1. Board Of Selectmen's Meeting Materials

   Documents:

   AGENDA FOR AUGUST 24 2020.PDF

2. Board Of Selectmen's Meeting Materials

   Documents:

   BOS MEETING PACKET 2020-08-24.PDF
BOARD OF SELECTMEN'S
MEETING AGENDA
6:00 PM / 7:00 PM / 7:20 PM  MONDAY, AUGUST 24th, 2020
VIRTUAL ONLY - Channel 1302 or Town Hall Streams

6:00 Committee Interviews

7:00 Executive Session – per Title 1 MRS §504.6.D (Union Negotiations)

7:20 Call to Order

Pledge of Allegiance

A. Consent Agenda
   1. August 10, 2020 Meeting Minutes
   2. Business License Renewals
      • Thai for you

B. Minutes

C. Chairman's Report

D. Manager's Report

E. Awards
   1. Recognition of Service – Corey Hawthorne and David Bridges

F. Reports
   1. Street Scan Technology

G. Citizens' Forum – E-mailed input only. No in person testimony allowed at this meeting. Please use the form 'Ask a question to the Board of Selectmen for Citizen's Forum (non-confidential)' on the yorkmaine.org website under Government/Board of Selectmen. (This form is used if you have a question for the BOS for Citizen's Forum in their upcoming BOS meetings. This is non-confidential and can be put in the packet and on the website under Meeting Materials. However, your address, phone number and email will remain confidential). Please keep to a limit of 300 words or less.

H. Public Hearings

8/20/2020 1:59:37 PM
1. Warrant for November 3, 2020 General and Special General Referenda
2. New Business License
   • Vera Cafe

I. **Endorsements**
   1. Vera Café

J. **Old Business**
   1. Discussion: Emergency Spending Authority
   2. Discussion: Options to Improve Intersection of Ogunquit Road and North Village Road
   3. Action: Property Redemption - 47 Bog Road

K. **New Business**
   1. Discussion: Initial Discussion of FY22 Operating Budget and FY22-26 Capital Program
   2. Action: Preference Votes
   3. Action: Forward Warrants to Town Clerk for November Referenda
   4. Action: Committee Appointments
   5. Discussion: Purchasing Policy

L. **Future Agendas**

M. **Other Business**

N. **Citizens’ Forum**

Adjourn
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L. Future Agendas

M. Other Business

N. Citizens’ Forum

Adjourn
Board of Selectmen’s Consent Agenda

August 24, 2020

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. August 10, 2020 Meeting Minutes
2. Business License Renewals
   • Thai for you

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
5:45 PM/6:00 PM/7:00 PM, MONDAY, AUGUST 10, 2020
VIRTUAL ONLY – Channel 1302 or Town Hall Streams

5:45 Committee Interview

6:00 PM Executive Session: Title MRSA § 405.6.D (Union Contracts)

Present: Chairman Todd A. Frederick, Vice Chairman Robert E. Palmer, Jr., Marilyn A. McLaughlin, Mike Estes

Others Present: Town Manager Stephen H. Burns, Director of Human Resources and Assistant Town Manager Kathryn Lagasse, Lieutenant Owen Davis, Chief of Police Charles J. Szeniawski

Moved by Robert Palmer, seconded by Mike Estes to enter into executive session. Vote 4-0, motion passes

Moved by Robert Palmer, seconded by Mike Estes to exit out of executive session. Vote 4-0, motion passes

7:00 PM – Regular Meeting

Present: Chairman Todd A. Frederick, Vice Chairman Robert E. Palmer, Jr., Marilyn A. McLaughlin, Mike Estes

Others Present: Town Manager Stephen H. Burns, Director of Human Resources and Assistant Town Manager Kathryn Lagasse, Assistant to the Town Manager Diana Janetos, Public Works Director Dean Lessard, Planning Director Dylan Smith, Chief of Police Charles J. Szeniawski, Director of GIS and Technology Brett Horr, Lieutenant Steve Spofford, Finance Director Wendy Anderson

Call to Order

Moment of Silence in Remembrance of Elizabeth Blanchard

Chairman Todd A. Frederick called the meeting to order at 7:00 PM.

Pledge of Allegiance

A. Consent Agenda
   1. July 27, 2020 Meeting Minutes
   2. Pole Permit

   Moved by Mike Estes, seconded by Robert Palmer to accept the Consent Agenda. Vote 4-0, motion passes
B. **Minutes**

C. **Chairman's Report**

- Robert Palmer went with a few people to Liz Blanchard’s graveside ceremony. It was very moving. She was very prolific. There were lots of relatives, grandchildren and great grandchildren there. It was fun to see all her offspring. It was very moving.

- Mike Estes spoke about hearing all the good things that Liz Blanchard had done in her life was wonderful to hear. She was a very accomplished lady. We learned a lot of stuff that she had done today. Although a sad day it was really a testament to sending her off to a better place. It was well done, and the family did a wonderful job in putting it together.

- Marilyn McLaughlin gave her special respects to Liz Blanchard’s celebration of life. Although it is a sad occasion, it really is a blessed occasion because we take the time to appreciate all the things that one person has done and all the love that has been given and all the love that has been received. My heart goes out to the family and sends her condolences.

- Todd Frederick spoke about it being a solemn ride over to Liz Blanchard’s service. Everyone was appropriately masked and social distanced. Three of the BOS, the town manager, chief of police and Diana went to the service. There were probably about 200 people at the cemetery. It was hot and sunny, they remarked it was a Liz Blanchard day because she liked it that way. There were people that she served with in the Legislature and the county level. They talked about her time living in York and being elected to the Board and serving with all of us. We had the opportunity to meet a couple of her children and they commented on how kind, caring and loving York was when Covid started and her neighbors and others that came and helped her. It was really touching; it was nice to hear that. They also commented on that they found it remarkable that we lowered the flags to half staff in her honor. The family drove to York to see the flags, they could not believe our community did that in honor of one of our colleagues. She had a real affinity and affection to Nubble light and to see that flag down to half, they just never though it would happen. The family spoke about they are going to have the Nubble Light on her monument in her hometown cemetery. It was a sad day but a celebration of life but there were also some funny stories and laughing. A pair of her shoes were graveside in one of the floral displays. She went out with all the glory and flash she had as being one of our board members right to the end. It was Liz all the way.

D. **Manager's Report**

FY22 budget process started in earnest today. I sent out a draft timeline to the chair of the Budget Committee, copied Todd and a few other folks at the schools and in Townhall. Getting rid of the Capital Planning Committee. Plan is to hand it to the BOS and Budget Committee in mid-October. Worked out draft meetings with Budget
Committee and Selectmen. Department meeting is tomorrow, and we will talk about Covid and where we are at department by department. We will talk about budgets; we don't know what revenue collections will be. We received a letter and will read in citizens forum, someone concerned about their taxes going up. Property values have skyrocketed in the last year. We did set the mil rate at 11.10 rather than 11.15. Expectation we will be in the pandemic for another year. Parks and Rec. Dept. report, mentions they asked the Police Chief to lift the ban for the use of athletic fields for organized sports. Beach report, they are still crowded and that causes challenges for social distancing at high tides on Long Sands. Good parking revenues this year. Trash is still a bit of an issue but not an outrageous amount. Dean’s report came in a little late, with a list of all the projects he’s working on. Police report is summer normal, parking revenues are really strong, it is busy and a continuing challenge.

E. **Awards**
   1. **Survey of Town Lands**
      Moved by Mike Estes, seconded by Marilyn McLaughlin to award the contract for survey and monumentation of Town property to Sebago Technics for an amount not to exceed $19,900. Vote 4-0, motion passes

F. **Reports**
   1. School Resource Officers
   2. Touchless Transactions

G. **Citizens' Forum**
   Public Comment -
   1. Jay Dunigan
   2. Mark Vigneaux
   3. Mary Finlay

H. **Public Hearings**
   1. Zoning Amendment for Docks - CANCELLED
   2. New Business License
      - York Beach Surf Club

Moved by Mike Estes to open the public hearing. Without objection, so ordered.

Moved by Todd A. Frederick to close the public hearing at 8:24 pm. Without objection, so ordered.

I. **Endorsements**
   1. Business License for York Beach Surf Club
      Moved by Mike Estes, seconded by Marilyn McLaughlin to grant a business/innkeeper’s license to the York Beach Surf Club as the ask provides for at 780 York St., York Harbor, Maine. Vote 4-0, motion passes

J. **Old Business**
   1. Action: Establishment of Committee to Combat Racism
Moved by Robert Palmer, seconded by Marilyn McLaughlin to approve a 9 member committee to address the issues of racism and bias in our community and to guide the Board of Selectmen on policies that promote diversity, equality and inclusion and to ensure the fair and equal treatment of all individuals. Vote 4-0, motion passes

2. Action: Signs Near War Memorials
   Moved by Robert Palmer, seconded by Marilyn McLaughlin to adopt the Selectmen's Policy, Temporary Signs on Town Property. Vote 4-0, motion passes

3. Action: BOS Policy – Public Participation at Selectmen’s Meetings
   Moved by Robert Palmer, seconded by Mike Estes to adopt the revised "Public Participation at Selectmen's Meetings" policy as proposed. Vote 4-0, motion passes

4. Action: Comprehensive Plan and Climate Action Plan
   Moved by Marilyn McLaughlin, seconded by Robert Palmer to direct the Town Manager to contact Civic Moxie to solicit their thoughts about a single contract to concurrently prepare the Comp Plan and Climate Action Plan. Feedback from Civic Moxie should address their ability to complete both plans to a high degree of quality, to engage the public effectively during the pandemic, to address the specifications of the Climate Action Plan RFP, to address their ability to undertake the Climate Action Plan work, and to the general implications for cost savings. Vote 4-0, motion passes

K. New Business
   1. Action: Committee Appointment
      Moved by Robert Palmer, seconded by Marilyn McLaughlin to appoint Paul Salacain as a Regular member to the Appeals Board, with a term expiring June 30, 2023. Vote 4-0, motion passes

   2. Action: Amend Pre-Approved Engineering Services List
      Moved by Marilyn McLaughlin, seconded by Robert Palmer to add GEI Consultants to the Professional On-Call Engineering Services List, under a new category, Marine Engineering. Vote 4-0, motion passes

   3. Action: Old Balances
      The Chair will table this issue for a future meeting, TBD.

L. Future Agendas
   • Street Scan report with Dean
   • Update on town protocols going forward
   • Update on our FEMA process
   • Public hearing - warrant for a Nov. 3 referendum
   • New Business license for Vera Café
   • Ogunquit rd. intersection discussion
   • Property redemption request for 67 Ocean Avenue ext.
   • Purchasing policy
• Discussion on evasive species and the town hall design
• Preference votes forwarding the warrant to the town clerk for the Nov. referenda
• Senior Center Advisory Board appointments
• Property redemption for 47 Bog Rd.
• Initial discussion on FY22 operating budget and the FY22-26 Capital program

M. Other Business

N. Citizens’ Forum

Adjourn

Chairman Todd A. Frederick adjourned the meeting at 9:18 PM. Without objection, so ordered.

Respectfully Submitted,

Diana Janetos
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: Thai For You

Street Address: 647 US 1 Ste 7 York ME 03909

Business Owner: Kevin Evans

Mailing Address: 647 US 1 Ste 7 York ME 03909

Business Manager: Sasiyeru Evans

Mailing Address: 647 US 1 Ste 7 York ME 03909

Phone Number: 207-351-4350

Phone Number: 207-351-8590

E-mail Address: Thai4you15@gmail.com

E-mail Address: Thai4you15@gmail.com

Please indicate who is to be the Primary Contact with the Town: X 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: □ 5 / □ (Existing / Proposed)

□ Liquor License (F/P)

□ Bottle Club License (F/P)

Entertainment:

□ Special Amusement License (C/F/P)

□ Dance Hall License (F/P)

□ Bowling Alley License (C/F)

□ Coin-Operated Amusement License (P)

□ Off-Premise Catering (P)

□ Bingo, Beano and Games of Chance (P)

Miscellaneous:

□ Transient Seller’s License (P)

□ Flea Market License (C)

□ Junkyard, Auto Graveyard/Recycling License (C/F/P)

□ Medical Marijuana (P)

□ 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 -
Provide the following information about any relevant State licenses:

<table>
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<tr>
<th>STATE LICENSE INFORMATION</th>
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<tbody>
<tr>
<td>ID Number(s): Res-2014-7219 185716</td>
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<tr>
<td>Expiration Date(s): 9/25/2020 8/27/2020</td>
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<tr>
<td>Classification(s): Liquor License, Health Dept</td>
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</tbody>
</table>

FEES: Each application will incur a $60 fee, plus $30 for each license after the first. All NEW applications will have an additional $50 fee, and all license amendments will have a $25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Please read the following and sign to complete your application:
I understand that a license is required before operating or conducting any business or activity governed by the Town’s Business Licensing Ordinance and that ongoing compliance with the provisions of the Town’s Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: [Signature] Have you ever been convicted of a Felony? YES( ) NO( )

Business Manager: [Signature] Have you ever been convicted of a Felony? YES( ) NO( )
(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

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<th>FEES</th>
<th>Amount</th>
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<td>New License Fee ($50)</td>
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<td>License Amendment ($25)</td>
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<td>Other:</td>
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LICENSE #: |

Department Approvals | Date of Approval | Department Approvals | Date of Approval |
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Board of Selectmen

Town Manager for the Board of Selectmen Date

Special Conditions (Attached if Necessary) | YES | NO
Agenda

- What is PCI?
- How is PCI Measured
- PCI by Functional Class Improvement YOY
- How does York compare?
What is PCI?

- **Pavement Condition Index**
  - 0-100 numerical rating for the condition of road segments within the road network
  - PCI measures the following
    - Distress Type (cracks, rutting, depressions, raveling)
    - Extent – how much of the road segment is affected
    - Severity – how severe is the distress
  - Originally developed by US Army Corp of Engineers and later standardized by ASTM.
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Survey Method
Survey Method

- 3D Cameras
  - Cracking
  - Bumps & Surface Distortions
  - Potholes
  - Surface Texture

- Optical Camera → Surface Images → Videos

- PCI Estimate → QC/Review → Final PCI
PCI Examples

Excellent Road (86-100)

Good Road (71-85)
PCI Increase 2016-2020

2016
2019
2020

PCI
PCI By Functional Classification
General Considerations

- What to strive for?
  - Nationwide goal: 75 for Local / 80 for Arterial and Collector
  - York current: 75.3 Local / 81.9 Arterial and Collector
PUBLIC HEARING NOTICE
Town of York – Board of Selectmen
August 24, 2020
7:00 PM
Zoom Meeting, Channel 1302 and Townhall Streams

The Town of York Board of Selectmen will hold a Public Hearing on Monday, August 24, 2020 at 7:00 PM regarding General and Special General Referenda Warrant for the November 3, 2020 Referenda.

Printed copies of the proposed warrant are available at the Town Clerk’s Office in Town Hall; Digital copies are also available on the Town’s web page (www.yorkmaine.org).

Email djanetos@yorkmaine.org to obtain an invitation to the Public Hearing.
TOWN OF YORK
GENERAL REFERENDUM WARRANT
SPECIAL GENERAL REFERENDUM WARRANT
YORK, MAINE    | NOVEMBER 3, 2020

TO: Charles J. Szenciawski, Constable of the Town of York, York, Maine

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of York, in said County, qualified by law to vote in Town affairs, to meet at the York High School Robert E. Butler Gymnasium in said Town on Tuesday, the 3rd day of November, 2020 between the hours of 7:00 o’clock in the forenoon and 8:00 o’clock in the evening, then and there to act on Articles One through Four, said Articles being set out below to wit:

ONE: To elect the following:

One (1) Selectman and Overseer of the Poor – Three-Year Term

TWO: The Town hereby ordains to amend the Zoning Ordinance, specifically amending and including footnote “k” in section 5.2- Schedule of Dimensional Regulations regarding exemptions for stormwater management facilities within all front, side, and rear yard setbacks. (Copies of the full text of the proposed amendment are available from the Town Clerk.)

K. Stormwater Management Facilities, as defined in this ordinance, shall be exempt from yard setbacks except for the following types of stormwater facilities:

• Stormwater wet ponds, detention ponds and basins, biofilters, retention ponds, catch basins, and drain manholes.
• Any above ground or above finished grade stormwater management facility structures that may include piping (including outfall pipes), concrete, riprap, or other similar constructed infrastructure intended to control stormwater runoff quantity or quality.

And amend Article 8- Shoreland Overlay District regarding setbacks to stormwater management facilities.

8.3.11.9 Stormwater Management Facilities. Stormwater Management Facilities shall adhere to all primary and accessory structure setback requirements for the shoreland subdistrict they are located in.

THREE: The Town hereby ordains to amend the Zoning Ordinance, specifically by adding Article Ten-H Outdoor Lighting Ordinance. (Copies of the full text of the proposed amendment are available from the Town Clerk.)

YES ______   NO ______

FOUR: The Town hereby ordains to amend the Zoning Ordinance, specifically by amending Article 16- Sign Standards. (Copies of the full text of the proposed amendment are available from the Town Clerk.)

16.4.1 Except as prohibited in section 16.9 of this ordinance:

Exterrnally and internally illuminated signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare. Illuminated Signs. Illuminated signs shall be illuminated externally only, from sources that are shielded, steady and stationary, with no exposed source of illumination. The intensity of light shall remain constant in color, location, and brightness and meet the light levels specified below. Externally illuminated signs shall also meet the following standards:

a. All externally illuminated signs shall only be lighted by top-mounted shielded lights pointed downward directly on the sign. Signs shall not be illuminated from upward transmission of light.

b. Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare (as defined in Article Ten-H) hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.

c. No more than 0.2 foot-candle of light shall be detectable at the boundary of any abutting property.

16.4.4 Illuminated signs shall be constructed and erected in such a manner as to deflect light away from residential properties and public roads.

16.9.3 Flashing, moving or animated signs, movable electric signs, changeable signs, intermittently lit signs, digital, and signs with variable color lighting or signs that display electronic images or video are not permitted. Signs indicating fuel prices, time and/or temperature are permitted provided they meet the other provisions of this Section.

YES ______   NO ______
***************
Dated at York this Twenty-Fourth day of August, Two Thousand Twenty:

BOARD OF SELECTMEN

__________________________
Todd A. Frederick, Chairman

__________________________
Robert E. Palmer, Jr., Vice-Chairman

__________________________
Michael L. Estes

__________________________
Marilyn A. McLaughlin
NOTICE OF INTENT
TO PROCESS ABSENTEE BALLOTS
Title 21-A, Section 759

I certify that pursuant to State of Maine, Title 21-A, Section 759, absentee ballots will be processed for the November 3, 2020 General Referendum and Special Budget Referendum commencing at 9:00 AM at the York High School Robert E. Butler Gymnasium in York, Maine on:

DATE: OCTOBER 31, 2020

Dated at York this Twenty-fourth day of August, Two Thousand Twenty:

______________________________
Todd A. Frederick, Chairman

______________________________
Robert E. Palmer, Jr., Vice-Chairman

______________________________
Michael L. Estes

______________________________
Marilyn A. McLaughlin

BOARD OF SELECTMEN
PUBLIC HEARING NOTICE
Town of York – Board of Selectmen
August 24, 2020
7:00 PM
Zoom Meeting, Channel 1302 and Townhall Streams

The Town of York Board of Selectmen will hold a Public Hearing on August 24, 2020 regarding a new Business License Application submitted for the following:

- Vera Cafe

If you’d like to participate, please email djanetos@yorkmaine.org
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: Vera Cafe

Street Address: 1 Ocean Avenue, Unit C-4 York, ME 03909

Business Owner: Vera Roasting Company

Mailing Address: PO Box 868
Dover, NH 03820

Phone Number: 888 567-7287
E-mail Address: tom@veraroasting.com

Business Manager: Tom Polcaro

Mailing Address: PO Box 868
Dover, NH 03820

Phone Number: 207-651-1643 (cell)
E-mail Address: tom@veraroasting.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 (C/F/P)
____ Dance Hall License (F/P)
____ Bowling Alley License (C/F)
____ Coin-Operated Amusement License (P)
____ Off-Premise Catering (P)
____ Bingo, Beano and Games of Chance (P)

Miscellaneous:

____ Transient Seller’s License (P)
____ Flea Market License (C)
____ Junkyard, Auto Graveyard/Recycling License (C/F/P)
____ Medical Marijuana (P)
____ 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 -
Provide the following information about any relevant State licenses:

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<tr>
<td>Expiration Date(s):</td>
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<tr>
<td>Classification(s):</td>
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</table>

FEES: Each application will incur a $60 fee, plus $30 for each license after the first. All NEW applications will have an additional $50 fee, and all license amendments will have a $25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Please read the following and sign to complete your application:
I understand that a license is required before operating or conducting any business or activity governed by the Town’s Business Licensing Ordinance and that ongoing compliance with the provisions of the Town’s Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: **Tom Polcaro** President/CEO  Have you ever been convicted of a Felony? YES ☐ NO ☑
Signature

Business Manager: **Tom Polcaro** Have you ever been convicted of a Felony? YES ☐ NO ☑
Signature
(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

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<td>Diana Sanetos</td>
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<td>Subsequent Licenses ($30 each)</td>
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<tr>
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<td>TOTAL DUE</td>
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LICENSE #: ____________________________

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<td>Police</td>
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Board of Selectmen

**Town Manager for the Board of Selectmen** Date

Special Conditions
(Attached if Necessary)
YES ☐ NO ☑
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: August 11, 2020

DATE ACTION REQUESTED: August 24, 2020

SUBJECT: New Business License Application

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. Signed business license applications and certificates will not be released to the applicant until all necessary department approvals have been received.

RECOMMENDATION: Approve the New Business License attached.

PROPOSED MOTION: I move to approve the following license:
Vera Cafe located at 1 Ocean Avenue, Unit C-4, York, ME 03909
Food Service License
Subject to taxes, fees and inspections being current and compliant with the usual noise stipulations.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: [Signature]
REVIEWED BY: [Signature]
REQUEST FOR ACTION BY BOARD OF SELECTMEN

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<td>☐ NO ACTION TAKEN</td>
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SUBJECT: Emergency Spending Authority

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The Town’s Emergency Management Ordinance (copy attached) authorizes the Emergency Management Director (currently Chief Szeniawski) to spend funds relating to emergency response. See Section 6, in particular. I have a concern with this because spending in response to an emergency falls outside the Town’s normal budget process including voter review and approval. This is a very broad authority and I recommend some basic limit be established.

I think there needs to be a relationship between an emergency declaration and the timeframes for emergency spending authority. When an emergency is declared by the Governor or locally, I think this should trigger a 30-day window that grants the Emergency Manager the same degree of spending authority that exists now. At that 30-day point, however, I think the emergency spending authority should transition to the Board of Selectmen. This provides for a realistic window of time to react to emergencies without the need for formalities – it allows the focus to be on getting work completed quickly.

Beyond the initial time period, there can be more time for the Board to weigh in, to deliberate, and to decide on a longer-term course of action. Does the Town want to pursue FEMA reimbursement? How should repairs be made – re-establish a safe condition, or improve the infrastructure in hopes of reducing future storm damage? I think the Board should retain the degree of flexibility afforded the Emergency Management Director in making its decisions because timing may still be more important than formality of bidding processes, but the Board should be free to decide such things. The purchasing policies allow for the Emergency Management Ordinance to have exceptions to the normal processes, so this approach is internally consistent. We probably also need some guidance about the duration of the declared emergency, ensuring the flexibility in spending doesn’t disappear part way through a project.

There is a great degree of uncertainty in dealing with emergencies, in our interactions with State and Federal
agencies during and following emergencies, and in pursuing reimbursement. This isn’t simple, predictable stuff. As a result, the Board will need to be comfortable making decisions with very incomplete, imperfect information. These actions won’t be like most of the others you’re asked to make. If you don’t want to do this, however, that responsibility will remain with the staff. The decisions will be made one way or another. At stake is the matter of which entity makes these important decisions. I believe responsibility at this point should rest with an elected body, again because emergencies force us outside the normal budget process.

At the staff level, we still have some technical issues we’re working through. We have both general and federal purchasing policies and we need to ensure we leave the Town all the flexibility we need to ensure we can respond well to emergencies and not trip up on our own policies. In concept this is an easy change. In practice, there’s a lot more to it.

The basic question I have for the Board is this – does the Board want to take on this responsibility? If so, we’ll generate a specific proposal to amend the Emergency Management Ordinance and will get it in process for voter consideration next May.

PREPARED BY: ___________________________ Stephen H. Burns, Town Manager
Emergency Management Ordinance

Town of York, Maine

Most Recently Amended: May 16, 2015
Prior Dates of Amendment: May 19, 2012

Date of Original Enactment: May 22, 2004
Emergency Management Ordinance

Section 1. Title and Authority
This ordinance shall be known and may be cited and referred to as the Town of York's Emergency Management Ordinance. It is authorized by 37B M.R.S. 781 – 834 as may be amended.

Section 2. Intent and Purpose
A. It is the intent and purpose of this ordinance to establish an Office that will insure the complete and efficient utilization of all the Town's facilities to combat emergencies and disasters as defined herein.

B. The Town of York's Emergency Management Office will be the coordinating agency for all activity in connection with civil emergency preparedness.

C. This ordinance will not relieve any town department of its normal legal responsibilities or authority nor will it adversely affect the work of any volunteer agency organized for relief in disaster emergencies.

D. This ordinance shall be administered in conjunction with the appropriate elements of the Emergency Plan.

Section 3. Definitions
A. "Emergency Management" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters or catastrophes caused by enemy attacks, sabotage, riots or other hostile action, or by fire, flood, earthquake or other natural or man-made causes. These functions include without limitation, fire fighting, police, medical, health, emergency welfare, rescue, engineering, warning and communications services; evacuation of persons from stricken areas; economic stabilization; allocation of critical materials in short supply; emergency transportation; existing or properly assigned functions of infrastructure protection; other related to civilian protection and additional activities necessary to the preparation for the carrying out of these functions.

B. "Disaster" means the occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire, flood, earthquake, windstorm, wave action, oil spill, or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, hazardous materials incident, blight, drought, critical material
shortage and explosion; said occurrence(s) being of significant scope as to exceed the normal ability of the town's resources to mitigate, respond to or recover from.

C. "Emergency" means any event which threatens to or actually inflicts damage to people or property and which requires immediate action to mitigate, prevent, control, contain or from which normal recovery is beyond the scope of the normal resources of the town.

D. "Emergency Preparedness Forces" shall mean the employees, equipment and facilities of all town departments, boards, and agencies; in addition, the term includes all volunteer personnel, equipment and facilities contributed by or obtained from volunteer persons or agencies.

E. "Emergency Preparedness Volunteer" shall mean any person duly registered, identified, and appointed by the Town of York's Emergency Management Director.

F. "Director" shall mean the Town of York's Emergency Management Director.

G. "Office" shall mean the Town of York's Emergency Management Office.

H. "Emergency Plan" shall mean the Town of York's Emergency Plan.

Section 4. Organization and Operation

A. Organization. The Director is hereby authorized to organize the Office utilizing to the fullest extent possible the existing departments and agencies of the town.

B. Operation. The Director shall be the executive head of the Office. The Director shall be appointed by the Board of Selectmen. The Director shall head the Office and shall work under the general supervision of the Town Manager with the concurrence of the Board of Selectmen. In emergency situations, the Director is authorized to hire assistants and employees. Such hires shall be temporary and shall not be considered full-time employees of the Town.

C. Administration. The Director shall administer the Office in accordance with the provisions of this ordinance, the provisions of the Emergency Plan and any other related policies adopted by the Board of Selectmen and the provisions of any applicable state and federal laws and rules which may apply in a particular emergency situation.

Section 5. Emergency Proclamation.
Whenever a local disaster exists or appears imminent, the Town Manager, or in the event of his or her absence, the Chairperson of the Town of York's Board of Selectmen
shall, by proclamation, declare that fact and that an emergency exists in the Town of York. A copy of the proclamation shall be posted in the same manner as a warrant calling a town meeting, with the return to be made by the person posting it and a copy of the proclamation provided to the Town Clerk who shall retain it as a permanent record of the Town.

Section 6. Emergency Powers and Duties

A. During any period when a local disaster has been proclaimed or when the Governor has proclaimed a disaster pursuant to 37B M.R.S. 742, the Director may promulgate such regulations as deemed necessary to protect life and property and preserve critical resources. Such regulations may include, but are not limited to, the following:

1. Regulations prohibiting or restricting the movement of vehicles in order to facilitate the work of Emergency Preparedness forces or to facilitate the mass movement of persons from critical areas within the Town.

2. Regulations pertaining to the movement of persons deemed vulnerable to disaster or at risk.

3. Such other regulations as may be necessary to preserve public health and safety.

B. The Director may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people and may bind the Town for the fair value thereof.

C. The Director may require emergency services of any Town Officer or employee. If regular Town forces are deemed inadequate, the Director may require the services of such other personnel as can be obtained including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to all privileges and immunities provided by law.

D. The Board of Selectmen is authorized to compensate volunteer/call personnel for time spent during a declared emergency involving the Town of York.

Section 7. Termination of Emergency
Whenever the Town Manager, or in the event of her or his absence, the Chairperson of the Board of Selectmen, is satisfied that a local emergency or disaster no longer exists, he or she shall terminate the emergency proclamation by posting another proclamation so stating. The proclamation shall be posted in the same manner as the original one with a copy to the Town Clerk. Local representatives of the news media shall be advised of the termination of the emergency as soon as is practicable.
Section 8. Duties of the Director
The Director shall be responsible to the Town Manager in regards to all phases of Emergency Preparedness activity. The Director shall be responsible for planning, coordinating and operating the Emergency Preparedness activity within the Town. The Director shall maintain liaison with county, state and federal authorities and the authorities of nearby municipalities to insure the most effective response to an emergency. The duties of the Director shall include but not be limited to the following:

A. Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the Town for response in an emergency.

B. Development of plans for the immediate use of all the facilities, equipment, manpower and other resources of the Town for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness government services and public utilizes necessary for the public health, safety and welfare.

C. Negotiating and concluding voluntary agreements with owners or persons in control of buildings or other property for Emergency Preparedness purposes and identifying suitable buildings for use as public shelters.

D. Through use of educational programs, informing the Town's population about Emergency Preparedness matters and advising as to what actions should be taken during an emergency to protect life and property.

E. From time to time, conducting public practice alerts and drills to familiarize the Town's population with emergency response procedures.

F. Assuming such authority and conducting such activity as the Town Manager or the Board of Selectmen may direct to promote and better execute Emergency Preparedness activities.

Section 9. Emergency Plan
An Emergency Plan shall be adopted annually by the Board of Selectmen. An initial draft Plan shall be prepared by the Director and the Town Manager. The Board of Selectmen may amend this Plan prior to adoption. The Plan shall complement this Ordinance and shall provide the framework within which Emergency Response activities shall happen.
Section 10. Violations
It shall be a violation of this ordinance for any person to obstruct, hinder or delay any member of the Emergency Preparedness Forces as herein defined in the enforcement of any provision of this ordinance or any regulation promulgated under its authority. Any person, firm or corporation found to have violated any provision of this ordinance or any regulation promulgated under its authority in a court with jurisdiction to act on a complaint from the Town shall be subject to a civil penalty of $100.00 for the first offense, $150.00 for the second offense, and $250.00 for the third and subsequent offenses.

Section 11. Waiver/Payment of Fines
Any person charged with a violation of this section, shall be allowed to waive such violation and tender to the Town of York the fine amount if paid within 20 days of issuance of the summons. If the waiver fine is paid, no appearance before a District Court Judge or other judicial officer shall be required. If the offender pays the waiver fine, the matter will be closed in the York Police Records system and listed as a subsequent offense for future violations.

If the offender chooses not to pay the waiver fine, he/she shall appear in court on the specified date to answer for the ordinance violation. If the offender is found to have committed the offense in court, fines, applicable court fees, attorney’s fees, and prosecution costs may apply.

Section 12. Severability
Should any provision of this ordinance be declared invalid for any reason by a court with jurisdiction to do so, such a declaration shall not affect the validity of other provisions of this ordinance or the ordinance as a whole it being the legislative intent that the provisions of this ordinance shall be severable and shall remain valid not withstanding such a judicial declaration against one provision.

Section 13. Conflicting Ordinances, Orders, Policies and Regulations
At all times during declared periods of emergency, the provisions of this ordinance shall supersede all existing ordinances, orders, policies and regulations insofar as the later may be inconsistent therewith.

Section 14. Effective Date
This ordinance shall take effect immediately upon this passage by the voters at an annual or special town meeting in the Town of York.
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: August 20, 2020

DATE ACTION REQUESTED: August 24, 2020

☑ ACTION

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:
Options for the property:
1. Approve the Property Redemption Request for the total taxes, interest and costs due
2. Deny the Property Redemption Request and keep the property under Town ownership

RECOMMENDATION:

PROPOSED MOTION: I move to approve the property redemption of Tax Map 0091 Lot 0023 V, located at 47 Bog Road, as requested, subject to the condition that all taxes, interest and administrative costs are paid in full by no later than October 24, 2020 with cash or certified bank check.

PREPARED BY: ____________________________ REVIEWED BY: ____________________________
Kathryn Lagasse, HR Director

feedback from Chair of Bike/Red Committee and a locus map are attached.
TO: Board of Selectmen  
FROM: Kathryn Lagasse, Assistant Town Manager/HR Director  
DATE: August 20, 2020  
RE: Tax Foreclosure Redemption: Map 0091 Lot 0023 V; 47 Bog Road

Teresa Perkins, former property owner of property identified as Tax Map 0091 Lot 0023 V, located at 47 Bog Road in York, Maine, request to redeem this property for which the Town has foreclosed after the maturing of tax lien for Tax Year 2018.

We are recommending to the Selectmen, that the Teresa Perkins be allowed to redeem this property providing the following condition(s) are met:

**Condition #1** – All past years and current years taxes, interest, administrative and lien costs, which total $721.44 shall be paid in full, to the Town of York, by no later than October 24th, 2020.

```
FY2018 TAXES AND INTEREST  $ 85.56
FY2019 TAXES AND INTEREST  $ 219.24
FY2020 TAXES AND INTEREST  $ 216.64
ADMINISTRATIVE/LIEN COSTS  $ 200.00
                    $ 721.44
```

**Parcel Information**

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<tr>
<td>0091 0023 V</td>
<td>1.27 Acres</td>
<td>$12,900</td>
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Steve,

There is an informal neighborhood cut across from Perkins Court to Bog Road which crosses this and two other properties. I talked to one of the owners on Perkins Court a few years ago and although he did not mind neighborhood kids using it, he did not want it to become a public trail or be publicized in any way.

A connector trail from the Spur Road parking lot to Bog Road would be the most logical connector. This has been on our committee radar for a while. The Town map does not specify ownership of this land; just shows it as part of the connector road/parking area parcel.

A trail would be only about 1200 feet, but would cross two brooks that would require relatively short bridges. It crosses a flood zone, but is not shown as wetlands on the Town map. I assume some regulatory approvals would be required.

That said, I do not see the parcel at 47 Bog Road as a part of any future formal bike or walking paths.

Thanks for the opportunity to look at this.

Dave McCarthy
363-2791

On Wed, Aug 5, 2020 at 2:07 PM Stephen H. Burns <sburns@yorkmaine.org> wrote:

Greetings,

Please have a look at the GIS maps and see if 47 Bog Road has any public value. The former owner has asked to redeem it, but there may be a bike and walking path that connects the Perkins Court neighborhood over to Bog Road. I don’t know if it’s on this lot or not, but it would be helpful to know before we release ownership of the property. We could keep it or put conditions on the redemption.

This will be on the agenda for August 24th so please let Kathryn and me know if you think we should keep it.

Thanks!
Steve

Stephen H. Burns, Town Manager

York Town Hall, 186 York St., York ME 03909

(207) 363-1000

sburns@yorkmaine.org

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REQUEST FOR ACTION BY BOARD OF SELECTMEN

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SUBJECT: Initial Discussion of FY22 Operating Budget and FY22-26 Capital Program

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Internally, the FY22 budget process has begun. I have initiated the capital process with the Department Heads, and will do the same with regard to operating budgets soon, after I have this initial discussion with the Board.

I will begin by pointing out that the nation is in a recession and the planet is dealing with a pandemic. We expect a reduction in the hundreds of thousands in State revenues, possibly as great as $1/2M. We have no way of knowing the future change in property values, but they currently are very high. No idea if they will continue to climb. I think we need to be conservative in our budgeting for FY22. Most of the operating budgets in the past couple years have increased significantly. I am currently thinking I will ask the Department Heads to try to limit increase to 2% or less. This is a perhaps optimistic estimate of COLA.

I think we need to re-visit fund balance policy again. The Board agreed to make an increase in the target range for fund balance this past year and we may want to see if we can increase this again in FY22. I think the range is still a couple percentage points lower than it would ideally be. A higher fund balance and higher cash balances are a great thing as uncertainty increases.

I will again bring forward a request for IT support. As we have worked on the MUNIS transition and evaluated our challenges with trying to get more automated and online, and to have more touchless, we have refined our understanding of the expertise we need. We need an Applications Analyst. This position would be an IT professional who can help us optimize use of technology systems to maximize functionality. We have a solid IT backbone in place, but our challenge is with applications – TRIO motor vehicle, MUNIS, Vision Appraisal, FoxPro, ArcInfo, all sorts of State programs, and all the other softwares used by the many Town staff. Applications are where we are really struggling. Our outsourced IT company (Logically) doesn’t manage our applications. Applications are managed by individual departments, and collectively we have no expertise to create overall
systems that are efficient, safe and optimize public service. The challenges change as fast as technology, and this is a huge pain point for us. We cannot meet public and Board expectations without this sort of expertise.

I'm not clear on all the other matters associated with the operating budget at this time.

Regarding the FY22-26 Capital Program, I'm going to keep pretty tight control on FY22 capital items. I may pull off a few that are in the current table, but the big ticket item – Town Hall Renovation and Expansion – is still the primary capital focus of FY22. I think we'll also propose a new item not currently in FY22, that being a structural repair at the York Beach Fire Station. I have no idea the cost yet, but it appears to be time-sensitive. The Board will be reviewing capital this fall and I don't think there will be anything in there that surprises you.

PREPARED BY: _______________________________  Stephen H. Burns, Town Manager
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: August 20, 2020

DATE ACTION REQUESTED: August 24, 2020

☐ DISCUSSION
☒ ACTION
  □ APPROVED
  □ APPROVED W/ CHANGES
  □ DENIED
  □ NO ACTION TAKEN

VOTE: __________________________

SUBJECT: Actions Relating to the November 2020 General Referendum

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The Board will be addressing November General Referendum Warrant.

a. Review the content of the warrant
b. Take Preference Votes
c. Approve and Forward General Referendum to Town Clerk – Motion Below
d. Set Polling Hours – Motion Below

RECOMMENDATION:

PROPOSED MOTION:
1. Action: Take preference votes

Two motions to be made:
1. I move to approve and forward the proposed General Referendum Warrant to the Town Clerk
2. I move to set the polling hours for the election to be held on November 3, 2020, for 7:00 AM to 8:00 PM at the York High School Robert E. Butler Gymnasium

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:
PREPARED BY: Kathryn Lagasse, HR/Asst. TM  REVIEWED BY:
TO: Charles J. Szeniawski, Constable of the Town of
York, York, Maine

Greetings:

In the name of the State of Maine, you are hereby required
to notify and warn the voters of the Town of York, in said
County, qualified by law to vote in Town affairs, to meet at
the York High School Robert E. Butler Gymnasium in
said Town on Tuesday, the 3rd day of November, 2020
between the hours of 7:00 o'clock in the forenoon and 8:00
o'clock in the evening, then and there to act on Articles One
through Four, said Articles being set out below to wit:

ONE: To elect the following:

One (1) Selectman and Overseer of the Poor – Three-
Year Term

TWO: The Town hereby ordains to amend the Zoning
Ordinance, specifically amending and including footnote
“k” in section 5.2- Schedule of Dimensional Regulations
regarding exemptions for stormwater management facilities
within all front, side, and rear yard setbacks. (Copies of the
full text of the proposed amendment are available from the
Town Clerk.)

K. Stormwater Management Facilities, as defined in this
ordinance, shall be exempt from yard setbacks except for the
following types of stormwater facilities:

- Stormwater wet ponds, detention ponds and
basins, biofilters, retention ponds, catch basins,
and drain manholes.

- Any above ground or above finished grade
stormwater management facility structures
that may include piping (including outfall pipes),
concrete, riprap, or other similar constructed
infrastructure intended to control stormwater
runoff quantity or quality.

And amend Article 8- Shoreland Overlay District regarding
setbacks to stormwater management facilities.

8.3.11.9 Stormwater Management Facilities. Stormwater
Management Facilities shall adhere to all primary and
accessory structure setback requirements for the shoreland
subdistrict they are located in.

THREE: The Town hereby ordains to amend the Zoning
Ordinance, specifically by adding Article Ten-H Outdoor
Lighting Ordinance. (Copies of the full text of the proposed
amendment are available from the Town Clerk.)

YES ______  NO ______

FOUR: The Town hereby ordains to amend the Zoning
Ordinance, specifically by amending Article 16- Sign
Standards. (Copies of the full text of the proposed
amendment are available from the Town Clerk.)

16.4.1 Except as prohibited in section 16.9 of this ordinance
externally and internally illuminated signs shall be
illuminated only by steady, stationary, shielded light sources
directed solely on the sign without causing glare. Illuminated
Signs. Illuminated signs shall be illuminated externally only,
from sources that are shielded, steady and stationary, with
no exposed source of illumination. The intensity of light shall
remain constant in color, location, and brightness and meet
the light levels specified below. Externally illuminated signs
shall also meet the following standards:
a. All externally illuminated signs shall only be lighted by
top-mounted shielded lights pointed downward directly on
the sign. Signs shall not be illuminated from upward
transmission of light.
b. Light sources to illuminate signs shall neither be visible
from any street right-of-way, nor cause glare (as defined in
Article Ten-H) hazardous or distracting to pedestrians,
vehicle drivers, or adjacent properties.
c. No more than 0.2 foot-candle of light shall be detectable
at the boundary of any abutting property.

16.4.4 Illuminated signs shall be constructed and erected
in such a manner as to deflect light away from residential
properties and public roads.

16.9.3 Flashing, moving or animated signs, movable
electric signs, changeable signs, intermittently lit signs,
digital, and signs with variable color lighting or signs that
display electronic images or video are not permitted. Signs
indicating fuel prices, time and/or temperature are permitted
provided they meet the other provisions of this Section.

YES ______  NO ______
Dated at York this Twenty-Fourth day of August, Two Thousand Twenty:

BOARD OF SELECTMEN

Todd A. Frederick, Chairman

Robert E. Palmer, Jr., Vice-Chairman

Michael L. Estes

Marilyn A. McLaughlin
NOTICE OF INTENT

TO PROCESS ABSENTEE BALLOTS

Title 21-A, Section 759

I certify that pursuant to State of Maine, Title 21-A, Section 759, absentee ballots will be processed for the November 3, 2020 General Referendum and Special Budget Referendum commencing at 9:00 AM at the York High School Robert E. Butler Gymnasium in York, Maine on:

DATE: OCTOBER 31, 2020

Dated at York this this Twenty-fourth day of August, Two Thousand Twenty:

____________________________
Todd A. Frederick, Chairman

____________________________
Robert E. Palmer, Jr., Vice-Chairman

____________________________
Michael L. Estes

____________________________
Marilyn A. McLaughlin

BOARD OF SELECTMEN
REQUEST FOR ACTION BY BOARD OF SELECTMEN

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<th>DATE SUBMITTED: August 18, 2020</th>
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<tr>
<td>DATE ACTION REQUESTED: August 24, 2020</td>
<td>□ APPROVED</td>
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<td>□ APPROVED W/ CHANGES</td>
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<td>□ NO ACTION TAKEN</td>
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<td>VOTE:</td>
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SUBJECT: Increase the number of members and reduce number of alternates for the Senior Center Advisory Board

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The amendment of Article III, Section 8(A) of the Town of York Home Rule Charter to increase the number of Members of the Senior Citizens Advisory Board from five (5) to seven (7) and to reduce the number of Alternates from two (2) to zero (0) was voted on July 14th.

RECOMMENDATION:

PROPOSED MOTION: I move to appoint Deborah J. Meyers from an alternate to a regular member of the Senior Center Advisory Board with a term expiring June 30, 2021.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: [Signature] REVIEWED BY: [Signature]
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: August 20, 2020

DATE ACTION REQUESTED: August 24, 2020

☐ DISCUSSION
☒ ACTION
☐ APPROVED
☐ APPROVED W/ CHANGES
☐ DENIED
☐ NO ACTION TAKEN
VOTE: ____________________

SUBJECT: Committee Appointments

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:
The Board conducted interviews with the following: Victoria Simon and Matthew Murray for the Committee to Combat Racism and Bias.
The memberships for the Committee to Combat Racism and Bias are as follows:

R Vacant 2023
R Vacant 2023
R Vacant 2023
R Vacant 2022
R Vacant 2022
R Vacant 2022
R Vacant 2021
R Vacant 2021
R Vacant 2021

The Board conducted interviews with the following: Wayne Martin and Patrick Garon for the Town Hall Building Committee. Appointments to this adhoc committee are for the duration of the project.
The memberships for the Town Hall Building Committee are as follows:

R Vacant
R Vacant
R Vacant
R Vacant
R Vacant
R Vacant
Marla Johnson
Budget Committee Representative

The Board conducted an interview with the following: Thomas Trafton for the Parks and Recreation Board. The memberships for the Parks and Recreation Board are as follows:

R Skip Hartwell 2021
R Ron McAllister 2022
R Brenda Knapp 2021
R Michael Modern 2022
R Scott Doughty 2022
A Vacant 2023
A Vacant 2023

The Board conducted an interview with the following: Cameron G. Runte for the Energy Steering Committee. The memberships for the Energy Steering Committee are as follows:

R Rozanna Patane 2022
R Wayne Boardman 2021
R Gerry Runte 2022
R Harry Musmann 2021
R Elizabeth Kinzly 2021
R Susan Covino 2023
R Len Loomans 2023
R Vacant 2023

RECOMMENDATION:

PROPOSED MOTION:
I move to appoint Victoria Simon as an Regular member to the Committee to combat racism and bias, with a term expiring June 30, 2023.

I move to appoint Matthew Murray as an Regular member to the Committee to combat racism and bias, with a term expiring June 30, 2023

I move to appoint Wayne Martin as an Regular member to the Town Hall Building Committee, with a term expiring June 30, 2023

I move to appoint Patrick Garon as an Regular member to the Town Hall Building Committee, with a term expiring June 30, 2023

I move to appoint Thomas Trafton as an Alternate member to the Parks and Recreation Board, with a term expiring June 30, 2023

I move to appoint Cameron G. Runte as a Regular member to the Energy Steering Committee, with a term expiring June 30, 2023
<table>
<thead>
<tr>
<th>FISCAL IMPACT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEPARTMENT LINE ITEM ACCOUNT:</td>
</tr>
<tr>
<td>BALANCE IN LINE ITEM IF APPROVED:</td>
</tr>
</tbody>
</table>

PREPARED BY: [Signature]        REVIEWED BY: [Signature]
Committee Charter
York Energy Steering Committee

Standing Committee. The Energy Steering Committee is a standing committee created by and answerable to the Board of Selectmen.

Membership. The Committee shall be comprised of 8 voting members. Appointments shall be for 3-year terms, staggered so that no more than three appointments expire in any given year. A quorum for purposes of meeting and voting shall require a minimum of four members present and voting, and decisions shall be by majority vote.

Meetings. All meetings shall be public meetings and conducted in conformance with the Maine Freedom of Access Law (Title 1, MRSA Ch 13) and Roberts Rules of Order. A notice of the meeting, which may be simply the meeting agenda, shall be posted publicly in advance of each meeting.

Minutes. Minutes shall be taken at each meeting in accordance with Robert’s Rules of Order. Approved minutes shall be provided to the Town Clerk for archiving.

Mission. The mission of the Committee is to advise the Board of Selectmen on matters of energy policy and assist the Board in reducing York’s carbon emissions.

Under the direction of the Board of Selectmen, this work includes:

1. Research and recommend strategies, policies and projects to the Board of Selectmen that will achieve energy conservation.
2. Research and recommend strategies, policies and projects to the Board of Selectmen that use renewable energy.
3. Provide public information, education, and outreach on energy conservation and renewable energy.

Meetings with the Board of Selectmen. The Committee will meet with the Board of Selectmen periodically to present information and discuss policy matters as these relate to the mission of the Committee and the needs of the Board of Selectmen.

Modification of Committee Charter. Any time after its formation, the Committee may propose to the Board of Selectmen charter modification believed necessary to enhance its ability to achieve its mission. The Board of Selectmen may accept, modify, or reject proposed changes.
Proclamation Against Racism, Discrimination and Bigotry

Whereas:

1. Racism, discrimination and bigotry are destructive of community; and
2. Everyone has the right to live peacefully, enjoy all the community has to offer, raise their family, and seek economic and academic opportunities free of racism, discrimination and bigotry; and
3. A strong, healthy, sustainable community includes and embraces people of every color, race, ethnicity, creed, sexual orientation and gender identity; and
4. Historic patterns and institutions have created an uneven playing field which persists to this day with respect to those who have been the subject of racism and discrimination; and
5. Traditional public school curricula – what is taught, how it is taught, and how it is prioritized – has been whitewashed (has not done justice to people of color as it pertains to the history of the United States); and
6. Institutional policies and practices may intentionally or inadvertently create or reinforce racism and discrimination; and
7. Active effort is required to combat racism, discrimination and bigotry; and
8. Great social change requires leadership and an ongoing organization-wide commitment in order to succeed.

Now therefore:

1. The Town welcomes people of every color, race, ethnicity, creed, sexual orientation and gender identity.
2. The Town, its officials and employees, shall actively combat racism, discrimination and bigotry by addressing issues immediately.
3. The Town commits to identify and eliminate anything within its control that supports or perpetuates systemic or institutional racism or discrimination.
4. The Board of Selectmen shall request the School Committee engage with the organizers of the June BLM protest to address their demands as expressed in, “Addressing Racism Within York Schools: A Petition.”
5. The Town shall actively train its officials and staff on an ongoing basis in matters of racism, discrimination, bigotry, implicit and explicit bias, white privilege, white supremacy, intersectionality and other such matters, and shall offer this training to other community institutions.

Signed by the York, Maine Board of Selectmen on July 13, 2020.

[Signatures]
REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: July 10, 2020

DATE ACTION REQUESTED: July 20, 2020

August 24, 2020

☑ DISCUSSION
☐ ACTION
☐ APPROVED
☐ APPROVED W/ CHANGES
☐ DENIED
☐ NO ACTION TAKEN

VOTE: _____________________

SUBJECT: Purchasing Policy Non-Federal Funds

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The current purchasing policy is out of date and does not reflect current purchasing needs. The attached policy is intended for use when making purchases with funds that are not from federal funds (example: FEMA, Police pass through grants, etc.) The policy determines what authorization is needed at what level of procurement. The attached excel spreadsheet summarizes those levels.

RECOMMENDATION: I recommend the Board of Selectmen review the policy for discussion and identify any questions, concerns or changes they may have. The policy will be brought back after vetting for adoption.

PROPOSED MOTION:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:
PREPARED BY: Wendy Anderson, Finance Director
REVIEWED BY: [Signature]
<table>
<thead>
<tr>
<th>TYPE OF PURCHASE</th>
<th>THRESHOLD</th>
<th>OTHER REQUIREMENTS</th>
<th>AUTHORIZATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Engineering Services</td>
<td>Approved On-Call Engineering Service by the BOS 4-24-2017 must be used</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Fund Expenses - Contracts</td>
<td>Up to $25,000</td>
<td>Disclosed during budget process and does not obligate the Town beyond the fiscal year operating budget for which expenses will be charged. Informal Bid Process Not disclosed during budget process or may obligate the Town operating budget into a future fiscal year. Informal Bid Process</td>
<td></td>
</tr>
<tr>
<td>General Fund Expenses - Contracts</td>
<td>Up to $25,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Fund Expenses - Contracts</td>
<td>$25,000.01 - $50,000</td>
<td>Town Manager Approval. Informal Bid Process</td>
<td></td>
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<tr>
<td>General Fund Expenses - Contracts</td>
<td>$50,000 &amp; Over</td>
<td>Formal Bid - BOS Approval</td>
<td></td>
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<tr>
<td>General Fund Expenses - Goods, Materials, NonContractual</td>
<td>Up to $10,000</td>
<td>Field Purchase Process</td>
<td></td>
</tr>
<tr>
<td>General Fund Expenses - Goods, Materials, NonContractual</td>
<td>$10,000.01 - $25,000</td>
<td>Informal Bid Process</td>
<td></td>
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<tr>
<td>General Fund Expenses - Goods, Materials, NonContractual</td>
<td>$25,000 - $50,000</td>
<td>Informal Bid Process</td>
<td></td>
</tr>
<tr>
<td>General Fund Expenses - Goods, Materials, NonContractual</td>
<td>$50,000 and up</td>
<td>Formal Bid Process</td>
<td></td>
</tr>
</tbody>
</table>

In addition to following General Fund Expense Contract requirements above will have followed the 5-year Capital Program Process and if a building project will involve the building committee process requirements. Spending on bonded projects or equipment must have the finance directors approval before spending may occur. More details in the future.

Grants and Awards - Non Federal | All non-federal grants & awards require BOS approval before application. Once approved by the BOS and the application is approved all contract purchasing & reporting requirements should be followed by the project manager/administrator and correspondence provided finance department along the way. | There will be more details in the future with regard to grants/awards |

Grants and Awards - Federal | See Federal Procurement Policy |
INTRODUCTION:

The Town’s goal for every purchase is to obtain the best value possible. Best value is determined by evaluating many factors (such as price, delivery capabilities, quality, past performance, training, financial stability, service capabilities, ease of ordering, payment, etc....) and selecting a vendor that offers the best combination of those factors.

This policy is a companion policy to the Town’s Federal Grant Contract Purchasing Policy and is to be applied when making purchases that do not use federal funds/grant money.

ETHICS:

1. Ethical business standards shall govern all procurement transactions. Those violating ethical business standards are subject to disciplinary action up to and including termination.

2. The Town will not discriminate as to age, gender, race, color, ethnicity, creed, sexual orientation, gender identity, political affiliation, national origin, or physical or mental handicap while doing business for the Town of York.

3. Personnel shall not solicit a gift or accept a significant gift from any supplier or prospective supplier. A “significant gift” is defined as any item, service, favor, monies, credits, or discounts not available to others which could influence purchasing decisions. Questions about the value of a gift or the appropriateness of an invitation should be referred to the Town Manager to ensure compliance.

4. The Town values its suppliers and assumes that vendors, in turn, value the Town’s business. No token or display of appreciation is necessary or encouraged. All vendors are asked to comply with the Town’s standards by not offering incentives, gifts, or services to individual personnel.
5. Violations of these standards, of laws and regulations, or of Town policies and procedures may carry disciplinary consequences, up to and including termination.

CONFLICT OF INTEREST:

1. To avoid a conflict of interest, Town personnel must not participate in making a decision for the Town if their personal interest, professional interest, or economic gain may be directly or indirectly influenced or affected by the outcome.

2. Town personnel are obligated to disclose any potential conflicts of interest. Personnel must report the activity to their immediate supervisor when noncompliance is suspected, observed, or otherwise made known. If there is reason to believe the supervisor may be involved in the noncompliance, the report should be made to the next-higher level of management or to other Town authorities.

3. Town personnel at all levels are expected to support compliance with applicable Town policies and procedures as well as applicable laws, rules, and regulations and to set a tone of intolerance for noncompliant, fraudulent, or illegal activities.

4. Violations of these standards, of laws and regulations, or of Town policies and procedures may carry disciplinary consequences, up to and including termination.

PURCHASING/PROCUREMENT REQUIREMENTS:

The accounts payable and payment process is defined separately as procedure and should be followed in conjunction with this policy.

DEFINITIONS:

Bid most advantageous to the Town.

A bid chosen on the basis of price, quality of merchandise or service, suitability of merchandise and reputation of a vendor, and therefore may not necessarily mean the lowest bid.
Competitive Bidding.

The process of obtaining the bid most advantageous to the Town for any purchase, whether through formal or informal bidding procedures.

Contract.

All types of agreements, regardless of what they may be called, for the procurement of supplies, services, or construction.

Informal Bid.

A written or oral quotation obtained from an approved vendor, but not required to open publicity at a specified day, place and time. Informal bid research will be recorded on the Towns informal bid form.

Field Purchase.

An informal purchase of supplies needed in small quantities for day to day operations made directly by a department head or their designated representative from any vendor.

Formal Bid.

A written quotation obtained in a sealed envelope from an approved vendor or through advertisement and opened at a specific day, place and time.

Procurement.

The buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, services, or construction. It also includes all functions that pertain to obtaining any supply, service, or construction, including description or requirements, selection, and solicitation of sources, preparation and award of contract and all phases of contract administration.

Approved Vendor List.

The Town has an approved vendor list for engineering services that were vetted by the Board of Selectmen and must be used for engineering services. For all other purposes term approved vendor list refers to a list of vendors for which the finance department has received appropriate documentation, have been

Page 3 of 7
established in the accounts payable system and have otherwise not been identified as vendors that are unauthorized.

**Request for Quote (RFQ).**

An RFQ is used when a requestor knows what they want but need information on how vendors would meet the requirements and/or how much it will cost. This is the case when constructing a building.

**PURCHASING:**

All purchases will employ the bid most advantageous to the Town as defined above.

Payment for purchases will be made based on the availability of budget and funds as determined by the finance director.

Purchases must be approved by the department head responsible for the budget to which it is charged. The department head may designate this responsibility when out for vacation, illness or unplanned emergency.

In the absence of the department head and their designee, the Town Manager or Finance Director may approve purchases to any budget.

Purchases will not be intentionally broken up to avoid following threshold approvals and processes.

The Board of Selectmen have approved a vendor list for “Professional On-Call Engineering Services” effective April 24, 2017 through April 24, 2022. The following vendors must be used for the engineering services indicated below:

- Bridges and Minor Spans: (WSP/Parsons and Brinckerhoff, CMA, Milone & MacBroom.
- Roads: Gorrill Palmer, CMA, Ransom.
- Drainage/Stormwater: Ransom, Wright Pierce, Underwood.
- Construction Administration/Other: CLD, Tidewater, Ransom.
- Long Range Planning and Design: Milone & MacBroom, Wright Pierce, Gorrill Palmer.
All vendors must be pre-approved by the finance department and added to the approved vendor list prior to making purchases. Purchases or requests for reimbursement from vendors not on the approved vendor list are not allowable.

It is the responsibility of the purchaser to know what vendors that are not on the approved vendor list.

For procurements requiring a contract and/or Town Manager approval or Board of Selectmen approval, a copy of the contract and/or other paperwork must be provided to the finance department upon execution and accompany each request for payment.

Any purchase may be elevated to the level of Board of Selectmen approval should the town manager deem it prudent to do so.

It is important to note that a contract for services with a vendor may require the use of specific vendors in order to carry out the contracted work to the best advantage of the Town. It also may be necessary for the Town to use specific vendors based on prior purchases, investments in systems, vehicles & equipment. (For example, If the Town owns a specific model of heavy equipment it may be necessary to use that vendor for future repairs and parts needs on that piece of equipment and not go out to bid.) In such cases the Informal bid process may be applied if authorized by the town manager.

**Procurement by Contract:**

1. Copies of Contracts will be provided to the town manager and the finance director.
2. Department heads are responsible for compliance with the contract terms.
3. Contracts up to $25,000 may be authorized by the department head responsible for the budget that will be charged, provided that the contract was identified as part of the budget during the budget process. Contracts up to $25,000 not specifically identified as part of the department budget during the budget process must be approved in writing by the Town Manager. Informal Bid Process must also be followed.
4. Contracts between $25,000 - $50,000 must be submitted in advance of procurement to the Town manager for written (or emailed) approval provided that the contract was identified in the approved budget.
Contracts not identified in the approved budget will require Board of Selectmen approval through a request for action at an open meeting by majority vote. An informal bid process must be followed. The department head may sign the contract provided processes and approvals are in place.

5. Contractual arrangements exceeding $50,000 must follow the formal bid process and be approved by the Board of Selectmen at an open meeting by majority vote. The contract must be signed by the Town Manager.

**Procurement of goods and services not requiring a contract and not capital in nature:**

1. Field Purchases up to $10,000 may approved by the department head and or their designee.
2. Purchases between $10,000.01 and $25,000 may be made by the department head using the Informal Bid Process. Documentation of research must be provided on the “Informal Bid Form” and included with the Request for Payment submitted to finance.
3. Purchases between $25,000.01 and $50,000 may be made using the Informal Bid process and approved by the department head so long as those purchases were part of the budget process and are regular to the operation of the department. Purchases at this level that were not part of the budget process or are not regular to the operation of the department require the Town Managers written or email approval accompany the request for payment along with the “informal Bid Form”.
4. Purchases in excess of $50,000.01 must following the Formal Bid process and be approved by the Board of Selectmen at an open meeting by majority vote.

**CAPITAL PURCHASES:**

Capital Purchases must follow the Town’s 5-Year Capital Plan. Capital is defined as land of any size or cost; any equipment, building, facility, or infrastructure that costs more than $20,000, provides a useful life of 3 or more years or is built into a
building or facility; and all licensed motor vehicles. This shall apply to any item, as defined above, whether purchased, leased or otherwise financed.

Please see the most recently approved 5-year capital plan for further definition and explanation of process.

When the capital purchase is a building an RFQ process is required followed by a formal bid process to build.

**Municipal Building Committee:**

When a Municipal Building Committee is established by the Board of Selectmen to oversee the construction of a building, the committee’s role in the RFQ process and procurement process will be defined in their charter, but will not override authorization thresholds.

**Emergency Purchases:**

Any purchases that is needed after regular business hours and the regular procedure for procurement cannot be followed. This includes repairs needed to ensure they safety or welfare of the public, tow truck services, or any purchases deemed emergent by the department head at that time. The town manager should be notified of these situations immediately. The Town’s Emergency Ordinance should be consulted and followed when circumstances deem necessary by the Town Manager.
Purchasing Procedures

I. PURPOSE

The purpose of this purchasing procedure is:

1. to procure materials, supplies, equipment and services best suited to the job which the department has to perform, without adversely affecting department operation;

2. to procure the correct quantities of items required;

3. to insure goods and services at the best interest of the Town;

4. to obtain critical materials when required to meet emergencies;

5. to dispose of unneeded inventory.

II. DEFINITIONS

1. ADVERTISING: A form of public notice of an intended purchase.

2. BEST KNOWLEDGE PROCUREMENT: Purchases of small quantities of goods or services based on the department's knowledge of the best sources for such purchases when other forms of competitive procurement are not cost effective.

3. COMPETITIVE PROCUREMENT: Any process for acquiring goods or services in which more than one (1) individual or company is solicited to propose price and delivery terms in such a manner as to encourage competition between prospective suppliers.

4. FORMAL PROCUREMENT: Formal procurement is characterized by request for prices and terms with written responses. The most formal procurement includes advertisement in appropriate publications or public notice with requirements for submission for sealed proposals and public bid openings.

5. GOODS: Anything purchased other than services or real property.

6. INFORMAL PROCUREMENT: The process in which proposals are solicited by letter, telephone, facsimile or other means for relatively small purchases. A written record shall be kept of such procurement’s consisting of,
as a minimum, the names, dates and prices received as well as any other information required to document the competitive aspects of the purchase.

7. **NEGOTIATED PROCUREMENT**: A process for acquiring goods and services in which the purchaser and seller negotiate any or all parts of the price and delivery terms. Negotiations may be part of the procurement process along with bidding.

8. **PROFESSIONAL SERVICE**: Infrequent, technical and/or unique functions performed by independent contractors whose occupation is the rendering of such services. Contracts may be to partnerships, firms, or corporations as well as individuals. Examples would be architectural and engineering, management and systems consultations and research.

9. **proprietary service**: Work by independent contractors where the process is more important than the product. Contracts usually are to partnerships, firms or corporations rather than individuals. Examples are janitorial and custodial or maintenance and repair service.

10. **purchase order**: A purchaser's document to formalize a purchase transaction with a vendor.

11. **sealed bids**: A form of competitive procurement in which sealed bids are solicited which are opened and read at a specific time and place and in which the other bidders have no knowledge of the specific price and delivery proposals of the other bids until bid opening.

12. **services**: Work performed to meet a demand; especially work that is not connected with a manufacturing process, such as a professional service or proprietary service.

13. **solicitation**: Solicitation is the process by which vendors are requested to propose terms and conditions for an item or service which is proposed to be purchased.

14. **specifications**: A description of the goods or services to be procured. For the purposes of this Administrative Policy, a specification shall be as general as possible and shall describe the performance of the good or service as much as possible. Where a specification contains a reference to a specific product or firm, it shall be interpreted as being functionally equivalent to that firm or product unless explicitly stated otherwise.

III. **SPECIFICATION REQUIRED**: Specifications will be prepared for all purchases whenever possible and in all cases where any single item in the purchase is estimated to have a cost in excess of $2500 or a total purchases in excess of $10,000. Specifications shall be in writing for all formally advertised
bids. Town Manager may waive written requirement for cause. The justification for such waiver shall also be in writing.

IV. **ADVERTISING:** Solicitations shall be given the widest advertisement appropriate for the proposed purchase. This may be done through the media, magazines, professional publications or public notice, such as Selectmen’s meetings are done. Due consideration shall be given to the nature of the item or service and the media, magazine or professional publication which probable vendors might be expected to be exposed to. Advertisements shall contain a succinct summary of the item or service, the location of detailed specifications, if any, and the requirements for bid submittal.

V. **BID AND TABULATION:** Proposals shall be opened in the Town Manager’s Office at the designated time specified in the solicitation. The Town Manager and appropriate Department Heads will review the bids and make recommendations to the Board of Selectmen.

VI. **AWARD:** All purchases over $2500 for which formal proposals have been taken shall be awarded by the Board of Selectmen. In all cases the Board of Selectmen shall reserve the right to award proposals to vendors whose combination of price, product and performance history are determined to be in the best interest of the Town. The Town reserves the right to accept or reject any or all proposals at any time for any reason and to waive any formalities.

VII. **BID AND PERFORMANCE BONDS:** When specified in the solicitation, the successful vendor shall produce an acceptable performance or surety bid bond at the time of bid opening. If a performance or surety bond is required, it shall be presented prior to execution of any contract.

VIII. **REQUIREMENTS FOR COMPETITIVE PROCUREMENTS:** Competitive procurement is strongly encouraged for all purchases. The table below contains the minimum requirements for complying with the various complexities of the procurement process:

<table>
<thead>
<tr>
<th>Amount Involved</th>
<th>Min. Competition</th>
<th>Approved By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $500</td>
<td>Best Knowledge</td>
<td>Dept. Head</td>
</tr>
<tr>
<td>$501 - $2500</td>
<td>Informal</td>
<td>Dept. Head</td>
</tr>
<tr>
<td>$2501* or more</td>
<td>Formal</td>
<td>Selectmen</td>
</tr>
</tbody>
</table>

*Availability of funds of all Purchase Orders above $2500 need to be verified by the Finance Department.

IX. **EMERGENCY BUYING:** An emergency purchase is a purchase which is essential to prevent delays in work which might affect the safety, health or
convenience of the community. Permission for emergency purchasing shall be
taken.

X. **ABSENCE OF SECOND FORMAL PROPOSAL:** Where there is only one formal proposal received, the Town Manager will determine appropriate action to be taken.

XI. **PURCHASE ORDERS:** Purchase orders are strongly recommended on all purchases, but must be used on all purchases over $1000. When purchase orders are used they can also be used for payment authorization after you have received the goods or service. Funds will be encumbered when Purchase Orders are used.

XII. **SERVICES:** Professional and Proprietary Services, including engineering, architectural, auditing, legal, and janitorial, date software, heavy equipment operators and other services commonly considered professional, may be secured through negotiated or competitive procurement. Professional and Proprietary Service agreements should be on a fixed basis for a clearly defined scope of work whenever possible.

XIII. **PETTY CASH PURCHASES:** Items not carried in stock by a central stock point may be purchased through petty cash to the limit of the petty cash authorization which shall not exceed $100 without explicit approval of the Town Manager. The contents of the petty cash drawer shall consist of the total amount of petty cash authorized and/or receipts. Petty cash shall be replenished by check upon submission of receipts and supporting documentation on Payment Request forms showing what account(s) to be charged.

XIV. **COOPERATIVE PURCHASING:** Where prices on goods or services have been determined by competitive procurement by an agency of the State of Maine or any other entity through which the Town purchases cooperatively, that price shall be considered sufficiently competitive for the purchase of authorized items obtained as outlined above. This specifically includes equipment and supplies available through bidding of the State of Maine, Department of Transportation and similar agencies for trucks, cars and related equipment.

XV. **DISPOSAL OF TOWN PROPERTY:** When an item is surplus to the needs of a department, it shall first be made available to other departments in the Town for their use. Transfer of equipment between departments shall be recorded in the General Fixed Assets Group of Accounts (if applicable). If an item is surplus and not required by another department, it shall be made available for advertised bid or auction. Sale by bid or auction will be approved by the Board of Selectmen before transfer of property. The Town may reject any and all bids or auction offers.
XVI. SOLE SOURCE PURCHASE:

1. In all circumstances where, in the Town Manager’s judgment it is in the best interest of the Town to negotiate purchases of an item from a single vendor and item costs in excess of $2500, the Town Manager shall present the Board of Selectmen with information describing why a “sole source” purchase is in the best interests of the Town. This information shall be presented to the Board prior to requesting a formal proposal from the vendor. Upon receipt of the information, the Board may request a work session to discuss the proposed purchase.

2. In circumstances where the purchase is less than $2500 but more than $500, the Department asking the purchase from a single vendor must justify the purchase in writing to the Town Manager.

XVII. BIDDERS LIST: The Town shall maintain a bidders list by trade, service and commodity. Companies and individuals qualifying for this list shall be notified whenever the Town is seeking competitive bids for their particular trade, service or commodity.

XVIII. QUANTITY PURCHASES:

1. Whenever the Town anticipates purchasing substantively the same goods or services on multiple occasions or for multiple locations or departments and the total amount of such purchases, if aggregated, would qualify for a higher “Cost Threshold” as defined in Section VIII, the bidding procedure associated with the higher “Cost Threshold” will be used, whether the actual purchases to be made individually or in quantity.

2. The Town will consolidate purchases of similar items to take advantage of quantity discounts whenever possible.

XIX. WAIVER: A majority of the Board of Selectmen may waive the requirements of this policy when, in the judgment of the Board of Selectmen, it is in the best interest of the Town, provided such waiver is the result of a majority vote of the Board of Selectmen at a regular meeting.

Adopted 10/09/1990
Amended 09/10/1993
Amended 12/14/1993
Re-adopted 05/28/1996
Adopted as Amended 05/13/1997
Amended 01/24/2011