1. Board Of Selectmen's Meeting Materials

Documents:

2019-05-13 BOS AGENDA.PDF
2019-05-13 BOS PACKET.PDF
BOARD OF SELECTMEN’S
MEETING AGENDA
6:00 PM / 6:40 PM / 7:00 PM  MONDAY, MAY 13, 2019
YORK PUBLIC LIBRARY

6:00 PM - Executive Session: Title 1 MRSA § 405.6.C (Real Estate)

6:40 PM - Interviews for York Water District’s Board of Trustees

Call to Order

Pledge of Allegiance

A. Consent Agenda
   1. April 22, 2019 Meeting Minutes
   2. Business License Renewals
   3. Special Event Permit Applications
   4. Business Directional Sign Permit

B. Minutes

C. Chairman’s Report

D. Manager’s Report

E. Awards

F. Reports
   1. Energy Matters – Lucy Brennan
   2. Veterans’ Affairs Committee Update

G. Citizens’ Forum – The Citizens’ Forum is open to any member of the audience for comments on any Town matter. All comments should be respectful in tone and should be directed to the Chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the Town Manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the Town Manager’s Office.

H. Public Hearings
I. **Endorsements**

J. **Old Business**
   1. Discussion & Possible Action: Treasurer’s Report
   2. Discussion & Possible Action: Appointment of York Water District Trustee
   3. Discussion & Possible Action: Appointments to Senior Citizens Advisory Board
   4. Discussion & Possible Action: York River Docks/Capacity Study RFP
   5. Discussion & Possible Action: Sustainability Fund Administrative Framework
   6. Discussion & Possible Action: Granite Lane Properties

K. **New Business**
   1. Discussion & Possible Action: Electric Vehicle Charging Stations and Grant Opportunities
   2. Discussion: Strawberry Island Easement to State of Maine
   3. Discussion & Possible Action: Legislative Solar Bill (LD 1711) – Draft Testimony from Rozanna Patane

L. **Future Agendas**
   1. Harbor Board Questions for Town Attorney
   2. Stephanie Byrne – Open Space Conservation Ordinance
   3. Spiro Paras – Paras Building

M. **Other Business**

N. **Citizens’ Forum**

**Adjourn**
BOARD OF SELECTMEN'S
MEETING AGENDA
6:00 PM / 6:40 PM / 7:00 PM    MONDAY, MAY 13, 2019
YORK PUBLIC LIBRARY

6:00 PM - Executive Session: Title 1 MRSA § 405.6.C (Real Estate)

6:40 PM - Interviews for York Water District’s Board of Trustees

Call to Order

Pledge of Allegiance

A.  Consent Agenda
   1.  April 22, 2019 Meeting Minutes
   2.  Business License Renewals
   3.  Special Event Permit Applications
   4.  Business Directional Sign Permit

B.  Minutes

C.  Chairman’s Report

D.  Manager’s Report

E.  Awards

F.  Reports
   1.  Energy Matters – Lucy Brennan
   2.  Veterans’ Affairs Committee Update

G.  Citizens’ Forum – The Citizens’ Forum is open to any member of the
    audience for comments on any Town matter. All comments should be
    respectful in tone and should be directed to the Chair. Comments should
    be brief and to the point. Questions that require extended answers or that
    cannot be readily answered will be referred to the Town Manager for
    follow-up. Anyone who wishes to submit a written request for future
    agenda items can do so on the form available at this meeting or may obtain
    the form through the Town Manager’s Office.

H.  Public Hearings
I. **Endorsements**

J. **Old Business**
1. Discussion & Possible Action: Treasurer’s Report
2. Discussion & Possible Action: Appointment of York Water District Trustee
3. Discussion & Possible Action: Appointments to Senior Citizens Advisory Board
4. Discussion & Possible Action: York River Docks/Capacity Study RFP
5. Discussion & Possible Action: Sustainability Fund Administrative Framework
6. Discussion & Possible Action: Granite Lane Properties

K. **New Business**
1. Discussion & Possible Action: Electric Vehicle Charging Stations and Grant Opportunities
2. Discussion: Strawberry Island Easement to State of Maine
3. Discussion & Possible Action: Legislative Solar Bill (LD 1711) – Draft Testimony from Rozanna Patane

L. **Future Agendas**
1. Harbor Board Questions for Town Attorney
2. Stephanie Byrne – Open Space Conservation Ordinance
3. Spiro Paras – Paras Building

M. **Other Business**

N. **Citizens’ Forum**

**Adjourn**
Board of Selectmen’s Consent Agenda

May 13, 2019

For the purpose of convenience and for expediting meetings, matter of business that are repetitive or routine nature (i.e. Business License Applications, Pole Permits, Special Event Permits, Off-site Business Directional Signs, etc.) are included in the Board of Selectmen’s Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any of the Selectmen. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Agenda Items:
1. April 22, 2019 Meeting Minutes
2. Business License Renewals
3. Special Event Permit Applications
4. Business Directional Sign Permit

Example Motion to Accept all Items: I move to accept the Consent Agenda.

Example Motion when an Item is being pulled out of the Item List: I move to accept the Consent Agenda, minus item ____ (i.e. “2 – York Restaurant Business License”).
BOARD OF SELECTMEN'S
MEETING MINUTES
6:15 / 6:45 / 7:00 PM  MONDAY, APRIL 22, 2019
YORK PUBLIC LIBRARY

6:15 PM: Executive Session – Title 1 MRSA § 405.6.C (Real Estate)

Present: Chairman Todd A. Frederick, Vice-Chairman Dawn Sevigny-Watson, Robert E. Palmer, Jr., Elizabeth D. Blanchard, Town Manager Stephen H. Burns, Code Enforcement Officer Amber Harrison, Representatives of the Maine Department of Environmental Protection Dave Chaman and Nick Hodgkins.

Absent: Michael L. Estes

Moved by Ms. Sevigny-Watson, seconded by Mr. Palmer to enter into executive session. Without objection, so ordered.

Moved by Ms. Sevigny-Watson, seconded by Mr. Palmer to exit out of executive session. Without objection so ordered.

6:45 PM: Committee Interviews

7:00 PM: Regular Meeting

Present: Chairman Todd A. Frederick, Vice-Chairman Dawn Sevigny-Watson, Robert E. Palmer, Jr., Elizabeth D. Blanchard, Town Manager Stephen H. Burns and members of the press and public.

Absent: Michael L. Estes

Call to Order

Chairman Todd A. Frederick called the meeting to order at 7:10 AM.

Pledge of Allegiance

A. Consent Agenda

1. April 8, 2019 Meeting Minutes
2. Business License Renewals
3. Reoccurring Special Event Applications
Moved by Ms. Sevigny-Watson, seconded by Ms. Blanchard to accept the Consent Agenda, with minutes as amended (Adding in the award given to Ms. Sevigny-Watson). Vote 4-0, motion passes.

B. Minutes

C. Chairman’s Report

D. Manager’s Report

The Police Department presented Dawn Sevigny-Watson with an award and a gift on behalf of the Police Department for all of her volunteered timed with their Department throughout the years.

E. Awards

1. Wellness Grant – Amber Harrison

Moved by Ms. Sevigny-Watson, seconded by Ms. Blanchard to approve the Wellness Incentive Program Grant Funding in the amount of $3,160. Vote 4-0, motion passes.

F. Reports

1. Treasurer’s Report – Larry Graves

*Postponed until a future meeting*

2. Cliff Walk Repairs – Robin Kerr and Robin Cogger

3. Rt. 1/Short Sands Road Intersection Update – Dean Lessard

4. Ad Hoc Solar Project – Gerry Runte

G. Citizens’ Forum – The Citizens’ Forum is open to any member of the audience for comments on any Town matter. All comments should be respectful in tone and should be directed to the Chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the Town Manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the Town Manager’s Office.

Public Comment: Kevin McKenny
Jim Jones
Spiro Paras
H. **Public Hearings**

1. New Business License: James H. Williams DBA: Brixham Grange Hall Café (Food Service); located at 435 Cider Hill Road

Moved by Ms. Sevigny-Watson, seconded by Mr. Palmer to open the public hearing. Without objection, so ordered.

   Public Comment: None

Moved by Ms. Sevigny-Watson, seconded by Mr. Palmer to close the public hearing. Without objection, so ordered.

I. **Endorsements**

1. New Business License: James H. Williams DBA: Brixham Grange Hall Café (Food Service); located at 435 Cider Hill Road

Moved by Ms. Sevigny-Watson, seconded by Mr. Palmer to approve the following license: James H. Williams DBA: Brixham Grange Hall Café (Food Service); located at 435 Cider Hill Road subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 4-0, motion passes.

J. **Old Business**

1. Discussion & Possible Action: York River Docks/Capacity Study RFP

Captain Szeniawski will bring an amended RFP before the Board of Selectmen at their next meeting that reflects the amendments discussed at this meeting.

2. Discussion: Sewer Expansion Goal Re-write

Mr. Palmer and Mr. Frederick will be representatives of the Board of Selectmen at a further meeting with York Sewer District Trustees.

3. Discussion & Possible Action: Appointment of Kathleen Kluger as a Regular Member of Planning Board

Moved by Ms. Sevigny-Watson, seconded by Ms. Blanchard to remove Kathleen Kluger as an Alternate Member of the Planning Board and further appoint Kathleen Kluger as a Regular Member to the Planning Board, with a term expiring June 30, 2022. Vote 4-0, motion passes.

K. **New Business**
1. Discussion & Possible Action: Annual Board Member/Volunteer Function

Moved by Ms. Sevigny-Watson, seconded by Ms. Blanchard that together, with the Parks and Recreation Department, the Board of Selectmen move forward with the planning of a social event at the Community Auditorium to recognize the volunteers who serve on the Town Boards and Committees. Vote 4-0, motion passes.

2. Discussion & Possible Action: Sustainability Fund – Policies & Procedures

There was only Discussion on this item, no action was taken.

3. Discussion & Possible Action: Process to Appointment to York Water District Board of Trustees

Moved by Ms. Sevigny-Watson, seconded by Ms. Blanchard to interview the candidates for appointment to the York Water District’s Board of Trustees on May 13, and to make the appointment at that meeting. Vote 4-0, motion passes.

4. Discussion & Possible Action: Parking Lease Agreement with York’s Wild Kingdom

Moved by Ms. Sevigny-Watson, seconded by Ms. Blanchard to direct the Town Manager to sign the Lease Agreement with York’s Wild Kingdom for the portion of the parking lot that is partially located on York’s Wild Kingdom owned land at 23 Railroad Avenue. Vote 4-0, motion passes.

5. Discussion & Possible Action: Senior Citizens Advisory Board Appointments

This item was tabled until the next meeting.

6. Discussion & Possible Action: Special Event Applications

Moved by Ms. Sevigny-Watson, seconded by Ms. Blanchard to approve the following Special Event Permit Applications subject to all, if any, conditions given by Department Heads: The Chris Connors Fund – Salty’s 5K and 10K Road Race; April 28, 2019, Grain Surfboards – Surf Re-Evolution; September 21, 2019, York Parks and Recreation – Giant Community Yard Sale; June 29, 2019, York Parks and Recreation – Edward Twins; July 19, 2019, York Parks and Recreation – Concerts in the Park, Goodrich Park; June 28, 2019, York Parks and Recreation – Concerts in the Park, Hartley Mason Park; July 12, 2019, York Parks and Recreation – Concerts in the Park, Moulton Park; August 9, 2019, York Parks and Recreation – Concerts in the Park, Sohier Park; July 17, 2019, York Region Chamber of Commerce – Chili,
Chowder and Chocolate Challenge; October 18, 2019, and York Parks and Recreation – End of Summer Concert; August 31, 2019. Vote 4-0, motion passes.

I. Future Agendas

M. Other Business

N. Citizens’ Forum

Public Comment: None

Adjourn

Moved by Ms. Sevigny-Watson, seconded by Mr. Palmer to adjourn the meeting at 9:35 PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery
Assistant to the Town Manager
REQUEST FOR ACTION BY BOARD OF SELECTMEN

<table>
<thead>
<tr>
<th>DATE SUBMITTED: May 7, 2019</th>
<th>☒ ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE ACTION REQUESTED: May 13, 2019</td>
<td>☐ DISCUSSION ONLY</td>
</tr>
<tr>
<td>SUBJECT: Business License Renewals</td>
<td></td>
</tr>
</tbody>
</table>

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: All approvals are contingent on taxes being current and all appropriate departments (inspections) giving approval; See “Department Approvals” on page two of each application. Signed business license applications and certificates will not be released to the applicant until all necessary department approvals have been received.

RECOMMENDATION: Approve the Business License(s) attached.

PROPOSED MOTION: I move to approve the following licenses:

- **Sean Mitchell DBA: Bagel Basket (Food Service); located at 280 York Street**
- **Ellen Boloker DBA: Beauport Inn (Bed and Breakfast); located at 339 Clay Hill Road**
- **Sean Mitchell DBA: Lobster in the Rough (Food Service, Liquor, Special Amusement); located at 1000 US Route One**
- **Kimberly Bukowiec DBA: Mum’s Cheesecake (Food Service); located at 463 US Route One**
- **Karen McElmurry DBA: Simply Grown at Rocky Acres (Food Service); located at 81 Webber Road**
- **Edward Flanagan DBA: Rossi’s Italian Bakery (Food Service); located at 647 US Route One**
- **William H. Burns DBA: Surfside (Food Service, Liquor); located at 1 Main Street**
- **Robert C. Appis DBA: Wild Willy’s Burgers (Food Service, Liquor); located at 765 US Route One**
- **William H. Burnham DBA: York Beach Bowling Alley (Food Service, Bowling Alley, Coin Operated Amusement); located at 3 Beach Street**
- **Erin and Tate Duffy DBA: The York Beach Bucket (Food Service, Liquor); located at 9 Ocean Avenue**

All subject to taxes, fees and inspections being current and compliant with the usual noise stipulations.

PREPARED BY: Melissa M. Avery, Assistant to the Town Manager

REVIEWED BY: [Signature]
THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Bagel Basket
Street Address: 280 York St
Business Owner: Sean Mitchell
Business Manager: Ryan Hyotte
Mailing Address: Same as Above
Phone Number: 207-337-2786
Phone Number: 207-451-7986
E-mail Address: BagelBasket@York.com
E-mail Address:

Please indicate who is to be the Primary Contact with the Town: [ ] OWNER [ ] MANAGER

Is the Business Owner same as the prior year? [ ] YES [ ] NO [ ] NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

Lodging:
- [ ] Bed and Breakfast License (C/F)
- [ ] Innkeeper License (C/F)
Number of Rooms: 

Food and Beverage:
- [ ] Food Service License (C/F)
- [ ] Liquor License (F/P)
- [ ] Bottle Club License (F/P)
Number of Seats: 0 (Existing / Proposed)

Entertainment:
- [ ] Special Amusement License (F/P)
- [ ] Dance Hall License (F/P)
- [ ] Bowling Alley License (F)
- [ ] Coin-Operated Amusement License (P)
- [ ] Bingo, Beano and Games of Chance

Miscellaneous:
- [ ] Transient Seller’s License
- [ ] Flea Market License
- [ ] Junkyard, Auto Graveyard/Recycling License
- [ ] Other:

C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required
S – Sewer District Inspection Required  W – Water District Inspection Required

Code Enforcement: (207) 363-1002
Village Fire Department: (207) 363-1015
York Sewer District: (207) 363-4232
Police Department: (207) 363-1031
Beach Fire Department: (207) 363-1014
York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: **Beauport Inn**

Street Address: **339 Clay Hill Rd Cape Neddick, ME 03902**

Business Owner: **Ellen Baloker**

Mailing Address: **339 Clay Hill Rd Cape Neddick, ME 03902**

Phone Number: **207 361 2400**

E-mail Address: 

Please indicate who is to be the Primary Contact with the Town: [ ] OWNER or [ ] MANAGER

Is the Business Owner same as the prior year? [ ] YES [ ] NO [ ] NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

**Lodging:**
- [ ] Bed and Breakfast License (C/F)
- [ ] Innkeeper License (C/F)

**Number of Rooms:** 

**Food and Beverage:**
- [ ] Food Service License (C/F)
- [ ] Number of Seats: ___ (Existing / Proposed)
- [ ] Liquor License (F/P)
- [ ] Bottle Club License (F/P)

**Entertainment:**
- [ ] Special Amusement License (F/P)
- [ ] Dance Hall License (F/P)
- [ ] Bowling Alley License (F/P)
- [ ] Coin-Operated Amusement License (P)
- [ ] Bingo, Beano and Games of Chance

**Miscellaneous:**
- [ ] Transient Seller’s License
- [ ] Flea Market License
- [ ] Junkyard, Auto Graveyard/Recycling License
- [ ] Other: 

C - Code Enforcement Inspection Required  F - Fire Department Inspection Required  P - Police Department Inspection Required  S - Sewer District Inspection Required  W - Water District Inspection Required

Code Enforcement: (207) 363-1002  Police Department: (207) 363-1031
Village Fire Department: (207) 363-1015  Beach Fire Department: (207) 363-1014
York Sewer District: (207) 363-4232  York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
THE TOWN OF
YORK, MAINE
186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: lobster in the rough

Street Address: 1000 US Route One

Business Owner: Sean Mitchell

Mailing Address: Box 489 Cape Neddick

Business Manager: Same

Mailing Address: 29 Alyssium Dr

Phone Number: 237-2786

E-mail Address: theboynk@msn.com

Phone Number:

E-mail Address:

Please indicate who is to be the Primary Contact with the Town: □ OWNER or □ MANAGER

Is the Business Owner same as the prior year? □ YES □ NO □ NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

Lodging:
□ Bed and Breakfast License (C/F)
□ Innkeeper License (C/F)
Number of Rooms: ______

Food and Beverage:
□ Food Service License (C/F)
□ Liquor License (F/P)
□ Bottle Club License (F/P)

Number of Seats: ______ (Existing / Proposed)

Entertainment:
□ Special Amusement License (F/P)
□ Dance Hall License (F/P)
□ Bowling Alley License (F)
□ Coin-Operated Amusement License (P)
□ Bingo, Beano and Games of Chance

Miscellaneous:
□ Transient Seller’s License
□ Flea Market License
□ Junkyard, Auto Graveyard/Recycling License
□ Other: ______

C – Code Enforcement Inspection Required F – Fire Department Inspection Required P – Police Department Inspection Required
S – Sewer District Inspection Required W – Water District Inspection Required

Code Enforcement: (207) 363-1002 Police Department: (207) 363-1031
Village Fire Department: (207) 363-1015 Beach Fire Department: (207) 363-1014
York Sewer District: (207) 363-4232 York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Mum's Cheesecake
Street Address: Unit 103 US Route 1
Business Owner: Kimberly Bukowiec
Business Manager: Same
Mailing Address: Above
Phone Number: 351-8543
E-mail Address: k.bukowiec5e@gmail.com

Please indicate who is to be the Primary Contact with the Town: □ OWNER or □ MANAGER
Is the Business Owner same as the prior year? □ YES □ NO □ NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

Lodging:
□ Bed and Breakfast License (C/F)
□ Innkeeper License (C/P)
Number of Rooms: ___

Food and Beverage:
□ Food Service License (C/F)
□ Liquor License (F/P)
□ Bottle Club License (F/P)
Number of Seats: (Existing/Proposed)

Entertainment:
□ Special Amusement License (F/P)
□ Dance Hall License (F/P)
□ Bowling Alley License (F)
□ Coin-Operated Amusement License (P)
□ Bingo, Beano and Games of Chance

Miscellaneous:
□ Transient Seller's License
□ Flea Market License
□ Junkyard, Auto Graveyard/Recycling License
□ Other: ____________________________

C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required  S – Sewer District Inspection Required  W – Water District Inspection Required

Code Enforcement: (207) 363-1002  Police Department: (207) 363-1031
Village Fire Department: (207) 363-1015  Beach Fire Department: (207) 363-1014
York Sewer District: (207) 363-4232  York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Simply Grilled at Rocky Aces

Street Address: 81 Winter Rd

Business Owner: Karen McEvoy

Mailing Address: 1600 Mountain Rd

Phone Number: 207-332-9999

E-mail Address: karen@grilled.com

Please indicate who is to be the Primary Contact with the Town: ☑ Owner or ☐ Manager

Is the Business Owner same as the prior year? ☑ Yes ☐ No ☐ New Business

Please indicate which Licenses or Local Approvals you seek:

Lodging:
☐ Bed and Breakfast License (C/F)
☐ Innkeeper License (C/F)

Number of Rooms: __________

Food and Beverage:
☐ Food Service License (C/F)
☐ (Existing / Proposed)

Liquor License (F/P)
☐ Bottle Club License (F/P)

Entertainment:
☐ Special Amusement License (F/P)
☐ Dance Hall License (F/P)
☐ Bowling Alley License (F/P)
☐ Coin-Operated Amusement License (P)
☐ Bingo, Beano and Games of Chance

Miscellaneous:
☐ Transient Seller’s License
☐ Flea Market License
☐ Junkyard, Auto Graveyard/Recycling License
☐ Other: ____________________________

C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required
S – Sewer District Inspection Required  W – Water District Inspection Required

Code Enforcement: (207) 363-1002  Police Department: (207) 363-1031
Village Fire Department: (207) 363-1015  Beach Fire Department: (207) 363-1014
York Sewer District: (207) 363-4232  York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Rossi's Italian Bakery

Street Address: 647 US Route 1

Business Owner: Edward Flanagan

Mailing Address: 647 US Rt 1 Unit H, York, ME 03909

Phone Number: 617-620-7455

E-mail Address: techdeb@me.com

Please indicate who is to be the Primary Contact with the Town: ☐ OWNER or ☐ MANAGER

Is the Business Owner same as the prior year? ☐ YES ☐ NO ☐ NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

Lodging:
☐ Bed and Breakfast License (C/F)
☐ Innkeeper License (C/F)
Number of Rooms:

Food and Beverage:
☐ Food Service License (C/F)
☐ Liquor License (F/P)
☐ Bottle Club License (F/P)

Number of Seats: ☐ (Existing / Proposed)

Entertainment:
☐ Special Amusement License (F/P)
☐ Dance Hall License (F/P)
☐ Bowling Alley License (F)
☐ Coin-Operated Amusement License (P)
☐ Bingo, Beano and Games of Chance

Miscellaneous:
☐ Transient Seller’s License
☐ Flea Market License
☐ Junkyard, Auto Graveyard/Recycling License
☐ Other:

C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required
S – Sewer District Inspection Required  W – Water District Inspection Required

Code Enforcement: (207) 363-1002
Village Fire Department: (207) 363-1015
York Sewer District: (207) 363-4232

Police Department: (207) 363-1031
Beach Fire Department: (207) 363-1014
York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
**THE TOWN OF**

**YORK, MAINE**
186 York Street, York, Maine 03909

**BUSINESS LICENSE APPLICATION**

*NOTE: Business Licenses are not transferable to another person, business or location.*

<table>
<thead>
<tr>
<th>Business Name:</th>
<th>Surfside</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address:</td>
<td>1 Main Street York Beach Me 03910</td>
</tr>
<tr>
<td>Business Owner:</td>
<td>William H Busnam</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>P.O. Box 1089 York Beach Me 03910</td>
</tr>
<tr>
<td>Phone Number:</td>
<td>207-363-3889</td>
</tr>
<tr>
<td>E-mail Address:</td>
<td></td>
</tr>
</tbody>
</table>

Please indicate who is to be the Primary Contact with the Town: [ ] OWNER or [ ] MANAGER

Is the Business Owner same as the prior year? [ ] YES [ ] NO [ ] NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

**Lodging:**
- [ ] Bed and Breakfast License (C/F)
- [ ] Innkeeper License (C/F)
Number of Rooms: ___

**Food and Beverage:**
- [ ] Food Service License (C/F)
- [ ] Liquor License (F/P)
Number of Seats: ___ (Existing / Proposed)
- [ ] Bottle Club License (F/P)

**Entertainment:**
- [ ] Special Amusement License (F/P)
- [ ] Dance Hall License (F/P)
- [ ] Bowling Alley License (F)
- [ ] Coin-Operated Amusement License (P)
- [ ] Bingo, Beano and Games of Chance

**Miscellaneous:**
- [ ] Transient Seller’s License
- [ ] Flea Market License
- [ ] Junkyard, Auto Graveyard/Recycling License
- [ ] Other: _______________________

*C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required  S – Sewer District Inspection Required  W – Water District Inspection Required*

Code Enforcement: (207) 363-1002  Police Department: (207) 363-1031
Village Fire Department: (207) 363-1015  Beach Fire Department: (207) 363-1014
York Sewer District: (207) 363-4232  York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

*CONTINUE TO BACK PAGE OF APPLICATION*
THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Wild Willy's Burgers

Street Address: 765 US R.T. 1 York, ME 03909

Business Owner: Robert C-Appis

Business Manager: James Williams

Mailing Address: P.O. Box 601

Mailing Address: 80 Mill LN

Phone Number: 574-1145

Phone Number: 332-3879

E-mail Address: AppisRobert@cm.com

E-mail Address: JPeckinsm@Yahoo.com

Please indicate who is to be the Primary Contact with the Town: □ OWNER or □ MANAGER

Is the Business Owner same as the prior year: □ YES □ NO □ NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

Lodging:

□ Bed and Breakfast License (C/F)
□ Innkeeper License (C/F)

Number of Rooms: 

Food and Beverage:

□ Food Service License (C/F)

Number of Seats: \* (Existing / Proposed)

□ Liquor License (F/P)

□ Bottle Club License (F/P)

Entertainment:

□ Special Amusement License (F/P)
□ Dance Hall License (F/P)
□ Bowling Alley License (F)
□ Coin-Operated Amusement License (P)
□ Bingo, Beano and Games of Chance

Miscellaneous:

□ Transient Seller's License
□ Flea Market License
□ Junkyard, Auto Graveyard/Recycling License
□ Other: 

C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required  S – Sewer District Inspection Required  W – Water District Inspection Required

Code Enforcement: (207) 363-1002

Village Fire Department: (207) 363-1015

York Sewer District: (207) 363-4232

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
THE TOWN OF

YORK, MAINE
186 York Street, York, Maine 03910

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: [York Beach Bowling Alley]
Street Address: 7 Beach St, York Beach, ME 03910
Business Owner: William H. Bechterm Business Manager:
Mailing Address: PO Box 1089
Phone Number: 1-978-362-3132
E-mail Address: 
Please indicate who is to be the Primary Contact with the Town:
[ ] OWNER [□] MANAGER
Is the Business Owner same as the prior year? [☑] YES [□] NO [□] NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

Lodging:
[ ] Bed and Breakfast License (C/F)
[ ] Innkeeper License (C/F)
Number of Rooms: __________

Food and Beverage:
[☑] Food Service License (C/F)
Number of Seats: _______ (Existing / Proposed)
[ ] Liquor License (F/P)
[ ] Bottle Club License (F/P)

Entertainment:
[ ] Special Amusement License (F/P)
[ ] Dance Hall License (F/P)
[☑] Bowling Alley License (F)
[ ] Coin-Operated Amusement License (P)
[ ] Bingo, Beano and Games of Chance

Miscellaneous:
[ ] Transient Seller’s License
[ ] Flea Market License
[ ] Junkyard, Auto Graveyard/Recycling License
[ ] Other: ________________________

C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required
S – Sewer District Inspection Required  W – Water District Inspection Required

Code Enforcement: (207) 363-1002  Police Department: (207) 363-1031
Village Fire Department: (207) 363-1015  Beach Fire Department: (207) 363-1014
York Sewer District: (207) 363-4232  York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
THE TOWN OF

YORK, MAINE
186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: The York Beach Bucket
Street Address: 9 Ocean Ave
Business Owner: Enn + Tate Dugay Business Manager: Enn Dugay
Mailing Address: PO Box 329 Mailing Address:
York Beach, ME 03910
Phone Number: 207-401-0596 Phone Number:
E-mail Address: contact@yorkbeachbucket.com E-mail Address:

Please indicate who is to be the Primary Contact with the Town: ☑ OWNER or ☐ MANAGER

Is the Business Owner same as the prior year? ☑ YES ☐ NO ☐ NEW BUSINESS

Please indicate which Licenses or Local Approvals you seek:

Lodging:
☐ Bed and Breakfast License (C/F)
☐ Innkeeper License (C/F)
Number of Rooms: __

Food and Beverage:
☒ Food Service License (C/F)
Number of Seats: 10 / ___ (Existing / Proposed)
☒ Liquor License (F/P)
☐ Bottle Club License (F/P)

Entertainment:
☐ Special Amusement License (F/P)
☐ Dance Hall License (F/P)
☐ Bowling Alley License (F)
☐ Coin-Operated Amusement License (P)
☐ Bingo, Beano and Games of Chance

Miscellaneous:
☐ Transient Seller’s License
☐ Flea Market License
☐ Junkyard, Auto Graveyard/Recycling License
☐ Other:

C – Code Enforcement Inspection Required  F – Fire Department Inspection Required  P – Police Department Inspection Required
S – Sewer District Inspection Required  W – Water District Inspection Required

Code Enforcement: (207) 363-1002 Police Department: (207) 363-1031
Village Fire Department: (207) 363-1015 Beach Fire Department: (207) 363-1014
York Sewer District: (207) 363-4232 York Water District: (207) 363-2265

Other Municipal Water and Sewer Districts may apply depending on your business location

- CONTINUE TO BACK PAGE OF APPLICATION -
**REQUEST FOR ACTION BY BOARD OF SELECTMEN**

<table>
<thead>
<tr>
<th>DATE SUBMITTED: May 7, 2019</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE ACTION REQUESTED: May 13, 2019</td>
<td>DISCUSSION ONLY</td>
</tr>
<tr>
<td>SUBJECT: Special Event Permit Applications</td>
<td></td>
</tr>
</tbody>
</table>

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** All appropriate departments have been notified and have given approval (some with conditions). Options available to the Board: 1) Approve the Special Event Permit Application listed below. 2) Deny the Special Event Permit Application listed below.

**RECOMMENDATION:** Approve the Special Event Permit Applications.

**PROPOSED MOTION:** I move to approve the following Special Event Permit Applications subject to all, if any, conditions given by Department Heads:

- Boardman-Ellis VFW Post #6977 – Memorial Day Parade; May 27, 2019
- Alzheimer’s Association – Maine Beach Walk to End Alzheimer’s; September 14

**PREPARED BY:** Melissa M. Avery, Assistant to the Town Manager

**REVIEWED BY:**
THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

SPECIAL EVENT PERMIT APPLICATION

NOTE: This Application is in conjunction to the Town of York, Maine’s Special Event Ordinance. Completed Applications and applicable Detail Request Sheets must be submitted to the Town Manager’s Office located at the York Town Hall, 186 York Street, York, ME 03909 at least 30 days prior to the date of the event.

Event Information

Name of Event: Memorial Day Parade 2019
Location of Event: York St to Cemetery
Date of Event: May 27, 2019
Event Start Time: 9:00 AM
Event End Time: 9:30 AM?

Event Route Included
Insurance Certificate Included

Estimated Number of Participants/Attendants: 300

Description of Event: Parade up York St to First Parish Cemetery
High School Band, Town Band, Other
Elks Scouts

Is this a Recurring/Annual Event that has been approved in the past? ☑ YES ☐ NO

Please choose the type of event: ☑ Non-Profit Community Organization ☐ Town Sponsored Event) ☐ York Public Library or Utility District Event

Private or Commercial Event (Single Event or Initial Year)

List any equipment, decorations, food or beverage services to be used etc.: cars & parade marchers

Will you be requesting the use of Town Equipment and/or Staff: ☐ NO ☑ YES

Organization/Applicant Information

Name of Organization: Boardman-Eils VFW Post 6977
Name of Applicant: Boardman-Eils VFW Post 6977
Mailing Address for Organization/Applicant: P.O. Box 201 York Beach, ME 03910
Phone Number: 207-363-9827 E-Mail Address: VFW6977@yahoo.com

- CONTINUE TO BACK PAGE OF APPLICATION -
Is the Organization a non-profit? □ NO  □ YES  501(C)(3) Number: 01-0270194

Name of Event Contact: Larry G. Wickin  Quartermaster
Phone Number: 207-363-9827   E-Mail Address: VFwW6977@ymho.com

Please read the following and sign to complete your application:

I have read and understand the Special Event Permit Ordinance and corresponding regulations. Everything I have stated on this application is correct to the best of my knowledge and I have authority on behalf of the firm or agency holding this event to commit it to the statements contained herein. This permit, if granted, is not transferable and is revocable at any time at the discretion of the Town of York. The Town reserves the right to require municipal services as reasonably deemed necessary by Town staff. If Town materials/equipment/motorized vehicles, are needed for the event, a deposit may be required, with the deposit based on the cost of materials/equipment borrowed. Failure to comply with the terms of a special event application approval or deviation from the approval without the consent of a designated Town Official may prohibit the event and/or special event applicant from holding future events in the Town of York.

Applicant/ Event Contact:  Larry G. Wickin  Date: 5/1/2019

Department Contact Information
- Code Enforcement: (207) 363-1002
- Police Department: (207) 363-1031
- Village Fire Department: (207) 363-1015
- Beach Fire Department: (207) 363-1014
- York Sewer District: (207) 363-4232
- York Water District: (207) 363-2265
- Public Works Department: (207) 363-1010
- Parks and Recreation: (207) 363-1040

Department Approvals

<table>
<thead>
<tr>
<th>Departments</th>
<th>Signature and Date</th>
<th>Detail Request Sheet?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code Enforcement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Fire Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beach Fire Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewer District</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Board of Selectmen

Town Manager for the Board of Selectmen

Date

Special Conditions
(Attached if Necessary)

YES  NO

Processed By:  Received Date:  

Amount Received: $         □ Cash  □ Check #:  
Memorial Day Parade Program

Grand Marshal
Mr. Charlie Pratt, US Coast Guard

8:30 – 9:00  All units assemble at St. Christopher’s Catholic Church, corner Rte 1A & Barrell Ln.

9:00  York Police Department Cruiser to sound siren to begin march. All units will line up behind the Color Guard in the following order:
   York American Legion Post #56 Color Guard
   York Police Department Color Guard

And so on

9:00 – 9:30  Color Guards stops for wreath placements.
   VFW & Legion present Memorial Wreaths

Sergeant at Arms, David Caswell, USAF, SMSGT (Ret)

9:30  Flag Raising
9:35  Selection Performed by the High School Band under direction of Band Director, Mr. Sovetsky
9:55  Opening Prayer: VFW Chaplain Chuck Andrews Lt Com (Ret) US Navy
10:00  Selection Performed by the York School Bands under the direction of Band Director, Mr Sovetsky
10:20  Benediction offered by: VFW Chaplain Chuck Andrews Lt. Com (Ret) US Navy
10:30  Patriotic Remarks: by Todd Fredrick, Selectman
10:45  Three Volley Salute American Legion Post 56
10:50  “Taps” performed by the High School Band Students

Following the Memorial Day services, all participants and families are invited to adjourn to the VFW Post #6977 on Route 1A for refreshments

A special thanks to the York Trolley Company for the generous donation of their trolley for the parade.

A special thanks to all the parade participants, speakers, and individuals helping to ensure the success of this year’s parade.
THE TOWN OF
YORK, MAINE
186 York Street, York, Maine 03909

SPECIAL EVENT PERMIT APPLICATION

NOTE: This Application is in conjunction to the Town of York, Maine’s Special Event Ordinance. Completed Applications and applicable Detail Request Sheets must be submitted to the Town Manager’s Office located at the York Town Hall, 186 York Street, York, ME 03909 at least 30 days prior to the date of the event.

Event Information

Name of Event: Maine Beaches Walk to End Alzheimer's

Location of Event: Ball Park – Railroad Ave ✓ Event Route Included

Date of Event: September 12, 2019 Event Start Time: 8 a.m.

Event End Time: 1 p.m.

Estimated Number of Participants/Attendants: 550 ✓ Insurance Certificate Included

Description of Event: The Alzheimer’s Association Walk to End Alzheimer's® is the world’s largest event to raise awareness and funds for Alzheimer’s care, support and research. Held annually in more than 600 communities nationwide and 7 locations in Maine, this inspiring event calls on participants of all ages and abilities to reclaim the future for millions.

Over 500 Walk participants will check-in with event volunteers between 8 and 9 a.m. and learn about Alzheimer’s disease, advocacy opportunities, clinical studies enrollment and support programs and services from the Alzheimer’s Association. Participants join in a meaningful 20-minute tribute ceremony featuring community leaders and volunteers who are affected by Alzheimer’s disease. Following the opening ceremony around 9:30 a.m. the participants complete a two-mile walk around the York Beach area and return to the ball field. The event wraps up by 1 p.m.

“The Walk to End Alzheimer’s is a family-friendly, fun social event that helps us raise awareness and funds to one day achieve our vision of a world without Alzheimer’s,” explains Laurie Trenholm, Executive Director. “It is an uplifting and inspiring day that shows support for those living with Alzheimer’s and gives a strong message of hope to find answers about this disease and ultimately a cure.”

More than 5 million Americans are living with Alzheimer’s disease, the sixth-leading cause of death in the U.S. and the only disease among the top 10 causes that cannot be cured, prevented or even slowed. Additionally, more than 15 million family and friends provide care to people with Alzheimer’s and other dementias in the U.S. In Maine alone, there are more than 28,000 people living with the disease and 69,000 caregivers.

About the Alzheimer’s Association®
The Alzheimer’s Association is the leading voluntary health organization in Alzheimer’s research, care and support. Our mission is to eliminate Alzheimer’s disease through the advancement of research; to provide and enhance care and support for all affected; and to reduce the risk of dementia through the promotion of brain health. Our vision is a world without Alzheimer’s. Visit alz.org® or call 800.272.3900.
Is this a Recurring/Annual Event that has been approved in the past? ☒ YES ☐ NO

Please chose the type of event: ☐ Town Sponsored Event ☐ York Public Library or Utility District Event ☒ Non-Profit Community Organization ☐ Private or Commercial Event (Single Event or Initial Year)

List any equipment, decorations, food or beverage services to be used etc.: A rented 20’x30’ Tent, an 8’x8’ stage and podium, and two porta potties will be delivered and set up on Friday, September 13th and removed on Saturday, September 14th afternoon. Four 8’x8’ EZ-up style tents with 8’ tables will be set up during the event. There will be feather banner signage, banner style signage, route signs, and colorful pinwheel flowers. A refreshment table with coffee and donated food. T-shirts will be distributed to qualifying participants. The event will be run by Alzheimer’s Association volunteers and staff.

Will you be requesting the use of Town Equipment and/or Staff: ☒ NO ☐ YES

Organization/Applicant Information

Name of Organization: Alzheimer’s Association, Maine Chapter

Name of Applicant: Drew Wyman

Mailing Address for Organization/Applicant: 383 US Route One, Suite 2C

Phone Number: 207-772-0115 E-Mail Address: dwyman@alz.org

Is the Organization a non-profit? ☐ NO ☒ YES 501(C)(3) Number: 13-3039601

Name of Event Contact: Drew Wyman

Phone Number: 207-772-0115 E-Mail Address: dwyman@alz.org

Please read the following and sign to complete your application:

I have read and understand the Special Event Permit Ordinance and corresponding regulations. Everything I have stated on this application is correct to the best of my knowledge and I have authority on behalf of the firm or agency holding this event to commit it to the statements contained herein. This permit, if granted, is not transferable and is revocable at any time at the discretion of the Town of York. The Town reserves the right to require municipal services as reasonably deemed necessary by Town staff. If Town materials/equipment/motorized vehicles, are needed for the event, a deposit may be required, with the deposit based on the cost of materials/equipment borrowed. Failure to comply with the terms of a special event application approval or deviation from the approval without the consent of a designated Town Official may prohibit the event and/or special event applicant from holding future events in the Town of York.

Applicant/Event Contact: Drew Wyman

Signature: [Signature]

Date: 3/12/2019
Department Contact Information

Code Enforcement: (207) 363-1002
Village Fire Department: (207) 363-1015
York Sewer District: (207) 363-4232
Public Works Department: (207) 363-1010
Police Department: (207) 363-1031
Beach Fire Department: (207) 363-1014
York Water District: (207) 363-2265
Parks and Recreation: (207) 363-1040

<table>
<thead>
<tr>
<th>Departments</th>
<th>Signature and Date</th>
<th>Detail Request Sheet?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code Enforcement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Fire Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beach Fire Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewer District</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Board of Selectmen</th>
<th>Special Conditions (Attached if Necessary)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Manager for the Board of Selectmen</td>
<td>Date</td>
</tr>
<tr>
<td>YES</td>
<td>NO</td>
</tr>
</tbody>
</table>

Processed By: ____________________________  Received Date: ____________________________
Amount Received: $ ____________________________  ☐ Cash  ☐ Check #: ____________________________

THE TOWN OF

YORK, MAINE
186 York Street, York, Maine  03909

RELEASE AND INDEMNITY AGREEMENT

In consideration of the permission given to the undersigned by the Town of York, Maine, allowing use of Town property for the event named: Maine Beaches Walk to End Alzheimer's on the following date(s): Saturday, September 14, 2019, the Organization/Applicant: Alzheimer's Association, Maine Chapter, the undersigned, does forever release, discharge and covenant to hold harmless the Town of York and any other person or agenda of said Town charged or chargeable with responsibility or liability for the use of Town property, their heirs, administrators, executors, successors and assigns, from any and all claims, demands, damages, costs, expenses, loss of service, actions and causes of action, arising out of any act of
occurrence up to the present time, and particularly on account of all personal injury, disability, property
damage, loss or damages of any kind sustained or that may hereafter be sustained, in consequence of the
use by the above mentioned Organization/Applicant of said Town property on the date(s) specified.

The undersigned agrees, as a further consideration and inducement for this release and indemnity
agreement, that it shall apply to all known, all unknown and any and all unanticipated injuries and damages
directly and indirectly resulting from the use of Town property, as well as to those, which are presently
foreseeable.

Applicant/ Event Contact: Drew Wyman  
Signature                     Date: 3/12/2019
# Certificate of Liability Insurance

**Certification Date:** 3/12/2019

**Certificate Number:** 1916024373

**Revision Number:**

---

**Insured:**
Alzheimer's Disease & Related Disorders Association, Inc.
225 N. Michigan Ave Ste 1700
Chicago IL 60601

**Producer:**
Lamb, Little & Co
1101 Perimeter Drive
Suite 500
Schaumburg IL 60173

**Contact:**
Sandy Crespin
PHONE: 847-719-7877
FAX: 847-398-7077
E-MAIL: sccrespin@lamblittle.com

--

### Coverages

<table>
<thead>
<tr>
<th>Insured Type</th>
<th>Policy Number</th>
<th>Policy Effective Date</th>
<th>Policy Expiration Date</th>
<th>Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>A COMMERCIAL GENERAL LIABILITY</td>
<td>PHPK178787/1</td>
<td>3/1/2021</td>
<td>11/1/2021</td>
<td>EACH OCCURRENCE DAMAGE TO RENTED PREMISES $1,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MED EXP (Any one person) $20,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PERSONAL &amp; ADV INJURY $1,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>GENERAL AGGREGATE $3,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PRODUCTS - COM/BIP/APP $3,000,000</td>
</tr>
</tbody>
</table>

A AUTOMOBILE LIABILITY

<table>
<thead>
<tr>
<th>Y</th>
<th>PHJK178787</th>
<th>3/1/2021</th>
<th>11/1/2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ANY AUTO</td>
<td>COMBINED SINGLE LIMIT (Liability) $1,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X OWNED Autos Only</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X NON-OWNED Autos Only</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X SCHEDULED Autos</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A UMBRELLA LIABILITY

<table>
<thead>
<tr>
<th>Y</th>
<th>PHU620408</th>
<th>3/1/2019</th>
<th>11/1/2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>X EXCESS LIABILITY CLAIMS-MADE</td>
<td>EACH OCCURRENCE $10,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X DED RETENTION $10,000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

<table>
<thead>
<tr>
<th>Y</th>
<th>83WEBU6934</th>
<th>3/1/2019</th>
<th>11/1/2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>X N/A</td>
<td>PER STATUTE</td>
<td>OTHER</td>
<td></td>
</tr>
<tr>
<td></td>
<td>E.L. EACH ACCIDENT $1,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>E.L. DISEASE - EA EMPLOYEE $1,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>E.L. DISEASE - POLICY LIMIT $1,000,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A D&O, EPLI

| PHSD1327318 | 3/1/2019 | 11/1/2021 |
| PHPK178787 | 3/1/2019 | 11/1/2021 |
| DAO 8258PU 835K RET | 10,000,000 |

**Description of Operations / Locations / Vehicles**

ACORD 101, Additional Remarks Schedule, may be attached if more space is required.

**Maine Chapter**

RE: Maine Beaches Walk to End Alzheimer's Event held Sept 13-14th, 2019 at York Beach.

Town of York, Maine is named as Additional Insured for operations conducted by the insured. Subject to policy terms and conditions.

**Bounce Houses and other rebounding devices are excluded from any liability coverage on this policy.

**Certificate Holder**

Town of York, Maine
186 York St
York ME 03909
8 – 9 a.m. Check-In
Please check in upon arriving, even if you have already pre-registered. At check-in you can turn in any donations, pick up your t-shirt (if applicable) and your Promise Garden Flower for the opening ceremony.

9 a.m. Opening Ceremony
When registration concludes, we will gather in front of the stage area for the Opening Ceremony. Please keep your Promise Garden Flower for the ceremony. After the ceremony, you will be asked to leave your flower with a volunteer while you walk. When you return from the walk, you will have the opportunity to take your flower home as a remembrance of your experience.

Walk Route - 3 Miles
The walk starts at the ball park in the heart of York Beach, proceeds down Church Street, take a RIGHT onto Long Beach Avenue, follow Long Sands Beach to the Anchorage Motor Inn/Sun and Surf Restaurant, cross the road and turn around to follow Long Sands Avenue and Ocean Avenue past Short Sands Beach, turn LEFT onto Railroad Avenue, end back at the York Beach Ball Field.

Opening ceremony, refreshments and entertainment will be held at the York Beach Ball Field.
They will need 5 port a potties placed at the Beach ball field. No other concerns.

Sent from my iPhone

On Mar 25, 2019, at 1:46 PM, Melissa M. Avery &lt;mnavery@yorkmaine.org&gt; wrote:

Good Afternoon

Attached is the Special Event Permit for the Walk to End Alzheimer's event to be held on September 14. Let me know when you have reviewed the permit.

Many thanks,
Missy

Melissa M. Avery
Assistant to the Town Manager

Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000  |  Fax: (207) 363-1019

Please consider the environment before printing this email.

&lt;Walk to End ALZ.pdf&gt;
Hi Missy,

Attached is a completed permit application for the Maine Beaches Walk to End Alzheimer's that we're hoping to have at the Ball Field on Railroad Avenue in York Beach on Saturday, September 14, 2019. We're expecting more than 500 participants so I've included a certificate of insurance and a route map.

Please advise on next steps. And thank you very much!

Best regards,
-Drew Wyman

--

Drew Wyman | Director of Communications | Alzheimer's Association, Maine Chapter | office: 207.772.0115 | cell: 207.245.5773 | dwyman@alz.org | alz.org/maine

Registration is open for the 2019 Walk to End Alzheimer's [here](#)
Hi Missy,

Parks and Recreation has reviewed and does not have an issue with this permit application. We would request that the organizer reach out to us in advance of the event to coordinate the use of the Beach Ball Field.

Thank you!

---

Robin

Robin Cogger | Director
Office: Grant House | 200 US Rte. 1 | York, Maine | 03909
Mail: 186 York Street | York, Maine | 03909
Office phone: 207-363-1040
Website: [http://www.yorkparksandrec.org/](http://www.yorkparksandrec.org/)

Stay up to date on all things York Parks and Recreation…
Like us on Facebook
[https://www.facebook.com/search/top/?q=town%20of%20york%20maine%20parks%20and%20recreation%20department](https://www.facebook.com/search/top/?q=town%20of%20york%20maine%20parks%20and%20recreation%20department)
And follow us on Instagram at [yorkparksandrec](https://www.instagram.com)

---

From: Melissa M. Avery
Sent: Monday, March 25, 2019 1:47 PM
To: Amber Harrison <aharrison@yorkmaine.org>; Owen T. Davis <odavis@yorkpolice.org>; Jaime Leighton <jleighton@yorkpolice.org>; Christopher Banten <cbalentine@yorkmaine.org>; David K. Bridges <dbridges@yorkmaine.org>; David Apgar <dapgar@yorkmaine.org>; Robin Cogger <rcogger@yorkmaine.org>; Don Neumann <dneumann@yorkwaterdistrict.org>; thaskell@yorksewerdistrict.org; Dean Lessard <dlessard@yorkmaine.org>
Subject: Special Event Permit

Good Afternoon

Attached is the Special Event Permit for the Walk to End Alzheimer’s event to be held on September 14. Let me know when you have reviewed the permit.

Many thanks,
**REQUEST FOR ACTION BY BOARD OF SELECTMEN**

<table>
<thead>
<tr>
<th>DATE SUBMITTED:</th>
<th>April 30, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTION</td>
<td></td>
</tr>
<tr>
<td>DATE ACTION REQUESTED:</td>
<td>May 13, 2019</td>
</tr>
<tr>
<td>DISCUSSION ONLY</td>
<td></td>
</tr>
</tbody>
</table>

**SUBJECT:** Business Directional Sign for the BHK Farmstand – 71 Beech Ridge RD

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** Jim Donovan of The BHK Farmstand has requested approval of two single sided business directional signs. Both signs would be located on existing post that have vacant space. Please see attached photos of requested locations.

**RECOMMENDATION:** Approve OBDS sign Requests for The BHK Farmstand.

**PROPOSED MOTION:** I move to approve the single sided business directional signs requested for Route 1 (southbound) at the intersection of Beech Ridge Road and Ridge Route 1 (northbound) at the intersection of Southside Road for The BHK Farmstand.

**FISCAL IMPACT:** $60

**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:**

**PREPARED BY:** __Dean Lessard_________  **REVIEWED BY:** ____________
TOWN OF YORK

APPLICATION FOR OFFICIAL BUSINESS DIRECTIONAL SIGN

Business Name: BARRELL HOMESTEAD KITCHEN - BHK
Mailing Address: 71 BEECH RIDGE RD.
Contact Person: JIM DONOVAN
Email Address: CHEF.JAMES.DONOVAN@GMAIL.COM
Phone Number: 617-485-7701

Location of Requested Sign(s)- Please be specific
Requested Location 1: SOUTH ON ROUTE 1 AT BEECH RIDGE RD.
Requested Location 2: NORTH ON ROUTE 1 AT SOUTH SIDE RD.

Information as it will appear on Each Sign:
Sign 1: BHK FARMSTAND .7 miles
Sign 2: BHK FARMSTAND .7 miles

Initial Fee ($30) per Sign: $60.00 Annual Fee ($10) per sign

Following approval by the Board of Selectmen the applicant can deliver the sign(s) to the Department of Public Works garage at 115 Chases Pond Road for installation.

Business Directional Sign Specifications:

Each sign must be 10" high & 42" wide and made of Durable Composite Material (No wood or plywood). The background must be white, the lettering black, and the back of the sign Dark Green. The lettering must be a minimum of 4" high. Each business is allowed a maximum of 2 business directional signs.

Owners of each business directional sign are responsible for maintenance and replacement of the signs; owners of signs that are in need of repair will be sent a note via email.

The owner of each Business Directional Sign is responsible for informing the DPW of change of business status or mailing address.

Approved by: Date: 4/12/2019

Director of Public Works

Approved by: Date:

Town Manager
Sign Specifications

| ← | 42" | → |
| ← | Logo (Optional) | BHK Farmstand | .7 | → |
| ← | Miles | BHK Farmstand | Logo (optional) |

Letters must be a minimum of 4" High

Make Checks Payable: Town of York

Please Return Application and Check to the Town of York - Clerk’s Office Only

FOR CLERK’S USE ONLY: Amount Received: _____
MCR GROUP- DPW
AR- Off PREMISE SIGNS- REVENUE
RECEIPT NUMBER: 34159 DATE ISSUED: _______ INITIALS: _______

Clerks- please email completed application to eyaven@yorkmaine.org Thank you!
Town of York
Community-wide Greenhouse Gas Inventory

Presentation to Board of Selectmen
May 13, 2019

Lucy Brennan
York Energy Steering Committee- Goodwill NNE AmeriCorps VISTA
yorkenergyvista@gmail.com
Previous Presentations:
• Municipal Government GHG Emissions Inventory
• Expanded Municipal Government GHG Emissions Inventory
  – Schools, Sewer, Water, and Library
• Beneficial Electrification Opportunities

Tonight’s Presentation
• Community-wide GHG Emissions Inventory
• On-Road Transportation GHG Emissions
• Solid Waste GHG Emissions Per Capita
• Residential Heating GHG Emissions
• Low- to Moderate-Income Energy Burden Assessment
The most significant opportunities for GHG emission reductions exist in the community at-large and with the right policies, municipal government can drive the community toward these deep reductions.
A comprehensive approach that addresses transportation, heating fuel, electricity, and solid waste will be key for deep emissions cuts.
With some of the oldest building stock in the country and heavily fuel-dependent heating sources, residential heat accounts for 25% of all community-wide emissions.
York can address GHG emissions from the transportation sector by reducing vehicle miles traveled during internal trips and leading a transition to clean electric vehicles for inter-boundary travel.
The expansion and improvement of waste diversion programs can help York to reduce per capita solid waste and in turn, cut emissions from waste generation.
Residential Heating GHG Emissions

The electrification of petroleum-dependent heating systems and the generation of local, clean energy will most significantly reduce emissions and move towards energy independence.
Residential Heating:
Low- to Moderate-Income Energy Burden Assessment
Key Terms and Methodology

Key Terms

Low- to Moderate-Income (LMI): Households with a combined income at or below the area median income (AMI) in York, $83,072

Energy Burden: The percentage of household income that is spent on energy cost (heating and electricity bills)

Methodology

Census Bureau: American Community Survey 2013-2017 for population, demographic, and housing unit estimates

YCSA Survey: Distributed to 50 LMI residents, series of yes-no questions around ownership status, home comfort, and utilization of energy assistance programs

YCSA Focus Group: Homeowner and rental community represented at discussion about barriers to energy efficiency upgrades
Annual Household Income Levels in York

Approximately 54% of all York households earn an income at or below the area median income.  

Source: American Community Survey, 2017
While per unit electricity and heating fuel costs are high compared to national averages for all residents of York, households at or below the AMI spend as much as 13% of income on utility bills.
Monthly Energy Burden by Home Ownership Status

Though both home owners and renters face similar energy burdens, in the rental community there are unique challenges to both efficiency improvements and access to clean energy.
Addressing the Energy Burden: Pilots and Programs

*Weatherization:*
- Weatherize Campaigns
- Efficiency Maine Collective Purchase Toolkit
- Window Dressers
- State-level initiatives

*Access to Renewables:*
- LMI set-aside in community solar projects
- Direct cash incentives
- LIHEAP/WAP
Key Takeaways

1. Strategic Electrification: the approach is the same, just on a larger scale
2. The municipality has a key leadership role to influence community-wide change
3. Equity must be central to all planning efforts as well as the resulting policies and programs
Next Steps

• July: Come back with policy and program recommendations to the Board of Selectmen
Community GHG Inventory: Data Sources

- Central Maine Power
- State Energy Data Survey
- American Community Survey
- York Tax Assessor’s Database
- Maine Department of Transportation
- Maine Department of Environmental Protection
- Casella Waste Systems Inc.
- ecomaine Recycling Comparisons
- YCSA Survey
- YCSA Focus Group
Beneficial Electrification: Efficiency first; then convert fossil fuels to electricity, and supply electricity with renewable sources
Perspective
US GHG emissions include carbon dioxide (81%), methane (10%), nitrous oxide (6%) and fluorinated gases (3%)

Average Home
2.4 Metric Tons* CO2e/yr

Average Automobile
5.5 Metric Tons* CO2e/yr

*1 Metric Ton is equal to 2204 lbs
REQUEST FOR ACTION BY BOARD OF SELECTMEN

<table>
<thead>
<tr>
<th>DATE SUBMITTED: May 3, 2019</th>
<th>☒ ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE ACTION REQUESTED: May 13, 2019</td>
<td>☐ DISCUSSION ONLY</td>
</tr>
</tbody>
</table>

SUBJECT: Town Treasurer's Quarterly Report

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Town Treasurer Larry Graves has prepared his quarterly report. A copy is attached.

Larry will be in attendance at the meeting if the Board has any questions.

RECOMMENDATION: Accept the report.

PROPOSED MOTION: I move to accept the report of the Town Treasurer.

Prepared by Stephen H. Burns, Town Manager:
<table>
<thead>
<tr>
<th>Date</th>
<th>Capital Balances</th>
<th>Cash</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/31/19</td>
<td>3,106,556.09</td>
<td></td>
</tr>
<tr>
<td>3/30/19</td>
<td>3,805,325.22</td>
<td></td>
</tr>
<tr>
<td>4/30/19</td>
<td>2,372,457.45</td>
<td></td>
</tr>
<tr>
<td>26/047,444.46</td>
<td>16/275,982.91</td>
<td></td>
</tr>
<tr>
<td>24/080,930,20</td>
<td>12/30/19</td>
<td>18</td>
</tr>
<tr>
<td>9/30/18</td>
<td>12/30/18</td>
<td>18</td>
</tr>
</tbody>
</table>
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: May 7, 2019
DATE ACTION REQUESTED: May 13, 2019

SUBJECT: Water District Trustee Appointment

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: At the February 20, 2019 meeting of the York Water District Trustees, they voted to accept the resignation of Andy Beliveau. His term expires May of 2021.

Per the Water District’s Charter, an unexpired term shall be filled by the Board of Selectmen. The Water District recommend Russell Peterson fill the remainder of Andy Beliveau’s term.

The Board of Selectmen interviewed the following candidates to fill the term:
Russell Peterson
Lawrence Graves
George Safrine

RECOMMENDATION:

PROPOSED MOTION: I move to appoint ______________ as a Water District Trustee filling the remainder of an unexpired term expiring in May 2021, per the York Water District Charter.

PREPARED BY: ____________________________  REVIEWED BY: ____________________________
Melissa M. Avery, Assistant to the Town Manager
February 25, 2019

York Board of Selectmen Chair
Todd A. Frederick
186 York Street
York, Maine 03909

Re: Trustee Resignation

Dear Chairman Frederick,

At our recent monthly Trustees meeting on February 20, 2019, the YWD Board reluctantly accepted Andy Belliveau’s resignation, please see attached. Andy’s term expires in May of 2021.

Andy’s 1st term began in 1988; he served until 2001. In 2009, he decided to run again and was re-elected. Andy has been instrumental in many of YWD’s advancements. Over his many years of service, the YWD staff and his fellow trustees have benefitted greatly from his contributions.

As per section 9 of the District’s Charter, an unexpired term shall be filled by the Board of Selectmen. As a courtesy, our Board of Trustees would appreciate it if the Board of Selectmen could allow us 2 months to recommend a replacement for Andy’s un-expired term.

Respectfully submitted,

Stephen C. Rendall Jr.
President
York Water District
Andrew Belliveau
117 Long Sands Road Apt. 1
York, ME 03909

January 29, 2019

Stephen C. Rendall Jr.
President
York Water District
PO Box 447
York, ME 03909

Dear President, Rendall:

It is with regret that I tender my resignation from the York Water District Board of Trustees, effective immediately.

I am grateful for having the opportunity to serve on the board of this fine organization for several terms, and I offer my best wishes for its continued success.

Respectfully Submitted,

Andrew Belliveau
STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SIXTY-SEVEN

H. P. 1136 — L. D. 1618

AN ACT to Expand the Territory of the York Water District and to Modernize its Charter.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Corporation. The inhabitants and the territory of the Town of York in the County of York, State of Maine, shall constitute a body politic and corporate under the name of the York Water District for the purposes of supplying said Town of York and the inhabitants and others located in said district with pure water for domestic, sanitary, commercial, manufacturing, industrial, agricultural and municipal purposes, and the supply of shipping. Provided, however, that existing rights, franchises and properties of the Kittery Water District and the Kennebunk, Kennebunkport and Wells Water District within the Town of York shall not in any manner be affected by inclusion of said properties within the limits of the York Water District, and said existing rights, franchises and properties shall not be subject to any liens, mortgages or other encumbrances created by the present or future indebtedness of the York Water District. The York Water District shall in no way be obligated to acquire, maintain, operate or service any properties of the Kittery Water District or the Kennebunk, Kennebunkport and Wells Water District.

Sec. 2. Source of supply. The said district for effecting and carrying out the purposes of its incorporation, is authorized to take, hold, divert, use and distribute water from Chase's Pond in said Town of York, and all ponds and streams tributary thereto or running therefrom.

Said district is also authorized to take, hold, divert, store and use water from any underground brook, spring or vein of water in said Town of York.

Sec. 3. Right of eminent domain conferred. The said district for the purposes of its incorporation is authorized to take and hold as for public uses, by purchase or otherwise, any lands or interests therein, or water rights necessary for erecting and maintaining dams, for flowage, for pumping its water supply through its mains, for reservoirs, for preserving the purity of the water and water shed, for laying and maintaining aqueducts and other structures, for taking, distributing, discharging and disposing of water and for rights-of-way or roadways to its source of supply, dams, reservoirs, mains, aqueducts, structures and lands. Said right shall not be limited to the geographical limits of said district, provided the taking is in the furtherance of its corporate purposes.

Sec. 4. Authorized to lay pipes over public ways. The said district is authorized to lay in and through the streets, roads, ways, highways and bridges in said Town of York, and across private lands therein, and to maintain, repair and replace all such pipes, aqueducts and fixtures as may be necessary and convenient for its corporate purposes, and whenever said district shall lay any pipes or aqueducts in any street, road, way or highway, it shall cause the same to be done with as little obstruction as practicable to the public travel, and
shall at its own expense, without unnecessary delay, cause the earth and pavement removed by it to be replaced in proper condition.

Sec. 5. Authorized to erect dams and reservoirs; to cross navigable waters; to supply water to utilities. Said water district is authorized for the purposes of its incorporation to erect and maintain all dams, reservoirs and structures necessary and convenient for its corporate purposes. Said water district is also authorized to lay, construct and maintain its pipes and fixtures in, over and under navigable waters and to build and maintain structures therefor, subject to the laws of the United States; also to supply water to any public utility now supplying water in the County of York, subject to the consent of the Public Utilities Commission.

Sec. 6. Procedure in exercising right of eminent domain. After the original acquisition for which provision is made in section 10, the said district, in exercising, from time to time, any right of eminent domain conferred upon it by law or through or under the franchise of any water company by it acquired shall file written application with the Public Utilities Commission requesting its approval of the proposed taking. Such application shall describe the property or rights to be taken, the purpose of the taking, and shall name all parties who may be interested therein. The commission thereupon shall appoint a time for a hearing near the premises, and shall require such notice as the commission may direct to be given to the persons interested at least 14 days before the date of the hearing. The commission then shall view the premises, hear the parties, and shall determine how much, if any, of the property described in the petition should be taken for the reasonable purposes of the water district and for the safe, economical and efficient furnishing of an adequate water supply. In authorizing any taking, the commission may attach such reasonable terms, limitations and restrictions as justice may require. If the commission shall find that any of the property described in the application is necessary for the aforesaid purposes of the district, it shall make a certificate containing a definite description of the property to be taken, and of any terms, restrictions and limitations in connection therewith, and shall furnish to the district a true copy thereof, attested by the clerk, or secretary, of the commission. When such copy of the certificate is filed with the clerk of courts in the county where the property lies, the property shall be deemed and treated as taken; provided, however, that when property is held by a tenant for life and the reversion is contingent as to the persons in whom it may vest at the termination of the life estate, such fact shall be stated in the application and the commission, in addition to the notice to the tenant for life, shall require notice by publication, in such manner as it may deem proper, to all others interested. Entry may be made on any private land prior to the filing of any such application for the purpose of making surveys, the district being responsible for any damage resulting from such entry, and possession may be had of the property described in the certificate of the commission forthwith upon the filing and recording in the registry of deeds of York County of such certificate as hereinbefore provided, but title to such property shall not vest in the district until payment therefor has been made.

Sec. 7. Adjustment of damages; procedure as in laying out of highways. If any person sustaining damages by any taking as aforesaid shall not agree with the district upon the sum to be paid therefor, either party upon petition to the county commissioners of York County may have such damages assessed by them. The procedure and all subsequent proceedings and right of appeal therefore shall be had under the same restrictions, conditions and limitations as are or may be by the law prescribed in the case of damages by the laying out of highways.

Sec. 8. Procedure if public utility must be crossed. In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner and conditions of the crossing within 30 days after such consent is requested by said district, the Public Utilities Commission upon petition by the district shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such
public utility or as prescribed by the Public Utilities Commission, but at the expense of the district.

Sec. 9. Election of trustees; term of office; bylaws; compensation; annual reports. All the affairs of said district shall be managed by a board of trustees composed of 3 members who shall be residents of the Town of York and elected as hereinafter provided. The trustees of said district holding office at the effective date of this Act shall continue to hold office until the annual town meeting of the inhabitants of the Town of York next following the expiration of the current term of office of each such trustee. At the annual town meeting of the inhabitants of the Town of York to be held in the year 1969, and at each annual town meeting thereafter, the said inhabitants shall choose a trustee of said district for a term of 5 years. Said trustees shall be nominated and elected under the same procedure as provided for the selectmen of said town. In the event a vacancy arises in the membership of the board of trustees, the unexpired term of the vacant office shall be filled by the board of selectmen. All trustees shall be eligible to reelection, but no person holding the office of road commissioner or selectman in the Town of York shall be eligible to nomination or election as trustee.

After each annual town meeting of the inhabitants of the Town of York, the trustees shall organize by the election of a president and clerk. Said trustees may adopt a corporate seal, and, when necessary, may choose a treasurer and all other needful officers and agents for the proper conduct and management of the affairs of said district. They may also ordain and establish such bylaws as are necessary for their own convenience and the proper management of the affairs of the district. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation for his services, in whatever capacity, an allowance of $300 per year and no more. At the close of each fiscal year, the trustees shall make a detailed report of their doings, of the receipts and expenditures of said water district, of its financial and physical condition and of such other matters and things pertaining to said district as shall show the inhabitants thereof how said trustees are fulfilling the duties and obligations of their trust, such report to be made and filed with said municipal officers.

Sec. 10. Acquisition of York Shore Water Company. The acquisition of the York Shore Water Company by said district is ratified and confirmed and the district is vested with all of the franchises, rights and privileges of the York Shore Water Company in every respect.

Sec. 11. Authority to contract for municipal supply; all valid contracts to be assumed. Said water district is authorized to make contracts with the Town of York or any municipal or quasi-municipal corporation therein for the purpose of supplying water as contemplated by this Act, and the Town of York by its selectmen or any municipal or quasi-municipal corporation in said town by its proper officers is authorized to enter into a contract with said district for a supply of water for public uses on such terms and for such time as the parties may agree, which contract shall be legal and binding on all parties thereto, and said Town of York or any municipal or quasi-municipal corporation therein for said purposes may raise money in the same manner as for other municipal charges.

Sec. 12. Authority to borrow money. For accomplishing the purposes of this Act, said water district through its trustees, without vote of the inhabitants, is authorized to borrow money temporarily and to issue therefor the negotiable notes of the district, and for the purpose of refunding the indebtedness so created, for paying any necessary expenses and liabilities incurred under this Act, of securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant and making renewals, extensions, additions and improvements to the same, and protecting the water shed, the said water district through its trustees, without vote of the inhabitants, may from time to time issue bonds of the district to an amount or amounts necessary in the judgment of the trustees therefor.
Said bonds, notes and evidences of indebtedness may be issued to mature serially or made to run for such periods as the trustees may determine. Bonds, notes or evidences of indebtedness may be issued with or without provision for calling the same prior to maturity, and if callable, may be made callable at par or at such premium as the trustees may determine. All bonds, notes or other evidences of indebtedness shall have inscribed upon their face the words "York Water District", shall be signed by the treasurer and countersigned by the president of the board of trustees of the district, and if coupon bonds are issued, the interest coupons attached thereto shall bear the facsimile signature of the treasurer.

All such bonds, notes and evidences of indebtedness so issued by the district shall be legal obligations of the district, which is declared to be a quasi-municipal corporation within the meaning of the Revised Statutes of 1964, Title 30, Section 5053, and all provisions of said section shall be applicable thereto. The said district may refund and reissue, from time to time, in one or in separate series, its bonds, notes and other evidences of indebtedness, and each authorized issue shall constitute a separate loan. All bonds, notes and evidences of indebtedness issued by said district shall be legal investments for savings banks in the State of Maine and shall be tax exempt.

Sec. 13. Property tax exempt. The property of said district shall be exempt from all taxation in the Town of York and in any other towns where any part of its plant may be located.

Sec. 14. Water rates; sinking fund. All individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer of said district the rates established by said board of trustees for the water used by them; and the rates for water so supplied shall be uniform within the territory supplied by the district whenever the installation and maintenance of mains and the cost of service is substantially uniform, but nothing in this Act shall preclude said district from establishing higher rates than the regular rates in sections where for any reason the cost of construction and maintenance or the cost of service exceeds the average, but such higher rates shall be uniform throughout the sections where they apply. Said rates shall be so established as to provide revenue for the following purposes:

I. To pay the current expenses for operating and maintaining the water system and to provide for necessary extensions and renewals of said system.

II. To provide for the payment of the interest on the indebtedness created or assumed by the district.

III. To provide each year a sum equal to not less than 1% nor more than 5% of the entire indebtedness created by the district, which sum shall be turned into a sinking fund and there kept to provide for the extinguishment of said indebtedness. The money set aside for the sinking fund shall be devoted to the retirement of the obligations of the district or invested in such securities as savings banks or fiduciaries or trustees in the State are now or hereafter allowed to hold. The trustees may, in their discretion and in lieu of the establishment of a sinking fund, issue the bonds of the district so that not less than 1% of the amount of the bonds so issued shall mature and be retired each year.

IV. If any surplus remains at the end of the year, it may be transferred to the sinking fund.

Sec. 15. Incidental rights and powers granted. All incidental rights, powers and privileges necessary to the accomplishment of the main object herein set forth are granted to the public municipal corporation hereby created.

Sec. 16. Water tower at Bald Head. If the inhabitants of the district approve Chapter 15, of the Private and Special Laws of Maine, 1967, as therein provided, it shall upon the acceptance of this charter become part thereof, and be
designated Sec. 16 hereof, and shall not be repealed by the acceptance of this charter.

Sec. 17. Ratification of amendments. This Act shall take effect only for the purpose of permitting its submission to the legal voters of the Town of York at the annual town meeting of said Town of York to be held in the year 1968, and the town clerk for the Town of York shall reduce the subject matter of the foregoing Act to the following question on a written ballot in the following form:

**FORM OF BALLOT**

Place a cross (X) or a check mark (✓) in the square set forth below to indicate your opinion on the question. You may mark only one square. If you mark more than one square, your ballot will not be counted.

"Shall the provisions of an Act entitled 'An Act to Expand the Territory of the York Water District and to Modernize its Charter', as passed by the 103rd Legislature, be ratified?"

Yes ☐ No ☐

The inhabitants of the Town of York shall vote by ballot on said question and shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. The ballots shall be received, sorted, counted and declared in open meeting and if it shall appear that a majority of the inhabitants voting on the question are in favor of the Act, the result shall be declared by the selectmen and due certification thereof filed by the town clerk with the Secretary of State.'

Acceptance of the aforesaid amendments by an affirmative vote of the inhabitants of York shall render the aforesaid amendments immediately effective as law and shall subject all property in the Town of York to existing liens, mortgages and encumbrances arising out of the existing indebtedness of said district, and being the liens, mortgages and encumbrances heretofore applicable only to that property within the limits of said district prior to acceptance of the foregoing amendments, except as provided in section 1 of this Act.

Sec. 18. Public Utilities Commission statutes shall govern the district. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of the Revised Statutes of 1964, Title 35, Part I, and all acts amendatory thereof and additional thereto.

Sec. 19. P. & S. L., 1929, c. 8, repealed. If this Act is accepted as provided herein, then chapter 8 of the private and special laws of 1929, as amended by chapter 112 of the private and special laws of 1953, is repealed.
In House of Representatives, 1967

Read three times and passed to be enacted.

Speaker

In Senate, 1967

Read twice and passed to be enacted.

President

Approved 1967

Governor
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: May 7, 2019

☐ ACTION

DATE ACTION REQUESTED: May 13, 2019

☐ DISCUSSION ONLY

SUBJECT: Senior Citizens Advisory Board Appointments

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The Board of Selectmen have interviewed the following candidates for the Senior Citizens Advisory Board all of whom are interested in membership to the Board:

James Plourde
Deborah Meyers
Sydney Wakefield
Elizabeth Maziarz
Lorraine Robbins Pardoe
Emily Cambray

This is the current membership on the board:
Regular - VACANT (Previously B. Rennie) 2020
Regular - Emily Cambray 2019
Regular - Jacqueline A. Valentino 2021
Regular - Jeanette McGrath 2021
Regular - Carolyn Anderson 2021
Alternate - Deborah J. Meyers 2019
Alternate - VACANT

Currently there is a vacancy to fill the remaining term (through June 30, 2020) of Bruce Rennie a Regular Member who resigned, and also a full-term Alternate position. Also note, the terms of Emily Cambray (Regular Member) and Deborah Meyers (Alternate Member) are up June 30, 2019 – the Board will need to choose to reappoint them or not as well.

RECOMMENDATION:

PROPOSED MOTION:
I move to appoint ______________ as a Regular Member to the Senior Citizens Advisory Board, to fill
I move to appoint _____________ as an Alternate Member to the Senior Citizens Advisory Board, with a term expiring June 30, 2022.
I move to appoint _____________ as a Regular Member to the Senior Citizens Advisory Board, to fill a term expiring June 30, 2022. (Current membership for Emily Cambray)
I move to appoint _____________ as an Alternate Member to the Senior Citizens Advisory Board, to fill a term expiring June 30, 2022. (Current membership for Deborah J. Meyers)

PREPARED BY: ________________________ REVIEWED BY: ________________________
Melissa M. Avery, Assistant to the Town Manager
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: May 8, 2019
DATE ACTION REQUESTED: May 13, 2019
SUBJECT: York Harbor/River Study

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Request the Board to review and approve the RFP for the York Harbor River Study as presented in the supporting documents. The estimated cost is $25,000 to $50,000 dollars that will be paid for with York Harbor Maintenance Funds.

RECOMMENDATION: Recommend the RFP be approved and proceed.

PROPOSED MOTION: I propose that the York Harbor River Study RFP to identify boat traffic, dock placement, safety, congestion, and capacity issues in the River be funded for $25,000 to $50,000 from the York Harbor Maintenance Account.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: Capt. Charles J Szeniawski REVIEWED BY:
TOWN OF YORK

REQUEST FOR PROPOSALS

York Harbor/River Study

I. INTRODUCTION

The Town of York, Maine (hereinafter, the "Town") is seeking Proposals for the development of a York Harbor/River Study (hereinafter, "Study"). The purpose of the Study will be to identify and review boat traffic, dock placement, safety, congestion, and capacity issues on York Harbor/River. Details of these components are further explained below in Exhibit 1.

Proposers must submit one hard copy and/or one pdf of their Proposal. All hard copies of the Proposal are to be submitted in a sealed envelope clearly marked on the outside "York Harbor/River Study." All pdfs of the Proposal are to be submitted either via email with a subject heading "York Harbor/River Study" or in a sealed envelope clearly marked on the outside "York Harbor/River Study."

Completed proposals, including those emailed to Reenie Johnson - rjohnson@yorkmaine.org must be received at the York Harbor Board Office in the York Town Hall, 186 York Street, York Maine 03909, by 4pm on Wednesday, June 12, 2019 and will be opened at that time. The Proposal must be signed by the Proposer with their full name and address and included in the sealed envelope or with the pdf submission. Any Proposal received after the deadline stated above may not be considered.

Questions regarding this Request for Proposal should be directed to Drew Donovan, Harbor Master, York Town Hall, 186 York Street, York Maine 03909, or email Drew at harbormaster@yorkmaine.org.

Each Proposer is required to state in the Proposal:

1. Its name, principals, mailing address, and telephone number;
2. The name, telephone number, and email address for its Contact Person;
3. The names, titles, mailing address, and telephone numbers for all subcontractors that will be used on this project; and
4. A statement that no person acting for or employed by the Town is directly or indirectly interested in the Proposal or any agreement which may be entered into to which the Proposal relates or in any portion of the profits here from.

The successful Proposer shall be required to sign an agreement substantially similar to the standard Town Services Agreement, a copy of which is attached hereto as Exhibit 3.
Before commencing work under the Town Services Agreement, the successful Proposer shall produce evidence satisfactory to the Town that it and its subcontractors, if any, have secured public liability, automobile, and workers' compensation coverage as set forth in Exhibit 3.

Each Proposer is encouraged to visit the area(s) of analysis and inform itself of the conditions relating to the area in which the Services shall be performed. Failure to do so will not relieve a successful Proposer of its obligations to furnish all equipment, material, and labor necessary to carry out the provisions of the Agreement and to complete the contemplated work for the consideration set forth in this Request for Proposals. The Town disclaims any and all responsibility for injury to Proposers, their agents, or others while examining the work area or at any other time. Proposers are responsible for all of their costs in preparing and submitting proposals hereunder.

A Proposer must submit one pdf and one hard copy of its Proposal.

II. SCOPE OF SERVICES

The Scope of Services hereunder is described in the Specifications attached hereto (hereinafter, the "Services") as Exhibit 1.

III. SCHEDULE

All proposals shall conform with the following schedule to complete proposed work:

1. Begin work: July 1, 2019
2. Progress update: July 22, 2019
3. Progress update: August 12, 2019 (Interim Report)
4. Conclude work: September 2, 2019
5. Submit results: September 16, 2019

III. PROPOSAL SUBMISSION REQUIREMENTS

The Proposal must include the following descriptions:

1. Proposal Form (Exhibit 2).
2. Understanding of the Project.
3. Qualifications/technical capacity of the Proposer and its subcontractors, if any.
4. Two to five similar projects completed by the contractor, including names, titles, phone numbers, and email addresses of references for the projects.
5. All materials, equipment, and labor necessary to perform the Services, including the name of the person(s) or entity (entities) owning the materials and equipment and/or providing the personnel that forms the basis for its proposal.
6. Additional submissions specified in Exhibit 1.
7. Identification of project manager, staff who will undertake the proposed work; role and approximate percentage of work conducted by each staff member.
8. Total cost and cost of specified components of the proposed work and a clear description of all clarifications and exceptions.
9. Compliance with or proposed modification of specified schedule and conditions.
10. Assumptions and/or conditions associated with the Proposal.

All Services to be furnished to the Town shall be performed with equipment, methods, and use of personnel in accordance with pertinent professional standards and with the Occupational and Safety and Health Act requirements of the State of Maine and the United States.

IV. SELECTION CRITERIA

Proposals will be evaluated based on the following criteria:

1. Understanding of, and familiarity with, the project (20%)
2. Prior experience with similar projects (20%)
3. Qualifications and experience of assigned staff (25%)
4. Cost (25%)
5. References (10%)

V. ACCEPTANCE/REJECTION

The Town reserves the right to waive any informalities in Proposals, to accept any Proposal, and to reject any or all Proposals, should it be deemed in the best interest of the Town to do so.

Proposals may be held by the Town for a period not to exceed thirty (30) days from the date of the opening of Proposals for the purpose of reviewing proposals and investigating the qualifications of the Proposers prior to the award of a contract.

Date: July 22, 2019

By: Stephen H. Burns, Town Manager
EXHIBIT 1 (Services)

York Harbor/River Study Specifications

Project Scope/Overview: The study shall be from the mouth of the York River (Rock’s Nose) to Birch Hill Road. The basic components of the Study shall include the following, however, it is recommended that information included in the Study be reviewed and detailed in two geographical areas. Area 1 shall be from the mouth of the York River to Sewall's Bridge (Seabury Road) and Area 2 shall be all areas west of Sewall’s Bridge to Birch Hill Road. It is understood that all information listed below may not be applicable in both phases as long as it is detailed as such.

- Inventory: The inventory identifies and describes the existing natural and cultural resources, physical features, and uses of the surface waters and underwater lands for which the Study is being developed. The inventory should include the following subjects and be supplemented by maps indicating their location and extent:
  - Commercial, and recreational water-dependent uses (such as marinas, boat yards, swimming areas (particularly in the area of the Route 103 and Wiggly bridges), commercial or recreational fishing, types of vessel activity (commercial vessel, recreational vessel, and non-motorized paddle craft, including kayaks, canoes and stand up paddleboards) and vessel anchorage or mooring areas;
  - Existing infrastructure, such as navigation channels and basins, docks and docking facilities, and roadways supporting the river/harbor area;
  - A description of the scenic quality of the river/harbor, including positive and negative features.

- Issues: A summary of issues of local and regional importance that should be addressed in the Study, such as:
  - Interference with existing navigation channels by structures such as docks, floats or anchored or moored vessels;
  - Public-health and safety, such as the operation of vessels in or near swimming areas, and general boating congestion/capacity;
  - A need to maintain or provide river/harbor infrastructure such as parking, roadways, navigation channels, boat ramps, docks;
  - Limits on public access to the river/harbor or public use of the river/harbor area;
  - A high demand for sufficiently maintained navigation channel or basin depths;
  - The need to protect important water-dependent uses in appropriate areas within the river/harbor;
  - Adverse impacts on scenic quality and visual access to the river/harbor.
This material may be incorporated in or included under a separate heading for the York River/Harbor Study issues in a “summary of issues.”

- Mapping Requirements: The York Harbor/River Study map should be of sufficiently large scale to illustrate all of the information necessary. All use zones, infrastructure and special projects should be shown on the large-scale map. A map key should explain each zone, infrastructure type and project.

- Studies and Research: Special studies, design projects, or research necessary to advance or refine the Study or a component of it, such as:
  - Provide recommendations on how to support and manage the requirements of working waterfront / commercial vessels, and recreational vessels / non-motorized paddlecraf.
  - Provide recommendations on how to balance public access with increasing demands on the resources of the York River, while maintaining the existing character of the waterfront.
  - Identify potential safety issues and recommend actions to provide for a safe boating experience for all users of the York River.
  - Comprehensive Plan considerations and or recommended amendments that would better enhance the Study area.

All Proposers will be required to demonstrate expertise in projects of this type.

**Project Cost:** All Proposers shall provide a fixed price, not to exceed, quotation for the total project.

All clarifications and exceptions shall be clearly described in the Proposal.

**General Information:** The Proposer shall work with the Harbor Master and Harbor Board during the duration of this project and all reports, findings, draft documents etc. shall be directed to them.

**Schedule:**

1. Begin work: **July 1, 2019**
2. Progress update: **July 22, 2019**
4. Conclude work: **September 2, 2019**
5. Submit results: **September 16, 2019**
The Proposer will provide expected lead time after approval of submittals.

**Qualifications:** The Proposer shall provide a description of its familiarity with relevant Maine statutes and regulations and with similar work undertaken in Maine.
EXHIBIT 2

PROPOSAL FORM

York Harbor/River Study

TO: Drew Donovan, Harbor Master
York Town Hall
186 York Street
York, ME 03909

Dear Sir:

The undersigned hereby declares that it has carefully examined the location of the proposed York Harbor/River Study Request for Proposal including the specifications therein referred to in Exhibit 1, and the proposed Services Agreement in Exhibit 3, and that it proposes and agrees, if this Proposal is accepted, in whole or in part, by the Town of York (hereinafter the "Town") to perform the Services, as defined in the proposed Services Agreement, and that it will accept as payment in full for said Services or portion of the Services the following sum(s) as the "Contract Price": ___________________________ Dollars (insert dollar amount in words) ($_________)

(insert dollar amount in numbers)).

If the Town accepts the Proposal, the undersigned further agrees that it will execute the Services Agreement within thirty (30) days from the date of opening the Proposals.

The undersigned hereby further declares that the only persons or parties interested in this Proposal as principals are named below and that no person acting for or employed by the Town is directly or indirectly interested in this Proposal or in any Agreement which may be awarded under it or in profits expected to arise therefrom, except as provided by the Town Charter. The full names and addresses of all persons and parties interested in this Proposal, as principals, are as follows: (provide first and last names in full; and in the case of a Corporation, the names and addresses of the President, Treasurer and Manager; and in the case of a Partnership, the names and addresses of members):

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
Date: _____ (insert month) __ (insert date), _____ (insert year)

__________________________________________ (insert signature)

__________________________________________ (insert title)

__________________________________________ (insert name of entity)

__________________________________________ (insert legal address)

__________________________________________ (insert name of principal place of business)

__________________________________________ (insert firm’s IRS Identification Number)

Please, provide address to which all correspondence and notifications to Proposer are to be sent:

__________________________________________

Please, provide Proposer’s Telephone Number: (___) __________________________
EXHIBIT 3

TOWN SERVICES AGREEMENT

YORK HARBOR/RIVER STUDY AGREEMENT BETWEEN
THE TOWN OF YORK
AND
__________________________ (Name of Successful Bidder)

THIS AGREEMENT is entered into this __________ day of __________, 2019, by and
between the TOWN OF YORK, a body politic and corporate (hereinafter the "TOWN"), and
__________________________ (Name of Successful Proposer), with a mailing address of
__________________________ (hereinafter the "CONTRACTOR").

WITNESSETH:

WHEREAS, the TOWN is in need of a York Harbor/River Study and did advertise for Request
for Proposals entitled “Request for Proposals, York Harbor/River Study, York, ME,”
(hereinafter, the “RFP”), a copy of which is attached as Exhibit 4 and made a part hereof; and

WHEREAS, the CONTRACTOR has the requisite knowledge and technical ability to perform
the required services and has submitted a proposal for the provision of such services, dated
__________, (hereinafter, the “Proposal”), a copy of which is attached and made a part hereof;
and

WHEREAS, after due consideration of all the proposals, the TOWN did award the bid to the
CONTRACTOR;

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other,
the parties covenant and agree as follows:

1. The CONTRACTOR will furnish the materials, supplies, equipment and labor
(hereinafter the “Work”) in accordance with Exhibit 1 contained in the RFP issued under
date of ______________ by the TOWN, and also in accordance with the
CONTRACTOR’s Proposal.

The restatement in this document of any term of the Proposal shall not be deemed to
waive any term not so restated. If any disagreement is found between RFP or the
Proposal and this document, then this document shall govern; and the RFP shall govern
over the Proposal, to the extent they disagree; provided, however, that this document and
its attachments shall be construed to be supplemental to one another to the extent
possible.
2. Prior to the execution of this Agreement, the CONTRACTOR will procure and maintain Automobile insurance and General Public Liability Insurance coverage in amounts of not less than Four Hundred Thousand Dollars ($400,000.00) per occurrence for bodily injury, death and property damage, naming the TOWN as an additional insured thereon, and also Workers’ Compensation Insurance coverage to the extent required by law. The Workers’ Compensation insurance shall include an endorsement waiving all rights of subrogation against the TOWN, its officers and employees. The CONTRACTOR shall furnish the TOWN and thereafter maintain certificates evidencing all such coverages, which certificates shall guarantee thirty (30) days' notice to the TOWN of termination of insurance from insurance provider or agent.

3. To the fullest extent permitted by law, the CONTRACTOR shall defend, indemnify and hold harmless the TOWN, its officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including, but not limited to, the costs of defense and attorney's fees arising out of or resulting from the performance of this Agreement, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including the loss of use therefrom, and (2) is caused in whole or in part by any negligent act or omission of the CONTRACTOR, anyone directly or indirectly employed by it, or anyone for whose act it may be liable. CONTRACTOR’s obligations under this paragraph shall survive termination of this Agreement.

4. The CONTRACTOR shall perform the work to the satisfaction of the responsible TOWN official, whose approval and acceptance of the work will be a condition precedent to payments by the TOWN under this Contract.

5. Upon receipt of executed contracts and insurance as required, the TOWN will promptly send an executed TOWN contract to the CONTRACTOR, which will commence work starting ______________ and shall complete work no later than ______________. All deliverables shall be received by the Town no later than ______________. The time set for such completion may be extended only by written consent of the TOWN.

6. In the event of any dispute as to the amount, nature or scope of the work required under this Contract, the judgment of the TOWN will be final and binding.

7. For performance of all the terms and conditions of this Agreement, the TOWN will pay the CONTRACTOR and amount not to exceed (insert dollar amount in words) ___________________________ (insert dollar amount in numbers) ($______) based on the rates set forth in the Proposal.

8. Compensation will be made in two installments both equaling no more than (insert dollar amount in words) ___________________________ (insert dollar amount in numbers) ($______). The Town will process payment upon receipt of the signed
agreement between the Town and the Contractor; and upon receipt of the York Harbor/River Study Report and Maps, and final confirmation from the Harbor Board that all information has been submitted per this agreement. Payments will be made within 30 days of receiving both the signed agreement; and the Final York Harbor/River Study Report with York Harbor Board final confirmation.

9. The TOWN may terminate this Agreement for cause by written Notice to the CONTRACTOR. In the event of such termination, the CONTRACTOR shall not be entitled to any further payment under this Agreement from the date of receipt of said Notice.

10. The TOWN shall have the right to terminate this Agreement at any time for its convenience on thirty (30) days' prior written Notice to the CONTRACTOR. If the Agreement is terminated by the TOWN for convenience, the TOWN shall pay the CONTRACTOR for all work performed and all materials purchased pursuant to this Agreement prior to receipt of such Notice.

11. Out of concern for the public, TOWN employees and the CONTRACTOR's employees, all work performed by the CONTRACTOR shall be in conformance with pertinent OSHA, local, state and federal government regulations.

12. CONTRACTOR shall be solely responsible for the hiring, supervision, discipline, management or termination of any employees or agents hired or retained for the purposes of providing the services contemplated under this Agreement. CONTRACTOR, its agents, contractors, or employees are independent contractors and shall not be deemed to be employees of the TOWN.

13. If any provision of this Agreement is determined to be invalid or unenforceable, it shall not affect the validity or enforceability of the remaining provisions hereof.

14. This Agreement shall be construed in all respects in accordance with, and governed by, the laws of the State of Maine. All parties hereto hereby consent to the exclusive jurisdiction of the Superior Court for the County of Cumberland in the State of Maine, for all actions, proceedings and litigation arising from or relating directly or indirectly to this Agreement or any of the obligations hereunder, and any dispute not otherwise resolved as provided herein shall be litigated solely in said Court.

15. This Agreement may be executed in any number of counterparts and by different parties in separate counterparts. Each counterpart when so executed shall be deemed to be an original and all of which together shall constitute one and the same agreement. A signature in a pdf or electronic document shall be considered the equivalent of an original signature.
16. TOWN and CONTRACTOR each warrant and represent to the other that they have the full right and authority to enter into this Agreement, that there is no impediment that would inhibit their ability to perform their respective obligations under this Agreement, and that the person signing this Agreement on behalf of each party has the authority to do so.

IN WITNESS WHEREOF, the said TOWN OF YORK has caused this Agreement to be signed and sealed by Stephen H. Burns, its Town Manager, thereunto duly authorized, and CONTRACTOR has caused this Agreement to be signed and sealed, the day and date first above written.

WITNESS:  

TOWN OF YORK

________________________
Stephen H. Burns, Town Manager

WITNESS:  

CONTRACTOR

________________________
(Type Name of Consultant here)
EXHIBIT 4

YORK HARBOR/RIVER STUDY ADVERTISEMENT

TOWN OF YORK

NOTICE OF REQUEST FOR PROPOSALS
FOR

YORK HARBOR/RIVER STUDY

The Town of York, Maine is seeking professional services for the completion of a York Harbor/River Study that will identify and describe the existing natural and cultural resources, physical features, and uses of the surface waters and underwater lands; evaluate the issues of local and regional importance; map all uses, infrastructure and special projects; and provide a detailed summary of special studies, design projects, or research necessary to advance project needs.

Sealed and/or emailed bids, which meet the delivery format specified in the Town’s Request for Proposals (RFP), shall be received until 4:00pm on Wednesday, June 12, 2019 at the York Harbor Boards Office in the York Town Hall, 186 York Street, York, Maine 03909 or emailed to Reenie Johnson- rjohnson@yorkmaine.org.

The York Harbor Study RFP, Specifications, and Draft Contract Documents may be obtained at www.yorkmaine.org (replace with more specific link to the documents).

Questions regarding the Request for Proposal should be directed to Drew Donovan, Harbor Master, York Town Hall, 186 York Street, York Maine 03909, or email Drew at harbormaster@yorkmaine.org.

Town of York, Maine

________________________

Drew Donovan, Harbor Master

This 13th day of May, 2019
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: May 7, 2019
☐ ACTION

DATE ACTION REQUESTED: May 13, 2019
☐ DISCUSSION ONLY

SUBJECT: Sustainability Fund Form and Process

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Attached is a draft document that outlines a very basic application process and the rules of the game. I'm sure we haven't thought of everything, but it's simple and not unduly burdensome.

RECOMMENDATION: If the Board is satisfied with the amount of control, the rules and the timelines, adopt and we'll proceed. If not, changes can be made now or in coming meetings.

PROPOSED MOTION: I move to approve the proposed Sustainability Fund Application Form and Process.

Prepared by Stephen H. Burns, Town Manager:
APPLICANT INFORMATION

Name of Primary Contact: ___________________________ Title: ___________________________

Address: __________________________________________

Phone: ___________________ Email: _______________________

I. Goal Statement:
To provide seed money for initiatives that promote sustainability and environmental conservation; and to spark community dialogue about these matters.

II. Eligibility
Any organization with a Tax ID may apply once per quarter. Individuals must affiliate with an organization to apply and to help ensure fiscal responsibility. Explain your eligibility below:

III. Questions
Attach a document which answers each of the following questions:

a. What are you proposing to do?

b. What is your total budget, and how much money do you seek from the Town?

c. Why should the Board award this money for your proposal? What is the benefit to our community?

d. What assurances can you offer that you will follow through once you receive the money?

e. When will your efforts be complete and when will your report your results back to the Board?

IV. Process
The Board will review applications quarterly, in September 2019, December 2019, March 2020 and June 2020, or until all funds are committed. Applications must be submitted to the Town Manager’s Office no later than the first day of each of these months. It may award funds to none, any or all applicants in any amount it deems appropriate.
V. Authorized Signatures

Applicant: ____________________________ Date: __________________

Authorized Organization Representative: ____________________________ Date: __________________

Completed forms should be returned to the Town Manager's Office at Town Hall

Mailing Address: 186 York Street, York, Maine 03909
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: May 7, 2019

DATE ACTION REQUESTED: May 13, 2019

SUBJECT: 9 and 13 Granite Lane

☐ ACTION
☐ DISCUSSION ONLY

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: I believe it is important for the Town to initiate the process of evicting the occupant at 13 Granite Lane and to physically secure the parcels at 9 and 13 Granite Lane to prevent continued access by all parties. We are in the process of studying the environmental conditions at this site and there is continuing commercial activity, and this causes concern.

RECOMMENDATION: I recommend the Board direct me to work with the Town Attorney to initiate action for forceable entry and detainer for 9 and 13 Granite Lane.

PROPOSED MOTION: I move to direct the Town Manager and Town Attorney to initiate action for forceable entry and detainer at 9 and 13 Granite Lane.

Prepared by Stephen H. Burns, Town Manager:
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: May 8, 2019

DATE ACTION REQUESTED: May 13, 2019

☐ ACTION

□ DISCUSSION ONLY

SUBJECT: Respond to Efficiency Maine Trust RFP for EV Charging Station

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Option 1: Further pursue community energy efficiency per the comprehensive plan. Permit the Town of York and Energy Steering Committee to respond to Efficiency Maine Trust request for proposal for installation electric vehicle charging stations for public use. Operation of charging stations is planned to be cost neutral. York will plan to contribute no more than $9K (total cash and in-kind contribution) from the town and request $9k of matching funds from Efficiency Maine Trust. The total funds are planned for installation of 2 public charging stations to be installed by June 2020. York/ESC will create an RFP and reach out to 3 or more charging station vendors and come back to the BOS with a vendor selection and next step recommendation. See attached proposal details

Option 2: Do not respond to Efficiency Maine Trust for EV charging station funding

RECOMMENDATION: The ESC recommends that the Board of Selectmen authorize the ESC to issue an RFP to vendors for the installation and maintenance of two EV charging stations, to evaluate the results, and recommend an award at the Selectboard’s June meeting.

PROPOSED MOTION: Authorize the Energy Steering Committee to issue an RFP to vendors for installation and maintenance of two charging stations, evaluate the results and present a recommended award to the Selectboard at their June meeting.

FISCAL IMPACT: Not to exceed $9,000

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared by Stephen H. Burns, Town Manager:
Town of York Response to Efficiency Maine RFP:

Electric Vehicle Charging Station Proposals

Presentation to Board of Selectmen
May 13, 2019

David White
York Energy Steering Committee
Tonight’s Presentation

- Efficiency Maine Trust has issued Requests for Proposals to co-fund electric vehicle charging stations

- The ESC seeks Board authority to respond to EMT RFP with a proposal for two stations with a York cost sharing commitment not to exceed $9,000 (total cash and in kind)
Electric Vehicles Are Coming

- Electric vehicles are increasingly part of our (and our neighbors’) future
Electric Vehicles Are Here

Passenger All Electric
Electric Vehicles Are Here

Municipal Vehicles – Plug In Hybrid and All Electric
Charging Stations

- Electric vehicle growth dependent on
  - Availability of charging stations ("Range anxiety")
  - Cost
Portsmouth Charging Station

- Portsmouth City Complex (site of summer farmers market)
- ChargePoint – 2 outlets service different car models
- Note parking sign
Why Electric Vehicles and Charging in York?

• They are in our Comprehensive Plan – Energy Chapter
  – Vision: town fleet largely hybrids and electric; charging stations convenient and plentiful
  – Goal 2: Sustainable Transportation – lower emissions

• Greenhouse gas emissions: EVs = 1/5 carbon of gas or diesel

• Commercial benefits
  – York is key traveler destination and stopover point
  – Charging stations will literally put York on the map for EV drivers (PlugShare & Tesla app)
  – Encourages travelers on the way up the coast to pause in York for food, ice cream, etc
  – Adding stations increases “dwell time” while car charges – time to shop locally, browse real
    estate listings, relax in cafes and restaurants
  – Sends a message that York welcomes green minded visitors whether they own EV or not
  – Level 2 networked chargers can “charge for a charge” as well as track how energy is used for
    future policy decisions
A modest first step toward fleet conversion

- Installing two chargers now will:
  - Give us direct experience with chargers
  - Help get York ready to convert our fleet
  - Inform our broader strategy
Efficiency Maine EV Charging Program

- Maine cost-sharing to incentivize EV charging infrastructure

- 3 Phased Program; $3.1 million in cost sharing
  - Phase 1 “Fast DC” chargers at Turnpike rest stops (contracts awarded)
  - Phase 2 Improve local access and destination charging (RFP issued)
  - Phase 3 More Fast DC chargers (RFP pending)

- Phase 2 is affordable, appropriate for York

- Selection criteria:
  - Public access (min 10 public parking spaces)
  - Sited where high vehicle traffic, visible, convenient
  - Sited where appropriate for extended stays (1-4 hours)
York EV Charging Station Proposal

- Hardware selection, station installation and ongoing management conducted by RFP-selected 3rd party provider
- Locations: York High School and Town Library
- Station type: Networked Level 2 240 V charging station
- Costs:
  - Approximately $9,000 per station
  - 50% cost sharing from EMT
  - Town share can include in-kind services (e.g., DPW site work)
  - $250 per station annual network fee
  - Signage throughout town
- Users pay for service with credit cards; networking allows for customized pricing (e.g. separate rates for public and town vehicles/employees)
- Fee revenue from stations designed to approximately offset costs
Request

- Authority to respond to EMT RFP with a proposal for two stations with a cost sharing commitment not to exceed $9,000 (total cash and in kind)
Next Steps

- Upon Selectboard approval, we:
  - Issue RFP for turnkey vendor for purchase, installation and maintenance
  - Incorporate DPW in-kind support
  - Select vendor; vendor proposal is basis for our submission to EMT
  - Proposal must be submitted by July 10
  - Decision expected by August 6

- If selected by EMT, we:
  - Return to Selectboard for final approval of funds
    - 6 months permitted to gain final approval
  - Sign contract with selected vendor
  - Begin installation (dependent on DPW schedule)
  - Installation must be complete by June 30, 2020
Appendix
Tesla and ChargePoint locations in southern York County and Greater Portsmouth NH
York locations:
- Hannaford - EVgo
- York Harbor Inn
EV Charging Levels

What are EV charging levels?

Another important charge station feature is its charging level. These are categorized as Level 1, Level 2 and Level 3. They range from low-level electric power (takes a long time to charge,) to high-level electric charging delivery (fast charging). Table 2 below details the features of each level.

<table>
<thead>
<tr>
<th>Charge Level</th>
<th>Power Level</th>
<th>Charge Time</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AC Level 1</td>
<td>110-120V AC (alternating current)</td>
<td>Full charge: 10-20 hrs</td>
<td>The power level is equivalent to plugging into a household electrical outlet. It is best suited for smaller battery sizes such as those in PHEVs or when longer charging time is available.</td>
</tr>
<tr>
<td>AC Level 2</td>
<td>208-240V AC</td>
<td>Full charge: 4-8 hrs</td>
<td>The power level is equivalent to plugging into a household electric clothes dryer socket. This is the most common public charging level.</td>
</tr>
<tr>
<td>DC Level 3</td>
<td>Converts 3-phase AC to DC</td>
<td>Full charge: 20-30 minutes</td>
<td>Best-suited for fast turnaround locations and fleet vehicle charging. DC Level 3 requires significant panel and service upgrades and consequently is the most expensive to deploy.</td>
</tr>
</tbody>
</table>

Table 2: EV charging level descriptions.
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: May 6, 2019

DATE ACTION REQUESTED: May 13, 2019

☐ ACTION
☒ DISCUSSION ONLY

SUBJECT: Strawberry Island Easement

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: As part of our inventory process for Town-owned properties, documents for Strawberry Island were compiled and reviewed. A copy is attached. I bring this to the Board because we have an issue that will require both Board and voter action.

The Town acquired Strawberry Island in 2005. The year prior, the Board of Selectmen accepted $50,000 from the State of Maine to help pay for the purchase. The Board signed an agreement with the State related to this funding, and one of the requirements of the agreement is that the Town will provide a perpetual easement to the State to ensure ongoing public water access at this site. Town records I have found, and the York County Registry of Deeds haven’t turned up an easement. I have been speaking with Tom Linscott of the Boating Facilities Division, Bureau of Parks and Lands, Department of Conservation, and he has no record of any follow-through on this easement, either. Tom is now working to draft an easement for the Town’s consideration – probably similar to the year 2000 draft, shown on the final page of the attached document. Voters will need to approve issuance of the easement so this is something we can target for the November General Referendum.

Once the easement is granted the critical issue will have been addressed. It is important to note, however, that the property must be managed in a manner consistent with the deal made with the State, providing for perpetual public recreational boat access.

RECOMMENDATION: No action required at this time.

PROPOSED MOTION: n.a.

Prepared by Stephen H. Burns, Town Manager
STRAWBERRY ISLAND

Property and Facilities Inventory

This document is one of a series of staff reports to document important information about properties owned and utilized by the Town of York. It is an attempt to compile and make available relevant information about properties to ensure the institutional knowledge is not lost over time.

May 6, 2019
STRAWBERRY ISLAND

Location: 2 Harris Island Road. While the Town's tax maps show this property and the adjacent Town Dock #1 as being a single parcel, the Strawberry Island purchase was actually just a portion of the depicted parcel, that portion being the lower bump on the map below.

![Map showing Strawberry Island and Town Dock #1](image)

Facility: This property was acquired to, "allow for increased and physically easy access to the water for carry on recreational boating. Kayak rental and guided tours of the York River, an emerging economic opportunity for the tourism economy would be thus enhanced. The island also offers a much needed space for short term small boat and lobster trap storage" (Statement of Fact, Article 4, Special General Referendum, May 21, 2005). It goes on to state that the acquisition also facilitated an expansion of the adjacent pier at Town Dock #1.

Property Acquisition: The sequence of events relating to Town acquisition of Strawberry Island were a bit strange, at least by today's standards, therefore the information presented here is more extensive than usual.

- In the 1999/2000 timeframe there were initial discussions about acquisition of Strawberry Island, but these never came to fruition. A letter from the State
about possible assistance with the purchase, at an anticipated purchase price of
$75,000, also included initial versions of the Project Agreement and the
Easement to the State. Handwritten notes by Town Manager Mark Green on
that letter indicate that the Town was having problems making this deal in
February 2000 and still February 2001 (see pages 34-36).

- In May 2004, pursuant to new negotiations, the Town entered into a
combination lease and purchase & sale agreement (see pages 11 - 17). The
Harbor Board voted to enter this agreement on May 5, 2004, and the Board of
Selectmen entered the agreement by vote on May 11, 2004.
  o Lease terms – May 15, 2004 through December 31, 2005, with an initial
    payment of $12,000, and a second payment of $12,000 if the Town chose
to not purchase the property. (The Town did purchase the property and
one lease payment of $12,000 was made.)
  o Purchase terms – if approved by voters in May 2005, the following was
    established as the payment schedule in the P&S:
      - $100,000 due within 30 days of closing
      - $100,000, plus interest, due by January 31, 2006
      - $50,000, minus half any lease payments, plus interest, due by
        January 31, 2007
      - NOTE: There was later an e-mail exchange between seller, Sarah
        Newick, and Harbor Board representative, Joey Donnelly, in June
        2005 where the seller agreed to modify the schedule for payments,
        replacing the second and third payments referenced above with
        three additional payments of $50,000 each, with the interest and
        lease adjustments. This was to extend the timeframe to provide for
        more time to raise additional funds. Perhaps they knew the
        requested Land for Maine’s Future (LMF) funding had been
        rejected at that point.

- On September 14, 2004, The Board of Selectmen voted to accept a grant of
$50,000 from the State of Maine (Boating Facilities Division, Bureau of Parks and
Lands, Department of Conservation). In accepting this grant, that night the
Board signed a Project Agreement which included 13 conditions associated with
the grant (see pages 18-23).

- On February 22, 2005, the Board of Selectmen signed and submitted an
application for Land for Maine’s Future (LMF) funding of $165,000 for the
purchase of Strawberry Island (see pages 24-33).

- Also on February 22, 2005, the Board of Selectmen voted to place the request to
purchase Strawberry Island on the May Budget Referendum. (Note: the Board
voted to place it on the Budget Referendum, but it ended up on the Special
General Referendum.)
• On May 21, 2005, voters approved acquisition of Strawberry Island by a vote of 2,934 to 431 (see pages 9-10). Here are the ballot question and statement of fact:

ARTICLE FOUR: To see if the Town will vote to approve the purchase of Strawberry Island, of which there will be no tax monies appropriated, $50,000 may come from the Harbor Board reserve funds and the remaining monies will come from grants.

Statement of Fact: This small but vital piece of shorefront will allow for increased and physically easy access to the water for carry on recreational boating. Kayak rental and guided tours of the York River, an emerging economic opportunity for the tourism economy would be thus enhanced. The island also offers a much needed space for short term small boat and lobster trap storage.

Furthermore, and most importantly, the acquisition of this land would enable the Town to expand Town pier number one, adding much needed flexibility and berthing space for our commercial fishing fleet. This acquisition has been noted as a Town goal, fulfilling State marine policies in support of commercial fishing for over a dozen years in several iterations of the Town’s Comprehensive Plan.

• On June 22, 2005 the Town acquired the deed to the property (see pages 6-8).
• On June 27, 2005, a title insurance policy was issued to the Town for this property. The policy was issued by First American Title Insurance Company, and a copy of that policy is in the Town Clerk’s vault.
• The Money. Here is where the trail becomes difficult to follow.
  o The ballot question stated, “there will be no tax monies appropriated, $50,000 may come from the Harbor Board reserve funds and the remaining monies will come from grants.” The total purchase price was not specified.
  o The purchase price was $250,000, minus half the initial lease payment of $12,000, plus interest of 4% annually because the purchase was to be paid for over time. The following payment schedule was established in the P&S:
    - $100,000 due within 30 days of closing
    - $100,000, plus interest, due by January 31, 2006
    - $50,000, minus half any lease payments, plus interest, due by January 31, 2007
o The State grant of $50,000 was obtained 8 months prior, so this money was applied toward the purchase.

o On July 6, 2005, an article in the York Weekly entitled, “Town closes on Strawberry Island land purchase,” indicated $100,000 was paid at closing, and then captured the essence of the money situation from Acting Town Manager Elizabeth McCann:

“There are no tax dollars involved,” McCann said, explaining the effort of the Harbor Board to secure grants and to commit funds from its own reserve account, if necessary, to offset the cost and make public ownership of Strawberry Island a reality.

o On October 3, 2005, Elizabeth McCann, Acting Town Manager, sent a letter to Gloria Layman. The substance of the letter is that the Town is still trying to find the means to pay the remaining $150,000. She indicates likely rejection of the application for Land for Maine’s Future funds because, “it is their opinion that we paid too much for the land.” This letter is a good reference point, indicating the Town had paid $100,000 already, and that the LMF request was likely not approved.

o A memo from Elizabeth McCann, Finance Director, to Sarah Newick on May 2, 2006 indicates the Town had paid $150,000 to that point, and that $6,000 from the first lease payment was to be credited against the Town’s final payment. Again, another good reference point. Also note, there is an attachment to this memo that reviews available funds in the harbor reserve and it concludes there is enough money there to cover the remaining cost of the purchase.

o Review of all referenda warrants from 2005 through 2007 indicate no further warrant articles were presented regarding payments for Strawberry Island. This is significant because the initial warrant article establishes three basic points:
  ▪ No funding from property taxes;
  ▪ Up to $50,000 from harbor reserve funds; and
  ▪ Remainder of funding to be from grants.

o Despite the language of the initial warrant, it appears the Town utilized $50,000 from the State grant and paid the remaining $200,000+/- from harbor reserve (special revenue) funds.

o It is worth noting that the politics in York were quite difficult at that point in time, particularly with respect to leadership in municipal government. This purchase transpired during a two year period in which Mark Green resigned as Town Manager after a difficult year, Finance Director Jennie
McCann was appointed as Acting Town Manager, Ryan Hada was hired as Interim Town Manager then was let go after 6 months, and Jennie McCann was again appointed as the Acting Town Manager. During this time, two Selectmen were recalled by citizen petition relating to the removal of Ryan Hada. It was a particularly challenging time and it's not really surprising that the details of a transaction like this were overlooked.

Deed References:

- Book 14508, Pages 290-291
- Plan Book 197, Page 48
- See also Book 136, Page 19 (older survey for the Newick family)

Deed Restrictions: The deed referenced above indicates no restrictions. There are limits associated with acceptance of State funds, as specified in the executed Project Agreement. Most significant of these requirements is the issuance to the State of Maine of a perpetual easement, “to assure its continued use as a public recreational boating facility.” This easement has not, as of April 18, 2019, been executed and discussions are under way with State officials to fulfill this obligation. Other restrictions and terms are contained in the Project Agreement, a copy of which is included in this document.

Survey and Monumentation: There is a survey by Bill Anderson (RLS #1197) of Anderson-Livingston Engineers, Inc., filed in the Registry of Deeds. Status of monumentation is unknown at this time.

Facility Acquisition/Construction/Alteration: Not applicable as there is no construction.

Relationship to Bond Funds: No bond funds were used for purchase or improvement of this property.

Land Use Permits & Approvals: Not applicable.

Other Information: Not applicable.
Property Deed
WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that SARAH R. NEWICK, FOR CONSIDERATION PAID, hereby grants to INHABITANTS OF THE TOWN OF YORK, a municipal corporation with an address of 166 York Street, York, Maine 03902, with WARRANTY COVENANTS, a certain lot or parcel of land, located in the Town of York, York County, Maine; being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREBY BY REFERENCE

IN WITNESS WHEREOF, Sarah R. Newick has hereunder set her hand and seal as of this 28th day of June, 2005.

Witness

STATE OF MAINE
York County, ss.

June 28, 2005

Personally appeared the above-named Sarah R. Newick and acknowledged the foregoing instrument to be her free act and deed.

Before me,  

Attorney at Law/Notary Public

SEAL

TOWN OF YORK

Notary Public License

My Commission Expires April 1, 2027
EXHIBIT A

A certain lot or parcel of land located on Old Route 103 also known as Harris Island Road on Strawberry Island, in the Town of York, County of York, State of Maine, and being the portion of Lot D (as shown on the plan entitled “Newick Lots, Revised Plan Showing Septic Systems for Lots B, C and D, Old Route 103, York, Maine,” dated December 1990, prepared by Anderson-Livingston, stamped by William Henry Anderson, Jr., RLS # 1197, and recorded in the York County Registry of Deeds in Book 197, Page 48 (the “Newick Lots Plan”) which is the portion of said Lot D that is northerly of the east-west line running through the point of beginning described below, and based on the Newick Lots Plan and the two deeds to Sarah R. Newick cited below, this northerly portion may be described as follows:

Beginning at an iron pipe set on the east sideline of Old Route 103 which is 406.15 feet North 03° 35' 41" West from an iron pin also on said sideline being the southwesternly corner of said Lot D at the northerly side of the “Private Road” also shown on said plan;

Then, North 03° 35' 41" West along said easterly sideline of Old Route 103 a distance of 310.00 feet to a point near the Town dock.

Then, N 27° 47' 10" E across the high water mark and the low water mark to the channel of the York River;

Then, southeast along the channel of the York River to a point that lies directly east (N 90° 00' 00" E) of the point of beginning;

Then, N 90° 00' 00" W to the point of beginning.

Including and intending a portion of the property that was conveyed to Sarah R. Newick by George R. Newick and Lillian N. Newick in their deed dated November 16, 1984, and recorded in said Registry in Book 3475, Page 23B; see also the confirming deed from Lillian N. Newick to Sarah R. Newick recorded in said Registry in Book 3577, Page 243.

END OF DOCUMENT
Ballot Question
SPECIMEN BALLOT
SPECIAL GENERAL REFERENDUM
YORK, MAINE
SATURDAY, MAY 21, 2005

Card 7 of 7

INSTRUCTIONS TO VOTERS
A. To vote, complete the arrow(s) ➔ pointing to your choice(s), like this: ➔
B. Follow directions as to the number of candidates to be marked for each office.

If a person whose name is not printed on the ballot, write the candidate’s name on the line provided and complete the arrow ➔

ARTICLE FOUR
To see if the Town will vote to approve the purchase of Strawberry Island, of which there will be no tax monies appropriated, $50,000 may come from the Harbor Board reserve funds and the remaining monies will come from grants.

Statement of Fact: This small but vital piece of shoreline will allow for increased and physically easy access to the water for entry on recreational boating, Kayak rental and guided tours of the York River, an emerging economic opportunity for the tourism economy would be thus enhanced. The island also offers a much needed space for short term small boat and lobster trap storage.

Furthermore, and most importantly, the acquisition of this land would enable the Town to expand town pier number one, adding much-needed flexibility and berthing space for our commercial fishing fleet. This acquisition has been noted as a Town goal, fulfilling State marine policies in support of commercial fishing for over a dozen years in several iterations of the Town’s Comprehensive Plan.

Selectmen recommend approval (5-0).

2934 YES ➔
431 NO ➔

Penalty for willful destruction, tearing down, burning or destroying a ballot is imprisonment or a fine of not over One Hundred Dollars.

TOWN CLERK

Town of York, Maine – Property & Facility Inventory – Strawberry Island
May 6, 2019
Lease/Purchase & Sale Agreement
Strawberry Island
LEASE AND PURCHASE AND SALE AGREEMENT

1. PARTIES: This Agreement is entered this 11th day of May, 2004 by Sarah Newick, 2 Rivermouth Road, York, Maine 03909 ("Seller"), who agrees to sell, and INHABITANTS OF THE TOWN OF YORK, a body corporate and politic located in the Town of York, County of York and State of Maine ("Buyer"), who agrees to buy, upon the terms and conditions hereinafter set forth, the real estate described in Paragraph 2 hereof.

2. PREMISES: The premises to which this Agreement applies is a certain lot or parcel of land located on Harris Island Road in York, Maine and known locally as Strawberry Island. Bounded on the north by Town Dock #1; on the east by the waters of York Harbor; on the west by Harris Island Road and on the south by the remaining land of Sarah Newick. The southerly boundary of the land is located approximately 140 feet in a southerly direction from CMP Pole #15, at a guard rail post located on the easterly side of Harris Island Road. A legal description of the premises will be prepared by Buyer at Buyer's expense.

3. LEASE OF PREMISES: The Buyer will lease the premises beginning on May 15, 2004 and ending on December 31, 2005 during which time the Buyer will have the sole authority to regulate the use of the property. The Buyer will pay the Seller a lease payment of $12,000, which shall be due and payable on July 15, 2004. A second lease payment of $12,000 will be due and payable on July 15, 2005 but only if the Town has not purchased the premises by that date. One half of the lease payment(s) shall be used to reduce the purchase price.

4. PURCHASE PRICE: The purchase price for the Premises is Two Hundred Fifty Thousand Dollars ($250,000.00), minus one half of any lease payments made by the Buyer. Payment shall be made as follows:

A. $100,000 shall be due and payable at closing to be held within 30 days of the Selectmen receiving authorization from the voters to acquire the property. There shall be no interest due on this payment.

B. $100,000 shall be due and payable on January 31, 2006. Interest of 4% per annum shall be assessed against any outstanding balance beginning on the date voters authorize the purchase of the property.

C. $50,000 minus one half of any lease payments shall be due and payable on January 31, 2007 plus an interest rate of 4% per annum on any outstanding balances adjusted by any pro-rations or other adjustments hereunder.

5. APPRAISAL: The Buyer may obtain an appraisal of the property for the purpose of obtaining grant funds from State agencies.
6. EMINENT DOMAIN PROCEEDINGS: The Seller acknowledges that the Town may choose to take the property by eminent domain.

7. CONTINGENCIES: In addition to such other conditions to closing as may be set forth herein, the obligations of Seller and Buyer under this Agreement are subject to the following contingencies, any of which, if not met after good faith efforts, shall entitle the other to terminate this Agreement by giving that party written notice of terminating party's intention to do so within the time period specified.

   a. Voter Approval: This Agreement is conditioned on the Buyer obtaining approval from the voters of York at a referendum held prior to 12/31/05. Failure to obtain voter approval will result in the termination of this agreement. If the voters do not approve the purchase of the premises, the Town will be obligated to abide by the terms of the lease described in section 3 of this agreement.

   b. Title. This Agreement is contingent on Buyer being satisfied with (i) the state of title pursuant to research of the records at the York County Registry of Deeds.

8. POSSESSION AND CONDITION OF PREMISES: Full possession of the Premises, free of all leases, tenants and occupants, is to be delivered at the closing hereunder, the Premises to be then (a) in the same condition as they now are, reasonable use and wear thereof excepted, and (b) not in violation of any applicable building, subdivision, and zoning laws. Discovery by Buyer of any latent defect in the condition of the Premises prior to the closing shall be regarded as a material change in condition for purposes of this Agreement.

9. REAL ESTATE TAXES/TRANSFER TAXES: Real estate taxes are to be prorated at closing. Transfer taxes on sale shall be the responsibility of each party to the transaction.

10. BROKERAGE: Seller and Buyer represent to each other that they have not engaged the services of any real estate broker or other person who would be entitled to a fee due to the sale of the Premises and each agrees to indemnify and hold the other harmless from and against any such claims being asserted for services rendered in connection with this transaction based on such party having engaged the services of the claimant. This agreement to indemnify shall survive the closing or termination of this Agreement.

11. DEFAULT/DAMAGES: Should Seller fail to fulfill Seller's obligations hereunder, Buyer may elect to receive a refund of the lease payment, or to pursue such remedies as are otherwise available under Maine law. Should Buyer fail to fulfill Buyer's obligations hereunder, Seller may retain the lease payments, as liquidated damages as Seller's sole and exclusive remedy at law or in equity for Buyer's default without further recourse to Buyer or to pursue such remedies as are otherwise available under Maine law.

12. SELLER'S WARRANTIES AND REPRESENTATIONS: Seller hereby makes the following representations and warranties to Buyer, as of the date of this Agreement and except as noted herein, every date through the date of closing, each of which is true and
correct and is being relied upon by Buyer notwithstanding any investigation made by or on behalf of Buyer:

a. As of the date of this Agreement, there are no litigation, liens, judgments, violations, or proceedings pending or to Seller’s knowledge threatened against or relating to the Premises, nor does Seller know or have reasonable grounds to know of any basis for any such action, or of any governmental investigation relating to the Premises. Should any such matters arise after the date of this Agreement and prior to closing, Seller shall make every reasonable effort to resolve such issues;

b. As of the date of this Agreement, there is no pending, or to the best of Seller’s knowledge, threatened action or proceeding (including, but not limited to, any condemnation or eminent domain action or proceeding) before any court, governmental agency or arbitrator relating to or arising out of the ownership of the Premises or any portion thereof, or which may adversely affect Seller’s ability to perform this Agreement, or which may affect the Premises or any portion thereof. Should any such matters arise after the date of this Agreement and prior to closing, Seller shall make every reasonable effort to resolve such issues;

c. No work has been performed or is in progress at, and no materials have been furnished to, the Premises or any portion thereof, which may give rise to mechanic’s, materialmen’s or other liens against the Premises or any portion thereof;

d. To the best of Seller’s knowledge, there are no underground oil storage facilities located on the Premises; and

e. To the best of Seller’s knowledge, no hazardous or toxic wastes, substances, matters or materials, including but not limited to any material defined as hazardous or toxic from time to time by applicable state, local and federal law, are stored or otherwise located on the Premises or any adjacent property owned by Seller.

Buyer’s performance under this Agreement is conditioned upon the truth and accuracy of Seller’s warranties and representations expressed herein as of the date hereof and as of each date through and including the closing.

13. BUYER’S WARRANTIES AND REPRESENTATIONS: Buyer hereby makes the following representations and warranties to Seller, as of the date of this Agreement and every date through the date of closing, each of which is true and correct and is being relied upon by Seller notwithstanding any investigation made by or on behalf of Seller:

a. Corporate Organization. Buyer is a municipal corporation duly organized, validly existing and in good standing under the laws of the State of Maine. Buyer has the legal power and authority to enter into and perform this Agreement;

b. Corporate Authorization. The Board of Selectmen has approved this Agreement and the performance hereof and now will seek voter approval of the purchase prior to 12/31/05.
Seller's performance under this Agreement is conditioned upon the truth and accuracy of Buyer's warranties and representations expressed herein, as of the date hereof and as of each date through and including the closing.

14. MEDIATION: Any dispute or claim arising out of or relating to this agreement or the property addressed in this agreement shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the American Arbitration Association. Buyer and Seller are bound to mediate in good faith and pay their respective mediation fees. If a party does not agree first to go to mediation, then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same manner in which the party who refused to go to mediation loses in that subsequent litigation. This clause shall survive the closing.

15. MISCELLANEOUS:

   a. Notices: Any notice, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the first business day after mailing if mailed to the party to whom notice is to be given by first class mail, postage prepaid, registered or certified, return receipt requested, addressed as follows:

   To Buyer: The Inhabitants of the Town of York
   186 York Street
   York, Maine 03909-1314
   Attn: Mark Green, Town Manager

   To Seller: Ms. Sarah Newick
   2 Rivermount Road
   York, Maine 03909

Either party may change its address for purposes of this Paragraph by giving the other party notice of the new address in the manner described herein.

   b. Entire Agreement: This Agreement constitutes the entire agreement between Seller and Buyer and there are no agreements, understandings, warranties or representations between the parties except as set forth herein.

   c. Binding Effect: This Agreement will inure to the benefit of and bind the respective successors and assigns of Seller and Buyer. This Agreement may not be assigned by Buyer without the prior written consent of Seller provided, however, that Buyer may, without the consent of Buyer, assign this Agreement to any entity formed by Buyer for the purpose of acquiring title to the Premises, or to another governmental entity or a land trust like entity.

   d. Modification: This Agreement may not be modified, waived or amended except in writing signed by Seller and Buyer. No waiver of any breach or term hereof
shall be effective unless made in writing signed by the party having the right to enforce such a breach, and no such waiver shall be construed as a waiver of any subsequent breach. No course of dealing or delay or omission on the part of any party in exercising any right or remedy shall operate as a waiver thereof or otherwise be prejudicial thereto.

c. Construction: This Agreement shall be governed by and construed in accordance with Maine law. If any provision of this Agreement is determined to be invalid or unenforceable, it shall not affect the validity or enforcement of the remaining provisions hereof. All paragraph headings in this Agreement are for convenience of reference only and are of no independent legal significance.

d. Counterparts: This Agreement may be simultaneously executed in any number of counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have together executed this Agreement as of the date first set forth above.

WITNESS:

Inhabitants of the Town of York, Buyer
By its Board of Selectman, thereunto duly authorized

Chairman

Vice Chairman

Selectman

Selectman

Witness

Witness

Witness

Witness

Date of execution of Agreement by Seller: ____________, 2004.
Project Agreement with State of Maine
September 16, 2004

George F. Powell, Director
Boating Facilities Division
Bureau of Parks and Lands
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022

RE: Strawberry Island Boating Facility Grant

Dear Mr. Powell:

Attached please find one executed contract for the Town of York’s Strawberry Island Boating Facility Grant. The Board accepted the grant at their September 14, 2004 meeting. I have kept the second signed contract for the Town’s records. If you have any question or concerns please feel free to contact me. Thank you for your help in this process.

Sincerely

Karen Steadman
Assistant to the Town Manager

cc: John Bridges, Harbor Master
STATE OF MAINE

BUREAU OF PARKS AND LANDS

BOATING FACILITIES FUND

PROJECT AGREEMENT

RECIPIENT: Town of York

PROJECT TITLE: York Harbor Boating Facility (Strawberry Island)

PROJECT NUMBER: 470

THIS AGREEMENT is hereby made between the STATE OF MAINE, by and through the BUREAU OF PARKS AND LANDS, DEPARTMENT OF CONSERVATION, hereinafter called the "State", and the TOWN OF YORK, hereinafter called the "Recipient".

WITNESSETH

WHEREAS, the State has the authority pursuant to 12 MRSA, Section 1899, to make grants-in-aid to political subdivisions and others for the acquisition, construction, and maintenance of boat facilities; and

WHEREAS, the State agrees to make a grant-in-aid to assist the Recipient in the acquisition of a boat launching site on the Harris Island Road, in the Town of York, said property known locally as Strawberry Island, and shown on Exhibit 1, attached, hereinafter called the "Property";

NOW THEREFORE, for valuable consideration, the State and the Recipient agree as follows:

1. The Recipient shall be responsible for land acquisition, obtaining permits and making improvements, for which the State's maximum cash reimbursement shall not exceed the value as indicated in item 10 below.

   Acquisition only.

2. The Recipient shall be responsible for the operation and management of the Property which is to be acquired with financial assistance from the Boating Facilities Fund and provide for its recreational boating use by the general public in perpetuity. Any lease or assignment of the Property shall not relieve the Recipient of its responsibilities under this agreement. The Recipient shall grant to the State of Maine a perpetual easement on the site of the Facilities to assure its continued use as a public recreational boating facility.

3. The Facilities shall be operated and maintained in good order and condition, in compliance with all applicable laws, and in a manner to provide a neat and attractive appearance.

4. The Recipient shall post in a prominent place on the Facilities, and shall maintain in good condition, a sign, indicating the availability of the Facilities to the general public.
5. If any fees are charged for use of the Facilities, such fees shall be nondiscriminatory in
ture and shall have received the prior approval of the State Bureau of Parks and Lands.

6. All contracts for work on the Improvements shall be awarded through competitive bidding
and all contracts, plans, and specifications for such work shall be subject to the prior
approval of the State.

7. The provisions of 5 M.R.S.A., 784(2)), regarding nondiscrimination in employment, are
hereby incorporated into this Agreement by reference as if the same were set out in full

8. The Recipient shall establish a separate account for all funds expended and received in
connection with the Improvements and shall preserve (and permit investigation of) such
financial records for three years following final completion of the Improvements.

9. The Facilities, and all records pertaining thereto, shall at all reasonable times be open and
available for inspection by the State, its agents and designees.

10. The State shall provide a cash reimbursement not to exceed $50,000 for expenditures made
by the Recipient and approved by the State for the acquisition of the Property.

11. The Recipient shall submit to the State requests for reimbursement of expenses incurred by
the Recipient in connection with the acquisition of the Property, together with such evidence
as the State may reasonably require supporting such requests. Such expenses may include
those directly incurred by the Recipient for professional surveys and appraisals conducted
in connection with the acquisition of the Property, as well as actual payments made to the
Seller.

12. The Recipient shall indemnify, defend, and save the State, its employees and agents
harmless from and against any and all claims, expenses, damages, injuries, liabilities, and
costs (including reasonable attorneys' fees and court costs) arising out of or in any way in
connection with the construction, operation, use or maintenance of the Property, or any
accident, or occurrence therein or thereon.

13. The State's cash reimbursement described under paragraphs 1. and 10. is contingent upon any
improvements being developed in compliance with the Americans With Disabilities Act and
Maine State Laws/Maine Human Rights Act.
IN WITNESS WHEREOF, the parties hereto, by their duly authorized agents, executed this Agreement as of the date entered below.

STATE OF MAINE
DEPARTMENT OF CONSERVATION
BUREAU OF PARKS AND LANDS

Date: May 14, 2004

By: [Signature]
Director
Bureau of Parks & Lands

RECIPIENT

TOWN OF YORK

By: [Signature]

[Signature]
(SELECTMEN)
Application to Land for Maine’s Future Program
February 22, 2005

To Whom It May Concern:

We, the undersigned members of the Town of York Board of Selectmen, do hereby endorse the application of the York Harbor Board to the Land for Maine’s Future Board for grant assistance to help purchase the shorefront property known as “Strawberry Island”.

This small but vital piece of shorefront will allow for increased and physically easy access to the water for carry on recreational boating. Kayak rental and guided tours of the York River, an emerging economic opportunity for the tourism economy would be thus enhanced. The Island also offers a much needed space for short term small boat and lobster trap storage.

Furthermore, and most importantly, the acquisition of this land would enable the Town to expand town pier number one, adding much needed flexibility and berthing space for our commercial fishing fleet. This acquisition has been noted as a Town goal, fulfilling State marine policies in support of commercial fishing for over a dozen years in several iterations of the Town’s Comprehensive Plan.

Thank you in advance for your consideration.

Stanley G. Wilson, Chair

Carole Allen

Torbert Macdonald

David Marshall
February 25, 2005

Land for Maine's Future Program
Tim Glidden, Director
State Planning Office
38 SHS, 184 State Street
Augusta, Maine 04333

Dear Mr. Glidden,

The York Harbor Board is pleased to submit an application to the Land for Maine's Future, seeking support for acquisition of Strawberry Island. Acquisition of this piece of land has been a priority for many years.

We appreciate your consideration in this matter.

Sincerely,

[Signature]

Richard Witham, Chairman

[Signature]

William Cone

[Signature]

Richard Mirick

[Signature]

Steve Roberts

[Signature]

David P. Webber
Please use the following application structure and numbering sequence to provide information. If not applicable, please indicate by placing a N/A.

Eight copies of your proposal should be sent to:

Land for Maine's Future Program
State Planning Office
38 State House Station
Augusta, Maine 04333-0038
Telephone #: (207) 287-1485

In addition, one copy of the application must be sent to the sponsoring agency.

1) Applicant  
   Town of York  
   186 York Street  
   York, Maine 03909

Name, address, and phone number of the applicant and the primary contact person.

2) Agency Sponsor  
   Mr. George Powell  
   Maine Department of Conservation  
   Bureau of Parks & Lands  
   22 State House Station  
   Augusta, ME 04333  
   1(207) 287-4952

Indicate which of the following is the project sponsor and include a sponsoring letter from the agency:

   Department of Inland Fisheries & Wildlife

   x Department of Conservation

3) Date of Application

   February 28, 2005.
4) **Project Title/Name - Body of Water**
   This is the name by which your proposal will be catalogued by Program Staff.
   
   *Acquisition of Strawberry Island, Yerck River, York Harbor, Maine 03911*

5) **Location of Project**
   Provide us with the name of the township and county.
   
   *Town of York, York County*

6) **Type of Project**
   Indicate if your project is an outright acquisition in fee, an easement or a combination.
   
   *Our project is an outright acquisition in fee.*

7) **Size**
   Indicate how many acres your project encompasses and identify fee versus easement acres if appropriate.
   
   *0.2 acres - at high tide, significant usable land at low tide*

8) **Owner(s)**
   Include address, phone number, fax, and e-mail (if available) of the current landowner(s). A letter from the landowner(s) indicating their willingness to be considered in the project must be included in the application.
   
   *Sarah R. Newick*
   *2 Rivermouth Road*
   *York, Maine 03909*
   *(207)363-7536*
   
   *Letter from Landowner coming separately*
   
   *Copy of Purchase and Sales agreement attached*
9) **Partners**

Other entities participating in this project. Include address, phone, fax, e-mail

- **Joseph Donnelly (Contact)**  
  York Harbor Board  
  186 York Street  
  York, ME 03909  
  363-7833 / 351-1423(fax)  
  jcdjr@maine.rr.com

- **John Bridges**  
  York Harbor Master  
  186 York Street  
  York, ME 03909  
  363-1000 x 252  
  207-363-1019(fax)

10) **Names of Individuals Knowledgeable about the site/proposal**

List the names of individuals who can speak directly to the access benefits that the proposal will provide.

- **John Bridges, York Harbor Master**
- **Robert Witham, Chair, York Harbor Board**
- **Joseph Donnelly, Contact, York Harbor Board**

11) **Total Financial Summary (see Appendix G)**

Include the following:

- **a)** Total value of the fee/easement land being considered (the appraised value)  
  $1,190,000

- **b)** Purchase price (land/interest in land only)  
  $250,000

- **c)** Estimated “all other” project costs not including land (legal, survey, appraisal)
  
  - $2,000 - survey
  - $3,000 - appraisal
  - $8,000 - engineering
  - $2,500 - legal

- **d)** Match - break this out into inkind, cash, land, etc. Calculate percentage of match based only on the total allowable project costs. (See match discussion on page 57)
12) Project Description

Include a narrative description of the entire project that provides a complete image of the project itself as well as the context surrounding it. Photographs of the property can be very effective. If these are incorporated in the text electronically, please provide the images on a floppy disk with the application (JPEG or TIFF format).

Strawberry Island is the only undeveloped piece of land on the York Harbor waterfront. It is located downstream of the Route 103 Bridge and adjacent to Town Dock 1.

The Harbor Board has wanted to purchase it for several years, but it has not been available for sale until the recent purchase and sale agreement took place. Acquisition of this piece of land by the Town will allow the Town to alleviate infrastructure constraints on supporting and expanding the commercial fishing fleet and also provides for public recreational boating access and fishing access. This has been a recommendation included in our last two Comprehensive Plans. Unlike most land along the harbor, the Island has a gentle sloping gravel bank that reaches from above the high tide mark to below the mean low-tide level thus there is no sensitive marsh or eel grass.

13) Location Information

Provide a selection of easy-to-read locator maps including:

a) Maine Atlas Base Map - showing project location and regional perspective USGS

b) Topographic Base Map - showing entire boundary of proposed project, legal access and adjacency of other public and private conservation lands.

c) Other Maps as Appropriate
14) Demonstration of Need

Indicate whether the project has been designated as a priority water access site (contact LMF staff or the sponsoring agency for further information); or, if it is not, provide documented, credible evidence that supports the need for public access to the associated lake, river or coastal area as determined by the priority criteria described under the Proposal Process in this section (page 54).

Acquisition of this land has been a Town and Harbor Board priority for many years. Its location adjacent to Town Dock 1 provides the Town with the ability to expand the dock and have a substantial carry on access site. There is no other piece of land within the Harbor which has similar characteristics.

15) Suitability for Intended Use

Demonstrate that the property has no legal constraints preventing its development for the intended proposed access and that the physical characteristics of the site are suitable for the intended access.

There are no deed restrictions as the Town will own this property outright. The Town is not bound by the restrictions a private owner would have on utilizing this land.

Copy of the Purchase and Sales agreement attached.

16) Impact on Natural Resources

Describe what if any impact the proposed access will have on the natural resources of the water body and the surrounding land. This assessment is to be performed by the appropriate natural resource agency (DOC, IF&W, DMR), and in consultation with the Maine Natural Areas Program and the State Historic Preservation Office.

The initial proposed use is carry-on access for recreational boaters and fishing and should have no impact on natural resources. Future plans would include expansion of Town Dock #1 in support of the commercial fishing industry. Impact should be minimal on sand and gravel bottom.

17) Existing Public Access on Proposed Water Body

List and describe all other public access sites that exist on the lake or pond along which your parcel is located. If the site is along coastal or riverine waters, list the closest public water access site and the type of site (e.g., boat launch site, place for shoreline angling).
The parcel is adjacent to Town Dock #1, which is the Town's primary working dock. There is a privately owned launch ramp on the other side of the Harbor. There is no existing publicly owned access in York Harbor and no other prospect for public access. There is a public boat launch approximately five miles up river, Scotland Bridge. As it is above Sewall's Bridge, which has low clearance, it is of limited use. There is carry-on access for kayaks three miles further up the river, Rice's Bridge.

18) Value of Fisheries Opportunities

List and document any high value or outstanding fisheries that are currently or will be enjoyed by future users of this access site.

Acquisition of this site enables the Town to expand Town Dock #1, facilitating the off loading of “catch” of fishing and lobster boats. This site will provide for carry-on access, fishing, and can be used for other recreational maritime uses.

19) Expected Demand and Diversity of Uses

Describe the type of use -- either current if it is an existing privately owned site, or anticipated -- at the proposed site and the number of different user groups that will benefit from the proposed site. Also, indicate whether the access is intended to allow new types of boating and if so describe.

This parcel has been owned privately and has allowed no public access. Since the Town has had a signed Purchase and Sale agreement and lease, the parcel has been heavily used by Recreational boaters i.e. kayakers & canoes, as a beach and by local and visiting fishermen.

20) Threat of Conversion to Other Uses Especially Private Development or Non-Water-Dependent Uses

Indicate the degree of threat to development, or the conversion to other non-water dependent uses, of the proposed site.

If this parcel is not acquired by the Town, the Town will not be able to expand Town Dock 1. The existing owner will revert to having the land be private with no trespassing until it is sold. The current owner of the property will sell it and the adjacent residence to a new private owner if the purchase and sale with the Town does not go through. She is unable to afford maintaining the entire property. If the entire property is sold, it is extremely unlikely that a new owner would give public access and is most likely that the new owner would use the site for a private boat launch and dock, not available for public usage.
21) Estimate of monitoring and management costs

A person submitting a proposal to acquire property or an interest in property with funding from the Public Access to Maine Waters Fund shall provide:

- A description of the management envisioned for the property for the first 10 years following acquisition. When the application proposes acquiring an interest in property, the application must provide a description of the anticipated management responsibilities retained by the landowner and those to be assumed by the State or a cooperating entity;

This parcel shall be managed by the York Harbor Master and overseen by the York Harbor Board. A Planning Commission has been established that is comprised of members of the Commercial Fishermen, Recreational Boaters, Harbor Board, the York Harbor Master, and Town Selectmen. The Town has reviewed and endorsed the proposed use of this parcel of land for emergency haul out and repairs, recreational carry on boating and fishing.

- Preliminary estimates of the costs to the State or a cooperating entity of managing the land for the uses proposed in the application; and

The costs of managing this land will be minimal and will come under the Harbor Masters budget. The Harbor Master visits and oversees activities at Town Dock 1 on a daily basis.

- Preliminary estimates of the costs associated with monitoring compliance with an easement when an interest in land is acquired.

N/A
Early Correspondence About Purchase and Easement
January 13, 2000

Mark Green, Town Manager
Town of York
186 York Street
York, Maine  03909-1314

RE:  Proposed Land Acquisition
     York Harbor, York, Maine

Dear Mark:

As discussed with you this morning, I am enclosing a draft Project Agreement and a draft Easement for the town’s consideration. The Bureau will consider providing a reimbursement of 50% of the cost of the acquisition cost of the parcel of land on York Harbor (50% of $75,000 equals $37,500), provided the Bureau receives an Easement over said property.

Please advise me of the town’s interest in this proposal.

Yours truly,

Richard W. Skinner, Director
Boating Facilities Division
Maine Bureau of Parks & Lands
#22 State House Station
Augusta, ME  04333-0022
TEL:  287-4952
FAX:  287-3823

Enclosures

RWS/nd
EASEMENT

The TOWN OF YORK, in consideration of One Dollar ($1.00) and other good and valuable consideration, hereby gives, grants and conveys to the STATE OF MAINE, DEPARTMENT OF CONSERVATION, BUREAU OF PARKS AND LANDS, its successors and assigns, rights in real property in the Town of York, County of York and State of Maine, being more particularly described in the legal description attached hereto as Exhibit "A" (property shown on Map #__ as Lot #__ on the tax maps of the Town of York), described as follows, to wit:

A permanent easement for public recreational purposes including, but not limited to, the launching and retrieval of boats, canoes, and kayaks to/from York Harbor.

The real estate to which this permanent easement applies is a portion of the real estate described in the deed from ______________ to the Town of York dated ______________ and recorded in the York County Registry of Deeds in Book ____, Page ____.

IN WITNESS WHEREOF, Town of York has caused this instrument to be executed by ______________, its ______________, thereunto duly authorized this ____ day of ______________, 2000.

TOWN OF YORK

By: ________________________________

Personally appeared the above-named ______________ of Town of York, as aforesaid, and acknowledged the foregoing instrument to be ____ free act and deed, in ____ said capacity, and the free act and deed of Town of York.

Before me,

Notary Public/Attorney at Law

Print Name

j.eascYork.wpd
REQUEST FOR ACTION BY BOARD OF SELECTMEN

| DATE SUBMITTED: May 9, 2019 | ☑ ACTION |
| DATE ACTION REQUESTED: May 13, 2019 | ☐ DISCUSSION ONLY |
| SUBJECT: Legislative Solar Bill (LD 1711) – Draft Testimony from Rozanna Patane |

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: LD1711 “An Act to Promote Solar Energy Projects and Distributed Generation Sources in Maine” has just been posted and will likely receive a hearing next week in the legislature’s Energy, Utilities and Technology Committee. York Energy Steering Committee Chair Rozanna Patane will update the Selectboard on the bill and ask the Board for authorization to testify in favor of the bill. Option 1: The Board can authorize her testimony as presented. Option 2: The Board can authorize the testimony with changes. Option 3: The Board can decline to authorize the testimony. The draft testimony for the hearing is attached, as well as the LD 1711 bill.

RECOMMENDATION:

PROPOSED MOTION: I move to authorize Rozanna Patane’s to testify on behalf of the Town of York at the hearing for LD 1711 with the draft testimony provided.

FISCAL IMPACT: No immediate impact; if passed, LD1711 would make it more feasible to develop a large solar facility for York.

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: Rozanna Patane       REVIEWED BY: _________________________
Testimony in Support of LD 1711
An Act To Promote Solar Energy Projects and Distributed Generation Sources in Maine

Joint Standing Committee on Energy, Utilities and Technology
May ___, 2019

Senator Lawrence, Representative Berry, members of the Joint Committee, my name is Rozanna Patane. I chair the Energy Steering Committee (ESC) of the Town of York. The Energy Steering Committee was created in 2008 by the Selectboard, who appoints members. Our job is to advise the Board on energy policy and to recommend policies and, at times, manage energy efficiency and clean energy projects to reduce the Town’s carbon footprint. Thank you for the opportunity to testify today in support of LD 1711.

To date the ESC has made efficiency updates in all municipal buildings and introduced the LED streetlight conversion; managed a weatherization project for low-income households; streamlined ordinances for solar installations; and developed an Energy Chapter for York’s Comprehensive Plan.

Last year we hired a Vista Volunteer who has been conducting a community-wide GHG emissions inventory – the first step in strengthening York’s plans for achieving 100% clean energy by 2050.

We expect the three primary methods we will use to achieve that goal are: efficiency; beneficial electrification for heating and transportation; and local renewable electricity to the extent feasible.

For York, local renewable energy means solar photovoltaic installations. A month ago the ESC convened a multi-organization committee to assess and design a large onsite solar program to meet all the electricity demands of the Town government, the York School District, Sewer District, Water District, the York
Public Library and the York Community Services Association. In addition, the committee expects to incorporate paths for the low and medium income community to access renewable electricity. We’re also discussing collaborations with private entities in town, such as the York Land Trust. The expectation is that through a collective effort we can achieve economies of scale and optimize capacity by shared installations where appropriate.

Under the old rules, we could not make this project work.

For example, our landfill would support about one megawatt (MW) capacity. Current rules would limit a solar installation to only two thirds of that capacity – so we would lose the benefit of the rest of the capacity, and our cost would be higher for a small project.

Further, the Town and its entities have numerous small accounts. The current limit on sharing that facility over 10 accounts is another barrier. If LD 1711 is passed, raising both the capacity and shared account limits, however, we could make full use of the 1 MW. In addition, by increasing the number of shared accounts, we believe we could accommodate all of the municipal accounts plus several others from the Water, Sewer or School Districts.

All of our schools, the sewer treatment plant, water treatment plant and police station are all Medium General Service accounts. As you are aware there is no offset for demand charges in the current NEM rules. Providing an alternative tariff option in lieu of NEM for these commercial level accounts significantly improves the economics.

In these three ways, LD1711 makes it possible to consider solar where previously we could not.

We’re concerned not just with municipal needs but also those of our community. So we applaud the provisions of LD 1711 relating to the procurement of large scale shared distributed generation. These facilities offer an additional option for self-generation to meet the needs of the greater community where individual self-generation is not practical or feasible.
And we especially welcome those aspects of LD 1711 that increase access to community solar for our low- and moderate-income families. We encourage you to ensure that a set-aside provision applies to municipal installations as well as community solar farms.

Until recently Maine’s regulatory uncertainty and restrictive rules have retarded growth in this important energy resource and limited our overall efforts to reduce GHG emissions. LD1711 will transform those conditions as enable York to take steps to achieve its goals.

On behalf of the Town of York and its community I urge the committee to pass LD 1711 as expeditiously as possible. It’s time for Maine to take its rightful place as a responsible participant in the global effort to mitigate our impact on the climate.

Thank you.
An Act To Promote Solar Energy Projects and Distributed Generation Resources in Maine

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

Presented by Senator DOW of Lincoln.
Cosponsored by Representative COREY of Windham and Senators: BLACK of Franklin, President JACKSON of Aroostook, LAWRENCE of York, MOORE of Washington, POULIOT of Kennebec, Representatives: Speaker GIDEON of Freeport, GROHOSKI of Ellsworth.
Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. 35-A MRSA §3201, sub-§11-A is enacted to read:

11-A. Investor-owned transmission and distribution utility. "Investor-owned transmission and distribution utility" has the same meaning as in section 3104, subsection 1, paragraph A.

Sec. A-2. 35-A MRSA §3201, sub-§13-A is enacted to read:

13-A. Nameplate capacity. "Nameplate capacity" means the installed or rated capacity of a power generator.

Sec. A-3. 35-A MRSA §3209-A, sub-§§1 to 3 are enacted to read:

1. Financial interest. The commission shall allow a customer to participate in net energy billing if the customer has a financial interest in a distributed generation resource as defined in section 3471-A, subsection 5, including facility ownership, a lease agreement or a power purchase agreement. A financial interest under this subsection may be shared by multiple net energy billing customers that have distinct billing accounts with an investor-owned transmission and distribution utility.

2. Limit on accounts. Up to 200 customers may participate in net energy billing with a shared interest in a distributed generation resource, except that the number of eligible customers or meters is limited to 10 for a shared interest in an eligible facility located in the service territory of an investor-owned transmission and distribution utility located in an area administered by the independent system administrator for northern Maine or any successor to the independent system administrator for northern Maine unless the commission determines that the utility's billing system can accommodate more than 10 accounts or meters for the purpose of net energy billing.

3. System size. The maximum nameplate capacity of a distributed generation resource that may be used for net energy billing is one megawatt.

4. Rules. The commission may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-4. 35-A MRSA §3209-B is enacted to read:

§3209-B. Distributed generation resource rates

1. New distributed generation resources. On or before January 1, 2020, the commission shall examine options to promote the development of new distributed generation resources of up to 2 megawatts in the most cost-effective manner possible, including minimizing costs to ratepayers. For the purpose of this section, "new
distributed generation resource" means a distributed generation resource as defined by section 3471-A, subsection 5 that is installed after August 1, 2019.

2. Distributed generation resource tariff rate. If the commission determines that the most cost-effective method, including the minimization of costs to ratepayers, of promoting new distributed generation resources for nonresidential customers under subsection 1 is the establishment of a tariff rate for the nonresidential customers, the commission may establish a pilot program for a tariff rate effective January 1, 2020. The pilot program must be limited to no more than 40 megawatts in total. The pilot program tariff rate must be no more than the standard-offer service rate under section 3212 for the rate class that includes the smallest commercial customers plus as small a percentage of the effective transmission and distribution rate for the rate class that includes the smallest commercial customers as the commission determines will achieve the purpose of this section. A customer who elects the tariff rate is eligible for the rate for a period of no less than 20 years. The commission shall publish the tariff rate for new customers in the following year by December 1st each year or January 1st for use in the year 2020.

The commission shall allow a customer to participate in the pilot program if the customer has a financial interest in a distributed generation resource as defined in section 3471-A, subsection 5, including facility ownership, a lease agreement or a power purchase agreement.

3. Report. The commission shall submit a report on the benefits and costs of the pilot program under subsection 2 to the joint standing committee of the Legislature having jurisdiction over energy matters no later than January 1, 2025 and by January 1st for every subsequent 5 years that the pilot program is in effect. The report must provide information about the total value to the electrical system of output from distributed generation resources participating in the program and total costs to transmission and distribution utilities over both the short and long term. The commission may recommend modification of future tariff rates or discontinuance of the pilot program.

4. Rules. The commission may adopt rules to implement this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-5. 35-A MRSA §3471-A is enacted to read:

§3471-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Bid rate. "Bid rate" means the rate proposed under a qualified bid for the output of a distributed generation resource in response to a competitive procurement solicitation.

2. Clearing price. "Clearing price" means the highest bid rate accepted by the commission received for a procurement target under this chapter.
3. Commercial or institutional customer. "Commercial or institutional customer" means a nonresidential customer of an investor-owned transmission and distribution utility in the State.

4. Credit rate. "Credit rate" means the per kilowatt-hour rate used to calculate the monetary value of a distributed generation resource. The credit rate is equal to the per kilowatt-hour rate in the long-term contracts entered into between a standard buyer or a transmission and distribution utility and a project sponsor and must be the same for all subscribers of a particular large-scale shared distributed generation resource.

5. Distributed generation resource. "Distributed generation resource" means an electric generating facility with a nameplate capacity of no more than 5 megawatts that uses a renewable fuel or technology under section 3210, subsection 2, paragraph B-3 and is located in the service territory of a transmission and distribution utility in the State.

6. Investor-owned transmission and distribution utility. "Investor-owned transmission and distribution utility" has the same meaning as in section 3104, subsection 1, paragraph A.


9. Large-scale shared distributed generation resource. "Large-scale shared distributed generation resource" means a distributed generation resource that is selected in a procurement under section 3477 the beneficial use of the output of which is owned by or allocated to subscribers.

10. Megawatt. "Megawatt" means 1,000,000 watts, measured in alternating current. When used in reference to a generation resource, a megawatt is measured by the generator's nameplate capacity.

11. Nameplate capacity. "Nameplate capacity" means the installed or rated capacity of a power generator.

12. Offer. "Offer" means a proposal to install a distributed generation resource of a specified capacity in exchange for a contract with a standard buyer under section 3475.

13. Output. "Output" means energy, capacity, renewable energy certificates and all other environmental attributes and market products that are available or may become available from a distributed generation resource.

14. Project sponsor. "Project sponsor" means an entity or its successor or assignee that owns or operates a large-scale shared distributed generation resource on behalf of subscribers.

15. Qualified bid. "Qualified bid" means a bid offering the output from a distributed generation resource that the commission determines meets the minimum qualification requirements established by rule.
16. **Qualified person.** "Qualified person" means a person who installs photovoltaic equipment and who:

A. Possesses a license under Title 32, section 1202-A, subsection 2 or 4;
B. Is enrolled in a United States Department of Labor or Department of Labor registered electrical apprenticeship program and supervised by a person under paragraph A; or
C. Possesses a license under Title 32, section 1202-A, subsection 1 or 3 and is supervised by a person under paragraph A.

17. **Rate.** "Rate" means a price per kilowatt-hour of delivered energy as measured by a revenue-quality meter at a distributed generation resource's point of connection to the electric grid.

18. **Subscriber.** "Subscriber" means a retail customer of a transmission and distribution utility that owns or has the right to a subscription and that has identified an account to which the subscription is attributed.

19. **Subscription.** "Subscription" means a proportional interest in a large-scale shared distributed generation resource. Each subscription must be sized to represent at least one kilowatt of the resource's generating capacity.

Sec. A-6. 35-A MRSA §3473, sub-§§3 to 6 are enacted to read:

3. **Procurements.** The commission shall procure distributed generation resources in the large-scale shared and commercial or institutional market segments using the targets and procurement methods described in this chapter.

4. **Participation in wholesale markets.** The commission and investor-owned transmission and distribution utilities shall take all commercially reasonable steps to promote the participation of distributed generation resources in serving the State's energy needs and in the wholesale electricity, capacity and ancillary service markets.

5. **Change in tax treatment.** If a change in federal tax laws, rules or policy materially modifies the burdens or costs to customers or utilities associated with the procurements under this chapter, the commission shall issue a report to the joint standing committee of the Legislature having jurisdiction over energy matters describing the impact of these changes and recommending any actions necessary to maintain the benefits of the procurements under this chapter.

6. **Timely interconnection.** The commission shall ensure the timely review and execution of interconnection requests and the timely completion of work needed for the safe, reliable and cost-effective interconnection of distributed generation resources. The commission shall establish by rule requirements on investor-owned transmission and distribution utilities governing the interconnection process for distributed generation resources and establishing financial penalties to assure timely actions by those utilities to achieve the procurements under sections 3476 and 3477. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
Sec. A-7. 35-A MRSA §§3475 to 3478 are enacted to read:

§3475. Standard buyer

A standard buyer designated pursuant to this section shall aggregate the output of the portfolio of distributed generation resources procured pursuant to this chapter and sell or use the output of the resources in a manner that maximizes the value of the portfolio of the resources to all ratepayers.

1. Designation of standard buyer. Each investor-owned transmission and distribution utility serves as the standard buyer in its service territory, except that the commission may designate another entity to serve as the standard buyer if the commission determines that the designation is in the best interest of customers in the service territory. The standard buyer is subject to the jurisdiction of the commission.

2. Obligations of standard buyer. A standard buyer shall:

A. Serve as counterparty to long-term contracts with project sponsors pursuant to section 3477;

B. If the standard buyer is not an investor-owned transmission and distribution utility, reimburse an investor-owned transmission and distribution utility for any bill credit or payment to a subscriber or project sponsor pursuant to section 3477;

C. Establish reasonable measurement and verification requirements for distributed generation resources;

D. Provide information needed to allocate costs and benefits pursuant to subsection 3; and

E. Provide aggregate data regarding the output of distributed generation resources pursuant to sections 3476 and 3477.

3. Standard buyer cost allocation. The commission and each standard buyer designated pursuant to subsection 1 shall implement a transparent mechanism to track and recover or distribute the eligible costs and benefits under this subsection incurred by procuring distributed generation resources pursuant to this chapter. These eligible costs and benefits must be reviewed by the commission annually and allocated to and recovered from customers of the investor-owned transmission and distribution utility in whose territory the distributed generation resource is located through a process established by rule of the commission. The process established by the commission must be similar to the allocation of costs and benefits of long-term energy contracts in section 3210-F. Eligible costs and benefits include:

A. Incremental costs of serving as the standard buyer;

B. All payments or bill credits to customers, subscribers and project sponsors under each procurement pursuant to sections 3476 and 3477; and

C. All revenue from sale of the output of distributed generation resources procured pursuant to this chapter.
4. Rules. The commission shall adopt rules to implement this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The commission shall ensure that the rules and procedures established under this chapter provide opportunities for entities other than the standard buyer to aggregate and sell the output of distributed generation resources in the applicable markets.

§3476. Commercial or institutional resources procurement

1. Procurement amounts. By July 1, 2024, the commission shall procure 125 megawatts of the output of distributed generation resources associated with commercial or institutional customer accounts by conducting an initial competitive solicitation of 25 megawatts to establish market-based, declining block contract rates to procure the remaining 100 megawatts.

2. Initial competitive procurement. The following standards apply to the initial competitive procurement under subsection 1 of distributed generation resources from commercial or institutional customers:

A. On or before January 1, 2020, the commission shall publish rules for the initial competitive solicitation of 25 megawatts of distributed generation resources under subsection 1. The publication must include the form of contract provided under subsection 8:

B. The commission shall accept bids for 30 calendar days beginning on or before July 1, 2020 and review the bids based on the requirements under subsections 5, 6 and 7. The commission may select qualified bids in excess of 25 megawatts if the commission determines that the incremental procurement is in the public interest. If the commission selects qualified bids in excess of 25 megawatts, the commission shall reduce the quantity procured in subsequent block procurements. If the commission selects bids totaling less than 25 megawatts in the initial competitive procurement, the quantity procured in subsequent block procurements must increase by the difference between 25 megawatts and the number of megawatts submitted in the initial competitive procurement. If pursuant to subsections 5 and 6 no bids are accepted, the commission shall:

   (1) Conduct a new initial competitive procurement under this subsection within 9 months; and

   (2) Study the reasons for the inability of the procurement to secure the target amount and submit a report of its findings and any recommended legislation to the joint standing committee of the Legislature having jurisdiction over energy matters;

C. The commission shall issue a public notice of the procurement results no later than 30 calendar days after the bid acceptance period has ended. The public notice must include the name, sponsor, size and location of each selected project and the awarded contract price; and
D. The applicable standard buyer shall enter into a contract with the selected project or projects for a term of 20 years at a specified contract rate equal to the clearing price to be paid as a bill credit to the commercial or institutional customer.

3. Subsequent block contract rate procurements. Subsequent to the initial competitive procurement under subsection 2, the remaining procurement must proceed pursuant to the following:

A. The commission shall procure 4 additional blocks of contracted distributed generation resources to meet the overall procurement goal of subsection 1. Each procurement block size equals 1/4 of the difference between 125 megawatts and the quantity procured under subsection 2. These blocks are numbered sequentially, starting with 2. Subsequent procurements are assigned to a particular block, starting with procurement block 2 and finishing with procurement block 5;

B. The block contract rate for procurement block 2 must equal 97% of the clearing price determined in subsection 2. Each successive procurement block must have a block contract rate equal to 97% of the preceding block;

C. Blocks 2 to 5 must be opened immediately following the initial competitive procurement for bids qualifying under subsection 5;

D. The applicable standard buyer shall enter into a contract with each qualified project for a term of 20 years at a specified contract rate equal to the block contract rate of the procurement block then open and paid as a bill credit to the commercial or institutional customer; and

E. Each contract awarded pursuant to this subsection reduces the available capacity in a procurement block, with the earliest awards reducing the lowest numbered procurement block that has remaining capacity. If an awarded contract exceeds the remaining capacity of its procurement block, the contract rate is set at the block contract rate for the block filled by this award and any overprocurement in one block is subtracted from the quantity available in the next block. If a contract award exceeds the capacity of procurement block 5, the entire quantity of the offer is awarded at the block contract rate for procurement block 5 and no further contracts may be awarded except under subsection 8.

4. Failure to complete timely procurement. If any procurement block remains unfilled for more than 12 months from the time the previous block was filled:

A. The commission shall suspend procurements under subsection 3 pending completion of the process described in this subsection;

B. The commission shall review and may amend the rules published under subsection 2, paragraph A or the standard contract under subsection 8 for a new competitive procurement of long-term contracts for the output of at least 25 megawatts of distributed generation resources as part of the procurement goal in subsection 1. The commission shall publish any amendments and new bid acceptance period for not less than 6 months and not more than 9 months;

C. The commission shall accept bids for 30 calendar days from the date established in paragraph B and review the bids based on the requirements set forth in subsections
5, 6 and 7 and the published rules. The commission may select qualified bids in excess of 25 megawatts if the commission determines that the incremental procurement is in the public interest and the incremental procurement reduces the quantity procured in subsequent procurements.

D. The commission shall issue a public notice of the procurement results no later than 30 calendar days after the bid acceptance period has ended. The public notice must include the name, sponsor, size and location of each selected project and the awarded contract price;

E. The applicable standard buyer shall enter into a contract with the selected project or projects for a term of 20 years at a specified contract rate equal to the highest selected offer rate as adjusted under subsection 7 to be paid as a bill credit to the commercial or institutional customer;

F. The commission shall reopen procurements under subsection 3 unless no contracts are awarded under paragraph E. The quantity procured under paragraph C must be subtracted from the current procurement block and the block contract rate for that procurement block must be set at the clearing price set under paragraph E. The block contract rate for each subsequent procurement block must be set at 97% of the newly established rate for the preceding procurement block; and

G. If no contracts are awarded under paragraph E, the commission shall conduct another competitive solicitation under this subsection with the bid acceptance period to open approximately 12 months after the bid acceptance period determined in paragraph B. The commission shall also examine the reasons for the inability of the procurement to secure the target amount and submit a report of its findings and any recommended legislation to the joint standing committee of the legislature having jurisdiction over energy matters.

5. Bid or offer qualification. The commission shall establish minimum requirements for bids or offers in a solicitation under this section, including:

A. Demonstration of site control;

B. If a participating commercial or institutional customer is not the party making the bid, an agreement from a customer that would receive bill credits under subsection 9;

C. A fully executed interconnection service agreement with an investor-owned transmission and distribution utility;

D. A plan and schedule to obtain all required federal, state and local permits and approvals for the project; and

E. The capacity to make a financial assurance deposit at the time a contract is signed.

A photovoltaic project must employ qualified persons for the complete installation and electrical maintenance of the distributed generation resource under standards required by the Electricians' Examining Board under Title 32, section 1153-A. A bid may not be accepted for a distributed generation resource located on prime farmland as defined by the United States Department of Agriculture and delineated by the Department of Agriculture, Conservation and Forestry. The commission may by rule require a bidder to pay a reasonable bidding fee to defray administrative costs.
6. **Ensuring competition.** Prior to each solicitation under subsections 2 to 4, the commission shall establish standards to ensure that the solicitation has a sufficient number of unique bidders and quantity of qualified bids to be determined competitive. If the commission concludes that a solicitation is not competitive, the commission may reduce the target procurement quantities to the highest level, including zero, that may be procured consistent with this subsection and shall defer to subsequent solicitations the capacity reduced in the solicitation.

7. **Bid selection.** Following a review of bids received in the solicitations under subsections 2 to 4, and after any adjustment to the target quantity under subsection 6, the commission shall select one or more winning bids that, in the aggregate, meet the target procurement quantity. If there are multiple qualified bids at the same offer rate, the commission shall give preference to the qualified bid or bids that minimize the cost to the standard buyers or, if there is no difference in cost, to the bid that was submitted first.

In evaluating bids in a competitive solicitation, the commission shall evaluate a qualified bid for a project that is located on previously developed or impacted land at 90% of the offered rate. Previously developed or impacted land must include areas covered by impervious surfaces, capped landfills or brownfield sites as defined by the Department of Environmental Protection. If a bid under this subsection is accepted, the contract rate for each accepted bid for a project located on previously developed or impacted land must be paid a rate equal to the clearing price.

8. **Standard contract and milestones.** Prior to a solicitation, the commission shall provide, in consultation with the standard buyer or standard buyers, a standard contract that commits the standard buyer and a project sponsor to commercially reasonable behavior and includes provisions including an interconnection fee list and interconnection schedule to ensure that the project proceeds to commercial operation on a reasonable timeline. The standard contracts for all standard buyers must be substantially identical to the extent commercially reasonable.

A qualified project must be mechanically operable within 18 months of being awarded a contract. The commission may grant an extension for good cause. If a project fails to meet a milestone, the project sponsor is in default and the sponsor's contract must be cancelled. The capacity associated with a cancelled project must be added to the currently open procurement block. If procurement block 5 has been filled and procurements closed, the defaulted quantity must be added to procurement block 5 and new offers must be accepted under subsection 3.

9. **Determination of bill credit.** The bill credit allocated to a commercial or institutional customer must be based on the total kilowatt-hours of energy production of the distributed generation resource for the previous month. For each billing month, the value of the credit must be calculated by multiplying the number of kilowatt-hours by the contract rate. A payment to a commercial or institutional customer must be credited against the customer’s monthly electricity bill in accordance with section 3478. The monthly energy production must be determined by a revenue-grade meter installed and paid for by the participating commercial or institutional customer.
10. Exemption. A customer is not considered a public utility or competitive electricity provider solely as a result of entering into a contract with a standard buyer under this section.

11. Rules. The commission shall adopt rules to implement this section by January 1, 2020. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

§3477. Large-scale shared resources procurement

1. Procurement amounts. By July 1, 2024, the commission shall procure 250 megawatts of the output of large-scale shared distributed generation resources by conducting an initial competitive solicitation of 50 megawatts to establish market-based, declining block contract rates to procure the remaining 200 megawatts.

2. Initial competitive procurement. The following standards apply to the initial competitive procurement of large-scale shared distributed generation resources:

A. On or before January 1, 2020, the commission shall publish rules for the competitive solicitation of long-term contracts for the output of 50 megawatts of large-scale shared distributed generation resources under subsection 1. The publication must include the form of contract provided under subsection 8;

B. The commission shall accept bids for 30 calendar days, beginning on or before July 1, 2020, and review the bids based on the requirements under subsections 5, 6 and 7. The commission may select qualified bids in excess of 50 megawatts if the commission determines that the incremental procurement is in the public interest. If the commission selects qualified bids in excess of 50 megawatts, the commission shall reduce the quantity procured in subsequent block procurements. If the commission selects bids totaling less than 50 megawatts in the initial competitive procurement, the quantity procured in subsequent block procurements must increase by the difference between 50 megawatts and the number of megawatts submitted in the initial competitive procurement. If pursuant to subsections 5 and 6 no bids are accepted, the commission shall:

(1) Conduct a new initial competitive procurement under this subsection within 9 months; and

(2) Study the reasons for the inability of the procurement to secure the target amount and submit a report of its findings and any recommended legislation to the joint standing committee of the Legislature having jurisdiction over energy matters;

C. The commission shall issue a public notice of the procurement results no later than 30 calendar days after the bid acceptance period has ended. The public notice must include the name, sponsor, size and location of each selected project and the awarded contract price; and

D. The applicable standard buyer shall enter into a contract with the selected project or projects for a term of 20 years at the clearing price to be paid as a bill credit to the subscribers.
3. Subsequent block contract rate procurements. Subsequent to the procurement of capacity under subsection 2, the remaining procurement must proceed pursuant to the following:

A. The commission shall procure 4 additional blocks of contracted distributed generation resources to meet the overall procurement goal of subsection 1. Each procurement block size equals 1/4 of the difference between 250 megawatts and the quantity procured under subsection 2. These blocks are numbered sequentially, starting with 2. Subsequent procurements are assigned to a particular block, starting with procurement block 2 and finishing with procurement block 5;

B. The block contract rate for procurement block 2 must equal 97% of the clearing price determined in subsection 2. Each successive procurement block must have a block contract rate equal to 97% of the preceding block;

C. Blocks 2 to 5 must be open immediately following the initial competitive procurement for bids qualifying under subsection 5;

D. The applicable standard buyer shall enter into a contract with each qualified project for a term of 20 years at a specified contract rate equal to the block contract rate of the procurement block then open and paid as a bill credit to the subscribers; and

E. Each contract awarded pursuant to this subsection reduces the available capacity in a procurement block, with the earliest awards reducing the lowest numbered procurement block that has remaining capacity. If an awarded contract exceeds the remaining capacity of its procurement block, the contract rate is set at the block contract rate for the block filled by this award and any overprocurement in one block is subtracted from the quantity available in the next block. If a contract award exceeds the capacity of procurement block 5, the entire quantity of the offer is awarded at the block contract rate for procurement block 5 and no further contracts may be awarded except under subsection 8.

4. Failure to complete timely procurement. If any procurement block remains unfilled for more than 12 months from the time the previous block was filled:

A. The commission shall suspend procurements under subsection 3 pending completion of the process described in this subsection;

B. The commission shall review and may amend the rules published under subsection 2, paragraph A or the standard contract under subsection 8 for a new competitive procurement of long-term contracts for the output of at least 50 megawatts of large-scale shared distributed generation resources as part of the procurement goal in subsection 1. The commission shall publish any amendments and a new bid acceptance period in not less than 6 months and not more than 9 months;

C. The commission shall accept bids for 30 calendar days from the date established and review the bids based on the requirements set forth in subsections 5, 6 and 7 and the published rules. The commission may select qualified bids in excess of 50 megawatts if the commission determines that the incremental procurement is in the
public interest and the incremental procurement reduces the quantity procured in subsequent procurements;

D. The commission shall issue a public notice of the procurement results no later than 30 calendar days after the bid acceptance period has ended. The public notice must include the name, sponsor, size and location of each selected project and the awarded contract price;

E. The applicable standard buyer shall enter into a contract with the selected project or projects for a term of 20 years at a specified contract rate equal to the highest selected bid rate as adjusted under subsection 7 to be paid as a bill credit to a subscriber;

F. The commission shall reopen procurements under subsection 3 unless no contracts are awarded under paragraph E. The quantity procured under paragraph C must be subtracted from the current procurement block and the block contract rate for that procurement block must be set at the clearing price set under paragraph E. The block contract rate for each subsequent procurement block must be set at 97% of the newly established rate for the preceding procurement block; and

G. If no contracts are awarded under paragraph E, the commission shall conduct another competitive solicitation under this subsection with the bid acceptance period to open approximately 12 months after the bid acceptance period determined in paragraph B. The commission shall also examine the reasons for the inability of the procurement to secure the target amount and submit a report of its findings and any recommended legislation to the joint standing committee of the Legislature having jurisdiction over energy matters.

5. Bid qualification. The commission shall establish minimum requirements for bids in a solicitation under this section, including:

A. Demonstration of site control;

B. Demonstration of experience fulfilling the obligation to subscribers of shared distributed generation resources;

C. A fully executed interconnection service agreement with an investor-owned transmission and distribution utility;

D. A plan and schedule to obtain all required federal, state and local permits and approvals for the project; and

E. The capacity to make a financial assurance deposit at the time a contract is signed.

A photovoltaic project must employ qualified persons for the complete installation and electrical maintenance of the distributed generation resource under standards required by the Electricians' Examining Board under Title 32, section 1153-A. A bid may not be accepted for a distributed generation resource located on prime farmland as defined by the United States Department of Agriculture and delineated by the Department of Agriculture, Conservation and Forestry. The commission may by rule require a bidder to pay a reasonable bidding fee to defray administrative costs.
6. **Ensuring competition.** Prior to each solicitation under subsections 2 to 4, the commission shall establish standards to ensure that the solicitation has a sufficient number of unique bidders and quantity of qualified bids to be determined competitive. If the commission concludes that a solicitation is not competitive, the commission may reduce the target procurement quantities to the highest level, including zero, that may be procured consistent with this subsection and shall defer to subsequent solicitations the capacity reduced in that solicitation.

7. **Bid selection.** Following a review of bids received in the solicitations under subsections 2 to 4, and after any adjustment to the target quantity under subsection 6, the commission shall select one or more winning bids that, in the aggregate, meet the target procurement quantity. If there are multiple qualified bids at the same bid rate, the commission shall give preference to the qualified bid or bids that minimize the cost to the standard buyers or, if there is no difference in cost, to the bid that was submitted first.

In evaluating bids in a competitive solicitation, the commission shall evaluate a qualified bid for a project that is located on previously developed or impacted land at 90% of the bid rate. Previously developed or impacted land must include areas covered by impervious surfaces, capped landfills or brownfield sites as defined by the Department of Environmental Protection. If a bid under this subsection is accepted, the contract rate for each accepted bid for a project located on previously developed or impacted land must be paid a rate equal the clearing price.

8. **Standard contract and milestones.** Prior to a solicitation, the commission shall provide, in consultation with the standard buyer or standard buyers, a standard contract that commits the standard buyer and a project sponsor to commercially reasonable behavior and includes provisions including an interconnection fee list and interconnection schedule to ensure that the project proceeds to commercial operation on a reasonable timeline. The standard contracts for all standard buyers must be substantially identical to the extent commercially reasonable.

A qualified project must be mechanically operable within 18 months of being awarded a contract. The commission may grant an extension for good cause. If a project fails to meet a milestone, the project sponsor is in default and the sponsor's contract must be cancelled. The capacity associated with a cancelled project must be added to the currently open procurement block. If procurement block 5 has been filled and procurements closed, the defaulted quantity must be added to procurement block 5 and new offers must be accepted under subsection 3.

9. **Payment and minimum subscription.** The project sponsor and subscribers must receive the contract rate for the output of a large-scale shared distributed generation resource that is fully subscribed. For any portion not subscribed, the project sponsor must receive the wholesale rate. Requirements for minimum subscriptions include:

A. At least 50% of the total nameplate capacity of a large-scale shared distributed generation resource must be subscribed by subscriptions of 25 kilowatts or less or at least 20% of the total nameplate capacity must be subscribed by subscriptions of 25 kilowatts or less if subscriptions from a municipality or units of municipal government account for more than 30% of the total nameplate capacity, unless subscriptions from a municipality or units of municipal government account for more
than 50% of the total nameplate capacity of a large-scale shared distributed generation resource; and

B. At least:

(1) Ten percent of the total nameplate capacity of a large-scale shared distributed generation resource must be subscribed by households with low or moderate income or by organizations serving low or moderate income households if the subscriptions serve to directly reduce the electricity costs for low or moderate income households; or

(2) If a municipality or unit of municipal government accounts for more than 50% of the subscriptions to a large-scale shared distributed generation resource, 5% of the total nameplate capacity of the large-scale shared distributed generation resource must be subscribed by households with low or moderate income or by organizations serving low or moderate income households if the subscriptions serve to directly reduce the electricity costs for low or moderate income households.

Subscriptions from municipalities or units of municipal government may not account for more than 70% of the nameplate capacity of a large-scale shared distributed generation resource. For the purposes of this subsection, "low or moderate income" means up to 80% the median income for the county or metropolitan area as determined by the Maine State Housing Authority.

10. Determination of subscriber bill credit. The bill credit allocated to each subscriber from a large-scale shared distributed generation resource must be based on the subscriber's percentage interest of the total production of the large-scale shared distributed generation resource for the previous month. For each billing month, the value of the credit allocated to a subscriber must be calculated by multiplying the number of kilowatt-hours constituting the subscriber's share by the contract rate. On a monthly basis, the project sponsor shall provide to the investor-owned transmission and distribution utility in a standardized and electronic format a list of subscribers and subscriber information required to calculate the bill credit to be provided to each subscriber. A credit to a subscriber must be applied against the subscriber's monthly electricity bill in accordance with section 3478 no later than one billing month following the month during which the energy was generated by the large-scale shared distributed generation resource. The investor-owned transmission and distribution utility shall provide a monthly record to the project sponsor of the credit applied to a subscriber within a month after the credits are applied to the subscriber's bill.

The monthly output available for allocation as subscribed or unsubscribed energy must be determined by a revenue-grade meter installed and paid for by the project sponsor.

11. Exemption. A project sponsor or subscriber is not considered a public utility or competitive electricity provider solely as a result of the project sponsor's or subscriber's interest or participation in a large-scale shared distributed generation resource.

12. Renewable energy credits. Prior to a project sponsor's entering into a contract with a subscriber under this section, the commission shall provide to the sponsor a standard disclosure to be distributed by the sponsor to all participating subscribers that
describes the effect of selling the renewable attributes of exported electricity to the
standard buyer and explains how a subscriber may participate in the voluntary renewable
energy credit market. The commission shall establish a mechanism to allow a subscriber
with a share of less than 25 kilowatts to purchase renewable energy credits up to the
amount and of a substantially equivalent type to that the subscriber has sold to the
standard buyer at a price equal to 80% of market value.

13. Consumer protection. The commission shall establish by rule consumer
protection standards to protect subscribers from fraud and other unfair and deceptive
business practices. The commission may impose administrative penalties under chapter
15 upon a project sponsor and may order restitution for any party injured by a violation
for which a penalty may be assessed pursuant to chapter 15.

The commission through its own counsel or through the Attorney General may apply to
the Superior Court of any county of the State to enforce any lawful order made or action
taken by the commission pursuant to this subsection and the court may issue any
preliminary or final order that the court determines proper.

14. Disclosures. Prior to the sale or resale of a subscription in a large-scale shared
distributed generation resource or proposed large-scale shared distributed generation
resource, a project sponsor selling or reselling the subscription shall provide a disclosure
to potential subscribers that includes the following:

A. A good faith estimate of the annual kilowatt-hours to be delivered by the large-
scale shared distributed generation resource based on the size of the subscriber’s
interest;

B. A plain language explanation of the terms under which the bill credit under
section 3478 will be calculated;

C. A plain language explanation of the contract provisions regulating the disposition
or transfer of the subscription; and

D. A plain language explanation of the costs and benefits to the potential subscriber,
based on the subscriber’s current usage and applicable tariff under section 3209-B for
the term of the proposed contract.

The commission may establish a standard disclosure to be provided to potential
subscribers by a project sponsor to disclose the information under this subsection and
other information as the commission determines necessary to protect the interests of
potential subscribers.

15. Transfer of subscriptions. A subscriber may transfer or assign a subscription to
the associated project sponsor or to any person or entity that qualifies to be a subscriber in
the large-scale shared distributed generation resource. A project sponsor must provide a
process for assignment or transfer of a subscription. A project sponsor may not impose
transfer fees on a subscriber that moves to a different location within the same utility
service territory.

16. Project sponsor report. One year after commercial operation of a large-scale
shared distributed generation resource commences, the project sponsor must submit to the

Page 15 - 129LR1803(01)-1
commission a report detailing compliance with this subsection and subsections 10, 12, 14 and 15.

17. Rules. By January 1, 2020, the commission shall adopt rules to implement this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

§3478. Bill credits: utility costs paid by project sponsor

1. Credit assigned to a customer's bill. If the value of a credit to be applied to a customer's bill under this chapter is less than the amount owed by the customer at the end of the applicable billing period, the customer must be billed for the difference between the amount shown on the bill and the value of the available credit. If the value of the credit to be applied to a customer's bill under this chapter is greater than the amount owed by the customer at the end of the billing period, the remaining value of the credit must carry over from month to month.

2. Utility costs paid by project sponsor. If a project sponsor pays an investor-owned transmission and distribution utility’s costs associated with billing and collection from a subscriber, at the request of the project sponsor the utility shall bill the subscriber on behalf of the project sponsor. Costs under this subsection are subject to review by the commission.

3. Rules. The commission shall adopt rules to implement this section. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-8. Reports. By December 1, 2021, the Public Utilities Commission shall provide a report to the joint standing committee of the Legislature having jurisdiction over energy matters on the status of metering and billing system capabilities for investor-owned transmission and distribution utilities in the State. The report must include capabilities of systems to reliably offer time-differentiated rates for delivery and supply of energy; the commission's level of confidence in metering and billing systems to provide accurate information to utilities, consumers and the commission; the capacity of systems to accommodate rates for bidirectional flow of power for customers with distributed energy resources; and the degree to which systems are being used to achieve the smart grid policy goals under the Maine Revised Statutes, Title 35-A, section 3143. The commission shall report on any changes to rates or rules or other changes the commission intends to adopt to increase the effectiveness of systems under this paragraph and may make recommendations to the joint standing committee.

The joint standing committee of the Legislature having jurisdiction over energy matters may report out legislation based on any recommendations under this section to the Second Regular Session of the 130th Legislature.

Sec. A-9. Evaluation. The Public Utilities Commission shall evaluate net energy billing under the Maine Revised Statutes, Title 35-A, section 3209-A, when the total amount of generation capacity involved in net energy billing in the State reaches 8% of the total maximum load of transmission and distribution utilities in the State. The
commission shall evaluate the effectiveness of net energy billing in achieving state policy
goals and providing benefits to ratepayers and submit a report to the joint standing
committee of the Legislature having jurisdiction over energy matters with its findings.
The joint standing committee may report out legislation based on the recommendations.

PART B

Sec. B-1. Competitive solicitation; solar energy projects; long-term contracts.

1. By October 1, 2019, in accordance with the Maine Revised Statutes, Title 35-A,
   section 3210-C, except as otherwise provided by this section, the Public Utilities
   Commission shall conduct one or more competitive solicitations for proposals for a long-
   term contract to supply installed capacity and associated renewable energy and renewable
   energy credits from one or more solar energy projects. Subject to the requirements of this
   section, the commission shall direct one or more transmission and distribution utilities to
   execute a long-term contract of up to 20 years for the installed capacity and associated
   renewable energy and renewable energy credits of one or more solar energy projects. For
   purposes of this section, "solar energy project" means a solar photovoltaic generation
   facility that is connected to the electrical transmission and distribution system located in
   the State.

2. Following a review of proposals submitted in response to a competitive solicitation
   under subsection 1, the commission shall negotiate with one or more potential suppliers
   to supply no less than an aggregate total of 100 megawatts and no more than an aggregate
   total of 400 megawatts of installed capacity and associated renewable energy and
   renewable energy credits from one or more solar energy projects. The commission may
   direct one or more transmission and distribution utilities to execute a long-term contract
   with a supplier under this subsection if the commission determines that:

   A. The potential supplier proposes the sale of renewable energy produced by a solar
      energy project;

   B. The potential supplier has the technical and financial capacity to develop,
      construct, operate and, to the extent consistent with applicable federal law,
      decommission and remove the solar energy project;

   C. The solar energy project will be constructed and operating within 5 years of the
      date the contract is executed, unless the commission and supplier negotiate a longer
      time period; and

   D. The proposed contract:

      (1) Represents the lowest-cost means of procuring solar energy;

      (2) Will provide benefits to ratepayers that exceed the proposed costs to
          ratepayers; and

      (3) Provides for a nominal levelized cost that is not greater than 3.5 cents per
          kilowatt-hour over the term of the contract. For purposes of this paragraph,
          "levelized cost" means an economic assessment of the cost of an energy-
          generating system including all the costs over its lifetime: initial investment,
operations and maintenance, fuel and capital measured at current value without adjusting for inflation.

3. If, following a competitive solicitation under subsection 1, the commission directs the execution of one or more contracts for an aggregate amount of capacity that is less than 400 megawatts, the commission shall conduct one or more further competitive solicitations pursuant to subsection 1 no less than every 24 months, unless the commission determines that a longer period of time between solicitations is likely to result in substantially lower contract prices. If the commission determines that the likely benefits to ratepayers resulting from a contract executed under the solicitation process will exceed the likely costs, the commission shall continue the solicitations until the aggregate amount of capacity contracted pursuant to this subsection reaches 400 megawatts.

4. To mitigate any adverse impacts on electric rates of a long-term contract executed under this section, the commission shall require the supplier, as part of the long-term contract, to take advantage of future federal support that may become available to the supplier's project over the contract term.

5. The commission may approve only long-term contracts under this section that in the aggregate would result in an increase in electric rates no larger than the amount of the assessment charged under the Maine Revised Statutes, Title 35-A, section 10110, subsection 4-A at the time that the contract is executed. The commission may assess to a rate class associated with a contract only costs in an amount consistent with Title 35-A, section 10110, subsection 4-A.

6. The commission may adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. B-2. Reporting; review of terms and conditions for long-term contracts for solar energy. By January 1, 2020 and by every January 1st of subsequent years in which a contract under this Part is in effect, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy matters on the procurement of transmission capacity, capacity resources, energy and renewable energy credits under section 1 in the preceding 12 months. The report must contain information, including, but not limited to, the number of requests for proposals by the commission for long-term contracts, the number of responses to requests for proposals pursuant to which a contract has been finalized, the number of executed term sheets or contracts resulting from the requests for proposals, the commission's initial estimates of ratepayer costs or savings associated with any approved term sheet, actual ratepayer costs or savings for the previous year associated with any procurement, the total ratepayer costs or savings at the time of the report and the megawatt-hours, renewable energy credits or capacity produced or procured through contracts. The report must also include a plan for any subsequent procurement of capacity resources, energy and renewable energy credits under this Part, including dates for requests for proposals, and types of resources to be procured.
Sec. B-3. Recommendations for long-term contracts for installed capacity and associated renewable energy and renewable energy credits produced by solar energy projects. No later than January 15, 2020, the Executive Department, Governor's Energy Office shall make a recommendation to the joint standing committee of the Legislature having jurisdiction over energy matters regarding terms and conditions for long-term contracts for installed capacity and associated renewable energy and renewable energy credits produced by solar energy projects under the Maine Revised Statutes, Title 35-A, section 3210-C. In making a recommendation under this section, the office shall, at a minimum, consider the following issues:

1. Risks to ratepayers associated with fossil fuel price volatility over the next 20 years;

2. State goals for the reduction of greenhouse gas emissions established in Title 38, section 576; and

3. Other potential benefits attributable to the development of solar energy projects, including but not limited to public health, job creation and other economic benefits and energy security.

SUMMARY

This bill regards amendments and enactments of provisions regarding energy billing and the Maine Solar Energy Act, including:

1. Establishing parameters on the financial interest and limits of accounts for net energy billing;

2. Directing the Public Utilities Commission to establish a pilot program implementing a tariff rate for nonresidential customers of new distributed generation resources if the commission determines a tariff rate is the most cost-effective manner possible to promote the development of distributed generation resources;

3. Amending the Maine Solar Energy Act by:
   A. Adding specific measures to support solar energy;
   B. Establishing a standard buyer designation and detailing the standard buyer's obligations and cost allocation;
   C. Directing the Public Utilities Commission to procure 125 megawatts for the output of distributed generation resources associated with commercial or institutional customer accounts through a bid solicitation process;
   D. Directing the Public Utilities Commission to procure 250 megawatts for the output of large-scale shared distributed generation resources through a bid solicitation process; and
   E. Detailing the process by which credits are applied to a customer's bill and how entities that own or operate a large-scale shared distributed generation resource on behalf of customers that own a proportional interest in the large-scale shared
distributed generation resource may recover costs incurred on behalf of an investor-owned transmission and distribution utility;

4. Directing the Public Utilities Commission to report to the Legislature the results of the implemented tariff rates for distributed generation resources and the status of metering and billing system capabilities for investor-owned transmission and distribution utilities;

5. Directing the Public Utilities Commission to evaluate net energy billing when the total amount of generation capacity involved in net energy billing in the State reaches 8% of the total maximum load of transmission and distribution utilities in the State;

6. Directing the Public Utilities Commission to solicit bids for long-term contracts to supply up to 400 megawatts of electricity from solar energy projects; and

7. Directing the Executive Department, Governor's Energy Office to make recommendations to the Legislature regarding long-term contracts for installed capacity and associated renewable energy and renewable energy credits produced by solar energy projects.
Future Agenda Items
Steve,

Please see attached.
--
David P. Webber

132 Western Pt. Rd.
York, ME 03909
(207) 451-8081
Steve,

At the April 8, 2019 BOS meeting I asked, on behalf of the Harbor Board, to be allowed to talk to the town attorney to discuss issues that relate to zoning changes and ballot language. I was told by the BOS chair, Todd Frederick, to submit a list of questions through you, to the BOS. Please see the questions listed below. Please advise when I can expect answers.

Harbor Board questions for the town planner and/or the town attorney.

April 17, 2019

1) Can we propose zoning amendments that would exempt town owned property from existing ordinances?
2) Can an ordinance be written that would require proposed riverfront subdivisions to include an easement to the river, benefitting all lots, that would allow for a community dock?
3) What is the process for proposing retroactive zoning amendments?
4) What are the issues associated with retroactive zoning?
5) What are the legal consequences of zoning amendments that are substantially inconsistent with the town’s comprehensive plan?
6) What are the legal consequences of referendum ballot language that is substantially inconsistent with the language approved by the board of selectmen?
7) What are the legal consequences of referendum ballot language that omits the “statement of consistency” as required by the town’s comprehensive plan?

Thank you,

David P. Webber

Harbor Board Chair
Name: Stephanie Byrne                                      Date: 4/26/2019

Physical Address: 9 Cimmeron City Drive, Cape Neddick

Mailing Address: 9 Cimmeron City Drive, Cape Neddick

Home Telephone: None Mobile Telephone: 860-978-0580

Email: rjbyrne21@yahoo.com

Agenda Item Requested (Please provide background information):
Both myself and Laura Brogan would like to address the board on issues associated with the Open Space Conservation Ordinance. A proposal made on North Village Road is a concerning use of this ordinance and the potential to open the town up to unexpected consequences. Areas that need to be further defined include: reasonability of the yield plan, allowances for fragmentation, conformity with the comprehensive plan, minimum lot sizes to be in character with the surrounding community and impacts on density growth.

We request to speak with the board at the next meeting on May 13th.

______________________________________________________________

BELOW IS FOR OFFICE USE ONLY

Received Date: ____/____/____   Received By: ______________________

Date Item Scheduled on Agenda: ____/____/____
Hi Stephanie,

I received your request for a meeting with the Board of Selectmen. I will bring your request to the Board at their meeting of May 13th to discuss under future agendas. I believe it is probably inappropriate for the Board of Selectmen to discuss this matter at this time. The matter referenced is an active subdivision application currently before the Planning Board, and it would be inappropriate for the Board of Selectmen to weigh in with regard to that particular property. If you are simply questioning the suitability of the Zoning Ordinance standards, that discussion really needs to begin with the Planning Board, and after the application in question has been decided and any appeal periods have passed.

Because you and Laura are both members of the Conservation Commission, I need to know if your request relates to Commission business or if it is a personal matter. No worries either way on this. I simply need to be clear when I speak with the Board of Selectmen. Please let me know.

Take care,

Steve

Stephen H. Burns, Town Manager
York Town Hall, 186 York St., York ME 03909
(207) 363-1000
sburns@yorkmaine.org
Town of York
BOARD OF SELECTMEN
AGENDA ITEM REQUEST FORM
| PLEASE FILL OUT AND RETURN TO THE TOWN MANAGER'S OFFICE |

Name: Spiro, Ernest, Helen PARAS 
Physical Address: PARAS Building 16 Railroad Avenue
Mailing Address: P.O. Box 609 York, MAINE
Home Telephone: 
Mobile Telephone: 207-592-3164
Email: 

Agenda Item Requested (Please provide background information):

This is an urgent time sensitive request for a selectman's meeting to vote on approving the settlement agreement between Paras and the Town of York. As the vote of the selectman is required to do this, any negotiations with Dan Murphy without setting/scheduling a signing date with the selectmen would make the negotiating process appear disingenuous. The evening of May 4 or May 6 would allow the requisite agreement to occur before the Wednesday May pretrial hearing which is scheduled for precisely this purpose. Sincerely would be demonstrated by actually planning a viable signing date with the Selectmen.

BELOW IS FOR OFFICE USE ONLY

Received Date: 5/3/2019 
Received By: JHB
Date Item Scheduled on Agenda: __/__/____ To be determined