Assisted	0	5				
Provide Essential Services	Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Overnight/Emergency Shelter/Transitional Housing Beds added	Beds	0	0				
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Rental units constructed	Household Housing Unit	0	2		7	2	28.57%
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Rental units rehabilitated	Household Housing Unit	100	6	6.00%	25	0	0.00%

Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Homeowner Housing Added	Household Housing Unit	0	0				
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Homeowner Housing Rehabilitated	Household Housing Unit	50	19	38.00%	10	3	30.00%
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Direct Financial Assistance to Homebuyers	Households Assisted	0	0				

Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Tenant-based rental assistance / Rapid Rehousing	Households Assisted	125	28	22.40%	15	3	20.00%
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Housing Code Enforcement/Foreclosed Property Care	Household Housing Unit	0	2				

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

**Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.**

The PY23 Action Plan identifies four specific objectives, and this section assesses how the City of Auburn’s use of CDBG funds aligns with these priorities, with a particular focus on the highest priority activities.

1. **Safe and Affordable Housing:** CDBG funds were utilized to rehabilitate homes for low- to moderate-income residents in Auburn. This initiative was supported by additional resources from a grant received from the Office of Lead Hazard Control & Health Homes. Of the 82 applications initiated during PY23, three rehabilitation projects were completed by the end of the program year. Additionally, the city

launched an affordable housing program targeting smaller developers with HOME funds, initiating four applications in PY23; however, none advanced to the shovel-ready stage by year-end. Furthermore, the Auburn Community Development Office (ACDO) allocated \$155,550 in American Rescue Plan Act (ARPA) funds to provide energy efficiency rebates to 181 residents, demonstrating a complementary funding strategy outside of HUD resources.

2. **Infrastructure Improvement and Blight Reduction:** In 2022, a project to remove lead-based paint from the Community Little Theatre in Bonney Memorial Park was completed at the beginning of PY23. Additionally, a significant project to replace sidewalks and enhance pedestrian safety in the downtown area (a qualified low- to moderate-income neighborhood) was successfully completed. CDBG funds were also used to demolish a dilapidated building along the Little Androscoggin River to facilitate the expansion of the Auburn Riverwalk. Moreover, renovations commenced at the Police Activities League (PAL) Center, located in the Union Street neighborhood, which serves as a hub for afterschool activities for at-risk youth and houses the city's grab-and-go food pantry program. This project includes the demolition of 15 substandard residential units and will be reported in detail in the PY24 CAPER.
3. **Promotion of Economic Opportunities:** While no economic development projects were funded through CDBG or HOME during PY23, the city utilized ARPA dollars to provide \$308,880 in business loans to ten local businesses, thus supporting economic stability and growth in Auburn. Additionally, the city has also approved 6 new Tax Increment Financing (TIF) districts which dedicated \$2,715,200 towards capital infrastructure projects, creating 24 new full-time and 30 new part-time jobs while saving 36 additional jobs from relocating outside of the city.
4. **Provision of Essential Services:** This program year saw CDBG funds allocated to three essential public service programs targeting low- and moderate-income residents of Auburn. These included support for Safe Voices, scholarships for Auburn Recreation's summer camp, and the SeniorsPlus Meals-on-Wheels program. Notably, the Recreation Scholarship Program received \$20,000 to enable 31 local youth from low- and moderate-income families to participate in summer camp, fostering diversity and allowing parents to seek employment opportunities. SeniorsPlus was awarded \$25,000 to provide meals and educational resources to 694 seniors. Safe Voices received \$20,000 to offer resources and shelter to 57 victims of homelessness and domestic violence.

Furthermore, through HOME-ARP funds, Auburn provided financial support to three subrecipients—Rumford Group Homes, Community Concepts Inc., and Housing Resources for Youth—offering critical services to households experiencing homelessness or at risk of homelessness. In a similar vein, the City of Lewiston allocated funds to three subrecipients—Trinity Jubilee Center, Safe Voices, and New Beginnings Shelter—to support

residents facing similar challenges.

Please note that the HOME-ARP, and ARPA projects are not detailed in Table 1 but will be provided in more detail below.

## CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

### 91.520(a)

	CDBG	HOME
White	1,931	4
Black or African American	1,052	9
Asian	4	0
American Indian or American Native	6	0
Native Hawaiian or Other Pacific Islander	10	0
<b>Total</b>	<b>3,003</b>	<b>13</b>
Hispanic	36	0
Not Hispanic	2,967	13

**Table 2 – Table of assistance to racial and ethnic populations by source of funds**

### Narrative

According to the 2020 Census, Auburn’s population stands at 24,061. The demographic breakdown indicates that 87.7% of residents identify as White, 4.5% as Black or African American, and 0.4% as American Indian or Alaskan Native. Among the beneficiaries of the CDBG program, 64% identified as White, 35% as Black or African American, 0.1% as Asian, 0.3% as Native Hawaiian or Pacific Islander, and 0.2% as American Indian. For recipients of HOME funds, 30% were White, while 70% identified as Black or African American.

It is important to note that the CR-10 reporting system does not account for individuals or households with mixed racial backgrounds. For example, individuals identifying as both American Indian/Alaskan Native and Black are classified under the primary race indicated, which may lead to underreporting in some categories. Furthermore, 65 individuals or households with multiple racial identities were excluded from the CDBG program data.

In Program Year 2023, three activities funded through CDBG were classified as “area-wide benefit.” While these activities have a significant impact, they do not collect data on the racial and ethnic composition of beneficiaries. These projects are in census tracts primarily composed of low- to moderate-income households, which tend to be more racially and ethnically diverse than the city’s overall population. As a result, these initiatives serve a broader and more diverse range of individuals.

Lastly, accomplishments related to HOME-ARP activities are not represented in the data table above.



## CR-15 - Resources and Investments 91.520(a)

### Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	1,877,316	
HOME	public - federal	1,267,595	

Table 3 - Resources Made Available

### Narrative

In Program Years 2021 and 2022, the city received a substantial amount of Program Income, which has carried over into the current year.

During this period, significant efforts were made to meet key objectives by utilizing new funding sources, allowing the city to reserve valuable entitlement funds for priority projects. This strategy included using Lead & Healthy Homes funds for housing rehabilitation, HOME-ARP funds for delivering essential services to at-risk residents, and American Rescue Plan Act (ARPA) funds for economic development initiatives.

The city also made a concerted effort to invest its available CDBG funds into high-impact infrastructure projects, as outlined above. Although the city was deemed untimely for the second consecutive year, the outstanding balance was significantly reduced, with the remaining funds committed to ongoing projects, including the development of the PAL Center and related Urban Renewal Authority (URA) activities. These larger public improvements are expected to fully align with program goals by 2025.

### Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description

Table 4 – Identify the geographic distribution and location of investments

### Narrative

The 2020-2024 Consolidated Plan employed a city-wide approach for categorizing activities, without a specific target area of focus. Consequently, the IDIS reporting system did not capture detailed demographic data. However, the most recent Action Plan introduced a targeted focus area for Public Infrastructure projects. This area encompasses Census tracts 101, 103, and 105, which were identified as having a population with 51% or more Low-to-Moderate Income status, according to the 2015 American Community Survey (ACS) data derived from the 2010 Census.

During the current program year, three Public Infrastructure projects were successfully completed. Additionally, one project commenced this year but was not finished by June 30, 2024; it is expected to be

completed in early FY 2025.

## Leveraging

**Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.**

The city diligently monitors the carry-forward of available matching funds from prior years. In the current year, there was a carry-forward of \$1,433,509.27 in matching funds. It's noteworthy that no matching funds were required for HOME projects in 2020-2022.

HUD funded programs augment their financial resources by stipulating that owner-investors of rental properties contribute matching funds. Specifically, Lead projects entail matching funds from investor/owners' projects of up to \$2,000 per unit.

Public Service funds were leveraged with other federal, state, and local funding. These funders include:

- MaineCare
- EFSP (Emergency Food and Shelter Program)
- Maine Housing
- Individual donors
- United Way
- John T. Gorman Foundation
- Lewiston Auburn Metropolitan Chamber of Commerce
- Lewiston Adult Education
- Auburn school system

Numerous public facilities were employed for various public service initiatives. For instance, the Auburn Senior Center at 48 Pettengill Park Road served as a location for the Auburn Recreation Summer Camp. The Grab-N-Go Food Pantry operated from the PAL Center at 24 Chestnut Street. Additionally, 6 service provider partners utilize space donated by the city at their 95 Main St. office to meet with clients and deliver services to Auburn residents.

<b>Fiscal Year Summary – HOME Match</b>	
1. Excess match from prior Federal fiscal year	1,333,949
2. Match contributed during current Federal fiscal year	0
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	1,333,949
4. Match liability for current Federal fiscal year	11,819
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	1,322,130

**Table 5 – Fiscal Year Summary - HOME Match Report**

Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	Date of Contribution	Cash (non-Federal sources)	Foregone Taxes, Fees, Charges	Appraised Land/Real Property	Required Infrastructure	Site Preparation, Construction Materials, Donated labor	Bond Financing	Total Match

Table 6 – Match Contribution for the Federal Fiscal Year

**HOME MBE/WBE report**

Program Income – Enter the program amounts for the reporting period				
Balance on hand at beginning of reporting period \$	Amount received during reporting period \$	Total amount expended during reporting period \$	Amount expended for TBRA \$	Balance on hand at end of reporting period \$
13,374	123,613	1,840	0	135,147

Table 7 – Program Income

<b>Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period</b>						
	Total	Minority Business Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
<b>Contracts</b>						
Dollar Amount	0	0	0	0	0	0
Number	0	0	0	0	0	0
<b>Sub-Contracts</b>						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0
	Total	Women Business Enterprises	Male			
<b>Contracts</b>						
Dollar Amount	0	0	0			
Number	0	0	0			
<b>Sub-Contracts</b>						
Number	0	0	0			
Dollar Amount	0	0	0			

**Table 8 - Minority Business and Women Business Enterprises**

<b>Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted</b>						
	Total	Minority Property Owners				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

**Table 9 – Minority Owners of Rental Property**

<b>Relocation and Real Property Acquisition</b> – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition						
Parcels Acquired		0		0		
Businesses Displaced		0		0		
Nonprofit Organizations Displaced		0		0		
Households Temporarily Relocated, not Displaced		0		0		
Households Displaced	Total	Minority Property Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

**Table 10 – Relocation and Real Property Acquisition**

## CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	5	0
Number of Non-Homeless households to be provided affordable housing units	5	3
Number of Special-Needs households to be provided affordable housing units	0	0
<b>Total</b>	<b>10</b>	<b>3</b>

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	3
Number of households supported through The Production of New Units	10	0
Number of households supported through Rehab of Existing Units	0	0
Number of households supported through Acquisition of Existing Units	0	0
<b>Total</b>	<b>10</b>	<b>3</b>

Table 12 – Number of Households Supported

**Discuss the difference between goals and outcomes and problems encountered in meeting these goals.**

In the context of the HOME programs, **goals** refer to the specific objectives outlined in the 2023 Annual Action Plan, such as increasing access to affordable housing through initiatives like Tenant-Based Rental Assistance (TBRA) and security deposit assistance. **Outcomes**, on the other hand, measure the actual results of these programs, such as the number of households assisted and the overall effectiveness of the initiatives. It is important to note that the data table above includes ONLY HOME program data, excluding activities funded by CDBG or HOME-ARP.



The Auburn-Lewiston Consortium operates three key programs to help low-income residents secure and maintain decent, safe, and affordable housing:

- **TBRA Program:** Provides security deposit assistance to low-income households seeking affordable housing.
- **Auburn Lead Hazard Program:** Removes lead hazards in income-qualified units for low- to moderate-income homeowners and tenants. Landlords are required to create or maintain affordable housing for at least three years.
- **HOME Funds:** Allocated to the development of new affordable housing in both cities.

During the program year, security deposit assistance and ongoing rent support were provided to low- and moderate-income households in both Auburn and Lewiston through gap-financing programs operated by community nonprofits. The Immigrant Resource Center of Maine (IRC), in collaboration with Auburn General Assistance, assisted 161 households (364 individuals) in Auburn with rent payments totaling \$51,108. In Lewiston, IRC supported 1,114 households (2,071 individuals) with an investment of \$357,559.

The **Auburn Housing and Urban Development (AHUD)** program generated significant interest; however, applicants are required to act as their own developers, with projects needing to be shovel-ready for approval. This requirement caused delays between initial interest and formal applications, and by year-end, no shovel-ready projects had been completed.

All housing programs, except TBRA, are subject to an affordability period and rent maximums. TBRA rent caps are aligned with the Fair Market Rents (FMR) published by HUD, while newly created units using HOME funds are subject to a 20-year affordability period, with rent rates adjusted annually to account for rising housing costs.

Several challenges are hindering the achievement of these goals:

- **Rent Caps vs. Market Rent:** TBRA clients face increasing difficulty finding rental units that comply with rent limits, especially when considering utility costs. Landlords must weigh potential loan funds against possible rent differentials to determine profitability. Raising rent caps could help alleviate this barrier.
- **Low Rental Vacancy Rates:** A July 9, 2023, report from the Sun Journal indicated a nearly 0% vacancy rate in Lewiston and Auburn. This severe shortage of available rental units further complicates efforts for TBRA clients to secure affordable housing.

To address these challenges, the city plans to ramp up marketing efforts in 2025 for its rental assistance, rehabilitation, and new unit creation programs, anticipating an increase in both project numbers and overall impact.

**Discuss how these outcomes will impact future annual action plans.**

Securing safe, quality, and affordable housing continues to be an escalating challenge across Maine. As the Auburn-Lewiston Consortium develops future action plans, there is an urgent need for more comprehensive research aimed at reducing barriers to affordable housing programs. To address this, the Community Development Office has partnered with a statistics program at Bates College to assess impediments to fair housing. The assessment revealed that average rents have nearly doubled since 2011, significantly worsening housing affordability.

A key policy recommendation from this research is to increase subsidy caps to help prevent evictions. However, it is important to note that the High HOME Rent caps are set by HUD, making this solution beyond local control.

The availability of HOME-ARP funds also provides an opportunity to enhance support for individuals experiencing homelessness. These funds can cover a broader range of housing-related expenses, such as moving costs, storage fees, and utility payments. The Community Development Office has partnered with local nonprofits to leverage HOME-ARP funds, offering new and enhanced support to low- and extremely low-income residents. In Auburn, partners include Community Concepts Inc., Housing Resources for Youth, Rumford Group Homes, and Preble Street, while in Lewiston, partners include New Beginnings, Safe Voices, and Trinity Jubilee Center. The City of Auburn has also collaborated with Maine Immigrant and Refugee Services (MEIRS) and the Immigrant Resource Center of Maine (IRCM) to address additional housing barriers. This partnership provides immigrant, refugee, and asylum-seeking families with training on their rights and responsibilities as tenants.

Moreover, these organizations are equipped to assist with workforce development by offering referrals to English Language Learning classes, State benefits, and support with employment applications and interview skills. By equipping families with these essential tools, the likelihood of sustained housing stability post-assistance is greatly improved. These critical insights will shape the objectives of the forthcoming 2025 Action Plan, ensuring that the Consortium effectively responds to the evolving needs of the community.

**Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.**

<b>Number of Households Served</b>	<b>CDBG Actual</b>	<b>HOME Actual</b>
Extremely Low-income	1	1
Low-income	2	2
Moderate-income	0	0
<b>Total</b>	<b>3</b>	<b>3</b>

**Table 13 – Number of Households Served**

**Narrative Information**

In Program Year 2023, no HOME rehabilitation or unit creation projects were completed. However, HOME funds were effectively utilized to assist three low-income households with security deposits, helping them transition into affordable housing. It is important to note that the table above does not include activities funded by HOME-ARP, ARPA, or other non-HUD-funded programs managed by the Business & Community Development Office.

Ongoing efforts are focused on preserving and maintaining affordable housing through the Lead & Healthy Homes program. This initiative provides grants to homeowners and landlords, enabling them to address lead hazards and improve living conditions. All units benefiting from the program must either be occupied by low- to moderate-income families or made available to such tenants in the future.

Additionally, the Lead & Healthy Homes program leverages CDBG funds to cover the required matching funds for income-qualified homeowners, ensuring an affordability period of three years. During this time, rent rates are monitored to maintain affordability. Each newly rehabilitated unit also adds one affordable housing unit to the city's stock, supporting the community's broader housing needs.

## **CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)**

**Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:**

### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The Auburn-Lewiston Consortium has demonstrated leadership in the early implementation of the HOME-ARP (American Rescue Plan) Program, securing approval for its allocation plan of many other communities. Collaborative efforts with nonprofit service providers focused on assisting individuals and families experiencing homelessness or at risk of homelessness have been crucial in preventing service duplication and building a robust referral network.

With HOME-ARP funds, Auburn provided support to three subrecipients—Rumford Group Homes, Community Concepts Inc., and Housing Resources for Youth—who directly engaged with 359 households facing homelessness or the risk of homelessness. Of these households, 32 successfully transitioned into stable housing with assistance from program staff. Community Concepts Inc. and Rumford Group Homes conducted direct outreach to unhoused individuals, connecting with them at local drop-in centers and encampments. Housing Resources for Youth focused on unhoused students, collaborating with the school department and receiving referrals from the district's McKinney-Vento liaison.

Community Development staff actively participated in provider sessions at the Pleasant Street Drop-In Center, establishing connections with potential clients. Residents at risk of homelessness received comprehensive assistance, including housing searches, apartment applications, housing subsidy applications, and referrals to employment training programs, shelters, and food assistance.

The Community Development Department continued its collaboration with the General Assistance program and the Public Health Manager, both of whom share office space. During this reporting period, the General Assistance team saw a dramatic increase in demand, receiving a total of 1,645 applications—a 386% increase compared to the previous period. Notably, 521 of these applications were related to pending asylum requests, reflecting a 465% rise from the previous year. The City's General Assistance budget amounted to \$850,450 annually, a 364% increase from the prior year, with the majority allocated to housing-related expenses, including housing, utilities, and food aid. Due to program income requirements, all residents receiving funds through General Assistance qualify as extremely low income.

Additionally, the City Council allocated resources from the American Rescue Plan Act (ARPA) to support the Project Support You (PSY) program, which introduced a dedicated co-responder specializing in mental health and substance abuse. This individual collaborated closely with the Auburn police and fire departments, enhancing care during 555 rescue calls. Over the first two quarters of PY23, city-contracted staff, in partnership with Tri-County Mental Health, provided services to 125 Auburn residents. Unfortunately, the position became vacant in December 2023, following a mass shooting in Lewiston in

October 2023, which stretched many providers thin. In spring 2024, Tri-County Mental Health was acquired by Spurwink, resulting in the transfer of the contract for this program. A second co-responder position was added to ensure both the Auburn Fire Department and Police Department had dedicated support, although both positions remained unfilled by the end of June 2024.

### **Addressing the emergency shelter and transitional housing needs of homeless persons**

Maine continues to address the critical needs for emergency shelter and transitional housing for individuals experiencing homelessness. This effort is coordinated through the leadership and advocacy of the Maine Continuum of Care, the Maine Statewide Homeless Council, and various regional homeless councils.

In response to the homelessness crisis, the cities of Auburn and Lewiston established Mayoral Ad-hoc Committees on Homelessness. These committees have been actively working to identify resources, recommend locations, and develop proposals for establishing warming centers and permanent homeless shelters within their jurisdictions.

During the winter months, Maine Housing provided funding to a local nonprofit organization to operate a warming shelter in Lewiston. The City of Auburn supplemented this initiative by allocating \$89,306 in non-HUD funds to support the shelter's overnight operations, ensuring the availability of critical services during harsh weather conditions.

It is important to note that many local shelters do not receive direct financial support from the Maine Housing Authority. As a result, the City of Auburn allocates a portion of its Public Service funding to support these essential services. A key beneficiary of this support is Safe Voices, an organization dedicated to assisting victims of domestic violence and sex trafficking. Safe Voices offers a range of services, including re-housing and homelessness diversion programs, aimed at providing safety and stability for vulnerable populations.

### **Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

The City's Community Development and General Assistance programs have formed partnerships with various housing-focused organizations to enhance service delivery. These community partners embed staff within city facilities, facilitating the sharing of resources and clients across multiple programs. Services provided through this collaboration include housing navigation, gap financing to cover rental costs exceeding General Assistance maximums, and English language instruction and job training programs for new Mainers. These efforts target a wide range of individuals and families experiencing or

at risk of homelessness, including those fleeing domestic or dating violence, sexual assault, stalking, trafficking, and individuals discharged from public institutions or systems of care.

Additionally, both Auburn and Lewiston's HOME Tenant-Based Rental Assistance (TBRA) programs support individuals based on income eligibility, serving many recently discharged individuals who meet the income requirements. These programs provide Auburn residents with a broad array of services aimed at preventing or alleviating homelessness. Through the TBRA programs, eligible residents receive assistance with security deposits equivalent to two months' rent, as outlined in program guidelines.

The Housing Resources Program extends further assistance to those ineligible for TBRA, including:

- Security deposits
- First and last month's rent
- Housing application fees
- Relief for utility arrears and short-term payments for ongoing utility costs
- Support for rent arrears
- Moving expenses and temporary storage fees
- Financial aid for non-housing expenses, such as childcare, transportation (bus passes or gas vouchers), supplies and testing for HiSET (high school equivalency) classes, certification courses and exams, credit repair services, and outpatient medical care not covered by MaineCare or private insurance.

Both programs also offer referrals to additional services, including:

- Housing navigators to assist clients in securing homes in a competitive rental market
- Employment and job training programs
- Educational resources, including adult education programs
- Case management services
- Credit counseling

A significant challenge faced by these programs is the distribution of move-in costs for rental units. HUD's Fair Market Rent (FMR) caps limit the rent that can be covered, leading to hesitation among landlords who are often reluctant to participate in programs that cap rental income at below-market rates, particularly in a climate of rising market rents. To address this issue, General Assistance, in collaboration with GAP funding from IRCM, has filled the need for income-qualifying families as the contracted rental rates frequently exceed TBRA allowable amounts.

Moreover, the Statewide Homeless Council, in partnership with the Department of Corrections, is implementing the Maine Criminal Justice System Blueprint for Ending and Preventing Homelessness. This initiative aims to prevent individuals from being released from incarceration into homelessness. A similar Blueprint for Ending Homelessness, developed in collaboration with the Department of Health and Human Services (DHHS), focuses on discharge planning for individuals leaving state-run mental health facilities,

further addressing homelessness prevention at the systemic level.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The City's Community Development staff, including the Public Health Manager and General Assistance Administrator, collaborate closely with the School Department, Police and Fire Departments, and local non-profits such as Safe Voices and New Beginnings. This coordinated approach ensures seamless referrals for residents in need, connecting them with appropriate service providers.

The HOME-ARP Housing Resources Program and HOME Tenant-Based Rental Assistance (TBRA) programs offer vital financial support for move-in costs, including security deposits and utility connections, directly benefiting individuals experiencing homelessness or at risk of becoming homeless. Program staff are trained to mediate between tenants and landlords, helping to ensure stable housing situations. Additionally, they provide referrals to organizations that assist recently unhoused families in rebuilding essential life skills, such as home management, budgeting, financial literacy, credit repair, and other skills crucial for long-term housing stability.

In the upcoming year, Auburn and Lewiston plan to expand their collaboration with local non-profit organizations to broaden the scope of HOME-ARP projects. A key initiative includes a new partnership with Preble Street Inc., a prominent shelter operator in Portland. Under this expansion, Preble Street will establish a base of operations in the Auburn-Lewiston area, staffed by four case managers dedicated to serving the local homeless population.

Additionally, utilizing Auburn's HOME-ARP funds, the City has contracted with a specialist from Community Concepts Inc. to serve as a Homeless Encampment Outreach Coordinator. This individual visited over 65 homeless encampments within the City of Auburn, providing services and making referrals before the sites were cleaned up by a private contractor. By the end of the fiscal year, 29 encampments remained, with 10 still active and utilized by more than 21 homeless individuals.

## **CR-30 - Public Housing 91.220(h); 91.320(j)**

### **Actions taken to address the needs of public housing**

The City of Auburn continues to make significant progress in promoting and developing affordable housing in partnership with the Auburn Housing Authority (AHA). As part of the city's efforts to implement LD 2003, Auburn has introduced a 2.5X bonus density allowance across all residential zones, further incentivizing the creation of diverse, high-density housing options. This policy is intended to address the growing demand for housing and advance the city's goals of increasing both accessibility and affordability.

At the close of the program year, the Auburn Housing Authority reported an occupancy rate of 94% across its 13 developments, which encompass 564 housing units. These units consist of Section 8 vouchers, public housing units, and Low-Income Housing Tax Credit (LIHTC) subsidized units. According to 2024 ESRI data, Auburn has a total of 10,030 households, with renters comprising 59.5% of this total, equating to approximately 5,967 rental units. AHA's low-income or subsidized units account for 9.5% of the city's total rental units, highlighting the crucial role it plays in providing affordable housing options for Auburn residents.

This year, in response to rising rental rates and limited housing availability, AHA increased payment standards within its Section 8 voucher program to 110% of Fair Market Rent. This adjustment aims to help low-income renters secure affordable housing and reflects AHA's ongoing commitment to adapting to local market conditions and ensuring housing stability for families in need.

Maine Housing's Family Self-Sufficiency (FSS) staff continue to lead statewide initiatives to improve program processes and evaluation across Public Housing Authorities (PHAs). Working closely with other FSS staff, Maine Housing is navigating new HUD regulations to maintain consistent and effective service delivery. In collaboration with Compass Working Capital, Maine Housing is also an active member of the National FSS Network, partnering with the Portland Housing Authority to advance these goals.

In line with its strategic priorities, AHA is also focusing on shifting operations toward a voucher-based model. This approach encourages the development of privately constructed housing that accepts housing vouchers, broadening affordable housing opportunities and integrating low-income households into a wider range of community environments.

### **Actions taken to encourage public housing residents to become more involved in management and participate in homeownership**

The City of Auburn is dedicated to expanding affordable housing opportunities and supporting low-income residents in their journey toward homeownership. To help achieve this, the city actively refers low-income individuals, including public housing residents, to Community Credit Union (CCU) and Community Concepts Inc. (CCI). These organizations provide critical programs that assist residents in securing mortgages and offer down payment support, essential components for families seeking to achieve stable and sustainable housing.



One key program prepares residents to meet the qualifications for a \$5,000 grant from Maine Housing, which can be applied toward down payments or closing costs. This initiative reduces financial barriers to homeownership for low-income families, making stable housing more accessible.

Despite these proactive efforts, the city's recent application for the Pathways to Remove Obstacles to Housing (PRO HOUSING) program was not successful. The \$9.5 million grant would have funded infrastructure for a proposed mixed-income neighborhood comprised of 100 affordable units. While this was a setback, the city remains committed to exploring alternative funding sources and partnerships to meet its housing development goals.

Looking ahead, the City of Auburn has initiated a collaboration with a non-profit developer to utilize HOME funds in the creation of 15 new affordable housing units within the Union Street neighborhood. This project aims to replace substandard housing being removed from Chestnut Street, ensuring continued access to safe, quality housing for low-income residents. This development highlights Auburn's commitment to revitalizing neighborhoods and improving living conditions for all its residents.

### **Actions taken to aid troubled PHAs**

Neither the Lewiston Housing Authority nor the Auburn Housing Authority (AHA) are classified as troubled. In fact, Auburn Housing Authority's Section 8 Management Assessment Program (SEMAP) submission for the year ending March 31, 2024, earned the designation of **High Performer**, the highest rating awarded by HUD.

On August 14-15, HUD conducted a Real Estate Assessment Center (REAC) inspection at AHA, using the new National Standards for the Physical Inspection of Real Estate (NSPIRE) paradigm. AHA received a score of 90, equivalent to an "A" grade. The NSPIRE inspection places a greater emphasis on the condition of individual housing units, in contrast to the previous focus on common areas and mechanical facilities. This inspection included 177 Public Housing units at Towne House, Family Development, Merrill Estates, Broadview Acres, and Lincoln School developments.

In September 2023, AHA was awarded a \$988,220 grant through HUD's Capital Fund Program (CFP) Emergency Fund. This grant will fund the replacement of domestic hot water, cold water, and heating pipes within the crawlspaces of eight buildings at AHA's Family Development facility, impacting 44 of the 50 units. This two-year project is crucial for extending the life of these units. Notably, approximately 84% of the grant dollars were awarded to two companies based in the Lewiston/Auburn community, injecting new federal dollars into the local economy and supporting local workers.

## **CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)**

**Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)**

The City of Auburn continues to take proactive steps to eliminate barriers to housing development through several key initiatives over the past three years. One of the most impactful changes has been the implementation of LD 2003, which allows for accessory dwelling units (ADUs) in all residential zoning districts. This legislation enables the construction of up to four units on a single lot, significantly enhancing housing flexibility and density throughout the city.

In addition to these reforms, Auburn has introduced a form-based code across approximately 3,300 acres of core city land. This approach represents the city's most flexible zoning framework for housing, focusing on the physical form and scale of buildings rather than the number of units. By establishing parameters for lot design, building height, and parking requirements, the form-based code encourages greater creativity and diversity in residential development, facilitating multi-unit housing projects without imposing unit restrictions.

These zoning changes are specifically designed to encourage infill development, promote multi-unit housing in residential zones, and provide incentives such as waivers or reductions in permit fees for targeted demographics.

In a notable policy update, the Auburn City Council removed the income requirement for building homes on rural land. Previously, ordinances mandated that 30% of a household's income be derived from farming activities in rural zones. The revised ordinance now requires landowners to demonstrate a connection to the land and possess a minimum of 10 acres to build homes. While this policy faced significant public opposition, it marks a step toward increasing housing opportunities in rural areas.

**Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)**

The General Assistance Administrator and Public Health Manager continue to be crucial members of Auburn's Community Development team. Additionally, new contracted team members have been hired under the HOME-ARP program to provide direct services to underserved residents who are homeless or at risk of homelessness.

These staff members play vital roles in weekly team meetings and significantly contribute to the development of both the Action Plan and the CAPER reporting. Their community-facing roles enable them to interact daily with underserved populations, allowing for swift communication of program challenges and changing community needs to the broader team. This flexible approach facilitates rapid adjustments to program delivery when necessary.

A strategic addition this year was the hiring of a Project Support You (PSY) staff member. This position collaborates closely with the police and fire departments to engage individuals in crisis, including those who are unhoused and individuals with substance use or mental health disorders, ensuring they receive appropriate support and connections to housing services.

Furthermore, the city has initiated the establishment of a "hub" within the Community Development Office, inviting several non-profit organizations to co-locate their staff in the same physical space. This initiative aims to streamline referrals, improve client updates, and foster a greater understanding among staff about each step of a client's housing journey. The goal is to have staff from five non-profit organizations operating out of the Community Development Office, thereby enhancing collaboration and service delivery to those in need.

### **Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)**

The City of Auburn secured a three-year Lead Hazard Control & Healthy Homes (OLHCHH) grant commencing in November 2021. To complement this grant, CDBG funds are employed as matching resources to offer supplementary subsidy grants to residents who meet income qualifications.

In 2022, a total of eleven housing units underwent lead assessments, and subsequent remediation efforts were undertaken for six of these units. During 2023 there was 100% turnover of staff working on this program, so there was a delay in project development. As of the end of PY23 16 new units were enrolled in the program and abatement work slated to be completed within the first half of PY24.

### **Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)**

The City of Auburn administers four key programs designed to directly support individuals and families facing poverty:

1. **General Assistance (GA):** This program provides emergency and ongoing support to low-income families, including food vouchers, temporary lodging in hotels or motels, and continuous rent aid. In 2023, GA assisted 1,396 cases, offering: 1,059 with housing assistance, 502 with utility support, 153 with food assistance, 33 with medical aid, 15 with burial or cremation assistance, 44 with baby supplies and 436 with misc. household items.
2. **Project Support You (PSY):** Funded through ARPA, this frontline initiative works closely with the police and fire departments to provide immediate assistance to individuals in crisis. During PY23 the PSY worker responded to 555 emergency calls, including 125 who were unhoused. Due to the vacancies left by staff departures, all these impacts were seen within the first 6 months of PY23.
3. **HOME TBRA (Tenant-Based Rental Assistance):** Auburn and Lewiston together supported 2 families through HOME funded TBRA. This program helps low-income families by covering the security deposit required when moving into a new rental unit. Due to the average rental rates exceeding HUDs High Home rent maximums, General Assistance, augmented with GAP financing from local nonprofits, provided most of the rental assistance during PY23.

4. **HOME-ARP Housing Resources Program:** This program assists individuals and families living in unstable housing situations, including those in encampments, vehicles, and emergency shelters. The residents serviced by the city of Auburn and their contractors totaled over 359 with 32 individuals moving from homelessness to housed.

Additionally, Auburn Community Development continues to allocate resources to support various public services and housing programs. These services include food pantries, homelessness prevention, housing navigators, domestic violence support, neighborhood centers, Meals on Wheels, and youth programs.

#### **Actions taken to develop institutional structure. 91.220(k); 91.320(j)**

Internally, the City of Auburn has undertaken a comprehensive redevelopment of its Community Development department. This overhaul includes the integration of the General Assistance program with the Public Health Manager role, fostering a more team-based approach to service delivery. This restructuring has enabled staff to offer a more comprehensive and holistic range of services tailored to specific communities.

This redevelopment aligns with broader city initiatives aimed at streamlining application, approval, and service delivery processes. These efforts have significantly reduced response times and improve the program's ability to address identified needs more effectively. The success of this program has precipitated in the relocation and expansion of the city of Auburn Homeless Resource Center to a larger, 5,500 square foot facility by the end of PY24.

In tandem with these internal changes, Maine Housing and the Maine Continuum of Care (CoC) have continued their collaboration to revamp and enhance the Coordinated Entry system. The Maine CoC has also made progress in addressing issues identified in the 2019 gaps and needs analysis, further supporting the city's goal of improving service delivery and resource allocation.

#### **Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)**

The Community Development Staff is collaborating closely with Auburn Housing Authority (AHA) staff and regional nonprofit housing developers to formulate plans for the creation of new affordable housing units. Additionally, they are jointly managing the Security Deposit assistance and Housing Resources programs.

#### **Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)**

The City of Auburn has dedicated significant effort to overcoming obstacles hindering the development of new affordable housing units. Initiatives include adopting a form-based code, revising density standards in residential zones to permit accessory dwelling units, and reducing required road frontage to facilitate infill development. Additionally, considerable attention has been directed toward identifying and

addressing impediments to fair housing, as highlighted by the Maine Housing Authority.

In 2019, the Maine State Housing Authority (MSHA) issued an analysis of Impediments to Fair Housing Choice, recognizing that community opposition to planning and zoning improvements designed to promote affordable housing is discriminatory. MSHA committed to supporting affordable housing projects despite such opposition. The City of Auburn shares this commitment, advancing fair housing not only as a federal funding requirement but also as a fundamental principle of community equity and justice. Restricting access to specific types or locations of housing development for low-income populations limits opportunities and fairness for our most vulnerable residents.

Moreover, concentrating subsidized housing exclusively in downtown urban areas often encounters the opposition identified by MSHA. Therefore, the city embraces development models that expand housing choices across all neighborhoods, recognizing the unique value each area and resident brings. Ensuring that all families, regardless of income, have the freedom to choose their homes and the environment in which to raise their children is a fundamental right.

The Community Development Department supports the inclusive zoning efforts led by the Planning & Permitting Department and remains committed to creating affordable housing in Auburn with a focus on increased inclusion, accessibility, and choice. This approach aligns with MSHA's recommendations to promote economic diversity through mixed-income housing and the increased utilization of housing choice vouchers in low-poverty areas.

## **CR-40 - Monitoring 91.220 and 91.230**

**Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements**

The Community Development staff, in collaboration with the Auburn-Lewiston Consortium, has implemented a comprehensive monitoring program to ensure that fund recipients adhere to program guidelines throughout the federally mandated affordability period. This program includes an annual desk monitoring, risk assessment, and on-site inspection process to verify and document compliance with income levels, fair market rental rates, and the city's housing standards.

Enhanced oversight and technical assistance have been established for Public Service and HOME-ARP grant recipients. The city requires subrecipients to submit quarterly demographic and impact reports for preliminary review before requesting fund disbursements. These reports include demographic information on low- and moderate-income program recipients, as well as administrative data such as payroll records and financial expenditure reports. This rigorous review process ensures that grant recipients are not only able to deliver essential services but also effectively track and report their impact.

However, there are a few action items that were not completed in the past year:

1. Conducting required HOME inspections for two Auburn properties has now been completed.
2. Reviewing updated affirmative marketing plans for HOME units and programs has now been completed.

The city of Auburn is still working with Lewiston staff to facilitate the inspection of Lewiston HOME project and expects these to be completed by December 30, 2024, with results to be reported in the PY2024 CAPER.

## **Citizen Participation Plan 91.105(d); 91.115(d)**

**Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.**

The draft 2023 Consolidated Annual Performance and Evaluation Report (CAPER) was made available for public comment in compliance with statutory requirements from October 11th to October 26th. A notice was published in the Sun Journal on October 11th, with the original comment period set to end on October 28th to align with a Public Hearing conducted by the Auburn City Council on October 21st.

Public notification was carried out in accordance with the Citizen Participation Plan, and documentation of the public hearing notice was maintained on the administration screen. The city also utilized social media platforms to solicit input and directly emailed the CAPER to the 2,041 individuals subscribed to email alerts through the city's marketing department.

Enhanced outreach initiatives included posting CAPER notices with direct access links and QR codes in key public facilities across the city, such as city hall, the public library, senior housing facilities, and food pantries. Additional outreach efforts featured a multilingual website, social media notifications, and a press release, all of which provided information on language translation services and access to printed versions of the report.

**CR-45 - CDBG 91.520(c)**

**Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.**

No changes were made to the city's program objectives during the program year

**Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?**

No

**[BEDI grantees] Describe accomplishments and program outcomes during the last year.**



## **CR-50 - HOME 24 CFR 91.520(d)**

### **Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations**

Please list those projects that should have been inspected on-site this program year based upon the schedule in 24 CFR §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

The city has begun utilizing the Code Enforcement office to assist in the completion of HQS and property standard inspections.

Activity #904, Vincent Square: Desk monitoring was conducted on the property. On-site inspection reports were provided for the 6 units.

Activity #1175, Tedford Housing: desk monitoring was conducted on the property. On-site inspection was conducted for 5 units.

Activity #1821, Gauvreau Place: units 202 and 211 were inspected post-construction. No deficiencies were found to remedy.

### **Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 24 CFR 91.520(e) and 24 CFR 92.351(a)**

Property owners are required to develop and maintain both a Management Plan and a Marketing Plan that actively promote Fair Housing objectives. These plans must ensure the impartial selection of residents and adherence to nondiscriminatory practices. Property owners are also responsible for maintaining a documented waiting list of applicants and ensuring that their resident selection policies and criteria comply with all federal and state regulations prohibiting discrimination based on race, color, national origin, religion, sex, physical or mental handicap, sexual orientation, familial status, ancestry, and receipt of public assistance.

In response to the evolving needs of the community, the city has recently revised its affirmative marketing plan. The updated plan introduces new outreach methods, translation services, and enhanced accessibility provisions to better meet the needs of all residents and promote equitable housing opportunities.

This year, eight properties were obligated to implement an affirmative marketing plan, 2 in Auburn and 6 in Lewiston. The two-organization located in Auburn have provided updated affirmative marketing plans for review. However, the city of Lewiston did not effectively monitor these properties' affirmative marketing activities. This oversight will be addressed, and compliance will be ensured by December 31,

2024.

**Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics**

This year two TBRA projects were funded with HOME funds.

**Describe other actions taken to foster and maintain affordable housing. 24 CFR 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 24 CFR 91.320(j)**

The cities of Auburn and Lewiston are dedicated to supporting the construction and maintenance of affordable housing through their Housing Development and Rehabilitation programs. These initiatives provide federal funding to developers and property owners to cover eligible costs, with the condition that the units created or refurbished adhere to strict affordability standards.

Affordability criteria for these units are established according to HUD guidelines, with rent limits set at either the Fair Market Rent (FMR), Low HOME Rent, or High HOME Rent levels. These measures ensure that the housing remains accessible and affordable to low- and moderate-income residents.

### CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

<b>Total Labor Hours</b>	<b>CDBG</b>	<b>HOME</b>	<b>ESG</b>	<b>HOPWA</b>	<b>HTF</b>
Total Number of Activities	0	0	0	0	0
Total Labor Hours					
Total Section 3 Worker Hours					
Total Targeted Section 3 Worker Hours					

**Table 14 – Total Labor Hours**

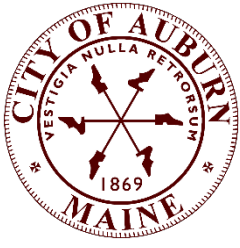
<b>Qualitative Efforts - Number of Activities by Program</b>	<b>CDBG</b>	<b>HOME</b>	<b>ESG</b>	<b>HOPWA</b>	<b>HTF</b>
Outreach efforts to generate job applicants who are Public Housing Targeted Workers					
Outreach efforts to generate job applicants who are Other Funding Targeted Workers.					
Direct, on-the job training (including apprenticeships).					
Indirect training such as arranging for, contracting for, or paying tuition for, off-site training.					
Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).					
Outreach efforts to identify and secure bids from Section 3 business concerns.					
Technical assistance to help Section 3 business concerns understand and bid on contracts.					
Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns.					
Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services.					
Held one or more job fairs.					
Provided or connected residents with supportive services that can provide direct services or referrals.					
Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation.					
Assisted residents with finding childcare.					
Assisted residents to apply for or attend community college or a four year educational institution.					
Assisted residents to apply for or attend vocational/technical training.					
Assisted residents to obtain financial literacy training and/or coaching.					
Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.					
Provided or connected residents with training on computer use or online technologies.					
Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses.					
Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.					

Other.					
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**Table 15 – Qualitative Efforts - Number of Activities by Program**

**Narrative**

The city did not have a project which required Section 3 tracking. Outreach efforts continued during the program year, including hosting lead hazard control and RRP training for local contractors and their employees.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** October 21, 2024

**Order:** 147-10212024

**Author:** Kelsey Earle, Finance Director

**Subject:** FY25 School Department CIP First Reading

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**Information:** First reading of the FY25 School Department Capital Improvement Plan (CIP). The school committee approved amount was inadvertently omitted from the full municipal list and order in June. Second reading/public hearing and final action scheduled for the November 4<sup>th</sup>, 2024, meeting.

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**City Budgetary Impacts:** None at this time.

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**Staff Recommended Action:** Review

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**Previous Meetings and History:** The school department CIP plan was reviewed via school committee with final approval given 4/24/24 and was part of total approved school budget.

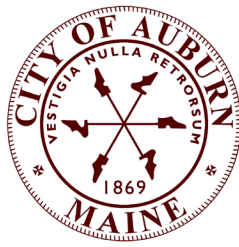
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**City Manager Comments:**

I concur with the recommendation. Signature:

**Attachments:**

Order



# City Council Order

## IN CITY COUNCIL

### ORDER - AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS AND A TAX LEVY THEREFOR

Following a public hearing duly called and held as required by Article 8, Section 8.13 of the City Charter, **by the Auburn City Council BE IT ORDERED:**

THAT, pursuant to Title 30-A, §5772 of the Maine Revised Statutes, as amended, the City Charter, as amended, and all other authority thereto enabling, there is hereby authorized the issue and sale of the City's general obligation bonds (the "Bonds") and notes in anticipation thereof (the "Notes"), in the principal amount not to exceed \$983,000, the proceeds of which, including original issue premium, if any, and investment earnings thereon, are hereby appropriated to finance the Auburn School Department FY25 Capital Improvement Plan approved by the Auburn School Committee on April 24, 2024 (including costs of issuance for the Bonds)(the "School CIP Projects").

THAT the Bonds and Notes shall be signed by the manual or facsimile signatures of the City's Finance Director and its Treasurer (provided that at least one of such signatures shall be a manual signature), attested by the City Clerk under the seal of the City.

THAT the Finance Director is hereby authorized, in the name of and on behalf of the City, to establish, determine and approve the time of the sale, award and settlement of the Bonds and Notes, which may be issued at one time, or from time to time, through a public offering or a private placement, on a competitive or negotiated basis, in serial form or as term bonds, or some combination of any of the foregoing, such establishment, determination and approval to be conclusively evidenced by the execution thereof.

THAT the Finance Director is hereby authorized, in the name of and on behalf of the City, to establish, determine and approve the date, form, denominations, interest rates, maturities (not to exceed the maximum term authorized by law), provisions for early redemption, and all other details of such Bonds and Notes, such establishment, determination and approval to be conclusively evidenced by the execution thereof.

THAT to the extent not payable from other funds, each year that any of the Bonds remain outstanding, the City shall levy a tax in an amount sufficient to pay the annual installment of principal and the annual interest on such Bonds.

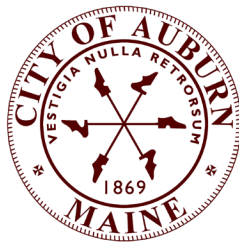
THAT the Finance Director is hereby authorized, in the name of and on behalf of the City, to do or cause to be done all such acts and things necessary and expedient in respect in connection with the financing of the School CIP Projects and the issuance the Bonds and Notes, and the investment of the proceeds thereof, including to select a financial advisor, underwriter, or paying agent/registrars with respects to the Bonds and Notes, and to execute, deliver and approve all agreements, investment agreements, bond purchase agreements, preliminary and final official statements or other offering documents, escrow agreements, continuing disclosure agreements, tax compliance agreements, or arbitrage certificates, and all other closing certificates and documents (collectively referred to as the "Bond Documents"), which

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**Richard S. Whiting**, Ward One  
**Benjamin J. Weisner**, Ward Four  
**Adam R. Platz**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Stephen G. Milks**, Ward Three  
**Belinda A. Gerry**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



## City Council Order

Bond Documents may be in such form and contain such terms, conditions and provisions including, without limitation, the waiving of the City's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, which waiver of sovereign or governmental immunity is hereby authorized, confirmed and approved, as the Finance Director shall establish, determine and approve, such establishment, determination and approval to be conclusively evidenced by the execution thereof.

THAT to the extent the Bonds or Notes are issues on a tax-exempt basis, the Finance Director is hereby authorized, in the name of and on behalf of the City:

- To covenant, agree and certify (A) that no part of the proceeds of such Bonds and Notes shall be used directly or indirectly to acquire any securities or obligations or property, the acquisition or use of which would cause the Bonds or Notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended, and (B) that the City will file any required reports and take any other action that may be necessary to insure that interest on the Bonds or Notes will remain exempt from federal income taxation, and that the City will refrain from any action that would cause interest on the Bonds and Notes to be subject to federal income taxation; and
- To designate the Bond or Notes, or a portion thereof, as qualified tax-exempt obligations under and as permitted by Section 265(b)(3) of the Code, to the extent such designation is available and permissible under said Section 265(b)(3).

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the Bonds, Notes or any related Bond Document, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, in an interim or acting capacity, is hereby authorized, in the name of and on behalf of the District, to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT if any authorized representative of the City who has signed or sealed the Bonds or Notes shall cease to be such officers or officials before the Bonds or Notes so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds or Notes nevertheless may be issued, delivered and authenticated with the same force and effect as though the person or persons who signed or sealed such Bonds or Notes had not ceased to be such officer or official; and also any such Bonds or Notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds or Notes, shall be the proper officers and officials of the City, although at the nominal date of such Bonds or Notes any such person shall not have been such officer or official.

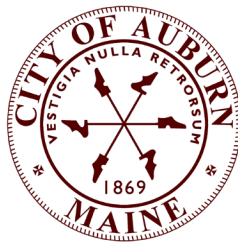
THAT if the actual cost of any School CIP Project differs from the estimated cost, whether due to completion, delay or abandonment of such School CIP Project or for any other reason, the Finance Director is hereby authorized, in the name of and on behalf of the City, in her discretion, to reallocate proceeds of the Bonds and Notes to any other listed School CIP Project, or to any other project or improvement that the Auburn School Committee has approved or may in the future approve as part of the Auburn School Department capital improvement plan.

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**Jeffrey D. Harmon**, Mayor

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**Belinda A. Gerry**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



## City Council Order

THAT the authority to issue any Bonds or Notes not issued within 2 years of the date of approval of this Order shall automatically expire 2 years from the date of approval of this Order.

THAT notwithstanding the foregoing paragraph, during the term any of the Bonds issued pursuant to this Order remain outstanding, the Finance Director is hereby authorized, in the name of and on behalf of the City, to issue refunding bonds on either a current or advance refunding basis, to refund some or all of the Bonds then outstanding, and to establish, determine and approve the time of the sale, award and settlement of such refunding bonds, the date, form, denominations, interest rates, maturities (not to exceed the maximum term authorized by law), provisions for early redemption, and all other details of such refunding bonds, such establishment, determination and approval to be conclusively evidenced by the execution thereof, and to execute and deliver, in the name of and on behalf of the City, such additional Bond Documents as may be reasonable or necessary with respect to such refunding, and each refunding bond issued hereunder shall be signed in the same manner as the Bonds.

THAT this Order shall constitute a Declaration of Official Intent pursuant to Treasury Regulation §1.150-2, and the City hereby declares its official intent to use proceeds of the Bonds or Notes to reimburse costs of the School CIP Projects (referred to as "original expenditures") paid prior to the issuance of the Bonds or Notes.

A notice describing the above borrowing and the general purpose of such borrowing was published on or before October 21, 2024, in the *Sun Journal*, a daily newspaper of general circulation published in the City of Auburn and in Androscoggin County.

NOTE: Must be approved by roll call vote.

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**Benjamin J. Weisner**, Ward Four  
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**Jeffrey D. Harmon**, Mayor

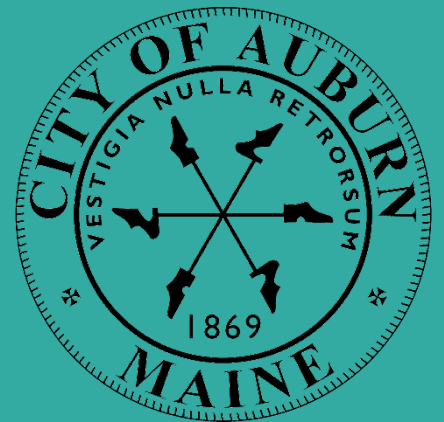
**Stephen G. Milks**, Ward Three  
**Belinda A. Gerry**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



# Monthly Financial Report

## July 2024 - Fiscal Year 2025

Authored by: Kelsey Earle



**To: Honorable Mayor, Members of the City Council and City Manager**  
**Subject: Financial Report for the Month Ending July 31, 2024**

I respectfully submit the financial summaries of the revenue and expenditure activities for the City during the month ending July 31, 2024.

Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department. The City has completed its first month of the current fiscal year. As a guideline for tracking purposes, if split evenly throughout the year, revenues and expenditures should amount to approximately 8.33% of the annual budget. However, not all costs and revenues are distributed evenly as individual line items can vary based upon cyclical activity.

### **General Fund Highlights**

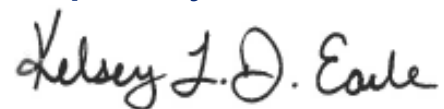
#### Revenues

- Total revenues collected through July 2024 were **\$7.49M** or **11.1%** of budgeted general fund revenue, as compared to 3.4% of actual revenues through July 2023.
- Year-to-date tax revenues of **\$220K** were **0.6% higher** than the prior year  
Percentages based upon total collected vs. tax levy for the year

#### Expenditures

- Expenditures through July 2024 were **\$4.68M** or **5.5%** of the budget, as compared to 4.7% of actual expenditures through July 2023.
- IT expenditures had increased costs in yearly software licensing and security
- 1020-Capital Investment & Purchasing budget was moved to 1014-Engineering & 1015-Facilities. Some expenses were billed to 1020, adjustments will be made to move expenses to those accounts

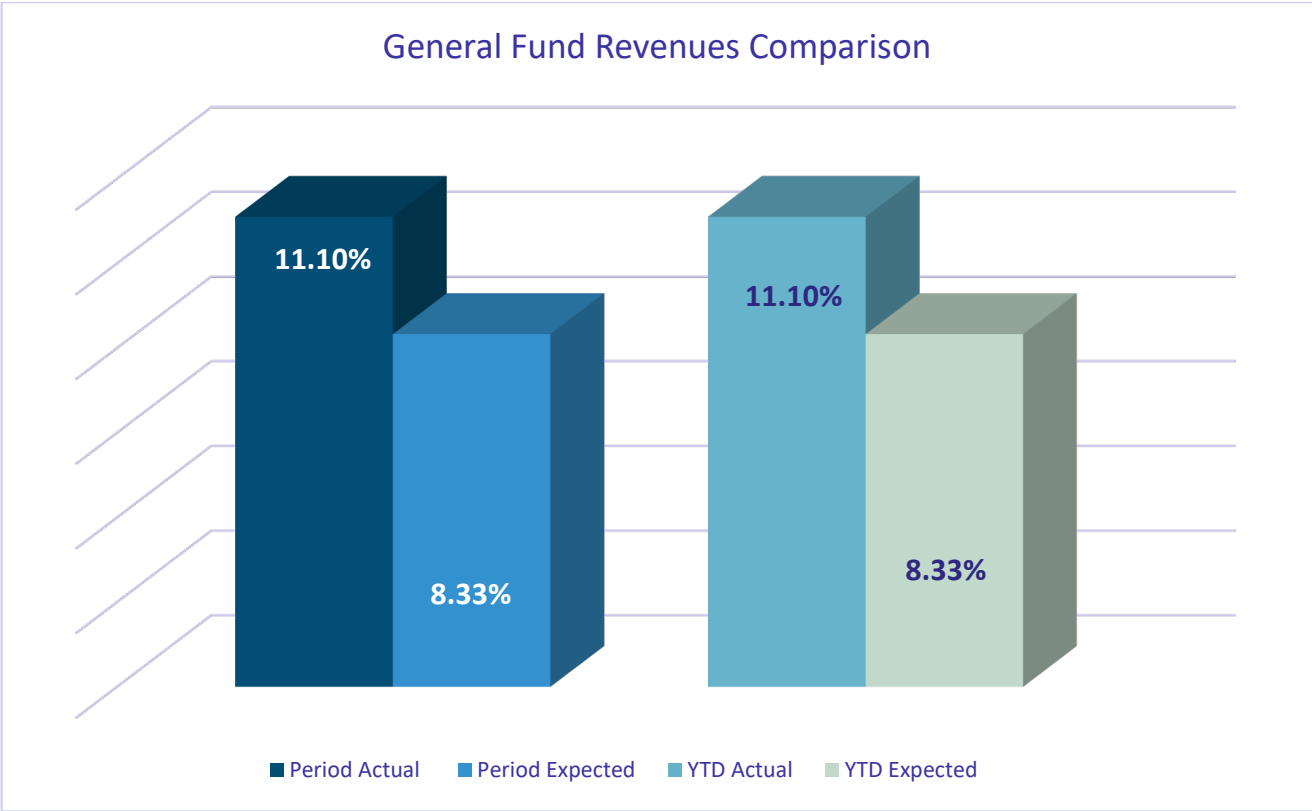
**Respectfully submitted,**



**Kelsey L. D. Earle**  
**Finance Director**

# General Fund

for the Period Ended July 31, 2024

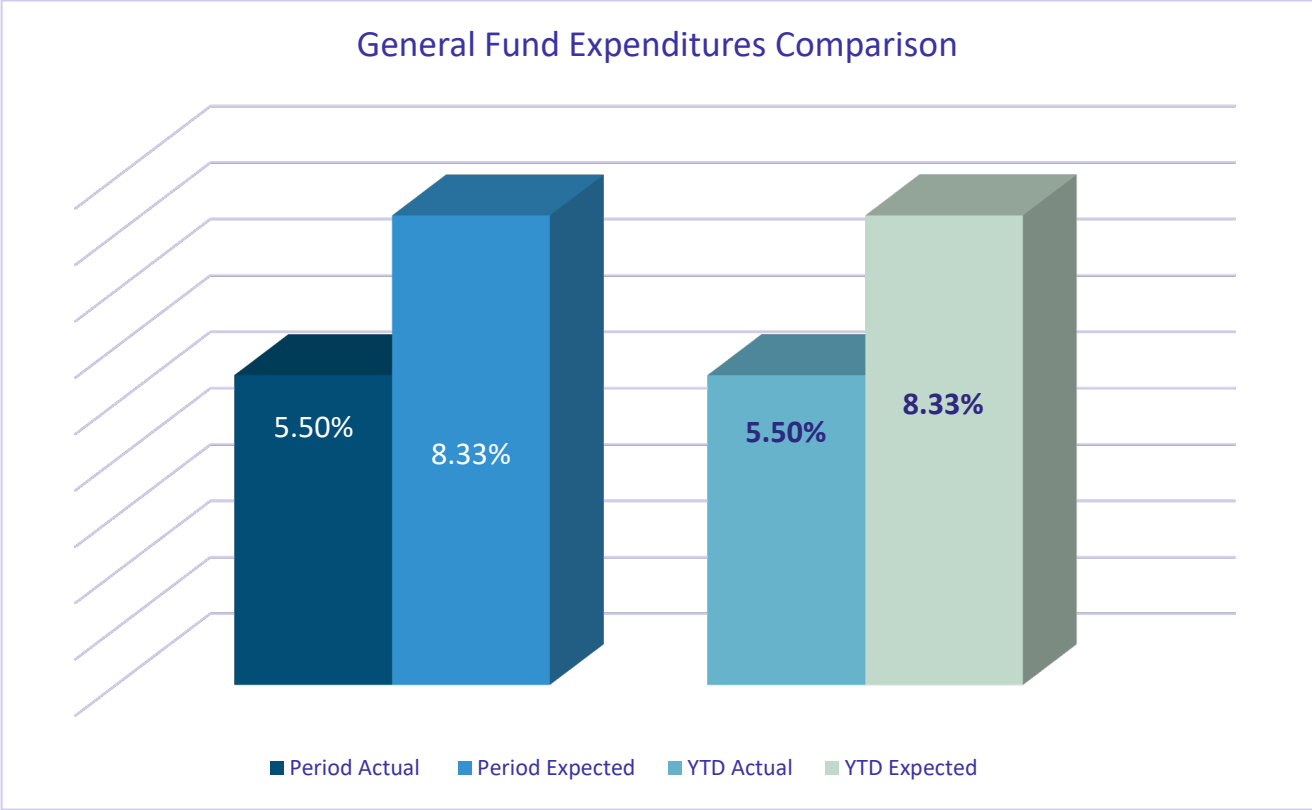


CITY OF AUBURN  
REVENUES - JULY 2024

FROM 2025 01 TO 2025 02						
ACCOUNTS FOR:	ORIGINAL				AVAILABLE	PCT
1000 General Fund	APPROP	ACTUALS	ENCUMBRANCES	BUDGET	USED	
1006 Communications & Engagement	-65000	0.00	0.00	65000.00	0.0%	
1007 City Clerk	-308860	-41,189.20	0.00	267670.80	13.3%	
1008 Finance	-22535996	-6,959,654.48	0.00	15576341.52	30.9%	
1010 Planning & Permitting	0	-24,500.00	0.00	-24500.00	0.0%	
1012 Planning & Permitting	-183400	-53,152.85	0.00	130247.15	29.0%	
1014 Engineering	-20450	-120.00	0.00	20330.00	0.6%	
1015 Facilities	-104000	-25,833.50	0.00	78166.50	24.8%	
1021 Fire & EMS Transport	-100	0.00	0.00	100.00	0.0%	
1022 Police	-64000	-4,181.86	0.00	59818.14	6.5%	
1023 Fire EMS Transport	-1700000	-260,626.09	0.00	1439373.91	15.3%	
1032 Health and Social Serv Assist	-630840	-125,839.09	0.00	505000.91	19.9%	
1042 Public works	-400000	0.00	0.00	400000.00	0.0%	
1070 Education	-41368735	0.00	0.00	41368735.00	0.0%	
<b>TOTAL General Fund Revenues</b>	<b>-67381381</b>	<b>-7,495,097.07</b>	<b>0.00</b>	<b>59,886,283.93</b>	<b>11.1%</b>	

# General Fund

for the Period Ended July 31, 2024



CITY OF AUBURN  
EXPENSES - JULY 2024

FROM 2025 01 TO 2025 02  
ACCOUNTS FOR:

1000 General Fund	ORIGINAL APPROP	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
1004 Mayor and Council	178800	33,369.62	0.00	-145,430.38	18.7%
1005 City Manager	711450	119,095.62	1,506.75	-592,354.38	16.7%
1006 Communications & Engagement	378966	45,846.49	19,728.00	-333,119.51	12.1%
1007 City Clerk	335291	41,130.01	0.00	-294,160.99	12.3%
1008 Finance	1351064	266,306.21	0.00	-1,084,757.79	19.7%
1009 Human Resources	280420	39,678.21	0.00	-240,741.79	14.1%
1010 Planning & Permitting	829048	115,901.99	0.00	-713,146.01	14.0%
1011 Economic Development	135461	29,346.49	0.00	-106,114.51	21.7%
1012 Planning & Permittin	0	500.00	0.00	500.00	#DIV/0!
1013 Business & Community Developme	804568	82,480.52	0.00	-722,087.48	10.3%
1014 Engineering	363646	80.00	0.00	-363,566.00	0.0%
1015 Facilities	1874151	56,517.12	149,160.09	-1,817,633.88	3.0%
1016 worker's Compensation	719025	0.00	0.00	-719,025.00	0.0%
1017 Fringe Benefits & Salary Incre	8212715	1,305,570.18	0.00	-6,907,144.82	15.9%
1019 Debt Service	9772812	0.00	0.00	-9,772,812.00	0.0%
1020 Capital Investment and Purchas	0	73,687.73	-9,985.50	73,687.73	#DIV/0!
1021 Fire & EMS Transport	6634967	969,940.22	-1,097.87	-5,665,026.78	14.6%
1022 Police	5517652	760,722.95	66,152.19	-4,756,929.05	13.8%
1025 Information Technology	1039215	328,282.44	25,808.24	-710,932.56	31.6%
1030 Recreation and Sports Tourism	590866	87,001.22	4,000.00	-503,864.78	14.7%
1032 Health and Social Serv Assist	901200	134,769.67	0.00	-766,430.33	15.0%
1042 Public Works	6368936	748,236.53	209,881.64	-5,620,699.47	11.7%
1043 Solid Waste Disposal	1616500	152,336.72	0.00	-1,464,163.28	9.4%
1045 County Tax	3117240	3,117,240.00	0.00	0.00	100.0%
1046 PW School Maint & Custodial	3745487	230,172.98	1,009,863.97	-3,515,313.99	6.1%
1049 Auburn Art in the Park	25000	0.00	0.00	-25,000.00	0.0%
1050 Public Library	1199897	267,761.14	0.00	-932,135.86	22.3%
1051 Transfer to TIF	3049803	0.00	0.00	-3,049,803.00	0.0%
1052 Water & Sewer	840280	0.00	0.00	-840,280.00	0.0%
1053 Tax Sharing	260000	0.00	0.00	-260,000.00	0.0%
1054 Auburn-Lewiston Airport	205000	-9,777.75	0.00	-214,777.75	-4.8%
1056 LA Transit Committee	458502	0.00	0.00	-458,502.00	0.0%
1057 LA-911	1380000	176,158.02	0.00	-1,203,841.98	12.8%
1070 Education	62123472	0.00	0.00	-62,123,472.00	0.0%
<b>TOTAL General Fund Expenses</b>	<b>84390117</b>	<b>4,682,127.64</b>	<b>1219745.61</b>	<b>-115,849,079.64</b>	<b>5.5%</b>

**EMS BILLING**  
**SUMMARY OF ACTIVITY**  
**July 1, 2024 - July 31,2024**  
**Report as of July 31st, 2024**

	Beginning	July 2024					Ending
	Balance 7/1/2024	New Charges	Payments	Refunds	Adjustments	Write-Offs	Balance 7/31/2024
<b>Attorney/In care of</b>	\$ (16.75)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (16.75)
<b>Bluecross</b>	\$ 80,159.85	\$ 7,402.00	\$ (5,699.20)	\$ -	\$ (3,117.40)	\$ -	\$ 78,745.25
<b>Intercept</b>	\$ (2,169.40)	\$ 100.00	\$ (100.00)	\$ -	\$ -	\$ -	\$ (2,169.40)
<b>Medicare</b>	\$ 457,917.35	\$ 177,572.00	\$ (36,030.88)	\$ -	\$ (67,695.17)	\$ -	\$ 531,763.30
<b>Medicaid</b>	\$ (184,337.63)	\$ 58,324.00	\$ (35,289.28)	\$ -	\$ (27,992.28)	\$ -	\$ (189,295.19)
<b>Other/Commercial</b>	\$ 154,332.76	\$ 32,611.30	\$ (16,762.80)	\$ 650.00	\$ (3,123.49)	\$ -	\$ 167,707.77
<b>Patient</b>	\$ (26,262.44)	\$ 10,512.00	\$ (10,021.94)	\$ 1,658.93	\$ (300.00)	\$ (12,955.53)	\$ (37,368.98)
<b>Worker's Comp</b>	\$ (12,554.01)	\$ 2,054.00	\$ (928.00)	\$ -	\$ -	\$ -	\$ (11,428.01)
<b>TOTAL</b>	\$ 467,069.73	\$ 288,575.30	\$ (104,832.10)	\$ 2,308.93	\$ (102,228.34)	\$ (12,955.53)	\$ 537,937.99

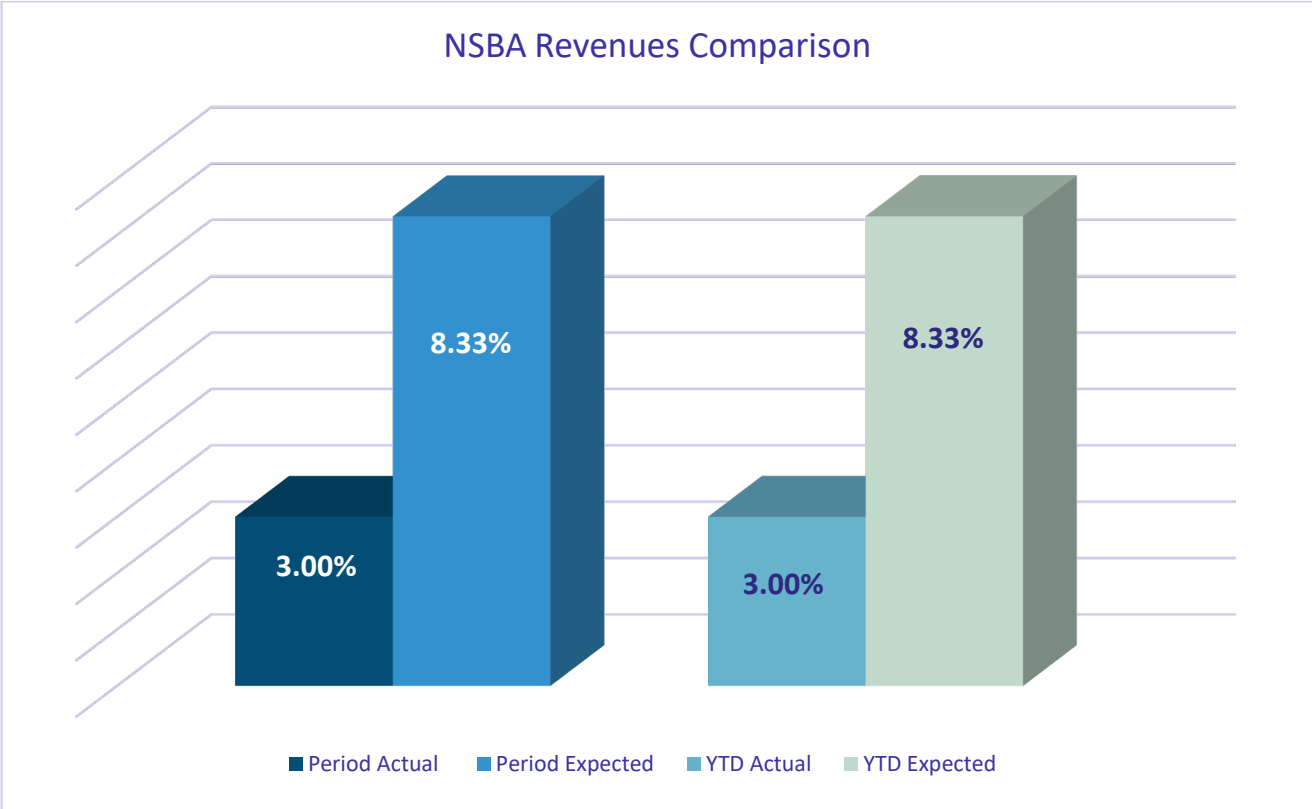
# Norway Savings Bank Arena

for the Period Ended July 31, 2024

As of July 2024, Norway Arena had an operating gain fiscal YTD of \$1,534.45.

## Revenues:

The operating revenues for Norway Arena through July 2024 are \$33,065 or 3.0% of the budget as compared to 2.83% of actual revenues through July 2023. This revenue comes from concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals. Table 1 reflects revenues collected for the current year with comparison for the same period a year ago.



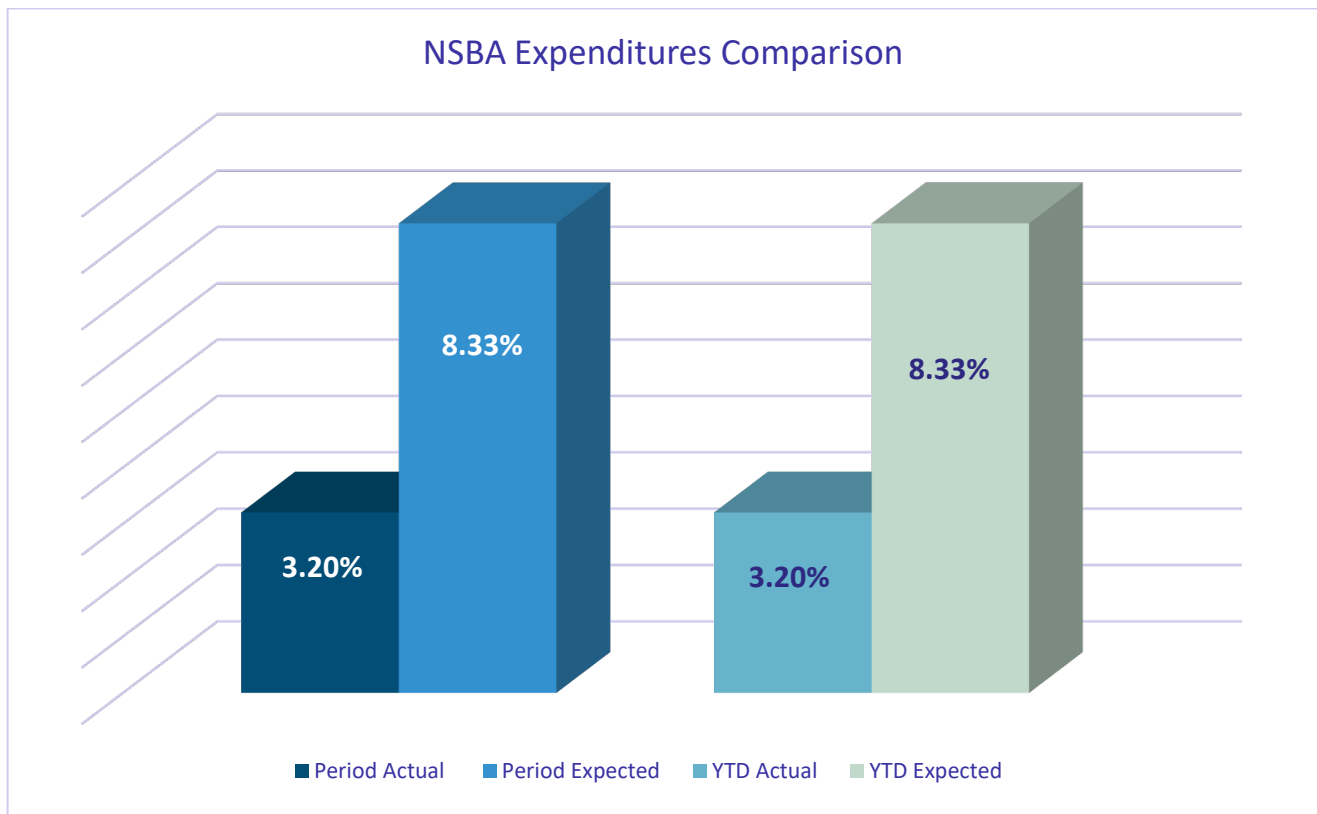


NSBA REVENUES - JULY 2024

FOR 2025 01			ORIGINAL APPROP	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
ACCOUNTS FOR:							
6200	Norway Savings Bank Arena						
6200 Norway Savings Bank Arena							
6200	4201	Ice Rental-Gladiators	-280,000.00	0.00	0.00	-280,000.00	0.0%
6200	4202	Ice Rental-Edward Lit	-22,500.00	0.00	0.00	-22,500.00	0.0%
6200	4203	Ice Rental-Red Hornet	-18,500.00	0.00	0.00	-18,500.00	0.0%
6200	4205	Ice Rental-St Doms (B	-35,000.00	0.00	0.00	-35,000.00	0.0%
6200	4206	Ice Rental-Poland/Gra	-18,500.00	0.00	0.00	-18,500.00	0.0%
6200	4207	Ice Rental-CMCC	-22,500.00	0.00	0.00	-22,500.00	0.0%
6200	4208	Ice Rental-SMMHL	-2,000.00	0.00	0.00	-2,000.00	0.0%
6200	4209	Ice Rental-Adult Leag	-162,000.00	-4,320.00	0.00	-157,680.00	2.7%
6200	4210	Ice Rental-Youth Othe	-33,800.00	0.00	0.00	-33,800.00	0.0%
6200	4211	Ice Rental-HS/MS Othe	-28,600.00	-1,116.00	0.00	-27,484.00	3.9%
6200	4215	Freestyle-Figure Skat	-7,500.00	-120.00	0.00	-7,380.00	1.6%
6200	4220	Camps/Clinics	-45,000.00	-6,860.00	0.00	-38,140.00	15.2%
6200	4221	Tournaments	-75,000.00	0.00	0.00	-75,000.00	0.0%
6200	4222	Birthday Party Rental	0.00	0.00	0.00	0.00	#DIV/0!
6200	4223	Private Rentals	-30,000.00	-2,010.00	0.00	-27,990.00	6.7%
6200	4224	Public Skate	-25,000.00	0.00	0.00	-25,000.00	0.0%
6200	4225	Shinny Hockey	-4,000.00	0.00	0.00	-4,000.00	0.0%
6200	4240	Programs	-20,000.00	0.00	0.00	-20,000.00	0.0%
6200	4250	Non Ice & Facility Re	-40,000.00	2,608.75	0.00	-42,608.75	-6.5%
6200	4252	Skate Rentals	-3,000.00	0.00	0.00	-3,000.00	0.0%
6200	4260	Concession	-21,000.00	0.00	0.00	-21,000.00	0.0%
6200	4261	Pepsi Vending Machine	-3,000.00	-498.22	0.00	-2,501.78	16.6%
6200	4265	Pro Shop	-7,000.00	0.00	0.00	-7,000.00	0.0%
6200	4270	Sponsorships	-195,000.00	-20,750.00	0.00	-174,250.00	10.6%
6200	4271	Sign Advertisement	0.00	0.00	0.00	0.00	#DIV/0!
6200	429000	Events	0.00	0.00	0.00	0.00	#DIV/0!
TOTAL NSBA Revenues			-1,098,900.00	-33,065.47	0.00	-1,065,834.53	3.0%

**Expenditures:**

The operating expenses for Norway Arena through July 2024 were \$31,531 or 3.2 % of the budget as compared to 4.28% of actual expenditures through July 2023. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance. Table 2 reflects expenditures for the current year with comparison for the same period a year ago.



NSBA EXPENSES - JULY 2024

FOR 2025 01							
ACCOUNTS FOR:		ORIGINAL	YTD EXPENDED	ENC/REQ	AVAILABLE	PCT	
6200	Norway Savings Bank Arena	APPROP			BUDGET	USED	
6200 Norway Savings Bank Arena							
6200	611000	Regular Salaries	311032	20,841.90	0.00	290,190.10	6.7%
6200	612000	Part Time	60000	2,648.68	0.00	57,351.32	4.4%
6200	612008	Programs	10000	242.50	0.00	9,757.50	2.4%
6200	620000	Advertising	2000	0.00	0.00	2,000.00	0.0%
6200	628000	PS - Gen/Profession	12000	0.00	0.00	12,000.00	0.0%
6200	628003	PS - Drug Testing	400	0.00	0.00	400.00	0.0%
6200	628014	PS - Solid Waste Di	600	0.00	0.00	600.00	0.0%
6200	628019	Repairs - Buildings	50000	619.92	0.00	49,380.08	1.2%
6200	628020	Repairs - Vehicles	4000	5,385.51	0.00	-1,385.51	134.6%
6200	628021	Repairs - Equipment	4000	0.00	0.00	4,000.00	0.0%
6200	628051	PS-Cleaning Service	20000	0.00	0.00	20,000.00	0.0%
6200	628070	PS-Security	4900	0.00	0.00	4,900.00	0.0%
6200	629000	Training & Tuition	5000	0.00	0.00	5,000.00	0.0%
6200	632000	Dues & Subscription	7412	0.00	1,350.00	7,412.00	0.0%
6200	633000	Office Supplies	2000	0.00	0.00	2,000.00	0.0%
6200	633001	Operating Supplies	70000	1,752.20	0.00	68,247.80	2.5%
6200	633002	ADVERTISITNG SIGNS	3000	0.00	0.00	3,000.00	0.0%
6200	633021	Safety Equipment	4000	40.31	0.00	3,959.69	1.0%
6200	640000	Telephone	5000	0.00	0.00	5,000.00	0.0%
6200	640001	Cable	2500	0.00	0.00	2,500.00	0.0%
6200	641000	Water/Sewer	46000	0.00	0.00	46,000.00	0.0%
6200	641001	Natural Gas	42153	0.00	0.00	42,153.00	0.0%
6200	641002	Electricity	220000	0.00	0.00	220,000.00	0.0%
6200	641003	Bottled Gas	5000	0.00	0.00	5,000.00	0.0%
6200	642000	Postage	150	0.00	0.00	150.00	0.0%
6200	645000	Insurance Premiums	43223	0.00	0.00	43,223.00	0.0%
6200	650000	Capital Outlay	40000	0.00	0.00	40,000.00	0.0%
		TOTAL NSBA Expenses	974,370.0	31,531.02	1,350.00	942,838.98	3.2%

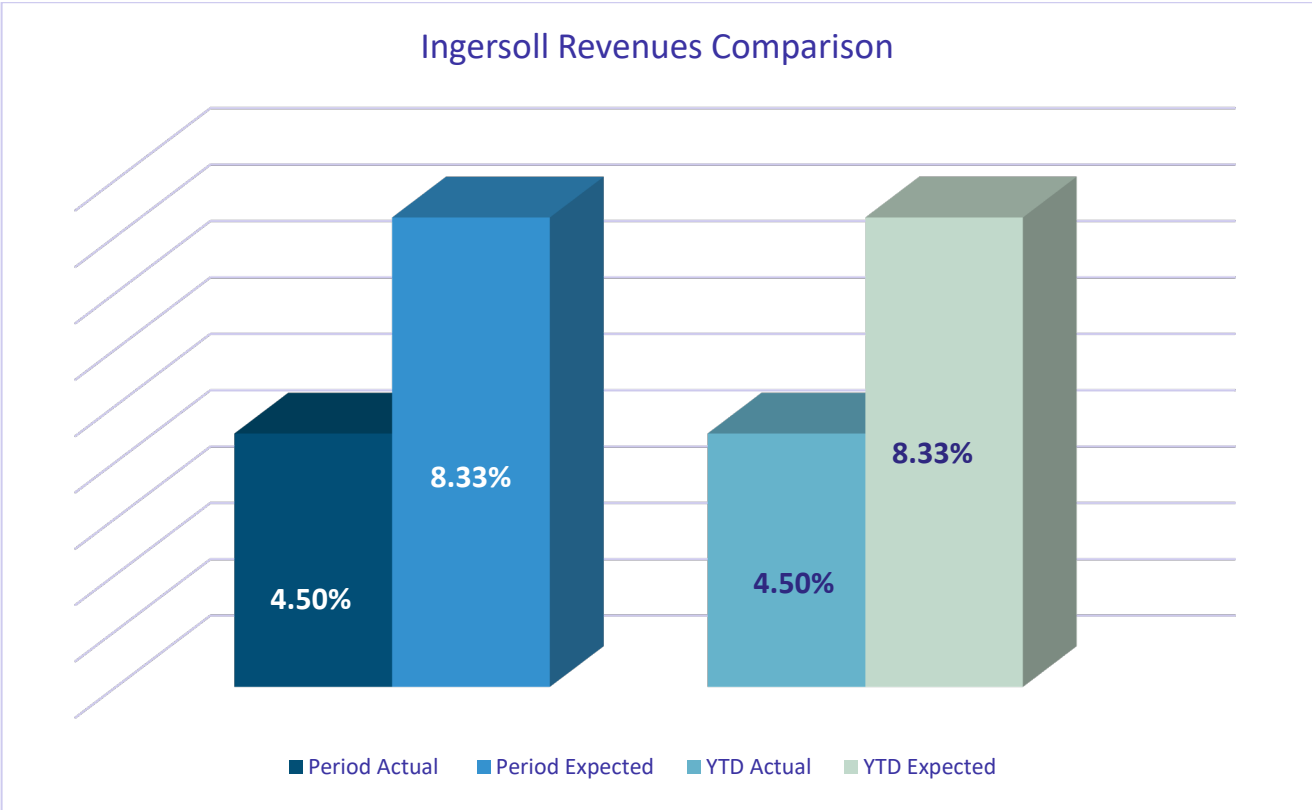
# Ingersoll Turf Facility

for the Period Ended July 31, 2024

As of July 2024, Ingersoll had an operating gain YTD of \$9,720. Of note, revenue to expenditure comparison is disproportionate as some expenditures are listed under the Recreation department budget, and regular salaries under Public Works.

### Revenues:

The operating revenues for Ingersoll through July 2024 are \$9,889 or 4.5% of the budget as compared to 1.1% of actual revenues through July 2023. This revenue comes from sponsorships, programs, rental income, and batting cages. Table 1 reflects revenues collected for the current year with comparison for the same period a year ago.

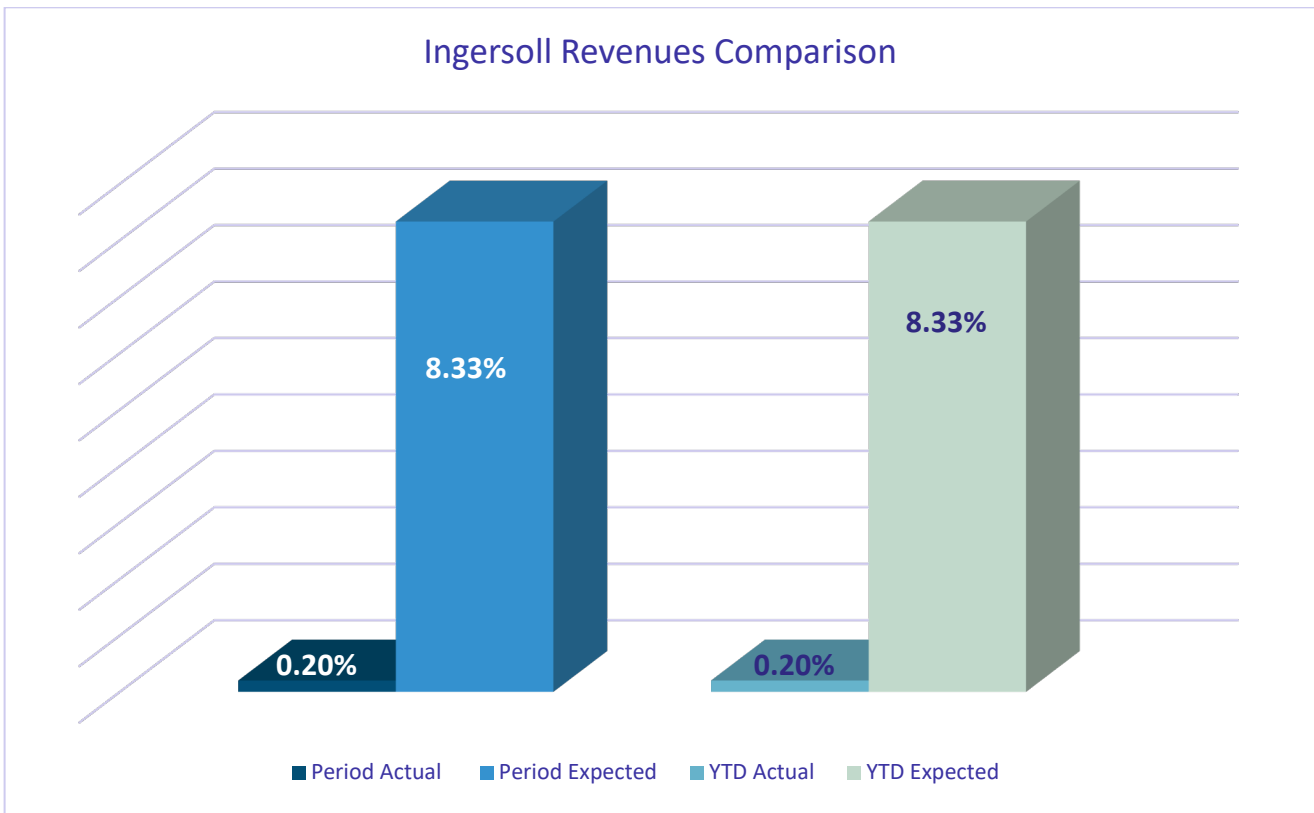


INGERSOLL REVENUES - JULY 2024

FOR 2025 01			ORIGINAL	YTD EXPENDED	ENC/REQ	AVAILABLE	PCT
ACCOUNTS FOR:			APPROP			BUDGET	USED
6100	Ingersoll Turf Facility						
6100 Ingersoll Turf Facility							
6100	420070	Sponsorship	-20000	-1,000.00	0.00	-19,000.00	5.0%
6100	420800	Batting Cages	-18000	-1,895.00	0.00	-16,105.00	10.5%
6100	420903	Programs	-42000	0.00	0.00	-42,000.00	0.0%
6100	420903	TF01 Programs-Adult	0	0.00	0.00	0.00	#DIV/0!
6100	420903	TF02 Youth Softball	0	0.00	0.00	0.00	#DIV/0!
6100	420903	TF03 High School Soc	0	0.00	0.00	0.00	#DIV/0!
6100	420903	TF04 Birthday Partie	0	-145.00	0.00	145.00	#DIV/0!
6100	420903	TF05 Senior Walking	0	0.00	0.00	0.00	#DIV/0!
6100	420903	TF06 Sports Clinics	0	0.00	0.00	0.00	#DIV/0!
6100	422000	Investment Income	0	-448.91	0.00	448.91	#DIV/0!
6100	429010	Rental Income	-140000	-6,400.00	0.00	-133,600.00	4.6%
		TOTAL Ingersoll Revenues	-220000	-9,888.91	0.00	-210,111.09	4.5%

**Expenditures:**

The operating expenses for Ingersoll through July 2024 were \$169 or 0.2% of the budget as compared to 0.05% of actual expenditures through July 2023. These expenses include supplies, repairs, capital purchases and maintenance. Table 2 reflects expenditures for the current year with comparison for the same period a year ago.



INGERSOLL EXPENSES - JULY 2024

FOR 2025 01			ORIGINAL	YTD EXPENDED	ENC/REQ	AVAILABLE	PCT
ACCOUNTS FOR:		APPROP				BUDGET	USED
6100	Ingersoll Turf Facility						
6100 Ingersoll Turf Facility							
6100	611000	Regular Salaries	40000	0.00	0.00	40000.00	0.0%
6100	612000	Part Time	25000	45.00	0.00	24955.00	0.2%
6100	620000	Advertising	500	0.00	0.00	500.00	0.0%
6100	628000	PS - Gen/Profession	5300	0.00	0.00	5300.00	0.0%
6100	628019	Repairs - Buildings	20000	0.00	0.00	20000.00	0.0%
6100	629000	Training & Tuition	500	0.00	0.00	500.00	0.0%
6100	629001	Travel - Mileage Re	200	0.00	0.00	200.00	0.0%
6100	632000	Dues & Subscription	500	0.00	0.00	500.00	0.0%
6100	633000	Office Supplies	500	0.00	0.00	500.00	0.0%
6100	633003	Janitorial Supplies	2000	123.88	0.00	1876.12	6.2%
6100	633033	Program Expenses	16300	0.00	0.00	16300.00	0.0%
6100	640000	Telephone	1400	0.00	0.00	1400.00	0.0%
6100	641005	Diesel	300	0.00	0.00	300.00	0.0%
6100	642000	Postage	50	0.00	0.00	50.00	0.0%
		TOTAL Ingersoll Expenses	112550	168.88	0.00	112381.12	0.2%