



# Town of York

186 York Street  
York, Maine 03909-1314

## BOARD OF SELECTMEN'S MEETING AGENDA

6:50/7:00PM MONDAY, MARCH 23, 2015  
YORK LIBRARY

Town Manager/  
Selectmen  
(207)363-1000

Town Clerk/  
Tax Collector  
(207)363-1003

Finance/  
Treasurer  
(207)363-1004

Code Enforcement  
(207)363-1002

Planning  
(207)363-1007

Assessor  
(207)363-1005

Police Department  
(207)363-1031

Dispatch  
(207)363-2557

York Beach Fire  
Department  
(207)363-1014

York Village Fire  
Department  
(207)363-1015

Public Works  
(207)363-1011

Harbor Master  
(207)363-1000

Senior Center/  
General Assistance  
(207)363-1036

Parks and  
Recreation  
(207)363-1040

Fax  
(207)363-1009  
(207)363-1019

www.yorkmaine.org

**6:50PM:** Committee Interview – Harbor Board Vacancy

### Call to Order

### Opening Ceremonies

A. Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

1. Introduction of New Sergeant
2. Bid Award: Recreation Summer Brochure

E. Reports

1. Maine Turnpike Authority: Clay Hill Road Bridge Repair Project – Sarah Zografos and Ralph Norwood
2. Village Study Committee – Ron McAllister

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

G. Approval of Warrant #38

H. Public Hearings

1. Proposed Ordinance Amendments for May 2015 General Referendum
  - a. Elimination of the Sunset Clause Regarding Outside Display Along Route One (Zoning);

- b. Amendment of Digital Display Sign Standards (Zoning);
  - c. Match Density and Minimum Lot Size in the Watershed Protection Overlay District (Zoning);
  - d. Amend GEN-3 Permitted Uses within the GEN-3 Zoning District (Zoning);
  - e. Establish Sign Standards for "Gateway Signs" (Zoning);
  - f. Artisanal Food and Beverage Ordinance (Zoning);
  - g. Allow for Greater Residential Density in the York Beach Village Center Zone (Zoning);
  - h. Proposed New Single-Use Bag Ordinance; and
  - i. Amend Ordinance Fines in 21 Town Ordinances
- 2. May 2015 Warrants
    - a. May 16, 2015 FY16 Budget Referendum Warrant
    - b. May 16, 2015 School Budget Validation Warrant
    - c. May 16, 2015 Special General Referendum Warrant
  - 3. New Business Licenses
    - a. Stonewall Kitchen, LTD DBA: Stonewall Kitchen, LLC; Located at 2 Stonewall Lane (Food Service, Liquor)
    - b. Susan Palamaris DBA: York House of Pizza; Located at 274 York Street (Food Service)
    - c. Jason C. Johnson DBA: Shore Road Restaurant and Market; Located at 10 Shore Road (Food Service)

**I. Endorsements**

- 1. Business Licenses:
  - a. Ray Ramsey DBA: Anchorage Inn; Located at 265 Long Beach Avenue (Innkeeper, Food Service, Liquor, Special Amusement)
  - b. Ralph Goddard and Victory Guay DBA: Bittersweet B&B; Located at 167 Cape Neddick Road (Bed and Breakfast)
  - c. Downeast Resorts, LLC DBA: Cape Neddick Inn; Located at 1273 US Route One (Food Service, Liquor, Special Amusement)
  - d. Joseph A. Young DBA: Cape Neddick Lobster Pound; Located at 60 Shore Road (Food Service, Liquor, Special Amusement)
  - e. RBDD Cliff House Acquisitions, LLC DBA: Cliff House Resort and Spa; Located at 591 Shore Road (Innkeeper, Food Service, Liquor, Special Amusement)
  - f. John and Gail Stacy DBA: Flo's Take-Out; Located at 1359 US Route One (Food Service)
  - g. Andrew and Susan Wetzel DBA: Inn at Tanglewood Hall; Located at 611 York Street (Bed and Breakfast)
  - h. Jadel, LLC DBA: Rick's All Seasons Restaurant; Located at 240R York Street (Food Service, Liquor)
  - i. Patrick Cragin DBA: Ride Road Inn; Located at 281 Ridge Road (Innkeeper)
  - j. Jason C. Johnson DBA: Shore Road Market; Located at 10 Shore Road (Food Service)

- k. Diana Hickey DBA: Windbreaker Restaurant; Located at 243 Long Beach Avenue (Food Service)

**J. Old Business**

1. Discussion and Possible Action: Furbish Redemption – Request for Additional Time

**K. New Business**

1. Discussion and Possible Action: Move Ordinance Amendments to the May Special General Referendum
2. Discussion and Possible Action: Preference Votes
  - a. May 16, 2015 FY16 Budget Referendum Articles
  - b. May 16, 2015 Special General Referendum Articles
3. Discussion and Possible Action: Forward May 16, 2015 Warrants
  - a. May 16, 2015 FY16 Budget Referendum Warrant
  - b. May 16, 2015 School Budget Validation Warrant
  - c. May 16, 2015 Special General Referendum Warrant
4. Discussion: Preparation for March 26<sup>th</sup> Joint Meeting with Planning Board
5. Harbor Board Appointment
6. Special Event Permit Applications:
  - a. Graystone Builders' Bonfire Benefit – September 5, 2015
  - b. York Lion's Club Annual Fund Raising Auction – July 31, 2015
  - c. Big A 50K – May 2, 2015
  - d. Alzheimer's Association's Walk to End Alzheimer's – September 19, 2015
  - e. Brit Bits' Little British Cars to York Beach – June 14, 2015
  - f. Maine State Troopers Foundation's Southern Maine Thin Blue Like 5K – October 24, 2015
  - g. York Beach Fire Department's 125th Anniversary Parade and Muster – July 18, 2015
  - h. First Parish Congregational Church's Village Fair and Supper – July 11, 2015
  - i. Ellis Short Sands Park Trust's Ellis Park 4th of July Fireworks – July 4, 2015
  - j. Patriot Riders' Spring Ride for the Troops – April 26, 2015

**L. Future Agendas**

**M. Other Business**

**N. Citizens' Forum**

**Adjourn**



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: March 19, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: March 23, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Bid Award – Parks and Recreation Summer Brochure	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The following bids were received for the Parks and Recreation Departments 2015 Summer Brochure:

**Graphic Image, Inc.**  
Milford, CT

60 pages plus cover  
7,000 Brochures - \$6,260.00  
8,000 Brochures - \$6,775.00

64 pages plus cover  
7,000 Brochures - \$7,030.00  
8,000 Brochures - \$7,620.00

Sort and Tray Fee  
7,000 Brochures - \$500.00  
8,000 Brochures - \$500.00

**RAM Printing**  
East Hampstead, NH

60 pages plus cover  
7,000 Brochures - \$7,047.52  
8,000 Brochures - \$7,596.37

64 pages plus cover  
7,000 Brochures - \$8,013.29  
8,000 Brochures - \$8,646.00

Sort and Tray Fee  
7,000 Brochures - \$257.50  
8,000 Brochures - \$280.00

**Hawthorne Creative**  
Portsmouth, NH

60 pages plus cover  
7,000 Brochures - \$7,861.00  
8,000 Brochures - \$8,418.00

64 pages plus cover  
7,000 Brochures - \$8,758.00  
8,000 Brochures - \$9,363.00

Sort and Tray Fee  
7,000 Brochures - \$200.00  
8,000 Brochures - \$200.00

**J.S. McCarthy Printers**  
Augusta, ME

60 pages plus cover  
7,000 Brochures - \$9,155.00  
8,000 Brochures - \$9,717.00

64 pages plus cover  
7,000 Brochures - \$10,317.00  
8,000 Brochures - \$10,912.00

Sort and Tray Fee  
7,000 Brochures - \$399.00  
8,000 Brochures - \$435.00

**Creative Imaging Group**  
Scarborough, ME

60 pages plus cover  
7,000 Brochures - \$9,750.00  
8,000 Brochures - \$10,500.00

64 pages plus cover  
7,000 Brochures - \$10,450.00  
8,000 Brochures - \$11,300.00

Sort and Tray Fee  
7,000 Brochures - Not Quoted  
8,000 Brochures - Not Quoted

The specifications required the bidders to provide quotes on 60 and 64 pages, as well as quantities of 7,000 and 8,000 brochures. The sort and tray fee was also quoted separately. Graphic Image was the low bidder in all cases.

My recommendation is to award the bid in an amount not to exceed \$8,120, which is based on 64 pages and 8,000 brochures. Should the number of pages or quantity of brochures be reduced to the lesser amount the cost would be reduced as reflected in the bid.

RECOMMENDATION: To award the bid to Graphic Image, Inc. of Milford, CT in an amount not to exceed \$8,120.

PROPOSED MOTION: I move to award the bid for the Parks and Recreation Departments summer brochure to Graphic Image, Inc. of Milford, CT in an amount not to exceed \$8,120.

FISCAL IMPACT: \$8,120

DEPARTMENT LINE ITEM ACCOUNT: Recreation Enterprise Account / printing and advertising

BALANCE IN LINE ITEM IF APPROVED: \$1,000

PREPARED BY:



REVIEWED BY:



# Quotation Form

Town of York, Maine Parks and Recreation  
2015 Summer Brochure Bid Request

Name of company submitting proposal: **Graphic Image Inc.**  
Address: **561 Boston Post Road**  
**Milford, CT 06460**  
Telephone: **203-877-8787**

Name of company representative authorized to submit proposal: **Leigh Danenberg**

Title: **President**

Signature: 

Total Bid Amount per specifications:

60 pages plus cover 7M \$ 6260.  
(Price in numerals)

Contact: Jose Ortiz  
800-553-0220

7M \$ Six thousand two hundred sixty  
(Price in words)

8M \$ 6775.  
(Price in numerals)

8M \$ Six thousand seven hundred seventy five  
(Price in words)

68 pages plus cover 7M \$ 7030.  
(Price in numerals)

7M \$ Seven thousand thirty  
(Price in words)

8M \$ 7620.  
(Price in numerals)

8M \$ Seven thousand six hundred twenty  
(Price in words)

Quote for Sort and tray for bulk mail  
ECRWSS Postal Patron – list supplied: \$ 500.  
4 DDU Postal Drops Included for postage savings

# QUOTATION FORM

Town of York, Maine  
Parks and Recreation  
2015 Summer Brochure

Name of company submitting proposal: RAM PRINTING  
Address: 5 Commerce Park  
E. Hampstead, NH. 03826  
Telephone: 603-231-4062

Name of company representative authorized to submit proposal:

Title: Account Manager  
Signature: [Handwritten Signature]

Total bid amount per specifications: 7K 7,047.52  
8K \$ 7,596.37

60 Pages

(Price in numerals)  
seven thousand and forty seven  
\$seven thousand five hundred and ninety six  
(Price in words)

7K \$013.29  
8K \$ 8,646.00

66 Pages

(Price in numerals)  
eight thousand and thirteen  
\$eight thousand six hundred and forty six  
(Price in words)

Price for Sort and tray for bulk mail  
ECRWSS Postal Patron - list supplied

7K 257.50  
8K 280.00

# QUOTATION FORM

Town of York, Maine  
Parks and Recreation  
2015 Summer Brochure

Name of company submitting proposal: HAWTHORN CREATIVE

Address: 33 JEWELL COURT  
PORTSMOUTH, NH 03801

Telephone: 508-421-9299

Name of company representative authorized to submit proposal:

Title: DESIGN + PRINT SPECIALIST

Signature: Wendy R. McDaniel  
WM | BM

Total bid amount per specifications:

60 Pages

\$ 7,861 | \$ 8,418

(Price in numerals)  
seven thousand, eight hundred + sixty-one dollars | eight thousand, four hundred + eighteen dollars  
(Price in words)

64 Pages  
~~66 Pages~~

\$ 8,758 | 9,363

(Price in numerals)  
eight thousand, seven hundred + fifty-eight dollars | nine thousand, three hundred + sixty-three dollars  
(Price in words)

Price for Sort and tray for bulk mail  
ECRWSS Postal Patron - list supplied

\$ 200 | 200

two hundred dollars | two hundred dollars  
(Price in numerals)

66 Pages

\$ 8960 | 9591

(Price in words)  
eight thousand + nine-hundred + sixty dollars | nine thousand five-hundred + ninety-one dollars

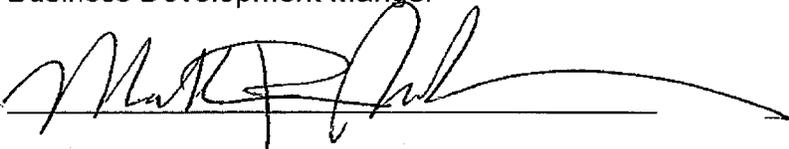
Quotation Form  
Town of York, Maine  
Parks and Recreation  
2015 Summer Brochure

J.S. McCarthy Printers  
15 Darin Drive  
Augusta, Maine 04330

207.272.4801 (Phone)

Proposal submitted and authorized by:

Matthew R. Jacobson  
Business Development Manger



Date: March 18, 2015

Total bid amount per specifications:

**60 Text Pages + 4 Page Cover – Estimate #172261**

\$9,155.00 or Nine Thousand One Hundred and Fifty Five Dollars and Zero Cents (This amount is for a quantity of 7,000).

\$9,717.00 or Nine Thousand Seven Hundred Seventeen Dollars and Zero Cents (This amount is for a quantity of 8,000).

**64 Text Pages + 4 Page Cover – Estimate #172261-3**

\$10,317.00 or Ten Thousand Three Hundred Seventeen Dollars and Zero Cents (This amount is for a quantity of 7,000.)

\$10,912.00 or Ten Thousand Nine Hundred Twelve Dollars and Zero Cents (This amount is for a quantity of 8,000.)

# QUOTATION FORM

Town of York, Maine  
Parks and Recreation  
2015 Summer Brochure

Name of company submitting proposal: CREATIVE IMAGING GROUP

Address: 64 MUSSEY RD.

SCARBOROUGH, ME 04074

Telephone: (207) 893-2999 EXT 110

Name of company representative authorized to submit proposal:

Title: SALES MANAGER

Signature: Diana Bonney

Total Bid Amount Per Specifications:

	7000	8000
60 Pages + Cover	\$ <u>9,750.00</u> NINE THOUSAND SEVEN HUNDRED + FIFTY -	\$ <u>10,500.00</u> TEN THOUSAND FIVE HUNDRED
64 Pages + Cover	\$ <u>10,450.00</u> TEN THOUSAND FOUR HUNDRED + FIFTY	\$ <u>11,300.00</u> ELEVEN THOUSAND THREE HUNDRED
68 Pages + Cover	\$ <u>11,250.00</u> ELEVEN THOUSAND TWO HUNDRED + FIFTY	\$ <u>12,200.00</u> TWELVE THOUSAND TWO HUNDRED
Sort/Tray/Mail	\$ <u>400.00</u> FOUR HUNDRED	\$ <u>435.00</u> FOUR HUNDRED + THIRTY FIVE

66 pages is not possible. Must be in 4 page increments for saddlestitching

All Pricing Above Assumes We Are Receiving Print Ready PDF's - NEED FILES BY APRIL 6TH

Postage Not Included



# Town of York

186 York Street  
York, Maine 03909-1314

Town Manager/  
Selectmen  
(207)363-1000

Town Clerk/  
Tax Collector  
(207)363-1003

Finance/  
Treasurer  
(207)363-1004

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(207)363-1002

Planning  
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(207)363-1015

Public Works  
(207)363-1011

Harbor Master  
(207)363-1000

Senior Center/  
General Assistance  
(207)363-1036

Parks and  
Recreation  
(207)363-1040

Fax  
(207)363-1009  
(207)363-1019

[www.yorkmaine.org](http://www.yorkmaine.org)

## Quotation Request

**Town of York, Maine  
Parks and Recreation  
2015 Summer Brochure**

**The Town of York is accepting proposals from interested printers for the Parks and Recreation Departments 2015 summer brochure.**

**The printer will be responsible for the full scope of work to completion supplying all materials and labor. Quotations for the work are to be submitted in the format (form) provided herein and should state the total price of the entire finished product.**

**If any exceptions to the specifications provided herein are requested they must be fully defined in the quotation. The printer will provide in his quotation a work and completion schedule. The deadline for completion is May 1, 2015.**

**All communications regarding the project should be directed to Robin Cogger, Assistant Director of Parks and Recreation, Town of York, 186 York Street, York, Maine 03909, telephone (207) 363-1040.**

**All bids are to be sealed, marked "Quotation Parks and Recreation Summer Brochure" and delivered to the York Parks and Recreation Office no later than 1:00pm Wednesday, March 18, 2015.**

**The Town of York reserves the right to reject any or all bids.**

**Contract award is scheduled for Monday, March 23, 2015.**

**Payment will be made on the following schedule: 100% upon completion and final acceptance by the Town.**

**Exhibit A will be included in any resulting contract issued by the Town of York.**

**Town of York, Maine  
Parks and Recreation Department**

**Specifications**

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<b>Title:</b>	Parks and Recreation 2015 Summer Brochure
<b>Size:</b>	8 x 8
<b>Number of Pages:</b>	60 + cover / 66 + cover
<b>Prep:</b>	Sample copy available for pick up at the Parks and Recreation Office
<b>Proofs:</b>	Folded, stapled and trimmed Dylux of entire brochure, plus color proof of cover and inside colored pages
<b>Stock:</b>	Cover – 80# dull matte Inside pages: 60 # dull coated
<b>Ink:</b>	Cover – 4 color Inside pages have some 4 color depending on page set up and print set up.
<b>Finishing:</b>	Saddlewire bind, trim to size. All extras, not included in mailing, should be carton packed, (no more than 30 #'s per ctn.), all cartons sealed and marked for contents with date.
<b>Shipping:</b>	Bulk “Town of York” Mailing direct from Printers or Mail House
<b>Quantity:</b>	7 M / 8 M

## **ARTICLE I - AUTHORITY**

The Contractor and the Town each warrant to the other that each has full right, power and authority to execute and perform this Contract.

## **ARTICLE II - TIME OF PERFORMANCE**

The Contractor shall begin and complete the services in accordance with the schedule.

## **ARTICLE III - DIRECTION**

The services to be accomplished under this Contract shall be performed under the direction of the Project Monitor. All matters relating to this Contract, including, without limitation, payments to the Contractor, time schedules, and interpretations of contractual provisions shall be referred to the Project Monitor. Any amendments to this Contract referred to hereinafter in ARTICLE X - AMENDMENTS must first be approved by the Project Monitor. The Contractor shall furnish the Project Monitor or the Town with written and oral reports whenever requested.

## **ARTICLE IV - TERMINATION**

A. **For Cause** - If the Contractor fails to fulfill his obligations under this Contract properly and on time, or otherwise violates any provisions of the Contract, the Town may terminate the Contract by written notice to the Contractor five (5) calendar days before the effective date of the termination. The notice shall specify the acts or omissions relied on as cause for termination. The Town shall determine the damages to the Town caused by the Contractor's breach. The Town shall pay the Contractor fair and equitable compensation for services satisfactorily completed prior to receipt of notice of termination (or prior to date the notice was mailed if Contractor has absented himself so that he does not receive the notice), less the amount of damages determined by the Town. If damages are more than the compensation payable to the Contractor, the Contractor shall remain liable after termination and the Town can affirmatively collect damages.

B. **For Convenience of Town** - The Town may terminate the Contract at any time, effective immediately or as specified, by written notice to the Contractor. In the event of such termination, the Contractor shall be paid for services actually performed and reimbursed for costs and expenses incurred in performance of or in reliance to the Contract.

## **ARTICLE V - INTEREST OF MEMBERS OF TOWN AND OTHERS**

No office, member or employee of the Town and no public official of the locality in which the project is situated or being carried out, shall participate in any decision relating to this Contract which affects his personal interest or the interest of any corporation, partnership, association in which he is, directly or indirectly, interested. No officer, employee of the town, or

any member of the governing body, or other public official of the locality in which the project is situated or being carried out, shall have any interest, direct or indirect, in this Contractor or the proceeds thereof.

**ARTICLE VI - COVENANT AGAINST CONTINGENT FEES**

The Contractor, by signing this Contract, warrants that no person or selling agency has been employed or retained to solicit or secure this Contract upon any agreement or understanding for a commission, percentage, brokerage, or contingent fee. For breach, or violation of this Warrant, the Town shall have the right to annul this Contract without liability, or in its discretion, to deduct from the consideration, the full amount of such commission, percentage, brokerage, or contingent fee.

**ARTICLE VII - BACKGROUND MATERIAL AND RECORD KEEPING**

If requested and applicable, the Contractor shall deliver to the Town background material prepared or obtained by the Contractor incident to the performance of this Contract. Background material shall be defined as original work papers, notes, and drafts prepared by the contractor to support the data and conclusions found in the work product to be produced by the Contractor in accordance with the performance of services hereof. Background material shall also include, but not be limited to, completed questionnaires, material in electronic data processing form, computer programs, other printed materials, pamphlets, maps, drawings, and books acquired by the Contractor during the term of this Contract and directly related to the services being rendered.

**ARTICLE VIII - SUBCONTRACTING**

The Contractor shall not enter into subcontracts for any of the services contemplated under this Contract without obtaining the prior written approval of the Town and subject to such conditions and provisions as the Town may deem necessary, and in its discretion, to protect the interests of the Town. No provision of this Article and no such approval by the Town of any subcontract shall in any event give rise to any obligation of the Town in addition to the total contract price, and the Town shall not be responsible for the fulfillment of the Contractor's obligation to subcontractors.

**ARTICLE IX - EQUAL EMPLOYMENT OPPORTUNITY**

There shall be no discrimination against any employee who is employed in the services covered by this Contract, or against any applicant for such employment, because of race, color, religion, sex, or national origin.

**ARTICLE X - AMENDMENTS**

This Contract constitutes the entire agreement between the parties hereto, and all other communications between parties prior to the execution of this Contract, whether written or oral, with reference to the subject matter of this Contract are superseded by the agreement contained herein. No amendment of this Contract shall be binding unless in writing signed by the parties.

**ARTICLE XI - MAINE LAW TO CONTROL**

This Contract shall be construed, interpreted and enforced according to the laws of the State of Maine.

**ARTICLE XII - STANDARDS OF WORK**

The Contractor agrees and warrants that the performance of the services, pursuant to the requirements of this Contract, shall conform to high professional standards.

#### **ARTICLE XIII - ASSIGNMENT OF CLAIMS**

The Contractor shall not make an assignment of claims arising under this Contract without obtaining prior permission, in writing, from the Town. If such assignment is authorized, the Town shall specify who should submit invoices and how payments shall be handled.

#### **ARTICLE XIV - TAXES**

The Town is not required to and shall not withhold Federal, State or FICA Taxes for contractual payments hereunder. All such taxes are the sole responsibility of the Contractor.

#### **XV - INSURANCE**

The Contractor agrees to maintain, in full force and effect during the term of this Contract, general liability and Workers Compensation Insurances as required by the laws of the State of Maine. The Contractor further agrees to provide a certificate of insurance from the Contractor's insurance carrier which shall specify the name and address of the insured, insurance carrier, the policy number and effective dates. Said required coverage shall not be canceled or modified nor shall there be any charge in the insurance carrier without ten (10) days prior written notice given to the Town. If there be such an approved change, the Contractor shall provide a new certificate of insurance as required above.



**Village Study  
Committee**

Ron McAllister, Chair  
Stu Dawson  
Antonia DeSoto  
Gloria Gustafson  
Christine Hartwell  
Joel Lefever  
Dean Lessard  
Jody Merrill  
Dylan Smith  
Peter Smith  
Scott Stevens  
Lew Stowe  
Robert Palmer  
Stephen Burns

TO: Members of the Town of York Board of Selectmen  
FROM: Ron McAllister, Chair of the York Village Study Committee   
VIA: Steve Burns, Town Manager  
DATE: 19 March 2015  
RE: Village Master Plan Phase I: Progress Report #3

This memorandum provides an update on the Village Study Committee's activities since we made our last progress report on December 4, 2014. Below is a summary of what has been achieved during the period from December through February.

- **Workshop #3:** The big event this quarter was the third public design workshop held on February 7. More than 100 people attended the event and, as with previous workshops, there was active participation in small groups followed by an all participants summary session. Total attendance at the three workshops was about 240.
- **York St/Long Sands Rd Intersection Design:** At the time of our last report, we were still working with three alternatives for changing traffic patterns at the intersection of York Street and Long Sands Road. People attending the February workshop were strongly disposed to one of these — the York Street Tee which brings traffic coming down Long Sands Road to a +/- 90 degree connection with York Street. Computer modeling of the alternatives also supported this option as the best for minimizing traffic back-ups in the Village. In addition to improved traffic flow, the audience were also enthused about the sense of open space and it's potential as a great place for people.
- **East End York Street Segment:** The workshop also brought attention to the narrowest and most challenging portion of York Street — the area between the Berger and the Ciampa buildings. Sketches for various roadway design options were presented and people were asked to assess their value. As of now, the preferred design would allow sidewalks and parallel parking on both sides of the street, shared bike/auto travel lanes, street trees and lighting.
- **ADA Accessibility:** Both the VSC and TDRC are supportive of maximizing opportunities for handicapped access in all aspects of the Master Plan. This is consistent with our focus on a “complete streets” philosophy. However, the irregularities of the current street and sidewalk contours and the need to address

some areas that can only be altered with private property owner involvement make it difficult to adequately address ADA compliance at this point.

- **Public-Private Partnership for Parking:** TDRC has been focused on the public realm. Discussion at the workshop highlighted the opportunity that would be presented if private parking lot(s) behind the Ciampa and Karoutis properties could be utilized. There was a great deal of encouragement from attendees to create a partnership there wherein the Town of York and the owners might reach an accord to combine and rationalize the parking areas in this location.
- **Two Controversial Issues:** There are persistent controversies regarding two prominent properties — the Village Fire Station and Cumberland Farms.
  - **Cumberland Farms:** Some may recall that in its October 2012, the VSC detailed its understanding of conditions under which Cumberland Farms might be willing to move out of the Village. It is safe to assume that while few people are thrilled with the design of the building, many see the business as important to the economic vitality of the Village. We have had subsequent contact with representatives of the company. They are aware of community concerns about the aesthetic fit of the building and the awkward logistics which the property creates for drivers and pedestrians in and around their building. We hope Cumberland Farms will be willing to work with the Town as the Master Plan project moves forward.
  - **The Fire Station:** The Town's Comprehensive Plan calls for relocating the Village Fire Station to Route 1. We found that many people support this idea because the existing property offers an opportunity for new and convenient parking. At the same time, many others (including Fire Department members) do not like the idea. The investment which the Town has made in recent years to expand and improve the station suggests a further ambivalence about the best location for this facility.
- **Continuing Outreach:** We have continued to reach out to important interest groups. Meetings were held at the end of January with representatives of the Village and Beach Fire Departments as well as the Ambulance Association. In addition, representatives from the American Legion and the VFW met with TDRC and members of the VSC. The focus of that discussion was the Monument and how it might be protected and honored.
- **Other Street Segments:** Proposed improvements to two additional segments of village roadways are anticipated — the West End of York Street to a point beyond the Remick Barn and Long Sands Road beyond Woodbridge Road toward Long Sands Plaza.

- **The Planning Board:** In addition to our extensive public outreach, the VSC has been working in close cooperation with the Planning Board. This collaboration is expected to result in a set of recommended changes to the Comprehensive Plan and to Village Zoning. We are hopeful that changes in these areas will be ready for consideration by the voters in November 2015.
- **Next Steps:** As of early March, a first draft of the Master Plan was about 50% complete. The plan is to have a full and final draft ready for the Board of Selectmen by April 20. TDRC has proposed making a formal presentation to the Board during its regularly scheduled meeting on April 27. Pending acceptance of the Master Plan, we expect to recommend moving forward with the final two phases of the planning process: Schematic Design and Construction Documents.

The committee has been greatly encouraged by the enthusiasm and momentum that the master planning process has generated so far. We remain grateful for the Board's support. Thank you.

cc: Village Study Committee  
Denis Lachman, TDRC



**Notice of Public Hearing  
Board of Selectmen  
Monday, March 23, 2015  
7:00 PM  
York Public Library**

The York Board of Selectmen will conduct a Public Hearing regarding proposed ordinance amendments to be considered at the May 2015 General Referendum, as follows:

1. Elimination of the Sunset Clause Regarding Outside Display Along Route One (Zoning);
2. Amendment of Digital Display Sign Standards (Zoning);
3. Match Density and Minimum Lot Size in the Watershed Protection Overlay District (Zoning);
4. Amend GEN-3 Permitted Uses within the GEN-3 Zoning District (Zoning);
5. Establish Sign Standards for "Gateway Signs" (Zoning);
6. Artisanal Food and Beverage Ordinance (Zoning);
7. Allow for Greater Residential Density in the York Beach Village Center Zone (Zoning);
8. Proposed New Single-Use Bag Ordinance; and
9. Amend Ordinance Fines in 21 Town Ordinances

Printed copies of the text of these amendments are available with the Town Clerk's Office and the Town Manager's Office at the Town Hall; Digital copies are also available on the Town's web page ([www.yorkmaine.org](http://www.yorkmaine.org)).

# **Proposed Amendments**

to be considered at the

## **May 2015 Special General Referendum**

### Amendment

1. Elimination of the Sunset Clause Regarding Outside Display Along Route 1
2. Sign Standards (Digital Displays throughout Town)
3. Match Density and Minimum Lot Size in the Watershed Protection Overlay District
4. Gen-3 Zoning District Permitted Uses
5. Establish Sign Standards for “Gateway Signs”
6. Artisanal Food and Beverage Ordinance
7. YBVC District Mixed Use Building Dwelling Unit Density

# **Amendment #1**

## *Outside Retail Display on Route 1*

**Ballot Language:** The following language would appear on the ballot:

**Article X**

The Town hereby ordains amendment of the **Zoning Ordinance** to eliminate the sunset clause located under article 6.3.27.2 regarding outside display standards of retail goods within Route 1 Zoning Districts.

**Statement of Fact:** The purpose of this amendment is to continue to allow for outside display of retail goods per the standards established in Article 6-Special Provisions, Section 6.3.27.2. **Outside Retail Display.** The outside display standards, as established in May 2012, have been consistent with ensuring standards for visual appearance of commercial properties along Route 1 and will continue to allow businesses, within reason, to display goods for patrons and visitors alike.

**Recommendations:**

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

**Amendment:** Eliminate the sunset clause located in 6.3.27.2, as follows:

- 6.3.27.2 **Outside Retail Display.** Outside display of retail goods, in an un-roofed area where customers have ready access to such products, shall be allowed as an accessory use to any business with a retail component as follows.
- A. The total area allowed for outside retail display is:
    - 1. for a property with 2,500 square feet or less of indoor retail space, 1,000 square feet of outside retail display per property; or
    - 2. for a property with more than 2,500 square feet of indoor retail space, 2,000 square feet of outside retail display per property.
  - B. Outside retail display does not need to be screened from view, and parking is not required for such areas.
  - C. Up to 10% of the outside retail display area may be located within the required bufferyards. This area shall be increased to 15% where the posted speed limit on the road in front of the business 50 MPH or faster. This limitation shall not apply to live plants – see §6.3.27.5.
  - D. The outside retail display may not occur within or block designated parking spaces, traffic aisles, or wheelchair-accessible pedestrian ways.

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- E. No component of the display shall be allowed if it would cause a safety risk to motorists, bicyclists or pedestrians because of its size, shape or placement (such as but not limited to objects which block sight distance, are sharp, or are large/immobile and located immediately adjacent to the road). Upon verbal direction from a Code Enforcement Officer, any such problem item shall be removed or relocated immediately.
- F. Outside retail display shall not involve any substantive physical change to or development of the property. It is simply an allowance to place product outside.
- G. Such areas can straddle or cross onto a neighbor's property with that owner's permission.
- H. Except for vehicle display (see §6.3.29), outside retail display which conforms to the standards of this section shall be permitted and shall not require specific permits or approvals from the Town

~~SUNSET CLAUSE: Section 6.3.27.2 shall take effect immediately upon passage by the voters, and shall remain valid until June 20, 2015. After this date, outside retail display shall be prohibited. It is expected this allowance for outside retail display will be continued, with or without modification. This Sunset Clause is provided to allow evaluation of the impacts of this section's standards, and to make adjustments if needed without causing long term adverse impacts.~~

## **Amendment #2**

### *Sign Standards (Digital Display)*

**Ballot Language:** The following language would appear on the ballot:

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to add language to section 16.4.1 enumerating what illuminated signs are prohibited and to clarify that fuel price displays shall comply with pertinent sections of section 16.9 of the sign ordinance.

Statement of Fact: The purpose of this amendment is to reference the prohibitive signs and displays section of the ordinance in order to clarify illumination standards within the sign ordinance and to include reference to digital displays of fuel prices within section 16.9.3 of the ordinance.

**Recommendations:**

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

**Amendment:** Add and alter language in section **16.4 Illumination of Signs** and **16.9 Prohibited Signs and Displays** of the zoning ordinance as follows:

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. ~~Internally lit signs shall not cause undue glare.~~*

16.9.3: Flashing, moving or animated signs, movable electric signs, changeable signs, intermittently lit signs, digital, 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.

**Amendment #3**  
*Match Density and minimum lot size in Watershed Protection  
Overlay District*

**Ballot Language:** The following language would appear on the ballot:

**Article X**

The Town hereby ordains amendment of **Zoning Ordinance** 10.4.1 to ensure that minimum lot size density requirements within the overlay district are consistent with the purpose and intent of the overlay district ordinance and how it relates to density requirements of the underlying zoning district (predominately the Gen-2 Zoning District).

**Statement of Fact:** The purpose of this amendment is to ensure that the 10 acre minimum lot size density requirements of the Watershed Protection Overlay District are consistent within the underlying district.

**Recommendations:**

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

**Amendment: Article 10 section 10.4.1 to read as follows:**

**10.4.1 Minimum Lot Size.** No lot shall be less than 10 acres in size in this Overlay District. *No lot shall contain more than one (1) principal dwelling unit and (1) accessory dwelling unit with a combined total maximum of 5,000 square feet.* Additional Town requirements regarding net buildable area shall not be applied to this lot size measure, but may apply to the minimum land area requirement in the underlying zoning district. Cluster subdivision *with the same density ratio* shall be allowed within this Overlay District.

## **Amendment #4**

### *Gen-3 Zoning District Permitted Uses*

**Ballot Language:** The following language would appear on the ballot:

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to amend the permitted use section of the General-3 Zoning District (GEN-3), specifically amending Article 4.2, Business, Village and General Districts.

Statement of Fact: The purpose of this amendment is to focus and permit a majority of non-residential uses south of the Little River (reference of the Little River can be found within the Natural Resources Chapter of the York Comprehensive Plan titled “Surface Waters and Watersheds”) within the Gen-3 district. The majority of parcels located north of the Little River within the district are small and overwhelmingly residential. This amendment is intended to better meet the priorities found within the future land use areas 5, 8, and 12 of the Town’s Comprehensive Plan.

**Recommendations:**

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

**Amendment:** In Article 4, Use Regulations, Specifically, “Permitted Uses in the Gen-3 zone” Amend the following use category’s to read as follows:

**Commercial Use Category (GEN-3)**

- Service Businesses Serving Local Needs such as, but not limited to, barber shops, shoe repair, self-service laundry or dry-cleaning pick-up agency, tailoring, printing shop, caterer or other similar uses (*South of the Little River*)
- Small (under 2,500 square feet) Store for Retail Sale of Merchandise provided all display, storage and sale of materials are conducted within a building and provided there is no manufacturing or assembly on premises (*South of the Little River*)
- Banks (with or without drive-through window) (*South of the Little River*)
- ~~Antique Shops~~
- Laundries and Dry Cleaning Facilities (on public sewer) (*South of the Little River*)
- Plumbing, Electrical or Carpentry Shop or Other Similar Service or Repair Establishment (*South of the Little River*)
- Lodging and Tourist Homes/Inns (*South of the Little River*)
- Restaurants (*South of the Little River*)

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- Ice Cream Stands (*South of the Little River*)
- Florists (*South of the Little River*)
- Garden Centers (*South of the Little River*)
- Pet Shops (*South of the Little River*)
- Commercial Schools (*on public sewer*)
- Day Care Facilities
- Fruit and Vegetable Produce Stores
- *Farm Stands*
- EXPRESSLY PROHIBITED: Large Store or Mall (Group of Stores Under Single Roof) With Total Floor Space Over 2,500 Square Feet for Retail Sale of Merchandise; *Store for Retail Sale of Merchandise such as but not limited to Lumber Yards and Building Supply Yards wherein merchandise is stored in the open, provided that all merchandise so stored is screened from ground level view from any abutting residential property*; Motels/Hotels; Fast Food Restaurants, whether the use is a principal use or an accessory use; Formula Restaurants, whether the use is a principal use or an accessory use; Truck Stops; Marinas; Medical Marijuana Production Facility; Medical Marijuana Registered Dispensary.

#### **Office Use Category (GEN-3)**

- Business, Financial, Professional or Government Offices, Except Town of York or York School District Offices (*South of the Little River*)
- Town of York or York School District Offices
- Offices and Clinics for Medical, Psychiatric, or Other Health Services for the Examination or Treatment of Persons as Outpatients, including only Laboratories that are Part of Such Office or Clinic (*South of the Little River*)
- Laboratory or Research Facility (*South of the Little River*)
- *Radio or Television Studio*
- EXPRESSLY PROHIBITED: ~~Radio or Television Studio.~~

#### **Civic & Public Use Category (GEN-3)**

- Cemeteries
- Civic Use
- Cultural Facility (*on public sewer*)
- Essential Services
- Hospitals (*South of the Little River*)
- Medical Facility (*South of the Little River*)
- Membership Organization (*South of the Little River*)
- Municipal Use
- Nursing Homes (*on public water and sewer*)
- Religious Use
- School
- Utility District

**Industrial Use Category (GEN-3)**

- Printing, Binding, Publishing and Related Arts and Trades (*South of the Little River*)
- Bottling of Beverages (*South of the Little River*)
- Machine Shop, Assembly, Packaging, or Manufacturing (*South of the Little River*)
- Wholesale Business and Storage in a Roofed Structure (*South of the Little River*)
- Wood Manufacturing and Fabrication (*South of the Little River*)
- Bulk Storage Collection Bin (*South of the Little River*)
- EXPRESSLY PROHIBITED: Waste Processing or Disposal Facility; Bulk Fuel Storage; Truck Terminals; Waste Transfer Facility.

**Vehicular Use Category (GEN-3)**

- Vehicle Service Stations, Auto Repair Garages (*South of the Little River*)
- Auto Body Repair Shops (*South of the Little River*)
- Place for Repair, Sale, Rent or Storage of Pleasure Boats
- EXPRESSLY PROHIBITED: Sale, Rental and Accessory Storage of Automobiles, Light Trucks, Motorcycles, and Mopeds Conducted Wholly or Partially in Open Lots; Sale of Pickup Coaches, Campers, Tent Trailers and Similar Equipment, Including Snowmobiles; Salvage Yards, Junk Yards, Wrecking Yards; Car Washing Establishment.

**Rural & Agricultural Use Category (GEN-3)**

- Soil and Water Conservation Practices – Conducted in accordance with the standards of the USDA Natural Resources Conservation Service including but not limited to creation and maintenance of farm ponds for agricultural purposes.
- Aquaculture
- General Purpose Farm, Agriculture and Nurseries
- Timber Harvesting
- Forest Management Activities Except for Timber Harvesting
- ~~Sale of Produce Raised on Same Premises~~
- Wildlife Management Practices
- Animal Breeding (Small Domestic Animals)
- Harvesting of Wild Crops
- ~~Commercial Stables~~
- Veterinary Establishment, Kennel, or Similar Establishment – Provided that in commercial zones animals are kept wholly indoors.
- EXPRESSLY PROHIBITED: *Commercial Stables*; Mineral Exploration; Sand/Gravel Pits, Quarries, etc.

**Recreation & Amusement Use Category (GEN-3)**

- Indoor Amusement/Entertainment/Assembly Place (Enclosed) (*South of the Little River*)
- Indoor Sports Facility (No Gambling) (*South of the Little River*)
- Outdoor Sport and Amusement Facilities ~~Conducted for Profit~~
- Country Club
- EXPRESSLY PROHIBITED: Campgrounds and Travel Trailer Parks; Amusement Arcades (as Primary or Accessory Use); Open Air or Drive-In Theater or Other Open Air Places of Entertainment; ~~Bath House for Non-Commercial Purposes.~~

**Miscellaneous Use Category (GEN-3)**

- Piers, Docks, Wharves, Breakwaters, Causeways, Bridges and Other Structures and Uses Extending Over or Below the Normal High Water Mark – Temporary or Permanent.
- Flea Markets (*South of the Little River*)
- Mortuary, Undertaking or Funeral Establishment (*South of the Little River*)
- Place for Exhibition, Lettering or Sale of Gravestones (*South of the Little River*)
- Filling or Other Earthmoving Activities
- Road and Driveway Construction
- Structures Accessory to Permitted Uses – If the principal structure or principal use is a dwelling unit, an accessory structure shall not have cooking facilities and shall not have more than one of the following: living facilities, sanitary facilities or sleeping facilities.
- Accessory Uses Customarily *Incidental* to Allowed Uses
- Uses Similar to Permitted Uses
- EXPRESSLY PROHIBITED: Casino; Head Shop; Obscene Exhibitions; Dumps; Billboards; Uses Similar to Prohibited Uses.

## **Amendment #5**

### *Sign Standards (Gateway Signs)*

**Ballot Language:** The following language would appear on the ballot:

**Article X**

The Town hereby ordains amendment of the **Zoning Ordinance** to add language to section 16.2-Sign Types by defining “Gateway Signs” as well as dimensional standards for “Gateway Signs” within section 16.5.2-Dimensional Standards by Sign Type. The ordinance also adds language to section 16.3-Performance Standards by specifying that a permit application for “Gateway Signs” must receive approval from the Board of Selectmen with comment from the Code Enforcement Officer and Public Works Director prior to receiving a permit to construct a “Gateway Sign.”

**Statement of Fact:** The purpose of this amendment is to provide a reasonable standard for Town approved gateway signs that communicate an identifiable village or area within the Town of York.

**Recommendations:**

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

**Amendment:** Add a definition of “Gateway Sign to 16.2-Sign Types and re-number that section in alphabetical order. When renumbered in alphabetical order the inserted definition will read as follows.

*16.2.9 Gateway Signs: A gateway sign is a freestanding sign, constructed within a public right-of-way, or adjacent lot, which communicates the name of the Town or village area.*

**Amendment:** Add language to section 16.3-Performance Standards, specifically section 16.3.1 to read as follows:

16.3.1 No new, additional or enlarged commercial sign shall be erected or placed within the Town of York except as provided below. No person, firm, corporation or organization shall erect, enlarge, or replace any sign described above without first obtaining a permit from the Code Enforcement Officer, except as exempted by this Ordinance. All permit applications shall include a drawing showing all dimensions, types of materials, and illumination proposals. *An application for a “Gateway Sign,” as permitted in this ordinance, shall obtain written approval from the Board of Selectmen after receiving comment by the Code Enforcement Officer and Public Works Director.*

**Amendment:** Add a new section to 16.5.2-Dimensional Standards to read in alphabetical order as follows:

*16.5.2.5 Gateway Signs*

- a. Gateway Signs shall not have a sign area greater than 12 square feet or be greater than 8' from the adjacent ground grade to the top of the sign.*

## **Amendment #6** *Artisanal Food and Beverage Ordinance*

**Ballot Language:** The following language would appear on the ballot:

**Article X**

The Town hereby ordains amendment of the **Zoning Ordinance** to define a new principal use for craft manufactures of food and beverage products, and to establish where this new use is allowed or prohibited, specifically amending Article 2, Definitions, Article 4, Use Regulations, Article 8, Shoreland Overlay District and Article 10-G, Farm Enterprise Overlay District.

**Statement of Fact:** The purpose of this amendment is to facilitate the growth and diversification of the town's food and beverage-based businesses and to enhance the Town's hospitality attractions with regard to artisan crafted food and drink, specifically allowing a new use called, "Artisanal Food and/or Beverage Facility." The definition is similar to one that was adopted by the Town of Kittery in recent years. It is intended to allow for manufacturing, sales, distribution and/or on-site consumption of artisanal food and beverage products that are produced on site. Types of businesses could include, but are not limited to, a brew pub, micro-brewery, distillery, coffee roaster, bakery or other such facilities. The use would be allowed in York Village, York Beach, in most sections of the Route One corridor, and in most areas of the General Development zones.

**Recommendations:**

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

**Amendment:** In Article 2, Definitions, insert new language to define a new principal use as follows:

***ARTISINAL FOOD AND/OR BEVERAGE FACILITY:*** *A facility wherein food/beverage products are produced and sold directly to the consumer. Products may be retailed for consumption on or off the premises; and the facility may additionally engage in small-scale wholesale distribution of products produced on-site. Examples include, but are not limited to: a facility engaged in small-batch baking; small-scale cheese production; a small brewery/winery/distillery (producing under 50,000 gallons/year) small-batch vegetable pickling; or small-scale meat or fish curing.*

*An Artisanal Food and/or Beverage Facility shall be allowed to offer guided tours of the facility and tasting rooms.*

In Article 4, Use Regulations, insert into the “Commercial Use Category” of the following zones the new use of Artisanal Food and/or Beverage Facility as permitted:

**YBVC**

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area.*

**GEN-3**

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet) – Allowed only in that portion of the zone that is located south of the Little River. Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area.*

**RT 1-2**

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet. Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area. – Route One Use Permit from the Planning Board is required.*

**RT 1-3**

- *Artisanal Food and/or Beverage Facility. Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area. – Route One Use Permit from the Planning Board is required.*

**RT 1-4**

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area. – Route One Use Permit from the Planning Board is required.*

**RT 1-5**

- *Artisanal Food and/or Beverage Facility (Not to exceed 2,500 square feet of floor space). – Route One Use Permit from the Planning Board is required.*

In Article 4, Use Regulations, insert into the “Commercial Use Category” of the remaining base zones a prohibition of the new use of *Artisanal Food and/or Beverage Facility* as follows:

RES 1-A & RES 1-B

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-2

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-3

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-4

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-5

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-6

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-7

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

BUS-1

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

BUS-2

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

GEN-1

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

GEN-2

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RT 1-1

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RT 1-6

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

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In Article 8, Shoreland Overlay District, insert into the “Commercial Use Category” of the Mixed Use Sub-district the new use of *Artisanal Food and/or Beverage Facility* as permitted:

8.2.1.A Mixed Use Subdistrict

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area*

In Article 8, Shoreland Overlay District, insert into the “Commercial Use Category” of the remaining sub-districts a prohibition of the new use Specialty Food and/or Beverage Facility as follows:

8.2.1.B Limited Residential Subdistrict

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

8.2.1.C Resource Protection Subdistrict

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

8.2.1.D Stream Protection Subdistrict

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

In Article 10-G, Farm Enterprise Overlay District, insert the following bullet point within Section 10-G.2.a- Allowed Agriculture-Related Uses:

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area.*

## **Amendment 7**

### *YBVC District Mixed Use Building Dwelling Unit Density*

**Ballot Language:** The following language would appear on the ballot.

**Article X**

The Town hereby ordains amendment of the Zoning Ordinance to revise the density provision applicable to the York Beach Village Center (YBVC) District under article 5.4.11.a regarding the allowed density of dwelling units in a mixed use building within the YBVC District.

**Statement of Fact:**

The purpose of this amendment is to expand the re-development options for mixed-use buildings in the YBVC District. This amendment is fully consistent with the Comprehensive Plan's Recommendation #6 for the York Beach Village Center: "Density requirements identified in the Zoning Ordinance should be adjusted to allow additional condominium development in the area."

**Recommendations:**

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

**Amendment:** In Article 5 Dimensional Regulations, revise the language of article 5.4.11.a to allow the number of multi family dwelling units in a mixed use building to be increased:

**5.4.11 Provisions applicable to the YBVC District**

The following standards shall apply.

- a. For mixed use buildings, *serviced by public water and public sewer*, the maximum number of dwelling units shall not ~~exceed 8 per building and shall not exceed 12 units per acre~~ *be limited by lot size or density limits. The ground floor of mixed use buildings shall be reserved for commercial use as allowed in the YBVC District.*
- b. Except as provided in subsection "a" above, if more than one dwelling unit is constructed on a single lot, the minimum lot size requirement shall be provided for each unit.
- c. With respect to applicability of the Town of York Well Ordinance, properties in the YBVC zone shall be treated in an equivalent manner to properties in the former BUS-3 zone.

## **SINGLE-USE BAG ORDINANCE**

### **SECTION 1. PURPOSE**

The production and use of single-use carryout bags has significant impacts on the environment of all coastal communities, including, but not limited to; contributing to the potential death of marine animals through ingestion and entanglement, contributing to pollution of the land environment, creating a burden to our solid waste collection and recycling facility, clogging our storm drainage systems, deforestation, and increased greenhouse gas emission, and the use of millions of barrels of crude oil nationally for their manufacture. In addition;

1. Evidence indicates that the vast majority of single-use carryout bags are used for the bagging and carryout of products purchased from stores, as those businesses are defined in this ordinance; and
2. Curbside recycling of single-use carryout plastic bags is not currently permitted in the Town of York recycling program and location-limited recycling options and voluntary efforts to control use of single-use carryout plastic bags, has had minimal effect to date; and
3. The Town of York strives to conserve resources, reduce greenhouse gas emissions, waste, and litter and to protect the public health and welfare, including wildlife, all of which increase the quality of life for the Town's residents and visitors; and
4. Studies document and participating municipalities report that prohibiting the free distribution of single-use carryout bags dramatically reduces the use of those types of bags; and
5. It is in the best interests of citizens of York to reduce the cost to the Town of solid waste disposal, and to protect our environment and our natural resources by reducing the distribution of single-use carryout bags and incentivizing the use of reusable bags at Stores, as defined in this Ordinance.

The purpose of this legislation is to minimize the usage of single-use carryout bags in the Town of York, Maine.

### **SECTION 2. AUTHORITY**

This Ordinance is adopted pursuant to the Town's home rule authority granted under Article VIII-A of the Maine Constitution, and Title 30-A MRSA §3001.

**SECTION 3. APPLICABILITY**

This Ordinance shall apply to all Stores as defined in subsections 4.4 and 4.5, operating within the Town of York, Maine.

**SECTION 4. DEFINITIONS**

As used in this Ordinance the following terms have the following meanings:

- 4.1. **SINGLE USE CARRYOUT:** Single-use Carryout Bag means a bag other than a Reusable bag provided at the checkout stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment. The term Single-Use Carryout Bag includes compostable and biodegradable bags but does not include reusable bags, produce bags, product bags or bags provided by pharmacists for prescription drugs.
- 4.2. **PRODUCE BAG OR PRODUCT BAG:** The terms produce bag or product bag mean any bag without handles used exclusively to carry produce, meats, other food items or merchandise to the point of sale inside a store or to prevent such items from coming into direct contact with other purchased items.
- 4.3. **REUSABLE BAG:** A bag that is:
  - (a) Designed and manufactured to withstand repeated uses over a period of time,
  - (b) Machine washable or made from a material that can be cleaned and disinfected regularly,
  - (c) At least 2.2 mil thick if made from plastic,
  - (d) Has a minimum lifetime of 75 uses, and
  - (e) Has the capability of carrying a minimum of 18 pounds.
- 4.4. **STORE:** The term Store means any of the following retail establishments located within the Town of York:
  - (a) A full-line, self-service market located in a permanent building, operating year-round, and which sells at retail a line of staple foodstuffs, meats, produce, household supplies, dairy products or other perishable items.
  - (b) A drug store, pharmacy, supermarket, grocery store, convenience food store, food mart, or other entity engaged in the retail sale of a limited line of goods that includes milk, bread, soda, and snack foods.

- 4.5 STORE does not mean businesses at which foodstuffs are an incidental part of the business. Food sales will be considered to be incidental if such sales comprise no more than 2 percent of the business's gross sales in the Town as measured by the dollar value of food sales as a percentage of the dollar value of total sales at any single location.

#### **SECTION 5. REGULATION OF SINGLE-USE CARRYOUT BAGS**

- 5.1 No Store shall provide a Single-Use Carryout Bag to a Customer at the checkout stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment except as provided in this Section.
- 5.2 A Store may make available for sale to a Customer a Single-Use Carryout Bag for a minimum charge of five cents (\$0.05) per bag.
- 5.3 All monies collected by a Store for Single-Use Carryout Bags under this Chapter may be used by the Store for any lawful purpose.
- 5.4 All Stores must post signage clearly indicating the per bag charge for Single-Use Carryout Bags.
- 5.5 Notwithstanding this Section, no Store may make available for sale a Single-Use Carryout Bag unless the amount of the sale of the Single-Use Carryout is separately itemized on the sale receipt.
- 5.6 No Store shall rebate or otherwise reimburse a customer any portion of the minimum charge required in subsection 5.2.

#### **SECTION 6. RECORD KEEPING AND INSPECTION**

Every Store shall keep complete and accurate records or documents of the purchase and sale of any Single-Use Carryout Bag for a minimum period of 3 years from the date of purchase and sale which record shall be available for inspection at no cost to the Town of York during regular business hours by any Town employee authorized to enforce this Ordinance. Unless an alternative location or method of review is mutually agreed upon, the records or documents shall be available at the Store's address. The provision of false information including incomplete records or documents to the Town of York shall be a violation of this Ordinance.

#### **SECTION 7. ADMINISTRATION AND ENFORCEMENT**

- 7.1 The Code Enforcement Officer (CEO) shall have the authority to administer and enforce this Ordinance.
- 7.2 Each Store as defined in subsections 4.4 and 4.5 above, located in the Town of York, shall comply with this Ordinance.

- (a) If it is determined that a violation has occurred, the CEO shall issue a written warning to the Store for the initial violation.
- (b) If an additional violation has occurred after a written warning has been issued, the CEO shall issue a written notice of violation and shall impose a penalty against the Store.
- (c) The penalty associated with each written notice of violation shall be:
  - 1) \$250 for the first offense, or
  - 2) \$500 for the second and all subsequent offenses. To be considered a second or subsequent offense, the violation must occur within one year of the most recent prior violation.
- (d) No more than one penalty shall be imposed upon a Store within a 7 day period.
- (e) A Store shall have 15 days following receipt of a written notice of violation to pay the penalty.

7.3 Any decision, action, or inaction pertaining to this Ordinance may be appealed to the York County Superior Court. Any appeal must be filed within 30 days of the decision or action being appealed.

#### **SECTION 8. EFFECTIVE DATE**

This ordinance shall take effect 6 months following the date of adoption to allow stores the opportunity to make any necessary adjustments to bring operations into compliance with the law.

#### **SECTION 9. SEVERABILITY**

Should any portion of this Ordinance be held by the courts to be invalid, this shall not affect the validity of remaining portions of this Ordinance.



**Douglas P. Bracy**  
**Chief of Police**

**Mailing Address:**  
36 Main Street  
York, Maine 03909

**Dispatch:**  
Non-Emergency  
(207) 363-4444

**Administration:**  
(207) 363-1031

**Facsimile:**  
(207) 361-6818

[www.yorkpolice.org](http://www.yorkpolice.org)

**Committed  
to excellence**

# TOWN OF YORK, MAINE

## Police Department

### Memorandum

**To:** Town Manager Stephen Burns

**Cc:** Board of Selectmen

**From:** Chief Douglas P. Bracy *DPB*

**Subject:** March 02, 2015

**Date:** Change to Penalty Sections of Town Ordinances

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My staff has finished the process of reviewing all of the Town Ordinances that we will need to change to accommodate the new unified court process. I have reviewed these changes with the Town Manager and we will only be dealing with those ordinances that require voter approval at the March 09<sup>th</sup>, 2015 Board meeting. I believe this change will streamline the way we are able to move violators through the process without requiring them to appear in court for each violation if they so choose. It will also reduce the burden on the court system of those violators who simply need the judge to set the fine to take care of it. I have included the original memo and explanation from January 26, 2015 when I brief the Board on these forthcoming changes and information as to why this needs to be done.

Attached to your package are each individual ordinances we are proposing to change showing both the redaction and the new language. I have only included the pages where a change occurs as there would be several hundred pages of ordinances in their complete form to review otherwise.

**Please disregard any previous packages as we have decided to break them up to reduce the number the Board has to deal with at one time. Thank you for your consideration.**

**Amendment #** \_\_\_  
***Ordinance Fines Amendment***

**Ballot Language:** The following language would appear on the ballot:

**Article X**

The Town hereby ordains amendment of the ordinances listed here to standardize the fine system. Specific ordinances include the following:

**Animal Control Ordinance**  
**Beach Ordinance**  
**Business Licensing Ordinance**  
**E-911 Ordinance**  
**Emergency Management Ordinance**  
**Firearms Safety Ordinance**  
**Fireworks Ordinance**  
**Harbor Ordinance**  
**Littering Ordinance**  
**Noise Ordinance**  
**Ordinance for Yard and Barn Sales**  
**Ordinance for Private Use Helicopters**  
**Ordinance Prohibiting Obscenity for Commercial Gain**  
**Shellfish Conservation Ordinance**  
**Skate Board Ordinance**  
**Sohier Park Ordinance**  
**Ordinance Regulating Solid Waste Collection, Recycling and Disposal**  
**Street Opening and Culvert Ordinance**  
**Ordinance Regulating the Use of the Cliff Path and Fisherman's Walk**  
**Vehicles for Sale of Food Ordinance**  
**Wheeler Wildlife Refuge Ordinance**

**Statement of Fact:** The purpose of this amendment is to replace minimum-to-maximum range fines with fixed fines in 21 Town ordinances. The court system in the State of Maine is moving towards a new unified court docket system to streamline their workloads, and these changes make Town policies mesh with the State's new system. In addition to helping manage the court system's workload, this approach allows violators to simply pay the fines and avoid the necessity of making a court appearance.

**Recommendations:**

Recommended by the Board of Selectmen:

**Amendment:**

## Section 17 - Violations/Penalties

Any person who violates this ordinance shall be subject to a civil penalty of ~~not less than \$100.00 and not more than \$500.00, plus costs for each offense.~~ \$100.00 for the first offense, \$150.00 for the second offense, and \$250.00 for the third and subsequent offenses, except as provided in Section 5 and Section 7.

### Section 18 - 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.

All civil penalties collected pursuant to this ordinance shall be recovered and deposited in the Town of York Municipal Animal Welfare Account required by 7 M.R.S.A. Section 3945.

## Section 18 - Severability Clause

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

*Note: The May 20, 2006 version of this Ordinance was re-created as a Word file by the Community Development Department on November 3, 2010, and the amendments passed on November 2, 2010 were made to this document. The mis-match of sections listed in the table of content and in the text was in the original document. This should be corrected the next time this Ordinance is amended.*

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**Town of York, Maine**

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In this context, "emergency" shall be defined to mean any event which threatens to or actually inflicts damage to people or property and which requires immediate action to mitigate, prevent, control or contain.

Situations where beach closure may be warranted also include, but are not limited to: any time a Town, County or State disaster proclamation is in effect; when sharks are sighted in close proximity to a beach; during times of dangerous rip currents; and when water pollution is excessive. Closures may be limited or partial, such as closing only one beach with excessive pollution rather than closing all beaches, or prohibiting swimming but allowing surfing when strong rip currents exist.

**Section 11. Penalty / Violations**

Any person who shall knowingly violate any of the provisions of this ordinance, and any person who aids, abets, or assists therein shall, upon conviction thereof, be subject to a ~~fine of not less than \$100.00 per day per violation, for use of said Town.~~ 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 12 – 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. Effective Date**

This ordinance shall take effect and be in force immediately upon enactment and once established shall cancel and/or supersede any conflicting existing Ordinance as a whole or any part thereof relating to the same subjects.

**Section 13. Repeal of Existing Ordinances**

2. **Revoke License.** The Board may revoke the license(s). If revoked, the license holder shall not re-apply for a new license within 60 days of the Board's vote.
3. **Prosecute.** The Board may initiate any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate and necessary to enforce the provisions of this Ordinance in the name of the Town. If prosecution is successful, the Town shall not accept any applications for a new or renewed license within 120 days of the Court Decision.

### 3.10 Penalties

~~Violation of any provision of this Ordinance after receipt of a Notice of Violation shall be subject to a minimum fine of \$100 per day per violation for a first offense, or a minimum fine of \$250 per day per violation for subsequent offenses within a 2 year period. The "per day" period shall begin at the first date on which the violation can be demonstrated.~~

Any person who violates this ordinance shall be subject to a civil penalty of \$100.00 per day per violation for the first offense, \$250.00 per day per violation for the second offense and subsequent offenses within a 2 year period. The "per day" period shall begin at the first date on which the violation can be demonstrated.

### 3.11 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 4: STANDARDS

### 4.1 General Standards and Requirements Applicable to All Licenses

The following shall be considered prior to any license-related actions by the Board, and compliance shall be required throughout the license period. Failure to comply with these standards and requirements shall be a basis for enforcement action pursuant to this Ordinance.

#### 4.1.1 Character of the Applicant

No license shall be issued to anyone who has not demonstrated good moral character. In determining good moral character, the Board shall consider all evidence presented. This shall include, but not be limited to the following:

- B. Number at the Street Line. Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box or some structure at the property line next to the walk or access drive to the residence or structure.
- C. Size and Color of Number. The numbering shall be a minimum of four (4) inches in height and of a color that is a visible contrast to the surface upon which it is mounted.
- D. Every person whose duty is to display the assigned number shall remove any different number that might be mistaken for, or confused with, the number assigned in conformance with this ordinance.
- E. Interior location. All residents and other occupants are requested to post the assigned number and road name to their telephone for emergency reference.
- F. Compliance Deadline. Compliance shall be required within 30 days of either the effective date or receipt of notification from the Town regarding structure numbering.

7. **NEW CONSTRUCTION**

Whenever any residence or other principal structure is built, it shall be the duty of the new owner to obtain an assigned number from the Town prior to occupancy of the building.

8. **EFFECTIVE DATE**

This ordinance shall become effective as of November 6, 2001.

9. **ENFORCEMENT**

This ordinance shall be the responsibility of the York Police Department to enforce. ~~Violations of this ordinance are subject to a fine of not more than \$100.00.~~

10. **Violations / Penalties**

Any person who violates this ordinance shall be subject to a civil penalty of \$25.00 for the first offense, \$50.00 for the second offense and \$100.00 for the third and subsequent offenses.

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 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 ~~fine of not more than five hundred dollars (\$500) which shall accrue to the Town.~~ *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 11. 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 notwithstanding such a judicial declaration against one provision.

**Section 12. 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 13. 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.

**C. Amendment**

This Ordinance may be amended following the procedures specified in the Town of York Home Rule Charter. Amendments shall become effective upon adoption unless otherwise specified on the ballot question.

**SECTION 8 – VIOLATION AND PENALTIES**

~~Any one person violating this Ordinance shall be punished by a civil penalty of at least One Hundred Dollars (\$100.00), but not more than One Thousand Dollars (\$1,000.00). Any person who violates this ordinance shall be subject to a civil penalty of \$100.00 for the first offense, \$250.00 for the second offense, and \$500.00 for the third and subsequent offenses.~~

Each violation shall be considered a separate offense, and may be assessed whether or not the violation was willful. In addition to police officers, employees of the Town of York authorized to conduct inspections or investigations are hereby declared to be lawful enforcement officers authorized to issue or file citations for violations under this Ordinance.

**Section 9 – 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.

Ordinance Adopted: November 7, 2000  
Ordinance Amended: November 5, 2013

## Fireworks Ordinance

1. **Purpose.** The purpose of this Ordinance is to control the use and sale of consumer fireworks in order to protect public health, safety and welfare.
2. **Authority.** The Town has authority to enact an ordinance to prohibit or restrict the sale or use of consumer fireworks per Title 8 M.R.S. §223-A.
3. **Definitions.** Terms used in this Ordinance shall be those defined in Title 8 M.R.S. §221-A. In addition, the following shall apply.

Consumer Fireworks – has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3<sup>rd</sup>-party testing laboratory as conforming with the United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. “Consumer fireworks” does not include the following products:

- A. Missile-type rockets, as defined by the State Fire Marshal by rule;
- B. Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and
- C. Sky rockets and bottle rockets. For purposes of this paragraph, “sky rockets and bottle rockets” means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.

Use – The lighting or other setting off of consumer fireworks.

4. **Prohibition.** The use and/or sale of consumer fireworks shall be prohibited within the Town of York. (Note that use and sale of fireworks which are not included within the State definition of consumer fireworks, including but not limited to bottle rockets and sky rockets, are expressly prohibited or regulated by State law even though not addressed by this Ordinance. In short, just because you can buy something elsewhere does not mean you can use or sell it in York.)
5. **Administration and Enforcement.** The York Police Department shall administer and enforce this Ordinance.
6. **Penalties.** Penalties shall be as follows:
  - A. Fine – Use of Consumer Fireworks. Use of consumer fireworks in violation of this ordinance shall be subject to a ~~fine of not less than \$100 nor more than \$250 plus attorney costs for the first offense, or a fine of not less than \$250 nor more than \$500 plus attorney costs for each subsequent offense within a 2-year period.~~ civil penalty of

\$100.00 for the first offense, \$150.00 for the second offense, and \$250.00 for the third and subsequent offenses within a 2 year period.

- B. **Fine – Sale of Consumer Fireworks.** Sale of consumer fireworks in violation of this ordinance shall be subject to a ~~fine of not less than \$500 nor more than \$1,000 plus attorney costs, for the first offense, or a fine of not less than \$1,000 nor more than \$2,500 plus attorney costs, for each subsequent offense within a 2 year period.~~ civil penalty of \$500.00 for the first offense plus attorney costs, \$1,000.00 for the second offense plus attorney costs, and \$1,500.00 plus attorney costs for the third and subsequent offenses with a 2 year period.
- C. **Seizure of Fireworks.** The Town may seize consumer fireworks that it has probable cause to believe are to be used or sold in violation of this Ordinance. All fireworks lawfully seized under this Ordinance shall be forfeited to the State per Title 8 M.R.S. §237(2).

7. 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.

7. **Appeals.** Appeals with respect to this Ordinance shall be taken to York County Superior Court within 30 days.
8. **Saving Clause.** In the event any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, this finding shall not affect the remainder of this Ordinance.
9. **Effective Date.** This Ordinance shall take effect on the date of passage by the voters.
10. **Copy Provided to the State Fire Marshal.** Per Title 8 M.R.S. §223-A(2), the Town Clerk shall file a copy of this Ordinance, and any amendment thereto, with the State Fire Marshal within 60 days of the relevant public vote.

Ordinance Adopted: May 19, 2012

4. Mooring assignees that do not own a vessel or do not use their mooring at any time during the year will be required to pay the minimum Harbor Usage Fee in order to maintain their assignments.
  5. Failure to remit the Harbor Usage Fee to the Town within prescribed time limits may result in forfeiture of a mooring assignment.
  6. Use of said waters solely for effecting transient vessel repairs shall not subject the owner or vessel to the aforesaid fees.
  7. The Harbor Board, with the approval of the Board of Selectmen, shall have the authority to assess user fees necessary to manage, maintain and operate the Harbors, Ports, Tidal Waters and Channels within the Town of York, including but not limited to harbor usage fees, transient boat fees, winch fees and administrative and legal fees. Annual fees are due no later than the earlier of the last business day in April or within 30 days of assessment. All fees collected under this section shall be placed in a reserve account and may only be used for improvements to the harbors, ports, tidal waters and channels within the Town of York, including capital improvements, wharf construction and repair, dredging equipment and land acquisitions.
- B. Liability for Costs Vessel owners are liable for all legal and administrative costs incurred in any attempt to collect fees due or to enforce the provisions of this ordinance.

#### **SECTION 9: EFFECTIVE DATE**

This ordinance shall take effect upon adoption by the Legislative Body, and shall remain in effect until amended by the Legislative Body.

#### **SECTION 10: PENALTIES**

~~Violation of any provision of this ordinance shall be punishable by a fine not to exceed the sum of \$200.00, except when said violation shall be a violation of a State or Federal statute providing for additional penalties which will be applicable. Each day that any person shall be found in violation of any of said provisions shall constitute a separate and distinct offense. Notwithstanding the foregoing, any person charged only with a violation of Section 3, shall be allowed at the discretion of the Harbor Master to plead guilty to such violation and tender to the Town of York the sum of \$10.00 if paid within 48 hours; \$15.00 after 48 hours, but before a complaint and warrant are drawn as full and complete satisfaction and discharge of liability for such violation, and no appearance before a District court Judge or other judicial officer shall be required.~~

Any person who violates this ordinance shall be subject to a civil penalty of \$100.00 for the first offense, \$150.00 for the second offense, and \$200.00 for the third and subsequent offenses, except when said violation shall be a violation of a State or Federal statute providing for additional penalties which will be applicable. Each day that any person shall be found in violation of any of said provisions shall constitute a separate and distinct offense.

**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 11: SEPARABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance or application thereof to any person(s) or circumstance(s) is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision or application and such holding shall not effect the validity of the remaining portions or applications thereof.

**SECTION 12: APPEAL PROCESS**

- A. **Right of Appeal** The Harbor Board shall hear the appeal of any person aggrieved by any decision, act, or failure to act of the Harbor Master as it relates to the implementation of this Ordinance.
- B. **Power and Duties** Appeals shall go forward from the decision of the Harbor Master to the Harbor Board, from the Harbor Board to the Superior Court in accordance with Maine Law. The Harbor Board shall have the following powers and duties: To hear and decide where it is alleged there is an error in any order, requirement, decision, or determination made, or not made, by the Harbor Master in the enforcement of this Ordinance. The Board may affirm, modify or deny the action of the Harbor Master, or may remand the matter to the Harbor Master for further proceedings in accordance with the terms of these Rules and Regulations, by majority vote of those present and voting. In case of a clear conflict of interest a voting member shall withdraw from the case and the Chairman shall designate an alternate member to be a voting member for the hearing.
- C. **Appeal Procedure** In all cases, a person aggrieved by a decision of the Harbor Master shall file his appeal within thirty (30) days after receipt of a written decision from the Harbor Master. The appeal shall be filed with the Harbor Board on forms to be approved by the Harbor Board, and the aggrieved person shall specifically set forth on said form the grounds for said appeal. Following the filing of an appeal, the Harbor Board shall notify forthwith the Harbor Master and the Town Manager. The appeal shall then be in order for a public hearing within thirty (30) days of the filing date.

## Littering Ordinance (Revised: May 22, 2010)

When any litter is thrown or discarded from a vehicle, both the operator of the vehicle and the person actually disposing of the litter are in violation of this Ordinance. If a person dumps litter from a commercial vehicle, that person is presumed to have dumped the litter for a commercial purpose.

### Section 5 Penalties

Persons violating this Ordinance are subject to the following penalties:

- A. A person who disposes of less than 15 pounds or less than 27 cubic feet of litter ~~is subject to a fine of not more than \$500 nor less than \$200 for the first violation and not more than \$1000 nor less than \$500 for any subsequent violations. A person charged with a first violation of less than 15 pounds or less than 27 cubic feet of litter may waive all court action by payment of a fine at the municipal offices within 30 days of the alleged violation. Shall be subject to a civic penalty of \$200.00 for the first offense, \$500.00 for the second offense, and \$750.00 for the third and subsequent offenses.~~
- B. A person who disposes of more than 15 pounds up to 499 pounds, or more than between 27 cubic feet and 99 cubic feet of litter ~~is subject to a fine of not more than \$1000 nor less than \$500 for the first violation and not more than \$2000 nor less than \$1000 for any subsequent violations. shall be subject to a civil penalty of \$500.00 for the first offense, \$1,000.00 for the second offense, and \$1,500.00 for the third and subsequent offenses.~~
- C. A person who disposes of more than 500 pounds or more than 100 cubic feet of litter for commercial purposes is subject to the penalties under Title 38, Section 349.

### Section 6 – 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 6 Penalty Options

In addition to the penalties imposed in Section 5 of this Ordinance the Court may order a person to perform one or more of the following:

- A. Remove all litter dumped in violation of this ordinance;

## SECTION 6: ADMINISTRATION AND ENFORCEMENT

- 6.1 This Ordinance shall be administered and enforced by the York Police Department.
- 6.2 No person shall interfere with, oppose or resist an authorized person charged with the enforcement of this Ordinance while such person is engaged in the performance of his duty.
- 6.3 For the purpose of determining compliance with the provisions of this Ordinance, the Police Officers are authorized to make inspections of all noise sources, and to take measurements and make tests whenever necessary to determine the quantity and character of noise. They may enter any property with the consent of the owner or owner's agent. If consent is not granted, the Officer may seek an administrative warrant from District Court.
- 6.4 Violations of this Ordinance shall be prosecuted in the same manner as other civil violations, provided, however, that in the event of an initial violation of the provisions of this Ordinance, a written notice shall be given the alleged violator which specifies the time by which the condition shall be corrected. No complaint or further action shall be taken in the event the cause of the violation has been removed, the condition abated or fully corrected within the same period specified in the written notice. The notice shall state that unless corrections are made within the allotted time, the violator is subject to prosecution pursuant to provisions of this Ordinance.
- 6.5 In the event the alleged violator cannot be located in order to serve the notice of the intent to prosecute, the notice as required herein shall be deemed to be given upon mailing of notice by registered or certified mail, return receipt requested, to the alleged violator at this last known address or at the place where the violation occurred, in which event the specified time period for abating the violation or applying for a variance shall commence at the date of the day following the mailing of such notice. Subsequent violations of the same offense shall result in the immediate filing of a criminal complaint.

## SECTION 7: PENALTIES

~~Anyone who violates any of the provisions of this Ordinance, or who fails to conform to any of the provisions thereof, or who fails to obey any lawful order of any officer charged with the enforcement of the provisions of this Ordinance, or other persons who shall assist in the violation of this Ordinance, shall be guilty of a civil violation and upon conviction thereof shall be fined not less than one hundred dollars (\$100.00), but not more than five hundred dollars (\$500.00). Each violation or failure to comply constitutes a separate offense. The municipality may be awarded reasonable attorney's fees and costs incurred in enforcing this Ordinance.~~

Any person who violates this ordinance 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 18 – 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 8: GENERAL PROVISIONS**

- 8.1 **Saving Clause.** If any portion of this Ordinance is found to be invalid by the courts, it shall not affect the validity of any other portion of this Ordinance.
- 8.2 **Conflict with Other Codes.** Where provisions of this Ordinance are in conflict with or different than provisions of other codes, the more restrictive shall apply.
- 8.3 **Internal Conflicts.** Where provisions of this Ordinance are in conflict with one another, the more restrictive shall apply.
- 8.4 **References to Zoning Districts.** References to districts in the Zoning Ordinance shall refer to the geography delineated as of November 1, 2001.
- 8.5 **Effective Date.** This Ordinance shall become effective upon adoption by Town Meeting.
- 8.6 **Amendment.** This Ordinance may be amended by majority vote of any Town Meeting.

*Ordinance Amended: May 19, 2012  
November 2, 2004  
Ordinance Adopted: November 6, 2001*

**Ordinance for Yard and Barn Sales (Revised: May 22, 2010)**

**ORDINANCE FOR YARD AND BARN SALES**

This Ordinance shall apply to Yard, Porch, Barn and Garage Sales and Auctions and Flea Markets.

**PURPOSE**

To prevent the establishment of a business outside the permitted zones and to insure that goods be from the premises of the sale and brought in for sale purposes. This Ordinance shall not apply to commercial auction halls, where an auctioneer brings in goods and conducts auctions on a recurring basis.

**PERMIT REQUIRED**

No private, residential, yard, porch, barn, garage sale, auction or flea market will be permitted until:

- A. A sale shall be registered with the Police Department of the Town of York; and
- B. A permit has been issued by the Police Department for the registered sale.

**REQUIREMENTS AND RESTRICTIONS**

- A. The permit shall be posted in a conspicuous place.
- B. There shall be no more than two (2) sales a year to a residence.
- C. Each sale shall be no more than three (3) consecutive days.
- D. This permit may be canceled if in the opinion of a Police Officer there is a vehicular or pedestrian problem because of inadequate off-street parking arrangements.

~~Failure to comply with this Ordinance shall be punishable by a fine of not less than \$25.00 for each violation, to the use of said Town.~~

**Section 4 – Violations / Penalties**

**Any person who violates this ordinance 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 5 – 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.**

Parked helicopters must be at least fifty (50) feet away from any structure, collocated on the same property that is normally occupied by people. A minimum of 250 feet is required between a parked helicopter and any structure on an abutter's property that is normally occupied by people.

#### SECTION 10

No storage of fuel or fueling of the helicopter will occur at a heliport, unless the storage of fuel is currently permitted in the zone and has been inspected by the appropriate Fire Department and received approval of the Code Enforcement Officer,

#### SECTION 11

A means of indicating wind direction is essential. The indicator should be located so as not to interfere with flight operations and yet be able to give a true indication of the wind's direction and relative magnitude at the primary surface.

#### SECTION 12

No helicopter engine start, run-up, taxiing, take-off, hovering or landings will be permitted one-half (1/2) hour after official sunset or until one-half (1/2) hour after official sunrise. Exception only for Military/Coast Guard/Medical/Police purpose.

All takeoffs, hoverings and landings shall be conducted only under FAA defined visual flight rule (VFR) weather conditions.

All heliports shall have tie-down capabilities to secure all parked helicopters during adverse weather conditions.

#### SECTION 13

Military, Coast Guard or Police landings or takeoffs may occur at any time for emergency purposes at specified locations. Use of helicopters for medical emergency purposes may also occur with prior notification to the appropriate Fire Department. (This does not exempt any organization from meeting the requirements of this Ordinance if repetitive landings are expected.)

The fire department should provide fire apparatus to assure safety of those concerned when these exceptions are made.

An exception may be made for the Governor of Maine upon notification of the Police and the appropriate Fire Department.

#### SECTION 14

~~Each violation of this Ordinance or of any regulation, order, or ruling promulgated hereunder shall be punishable by a fine of not more than \$500, and each day a violation continues to exist shall constitute a separate offense.~~

Any person who violates this ordinance shall be subject to a civil penalty of \$100.00 for the first offense, \$250.00 for the second offense, and \$500.00 for the third and subsequent offenses. Each day a violation continues to exist shall constitute a separate offense.

**Section 15 – 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.**

- c. Considered as a whole, lacks serious literary, artistic, political or scientific value.

Exhibition Any aural, visual, or tactile performance, dramatization, show or display which includes any amount of human, animal, or animated conduct whether presented live or by way of mechanical reproduction, sound recording, audio-visual cassette or tape, silhouette depiction or by any other means.

### **Section 3: Prohibition**

- a. It shall be unlawful for any commercial enterprise to present for profit any obscene exhibition within the Town of York.
- b. It shall be unlawful for any commercial enterprise to engage in any obscene exhibition for profit within the Town of York.
- c. It shall be unlawful for any commercial enterprise to solicit, permit, promote, or assist any commercial enterprise or person to present or engage in any obscene exhibition within the Town of York.

### **Section 4: Exceptions**

This Ordinance is not intended to regulate any conduct expressly regulated by existing State Statute.

### **Section 5: Penalty**

- a. ~~Any conduct made unlawful by this Ordinance and any violation of this Ordinance shall be punishable by a fine of Five Hundred Dollars (\$500.00) for each offense. Each day that such an unlawful act or violation continues shall be considered a separate offense.~~ Any person who violates this ordinance shall be subject to a civil penalty of \$500.00 for each offense. Each day the violation continues shall be considered a separate offense.
- b. In addition to any other penalty provided by law, the commission of acts prohibited by this Ordinance shall constitute a nuisance and may be abated by the Town seeking an injunction to prohibit further and continued violations.

### **Section 6 – 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 6: Severability**

- If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason

the Municipal Officers may call a public hearing on ten-days' notice published in a newspaper having general circulation in the Town, stating the time, place and subject matter of the hearing, and shall send a copy of the notice to the Department of Marine Resources. The decision of the Municipal Officers made after the hearing shall be based on findings of fact.

7. MINIMUM LEGAL SIZE OF SOFTSHELL CLAMS: It is unlawful for any person to possess soft-shell clams within the Town of York, York County, which are less than two (2) inches in the longest diameter except as provided by subsection B of this section.

A. DEFINITIONS:

1. Lot: The word "lot" as used in this ordinance means the total number of soft-shell clams in any bulk pile. Where soft-shell clams are in a box, barrel, or other container, the contents of each box, barrel, or other container constitutes a separate lot.
2. Possess: For the purposes of this section, "possess" means dig, take, harvest, ship, transport, hold, buy, and sell retail and wholesale soft-shell clam shell stock.

- B. TOLERANCE: Any person may possess soft-shell clams that are less than two inches if they comprise less than 10% of any lot. The tolerance shall be determined by numerical count of not less than one peck, nor more than four pecks taken at random from various parts of the lot or by a count of the entire lot if it contains less than one peck.

8. PENALTY: ~~A person who violates any provision of this ordinance shall be guilty of a crime punishable by a fine of not less than \$100 and not more than \$1,000, per day per violation, except that for taking shellfish from a closed area or for digging shellfish without a license, the fine may not be less than \$500 and not more than \$1,500 per day per violation. Any person who violates this ordinance shall be subject to a civil penalty of \$100.00 for the first offense per day per violation, \$150.00 for the second offense per day per violation, and \$250.00 for the third and subsequent offenses per day per violation, except that for taking shellfish from a closed area or digging for shellfish without a license, the fine shall be \$750.00 per day per violation.~~

9. 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.*

**9. EFFECTIVE DATE:** This ordinance, which has been approved by the Commissioner of Marine Resources, shall become effective after its adoption by the municipality provided a certified copy of the ordinance is filed with the Commissioner within twenty (20) days of its adoption.

**10. SEPARABILITY:** If any section, subsection, sentence or part of this ordinance is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance.

## SKATE BOARD ORDINANCE

### SKATE BOARDS ON PUBLIC HIGHWAYS AND SO FORTH

No person shall operate, attempt to operate or cause of suffer to be operating on or attempted to be operated by a person for whose conduct he is legally liable, a skate board, as here and after defined upon any public highway, upon any lawful sidewalk.

Definitions: For the purpose of this article, skate board shall mean any wheeled vehicle intended and designed to be propelled by foot with one foot on the vehicle at the moment of initial propulsion.

Penalty: ~~Any person convicted of a violation of this article shall be liable to a penalty of not more than \$100.00 and may suffer in the sound discretion of the court, forfeiture of his interest in the skate board in question to the Town of York for disposition in such a manner as the court may direct.~~ Any person who violates this ordinance shall be subject to a civil penalty of \$50.00 for the first offense, \$75.00 for the second offense, and \$100.00 for the third and subsequent offenses, and may suffer in the sound discretion of the court, forfeiture of his interest in the skate board in question to the Town of York for disposition in such a manner as the court may direct.

#### 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.

**Sohier Park Ordinance (Revised: May 22, 2010)**

Section 6. Liability

- A. The Town of York and/or Sohier Park Committee assume no liability for any personal accident within the boundaries of the park.
- B. Sohier Park is established and controlled by the York Board of Selectmen and any committee the Board may appoint.

Section 7. Penalty

~~Any person violating any of the provisions of this ordinance shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00) for each offense, if convicted, and said penalty to be recovered for the use of the Town of York.~~

Any person who violates this ordinance shall be subject to a civil penalty of \$50.00 for the first offense, \$75.00 for the second offense, and \$100.00 for the third and subsequent offenses.

Section 8 – 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 8. Severability

The invalidity of any section or provision of this ordinance shall not invalidate any other section or provision thereof.

*Ordinance re-created as a Word file by the Community Development Department to reflect the May 22, 2010 amendments.*

7.5 LOITERING PROHIBITED – Loitering in or on the Transfer Station and Composting Facility property shall not be allowed. Use of or presence within the property without permission of the Town official responsible for supervising the facility operations, other than during posted hours of operation, shall be considered trespassing.

#### **SECTION 8: PENALTIES**

Any person, firm or corporation who violate any provision of the Ordinance shall be subject to a ~~minimum~~ fine of \$100.00 for each violation. Each day such a violation is continued is a separate offense.

##### **Section 9 – 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 9: IMPLEIVIENTATION**

The Board of Selectmen shall be authorized to enter into any contract necessary to implement this Ordinance.

#### **SECTION 10: EFFECTIVE DATE**

The Ordinance shall become effective upon its adoption by Town vote.

- 7.2. **Duration.** Once the Notice of Violation is received by the person or firm violating the code, hereafter the violator, each day which the violation continues to exist shall constitute a separate offense.
- 7.3. **Fine.** ~~The violator shall pay a fine of \$100 for each offense.~~ *Any person who violates this ordinance shall be subject to a civil penalty of \$100.00 for each offense.*

7.4 – 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.

- 7.4. **Limitation on Future Permits.** Any party which has failed to comply with a Notice of Violation, or failed to pay a fine associated with a violation of this Ordinance shall be prohibited from obtaining any Permit pursuant to this Ordinance until compliance is obtained and/or such fine and any interest due the Town is fully paid.
- 7.5. **Enforcement.** When a Notice of Violation has been issued and has not resulted in compliance, the Superintendent may notify the Board of Selectmen of the problem. Upon receipt of such notification, the Board is hereby authorized to institute any and all actions and proceedings necessary to enforce the provisions of this Ordinance on behalf of the Town.

**SECTION 8: APPEALS**

Any action by the Town pursuant to this Ordinance may be appealed to the Board of Appeals. Necessary forms, submittal requirements, and fees shall be specified by the Board of Appeals. The application for an appeal must be submitted within 30 days, subject to the following exception: once physical work commences pursuant to a Street Opening Permit or Culvert Installation Permit, the applicant foregoes their right to appeal the standards, terms and conditions imposed as part of that Permit.

**SECTION 9: SAVING CLAUSE**

In the event any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, this finding shall not affect the remainder of this Ordinance.

**Section 7 Noise Restrictions**

No radios, boom boxes or similar electronic devices that emit music or other sound are permitted on the Walk except that devices with head phones designed to be heard by the user only shall be permitted.

**Section 8 Authority of Selectmen to Amend**

The Board of Selectmen shall have the authority to amend this ordinance after holding a duly advertised public hearing.

**Section 9 Penalties**

~~Violations of this Ordinance shall be punishable by a fine of not less than \$300.00 nor more than \$500.00 to be recovered for the maintenance of the Walk.~~

Any person who violates this ordinance shall be subject to a civil penalty of \$300.00 for the first offense, \$350.00 for the second offense, and \$400.00 for the third and subsequent offenses.

**Section 18 – 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.

Fines recovered will be utilized for maintenance of the Walk.

## VEHICLES FOR THE SALE OF FOOD

### Section 1. Prohibition

Every person, firm or corporation is hereby prohibited, within the limits of the Town of York, from maintaining or standing, within the limits of any public way, any vehicle for the sale of food.

### Section 2. Enforcement

Enforcement of this ordinance shall be and is hereby declared to be within the authority of the town's Police Department.

### Section 3. Penalty

~~Any person so maintaining, or standing, any vehicle in violation of the prohibition of this ordinance shall be fined the sum of \$20.00 for each offense, which fine shall be recovered by complaint, to the use of the Town.~~

Any person who violates this ordinance 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 4 – 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.

## WHEELER WILDLIFE REFUGE ORDINANCE

Section One. Land Area – Area described as being bounded northwesterly by U.S. Route 103, southwesterly by the dike running from said U.S. Route 103 to Harris Island and easterly and westerly by Harris Island, Bragdon's Island, and the roadway connecting said Harris Island and Bragdon Island, and the westerly sideline of the town way leading from U.S. Route 103 over Bragdon's Island being the entire area acquired by inhabitants of the Town of York in 1961 for dredging spoil, including all Town land held in trust as a wildlife refuge, is hereby declared to the "Wheeler Wildlife Refuge."

Section Two. Prohibitions - Within the limits of the area described in Section 1, it shall be unlawful to operate motor vehicles, deposit fill, erect structures, or remove wildlife or botanical specimens.

~~Section Three. The penalty for violating any provisions of Section Two shall be a fine of not more than \$200.00.~~

### Section 3. Violations/Penalties

Any person who violates this ordinance 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 4. 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.



**Douglas P. Bracy**  
**Chief of Police**

**Mailing Address:**  
36 Main Street  
York, Maine 03909

**Dispatch:**  
**Non-Emergency**  
(207) 363-4444

**Administration:**  
(207) 363-1031

**Facsimile:**  
(207) 361-6818

[www.yorkpolice.org](http://www.yorkpolice.org)

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# **TOWN OF YORK, MAINE**

## **Police Department**

### **Memorandum**

**To: Town Manager Stephen Burns**

**Cc: Board of Selectmen**

**From: Chief Douglas P. Bracy**

**Subject: March 02, 2015**

**Date: Change to Penalty Sections of Town Ordinances**

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My staff has finished the process of reviewing all of the town ordinances that we will need to change to accommodate the new unified court process. I have reviewed these changes with the Town Manager and we will only be dealing with only those ordinances that voter approval at the March 09<sup>th</sup>, 2015 Board meeting. I believe this change will streamline the way we are able to move violators through the process without requiring them to appear in court for each violation if they so choose. It will also reduce the burden on the court system of those violators who simply need the judge to set the fine to take care of it. I have included the original memo and explanation from January 26, 2015 when I brief the Board on these forthcoming changes and information as to why this needs to be done.

Attached to your package are each individual ordinance we are proposing to change showing both the redaction and the new language. I have only included the pages where a change occurs as there would be several hundred pages of ordinances in their complete form to review otherwise.

You will note one other change we are asking to make in addition to the penalty section is to the animal control ordinance where we are dropping the section on “dangerous dog” as it conflicts with state law as written. Thank you for your consideration.



**Douglas P. Bracy**  
**Chief of Police**

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# TOWN OF YORK, MAINE

## Police Department

### Memorandum

**To:** Town Manager Steven Burns  
**Cc:** Board of Selectmen  
**From:** Chief Douglas P. Bracy *DPB*  
**Subject:** January 26, 2015  
**Date:** Change to Penalty Sections of Town Ordinances

As Maine moves toward a new Unified Court System we are having to look toward ways of making the system more efficient and to reduce the number of cases requiring a court appearances. One of those areas identified is town ordinances whose penalty sections are based on a minimum to maximum basis such as "not less than \$100 for the first offense and not more than \$500, plus cost for each offense". A provision such as this requires a court appearance for the judge to assign the penalty based on the facts of the case. Many times people charged under these ordinance violations would rather accept the consequence and pay the penalty than take a day to go to court much the same way they pay a parking ticket. Currently, the way most of our ordinances are drafted you cannot because of this provision.

In researching this issue with other communities in Maine we have learned that there are communities who identify specific fines for violations and repeat conduct. Many of them also utilize a waiver system that allows violators to pay their fines directly to the municipality and avoid any court proceedings. I have attached a waiver policy that Sgt. Owen Davis and Detective John Lizanecz have drafted for me along with a draft waiver pamphlet that could be used

to pass out to violators at the time of their being cited for an ordinance violation. I believe that this change makes sense both from the perspective of the Town dealing with these types of cases and from the fact that this change could relieve the court of the unnecessary burden of court appearances solely to set a fine for someone to plead guilty.

I have attached a list of potential ordinances that this change will affect. My staff has already begun to identify the changes necessary in these ordinances to make this happen. I believe we could have these changes ready with several weeks to present if the Board determines to move this concept forward. Thank you for your consideration.

## SKATE BOARD ORDINANCE

### SKATE BOARDS ON PUBLIC HIGHWAYS AND SO FORTH

No person shall operate, attempt to operate or cause or suffer to be operating on or attempted to be operated by a person for whose conduct he is legally liable, a skate board, as here and after defined upon any public highway, upon any lawful sidewalk.

Definitions: For the purpose of this article, skate board shall mean any wheeled vehicle intended and designed to be propelled by foot with one foot on the vehicle at the moment of initial propulsion.

*\* Draft language to consider*

#### Violations/Penalties:

Any person who violates this ordinance shall be subject to a civil penalty of \$25.00 for the first offense, \$50.00 for the second offense, and \$75.00 for the third and subsequent offenses, and may suffer in the sound discretion of the court, forfeiture of his interest in the skate board in question to the Town of York for disposition in such a manner as the court may direct.

#### 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. If the waiver fine is paid, no appearance before a District court Judge or other judicial officer shall be required. If the offender pay's 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.

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**Deleted:** Penalty: Any person convicted of a violation of this article shall be liable to a penalty of not more than \$100.00 and may suffer in the sound discretion of the court, forfeiture of his interest in the skate board in question to the Town of York for disposition in such a manner as the court may direct.



# TOWN OF YORK, MAINE

## Police Department

Douglas P. Bracy  
Chief of Police

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### MEMORANDUM

---

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36 Main Street  
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**Dispatch**  
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**DATE:** January 22, 2015

**TO:** Chief Douglas P. Bracy

**FROM:** Sgt. Owen Davis *OD*  
Det. John Lizanecz *JL*

**SUBJECT:** Ordinance Waiver Policy

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A person who violates a Town of York ordinance may be summonsed for the offense. That person shall be issued a uniform summons and complaint to appear at York District Court and be given a civil court date. The officer shall stipulate whether it is that person's first, second, or third offense and the corresponding fine amount shall be included on the summons. Upon issuance of the summons, the officer will explain our waiver process and provide the offender with a waiver pamphlet with instructions about our waiver process. The offender will have the opportunity to waive their court appearance and pay the fine within twenty days of the issuance of the summons. The fines shall be paid at the York Police Department. Payments should be made out to the Town of York. Should the offender choose to waive their court appearance and pay the fine amount within the twenty days, the York Police Department's court officer, or his designee, shall notify the Clerk of Courts and remove the matter from the court docket. If the offender chooses not to pay the fine within twenty days, the matter will be handled through the court system on the given court date. If the offender waives their right to a court appearance and pays the fine, or is found to have committed the offense, this will be listed in the York Police Department records for a subsequent violation. If the offender is found innocent in court, it will be noted in our record system and will not be considered a subsequent offense.



**ORDINANCE VIOLATION  
WAIVER PROCESS**

You have been issued an ordinance violation summons with a civil court date. You have the option to waive your appearance in court by paying the fine within twenty days of issuance. Fines are to be paid at the York Police Department, payable to the Town of York. Once payment is received, the York Police Department will notify the Clerk of Courts and remove the matter from the court docket. The violation will be recorded and closed in the York Police Department records system.

If you choose not to pay the fine within twenty days, the matter will be handled through the court system on the given court date. This will require you to appear at York District Court to resolve the matter. You may be subject to additional court fees and costs. If court action is chosen and you are found to have committed the offense, you may be subject for costs associated with prosecution to include but not limited to, attorney's fees and costs for prosecution. If you pay the fine or are found to have committed the offense in court, this will be recorded in the York Police Department records system and be listed in any subsequent offenses.

If you are found innocent in court, it will be noted in the York Police Department record system and will not be considered a subsequent offense.

Payments/questions can be directed to:

**YORK POLICE DEPARTMENT**  
Attn: Ordinance Division  
36 MAIN STREET, YORK, ME 03909  
(207) 363-1031



**ORDINANCE VIOLATION  
WAIVER PROCESS**

You have been issued an ordinance violation summons with a civil court date. You have the option to waive your appearance in court by paying the fine within twenty days of issuance. Fines are to be paid at the York Police Department, payable to the Town of York. Once payment is received, the York Police Department will notify the Clerk of Courts and remove the matter from the court docket. The violation will be recorded and closed in the York Police Department records system.

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**ORDINANCE VIOLATION  
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Payments/questions can be directed to:

**YORK POLICE DEPARTMENT**  
Attn: Ordinance Division  
36 MAIN STREET, YORK, ME 03909  
(207) 363-1031



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## **TOWN OF YORK, MAINE PUBLIC HEARING NOTICE**

**March 23, 2015**

**7:00 PM**

**York Library**

The York Board of Selectmen will hold a Public Hearing  
on March 23, 2015 regarding:

- May 2015 Special General Referendum Warrant
- May 2015 Budget Referendum Warrant
- May 2015 School Budget Validation Referendum Warrant





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**PUBLIC HEARING NOTICE**  
**Town of York – Board of Selectmen**  
**March 23, 2015**  
**7:00PM**  
**York Public Library**

The Town of York Board of Selectmen will hold a Public Hearing on March 23, 2015 regarding New Business License Applications for the following:

- Stonewall Kitchen, LTD DBA: Stonewall Kitchen, LLC; Located at 2 Stonewall Lane (Food Service, Liquor)
- Susan Palamaris DBA: York House of Pizza; Located at 274 York Street (Food Service)
- Jason C. Johnson DBA: Shore Road Restaurant and Market; Located at 10 Shore Road (Food Service)





## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: March 20, 2015

ACTION

DATE ACTION REQUESTED: March 23, 2015

DISCUSSION ONLY

SUBJECT: Business License Applications (11)

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: All appropriate departments have given approval; See "Department Approvals" on page two of the application.

RECOMMENDATION: Approve the Business License(s) attached.

PROPOSED MOTION: I move to approve the following licenses: *Ray Ramsey DBA: Anchorage Inn; Located at 265 Long Beach Avenue (Innkeeper, Food Service, Liquor, Special Amusement), Ralph Goddard and Victory Guay DBA: Bittersweet B&B; Located at 167 Cape Neddick Road (Bed and Breakfast), Downeast Resorts, LLC DBA: Cape Neddick Inn; Located at 1273 US Route One (Food Service, Liquor, Special Amusement), Joseph A. Young DBA: Cape Neddick Lobster Pound; Located at 60 Shore Road (Food Service, Liquor, Special Amusement), RBDD Cliff House Acquisitions, LLC DBA: Cliff House Resort and Spa; Located at 591 Shore Road (Innkeeper, Food Service, Liquor, Special Amusement), John and Gail Stacy DBA: Flo's Take-Out; Located at 1359 US Route One (Food Service), Andrew and Susan Wetzel DBA: Inn at Tanglewood Hall; Located at 611 York Street (Bed and Breakfast), Jadel, LLC DBA: Rick's All Seasons Restaurant; Located at 240R York Street (Food Service, Liquor), Patrick Cragin DBA: Ride Road Inn; Located at 281 Ridge Road (Innkeeper), Jason C. Johnson DBA: Shore Road Market; Located at 10 Shore Road (Food Service), and Diana Hickey DBA: Windbreaker Restaurant; Located at 243 Long Beach Avenue (Food Service) subject to taxes, fees and inspections being current and compliant with the usual noise stipulations.*

PREPARED BY: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_

Melissa M. Avery, Assistant to the Town Manager



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: Anchorage Inn

Street Address: 265 Long Beach Ave. York Beach, ME 03910

Business Owner: Ray Ramsey Business Manager: Same

Mailing Address: PO Box 1329 Mailing Address: \_\_\_\_\_  
York Beach, ME 03910

Phone Number: 207 363 5712 Phone Number: \_\_\_\_\_

E-mail Address: DAR@ANCHORAGEINN.COM E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

*Please indicate which Licenses or Local Approvals you seek:*

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

**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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	4108	05029	EL 3738
Expiration Date(s):	5/11/15	12/28/15	5/31/15
Classification(s):	Liquor	Eating + Lodging	Elevator

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: Raymond A Barry  
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**

FEES		Amount	Map - Lot: <u>0030 - 0096</u>
Application and First License (\$60)		<u>60.00</u>	Processed By: <u>mmavery</u>
Subsequent Licenses (\$30 each)		<u>90.00</u>	Received Date: <u>3/18/2015</u>
New License Fee (\$50)		<u>-</u>	Amount Received: \$ <u>150.00</u>
License Amendment (\$25)		<u>-</u>	Check # <u>11533</u> or Cash <input type="checkbox"/>
Other: _____		<u>-</u>	LICENSE #: _____ - _____
TOTAL DUE		\$ <u>150.00</u>	
Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>__ N/A</u>	<u>3/19/2015 L. Vigue</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Fire	<u>__ N/A</u>	<u>3/20/2015 D. Bridges</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Police	<u>__ N/A</u>	<u>3/19/2015 O. Davis</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Tax Collector	<u>__ N/A</u>	<u>3/18/2015 M. Szeniakowski</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Board of Selectmen _____ Town Manager for the Board of Selectmen Date			YES NO

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: Bittersweet B/B

Street Address: 167 Cape Weddick Rd York ME 03909

Business Owner: Ralph Goddard/Mark Gray Business Manager: \_\_\_\_\_

Mailing Address: Same Mailing Address: \_\_\_\_\_

Phone Number: 207-351-3007 Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	19453		
Expiration Date(s):	7/5/15		
Classification(s):	DHS		

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 NO  
*Signature*

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

**FOR OFFICE USE ONLY**

FEES		Amount	Map - Lot: 0020 - 0007
Application and First License (\$60)		60.-	Processed By: mmavery
Subsequent Licenses (\$30 each)		-	Received Date: 2/17/2015
New License Fee (\$50)		-	Amount Received: \$60.00
License Amendment (\$25)		-	Check # 1596 or Cash <input type="checkbox"/>
Other: _____		-	LICENSE #: _____ - _____
TOTAL DUE		\$ 60.00	
Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>  </u> N/A	3/12/2015 K. Newell	YES <u>NO</u>
Fire	<u>  </u> N/A	3/16/2015 D. Bridges	YES <u>NO</u>
Police	<u>  </u> N/A		YES <u>NO</u>
Tax Collector	<u>  </u> N/A	2/18/2015 M. Szeniawski	YES <u>NO</u>
Board of Selectmen _____ <i>Town Manager for the Board of Selectmen</i> _____ <i>Date</i> _____			YES <u>NO</u>

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: Cape Neddick Inn  
 Street Address: 1273 US Route 1, Cape Neddick  
 Business Owner: Kenneth David Heaver Business Manager: SAUCE  
 Mailing Address: PO Box 249 Mailing Address: \_\_\_\_\_  
Cape Neddick, ME 03902  
 Phone Number: 207-351-1145 Phone Number: \_\_\_\_\_  
 E-mail Address: breaker1@comcast.net E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: 6

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: 120

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	1097700	09607	32976 <sup>e</sup>
Expiration Date(s):	12/31/2019	6/12/2015	3/31/15
Classification(s):	Retail	Health	Seafood Retail

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**

FEES	Amount	Map - Lot: 0019 - 0028
Application and First License (\$60)	60.00	Processed By: mmavery
Subsequent Licenses (\$30 each)	60.00	Received Date: 2/25/2015
New License Fee (\$50)	-	Amount Received: \$ 120.00
License Amendment (\$25)	-	Check # 10587 or Cash <input type="checkbox"/>
Other: _____	-	LICENSE #: _____ - _____
TOTAL DUE \$ 120.00		

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	__ N/A	3/3/2015 L. Vigue	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Fire	__ N/A	3/16/2015 D. Bridges	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Police	__ N/A	2/25/2015 O. Davis	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Tax Collector	__ N/A	2/25/2015 M. Szeniewski	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Board of Selectmen _____ Town Manager for the Board of Selectmen _____ Date _____			YES NO

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: CAPE NEDDICK LOBSTER POUND

Street Address: 60 SHORE RD

Business Owner: JOSEPH A. YOUNG Business Manager: MELISSA YOUNG

Mailing Address: P.O. Box 1 Mailing Address: P.O. Box 1

CAPE NEDDICK, ME. 03902 CAPE NEDDICK, ME. 03902

Phone Number: 207 351 5979 Phone Number: 251-6222

E-mail Address: JYOUNG7@RR.COM E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: 221

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEEES: 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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):			
Expiration Date(s):			
Classification(s):			

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**

FEES	Amount	Map - Lot: <u>0018 - 0004</u>
Application and First License (\$60)	<u>60.00</u>	Processed By: <u>mmavery</u>
Subsequent Licenses (\$30 each)	<u>60.00</u>	Received Date: <u>2/27/2015</u>
New License Fee (\$50)	<u>-</u>	Amount Received: \$ <u>120.00</u>
License Amendment (\$25)	<u>-</u>	Check # <u>18037</u> or Cash <input type="checkbox"/>
Other: _____	<u>-</u>	LICENSE #: _____ - _____
<b>TOTAL DUE</b>	<b>\$ <u>120.00</u></b>	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>N/A</u>	<u>3/11/2015 K. Newell</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Fire	<u>N/A</u>	<u>3/16/2015 D. Bridges</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Police	<u>N/A</u>	<u>3/9/2015 D. Davis</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Tax Collector	<u>N/A</u>	<u>2/27/2015 M. Szeniewski</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Board of Selectmen _____ Town Manager for the Board of Selectmen _____ Date _____			YES <input type="radio"/> NO <input type="radio"/>

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: Cliff House Resort & Spa

Street Address: 591 Shore Road Cape Neddick, ME 03902

Business Owner: RBDD Cliff House Acquisitions LLC Business Manager: Gerard Kiladjian

Mailing Address: 4100 Regent Street, Ste. G Mailing Address: 591 Shore Road

Columbus, Ohio 43219 York, ME 03909

Phone Number: 207-361-1000 Phone Number: 207-361-6264

E-mail Address: ddunn@cliffhousemaine.com E-mail Address: gkiladjian@cliffhousemaine.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

*Please indicate which Licenses or Local Approvals you seek:*

**Lodging:**

- Bed and Breakfast License (C/F)  Food Service License (C/F)  
 Innkeeper License (C/F)  Liquor License (F/P)  
Number of Rooms: 166  Bottle Club License (F/P)

**Food and Beverage:**

Number of Seats: 70

**Entertainment:**

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

**Miscellaneous:**

- Transient Seller's License  
 Flea Market License  
 Junkyard, Auto Graveyard/Recycling License  
 Other: \_\_\_\_\_

C – Code Enforcement Inspection Required F – Fire Department Inspection Required P – Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

**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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	4319	11137	4937
Expiration Date(s):	4/7/2015	4/9/2015	4/1/2015
Classification(s):	Liquor	Dance (Fire Marshall)	Eating & Lodging

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.

RBDD Cliff House Acquisitions LLC

Business Owner: *[Signature]*  
*Signature* Kenneth J. Krebs  
 Vice President & Secretary

Have you ever been convicted of a Felony? YES /  NO

Business Manager: *[Signature]*  
*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

FEES	Amount	Map - Lot: 0004 - 0029
Application and First License (\$60)	00.00	Processed By: <i>m. mavery</i>
Subsequent Licenses (\$30 each)	90.00	Received Date: 2/13/2015
New License Fee (\$50)		Amount Received: \$ 150.00
License Amendment (\$25)		Check # <i>12621</i> or Cash <input type="checkbox"/>
Other: _____		LICENSE #: _____ - _____
<b>TOTAL DUE</b>	<b>\$ 150.00</b>	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>  </u> N/A	2/26/2015 K. Newell	YES <input checked="" type="radio"/> NO
Fire	<u>  </u> N/A	3/10/2015 D. Bridges	YES <input checked="" type="radio"/> NO
Police	<u>  </u> N/A	3/12/2015 O. Davis	YES <input checked="" type="radio"/> NO
Tax Collector	<u>  </u> N/A	2/17/2015 M. Szeniawski	YES <input checked="" type="radio"/> NO
Board of Selectmen _____ <i>Town Manager for the Board of Selectmen</i> <i>Date</i>			YES NO

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: F10's TAKE-OUT

Street Address: 1359 Route one, Cape Neddick, Me.

Business Owner: John + Gail Stacy Business Manager: Gail

Mailing Address: P.O. Box 153 Mailing Address: Same  
Cape Neddick, Me. 03902

Phone Number: 363-4759 Phone Number: Same

E-mail Address: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

*Please indicate which Licenses or Local Approvals you seek:*

### Lodging:

\_\_\_ Bed and Breakfast License (C/F)

\_\_\_ Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

\_\_\_ Liquor License (F/P)

\_\_\_ Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

\_\_\_ Special Amusement License (F/P)

\_\_\_ Dance Hall License (F/P)

\_\_\_ Bowling Alley License (F)

\_\_\_ Coin-Operated Amusement License (P)

\_\_\_ Bingo, Beano and Games of Chance

### Miscellaneous:

\_\_\_ Transient Seller's License

\_\_\_ Flea Market License

\_\_\_ Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

**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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	1994		
Expiration Date(s):	12-28-15		
Classification(s):	Eating Place		

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: Gail A. Stacey Have you ever been convicted of a Felony? YES / ~~NO~~  
*Signature*

Business Manager: Gail A. Stacey 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**

FEES	Amount	Map - Lot: 0015 - 0001
Application and First License (\$60)	60.00	Processed By: mmavery
Subsequent Licenses (\$30 each)	-	Received Date: 2/10/2015
New License Fee (\$50)	-	Amount Received: \$60.00
License Amendment (\$25)	-	Check # 4558 or Cash <input type="checkbox"/>
Other: _____	-	LICENSE #: _____ - _____
<b>TOTAL DUE</b>	<b>\$ 60.00</b>	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>  </u> N/A	2/13/2015 K. Newell	YES <del>NO</del>
Fire	<u>  </u> N/A	3/16/2015 D. Bridges	YES <del>NO</del>
Police	<input checked="" type="checkbox"/> N/A		YES NO
Tax Collector	<u>  </u> N/A	2/11/2015 M. Szeniewski	YES <del>NO</del>
<b>Board of Selectmen</b> _____ <i>Town Manager for the Board of Selectmen</i> <i>Date</i>			YES NO

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: Inn at Tanglwood Hall

Street Address: 611 York Street York Harbor, ME 03911

Business Owner: Andrew + Susan Wetzel Business Manager: \_\_\_\_\_

Mailing Address: PO Box 490 Mailing Address: \_\_\_\_\_

York Harbor, ME 03911

Phone Number: 351. 1075 Phone Number: \_\_\_\_\_

E-mail Address: tanglwood@maine.rr.com E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

*Please indicate which Licenses or Local Approvals you seek:*

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: 6

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

**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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	7387		
Expiration Date(s):	4/13/2016		
Classification(s):	B+B		

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: Susannah Weisz *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**

FEES		Amount	Map - Lot: 0046 - 0054	
Application and First License (\$60)		60.00	Processed By: mmavery	
Subsequent Licenses (\$30 each)		-	Received Date: 3/10/2015	
New License Fee (\$50)		-	Amount Received: \$ 60.00	
License Amendment (\$25)		-	Check # 1079 or Cash <input type="checkbox"/>	
Other: _____		-	LICENSE #: _____ - _____	
TOTAL DUE		\$ 100.00		
Department Approvals		Date of Approval		Special Conditions (Attached if Necessary)
Code Enforcement	<input type="checkbox"/> N/A	3/13/2015 K. Newell		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Fire	<input type="checkbox"/> N/A	3/11/2015 D. Appgar		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Police	<input checked="" type="checkbox"/> N/A			YES <input type="checkbox"/> NO <input type="checkbox"/>
Tax Collector	<input type="checkbox"/> N/A	3/10/2015 M. Szeniewski		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Board of Selectmen _____ Town Manager for the Board of Selectmen _____ Date _____				YES <input type="checkbox"/> NO <input type="checkbox"/>

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: Jadel, LLC DBA Pickers All Seasons Restaurant

Street Address: 240 R York St. York ME 03909

Business Owner: Jon Adelson Business Manager: same

Mailing Address: 510 Uber Hill Rd York ME 03909 Mailing Address: \_\_\_\_\_

Phone Number: 207 363-5584 Phone Number: \_\_\_\_\_

E-mail Address: Jadel1967@gmail.com E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

*Please indicate which Licenses or Local Approvals you seek:*

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: 75

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

**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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	14-031	1149706	
Expiration Date(s):	3/2015	12/2018	
Classification(s):	Food	Retail	

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: *J. Adeler* Signature Have you ever been convicted of a Felony? YES /  NO

Business Manager: *J. Dahn* 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**

FEES	Amount	Map - Lot: 0050 - 0114-C
Application and First License (\$60)	60.-	Processed By: <i>mmavery</i>
Subsequent Licenses (\$30 each)	30.-	Received Date: 2/23/2015
New License Fee (\$50)	—	Amount Received: \$ 90.00
License Amendment (\$25)	—	Check # 3516 or Cash <input type="checkbox"/>
Other:	—	LICENSE #: _____
<b>TOTAL DUE</b>	<b>\$ 90.-</b>	

Department Approvals	Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	2/20/2015 K. Newell	YES <input checked="" type="radio"/> NO
Fire	2/24/2015 D. Appgar	YES <input checked="" type="radio"/> NO
Police	3/19/2015 O. Davis	YES <input checked="" type="radio"/> NO
Tax Collector	3/16/2015 N. Szeniauwski	YES <input checked="" type="radio"/> NO
<b>Board of Selectmen</b>	Town Manager for the Board of Selectmen _____ Date _____	YES NO

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: RIDGE ROAD INN

Street Address: 281 Ridge Road

Business Owner: PATRICK CRAIGIN Business Manager: KATE STONE

Mailing Address: PO Box 250 Mailing Address: PO Box 1200

DOVER, NH 03821 YORK BEACH, ME 03910

Phone Number: 603-742-2221 Phone Number: 207 351 5337

E-mail Address: \_\_\_\_\_ E-mail Address: Ridgewadin@gmail.com

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

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

\_\_\_ Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: 18

### Food and Beverage:

\_\_\_ Food Service License (C/F)

\_\_\_ Liquor License (F/P)

\_\_\_ Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

\_\_\_ Special Amusement License (F/P)

\_\_\_ Dance Hall License (F/P)

\_\_\_ Bowling Alley License (F)

\_\_\_ Coin-Operated Amusement License (P)

\_\_\_ Bingo, Beano and Games of Chance

### Miscellaneous:

\_\_\_ Transient Seller's License

\_\_\_ Flea Market License

\_\_\_ Junkyard, Auto Graveyard/Recycling License

\_\_\_ Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	11082		
Expiration Date(s):	8/31/15		
Classification(s):	Lodging		

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: Patrick Craig Signature Have you ever been convicted of a Felony? YES / NO

Business Manager: Kate 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**

FEES	Amount	Map - Lot: 0032 - 0149
Application and First License (\$60)	60.-	Processed By: mmavery
Subsequent Licenses (\$30 each)	-	Received Date: 1/15/2015
New License Fee (\$50)	-	Amount Received: \$ 60.00
License Amendment (\$25)	-	Check # 1790 or Cash <input type="checkbox"/>
Other: _____	-	
<b>TOTAL DUE</b>	<b>\$ 60.-</b>	<b>LICENSE #:</b> _____ - _____

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>  </u> N/A	2/16/2015 K. Newell	YES <u>NO</u>
Fire	<u>  </u> N/A	3/16/2015 D. Bridges	YES <u>NO</u>
Police	<u>  </u> <input checked="" type="checkbox"/> N/A		YES NO
Tax Collector	<u>  </u> N/A	1/16/2015 M. Szeniauski	YES <u>NO</u>
<b>Board of Selectmen</b>	_____ <small>Town Manager for the Board of Selectmen</small> _____ <small>Date</small>		YES NO

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: SHORE ROAD RESTAURANT AND MARKET  
Street Address: 10 SHORE ROAD  
Business Owner: JASON C. JOHNSON Business Manager: WALTER C. KILB  
Mailing Address: PO BOX 1603 Mailing Address: 5 SAINT ANDREWS LN.  
York Maine 03909 YORK, ME. 03909.  
Phone Number: (603) 617-0773 Phone Number: 207-363-4285  
E-mail Address: JcJohnson@YShore.com E-mail Address: SARAANDCHUCK@GMAIL.COM

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

Is the Business Owner same as the prior year?  YES  NO

*Please indicate which Licenses or Local Approvals you seek:*

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

**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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):			
Expiration Date(s):			
Classification(s):			

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**

FEE	Amount	Map - Lot: <u>0020 - 0020</u>
Application and First License (\$60)	<u>60.00</u>	Processed By: <u>mmavery</u>
Subsequent Licenses (\$30 each)	<u>-</u>	Received Date: <u>3/2/2015</u>
New License Fee (\$50)	<u>50.00</u>	Amount Received: \$ <u>110.00</u>
License Amendment (\$25)	<u>-</u>	Check # <u>200</u> or Cash <input type="checkbox"/>
Other: _____		LICENSE #: _____ - _____
<b>TOTAL DUE</b>	<b>\$ <u>110.00</u></b>	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)	
Code Enforcement	<u>N/A</u>	<u>3/9/2015 K. Newell</u>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Fire	<u>N/A</u>	<u>3/16/2015 D. Bridges</u>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Police	<input checked="" type="checkbox"/> <u>N/A</u>		YES <input type="checkbox"/> NO <input type="checkbox"/>	
Tax Collector	<u>N/A</u>	<u>3/3/2015 M. Szeniawski</u>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
<b>Board of Selectmen</b> _____ <i>Town Manager for the Board of Selectmen</i>			_____ <i>Date</i>	YES <input type="checkbox"/> NO <input type="checkbox"/>

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: WINDBREAKER RESTAURANT

Street Address: 243 LONG BEACH AVE -

Business Owner: DIANA HICKEY Business Manager: *(Signature)*

Mailing Address: PO. Box 572 Mailing Address: \_\_\_\_\_

YORK HARBOR, ME 03911

Phone Number: 207 - 363 - 3807 Phone Number: \_\_\_\_\_

E-mail Address: *(Signature)* E-mail Address: \_\_\_\_\_

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

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

\_\_\_ Bed and Breakfast License (C/F)

\_\_\_ Innkeeper License (C/F)

Number of Rooms: \_\_\_

### Food and Beverage:

Food Service License (C/F)

\_\_\_ Liquor License (F/P)

\_\_\_ Bottle Club License (F/P)

Number of Seats: 80

### Entertainment:

\_\_\_ Special Amusement License (F/P)

\_\_\_ Dance Hall License (F/P)

\_\_\_ Bowling Alley License (F)

\_\_\_ Coin-Operated Amusement License (P)

\_\_\_ Bingo, Beano and Games of Chance

### Miscellaneous:

\_\_\_ Transient Seller's License

\_\_\_ Flea Market License

\_\_\_ Junkyard, Auto Graveyard/Recycling License

\_\_\_ Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

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.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	5013	<del>14045</del>	
Expiration Date(s):	6/27/15	<del>4/30/15</del>	
Classification(s):	EATING PLACE	<del>VICTOR OPS</del>	

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: Ariana Dickey Have you ever been convicted of a Felony? YES  NO   
*Signature*

Business Manager: *[Signature]* 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**

FEES		Amount	Map - Lot: 0033 - 0034
Application and First License (\$60)		60.00	Processed By: mmavery
Subsequent Licenses (\$30 each)		-	Received Date: 3/10/2015
New License Fee (\$50)		-	Amount Received: \$ 60.00
License Amendment (\$25)		-	Check # 725 or Cash <input type="checkbox"/>
Other: _____		-	LICENSE #: _____ - _____
TOTAL DUE		\$ 60.00	
Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>  </u> N/A	3/13/2015 K. Newell	YES <input type="radio"/> NO <input checked="" type="radio"/>
Fire	<u>  </u> N/A	3/16/2015 D. Bridges	YES <input type="radio"/> NO <input checked="" type="radio"/>
Police	<input checked="" type="checkbox"/> N/A		YES <input type="radio"/> NO <input type="radio"/>
Tax Collector	<u>  </u> N/A	3/10/2015 M. Szeniewski	YES <input type="radio"/> NO <input checked="" type="radio"/>
Board of Selectmen _____		Town Manager for the Board of Selectmen _____	YES <input type="radio"/> NO <input type="radio"/>
		Date _____	



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: February 20, 2015

ACTION

DATE ACTION REQUESTED: February 23, 2015

DISCUSSION ONLY

SUBJECT: Extend timeline for Furbish property redemptions

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: I have received a request from Harriett Furbish, former owner of the properties at 294 and 298 Mountain Road, to extend the timeline for redemption from May 28 to August 31, 2015. Excessive snow this winter is causing a significant delay in starting the required site clean-up. Because this property has such a long history of violations, I think the extension is warranted in hopes that the problems can be resolved. However, I will not support any additional requests for time because this has gone on for so long.

Background: On January 26th the Board voted to allow the former owner 120 days to resolve numerous code violations and pay the necessary costs to redeem these lots. Another lot, located at 302 Mountain Road and owned by another family member, John Ferrin, was also addressed at this time. The request before the Board now only pertains to the 2 lots formerly owned by Mrs. Furbish.

RECOMMENDATION: I recommend the Board grant the requested extension of time.

PROPOSED MOTION: I move to extend the timeline to August 31, 2015, for compliance with conditions of redemption for the properties located at 294 and 298 Mountain Road.

PREPARED BY: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_



9c COPY

AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: 1/22/15	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: 1/26/15	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Furbish Properties, 294 Mountain Rd., 298 Mountain Rd., and 302 Mountain Rd.	

TO: BOARD OF SELECTMEN
FROM: Rick Mace
<b>RECOMMENDATION:</b> Allow Harriette Furbish to redeem 294 & 298 Mountain Rd. and John Ferrin to redeem 302 Mountain Rd. contingent on satisfying all back taxes with interest and complying with the remedial action as stipulated by CEO Amber Harrison, concerning multiple code violation on the Furbish properties.
<b>PROPOSED MOTION:</b> To allow Harriette Furbish to redeem 294 & 298 Mountain Rd. and to allow John Ferrin to redeem 302 Mountain Rd. contingent on back taxes and accrued interest, up to the day of redemption, being paid in full and all code violations on 294 & 298 Mountain Rd. rectified per CEO. The Town will allow the Harriette Furbish <sup>and John Ferrin</sup> 120 days from the date of the Board of Selectmen's decision to comply with these contingencies.

**Discussion:**

See attachments: Memo form Rick Mace to Wendy Anderson dated November 19, 2014. Memo from Amber Harrison to Steve Burns dated January 21, 2015.

Prepared By: Rick Mace, Assessor

Reviewed By: 



# Town of York

186 York Street  
York, Maine 03909-1314

**9c COPY**

## MEMORANDUM

Town Manager/  
Selectmen  
(207)363-1000

Town Clerk/  
Tax Collector  
(207)363-1003

Finance/  
Treasurer  
(207)363-1004

Code Enforcement  
(207)363-1002

Planning  
(207)363-1007

Assessor  
(207)363-1005

Police Department  
(207)363-1031

Dispatch  
(207)363-2557

York Beach Fire  
Department  
(207)363-1014

York Village Fire  
Department  
(207)363-1015

Public Works  
(207)363-1011

Harbor Master  
(207)363-1000

Senior Center/  
General Assistance  
(207)363-1036

Parks and  
Recreation  
(207)363-1040

Fax  
(207)363-1009  
(207)363-1019

www.yorkmaine.org

DATE: November 19, 2014  
TO: Wendy Anderson  
FR: Rick Mace  
RE: Redemptions

Keith Ferrin, the son of Harriette J. Furbish and the brother of John H. Ferrin Jr., requested the amounts owed on three of his family owned properties that the Town has previously foreclosed on.

Two properties were owned by Harriette J. Furbish, 294 Mountain Road and 298 Mountain Road, and one by John H. Ferrin Jr., 302 Mountain Road.

Taxes due on the following properties:

294 Mountain Road: FY1998 - FY2015 = \$24,343.05  
Tax Map 96 Lot 49A

298 Mountain Road: FY2000 - FY2015 = \$3,626.08  
Tax Map 96 Lot 49D

302 Mountain Road: FY1999 - FY2015 = \$13,102.72  
Tax Map 96 Lot 49E

**Total = \$41,071.85**

These numbers do not include up to date interest and penalty charges.



# Town of York

186 York Street  
York, Maine 03909-1314

**COPY**

## MEMO

**TO:** Steve Burns, Town Manager and Board of Selectmen  
**FROM:** Amber L. Harrison, CEO  
**DATE:** January 21, 2015  
**RE:** 294 Mountain Road (Map 96 Lot 49-A)

The purpose of this memo is to evaluate the current condition of the lot located at 294 Mountain Road (M96 L49-A) and to detail the immediate remedial action necessary to attain State and Town life safety and land use code standards. Upon inspection of the property on Friday, January 14, 2015, the following violations were found (see attached pictures):

- violations of the York Zoning Ordinance
- violations of the State Nuisance Law (MRSA Title 17 §2802)
- violations of the Mandatory Shoreland Zoning Act
- violations of the Natural Resources Protection Act (NRPA)
- potential violations of the State Subsurface Wastewater Disposal Rules

The dwelling unit(s) found onsite were found to be both illegally created and non-compliant with current building and land use codes. The presence of excess trash, scrap materials, and trailers creates a violation of the State Nuisance Law and also pertains to the presence of numerous unregistered vehicles, trailers and recreational vehicles. Any places where one or more old, discarded, worn-out or junked motor vehicles as defined in Title 29-A, section 101, subsection 42, or parts thereof, are gathered together, kept, deposited or allowed to accumulate, in such manner or in such location or situation either within or without the limits of any highway, as to be unsightly, detracting from the natural scenery or injurious to the comfort and happiness of individuals and the public, and injurious to property rights, are public nuisances.

The NRPA violation pertains to the development of the illegal dwelling unit(s) adjacent to the freshwater wetlands and brook on the rear of the lot. Activities regulated under the NRPA include disturbing soil, placing fill, dredging,

Town Manager/  
Selectmen  
(207)363-1000

Town Clerk/  
Tax Collector  
(207)363-1003

Finance/  
Treasurer  
(207)363-1004

Code Enforcement  
(207)363-1002

Planning  
(207)363-1007

Assessor  
(207)363-1005

Police Department  
(207)363-1031

Dispatch  
(207)363-2557

York Beach Fire  
Department  
(207)363-1014

York Village Fire  
Department  
(207)363-1015

Public Works  
(207)363-1011

Harbor Master  
(207)363-1000

Senior Center/  
General Assistance  
(207)363-1036

Parks and  
Recreation  
(207)363-1040

Fax  
(207)363-1009  
(207)363-1019



# Town of York

186 York Street  
York, Maine 03909-1314

**COPY**

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Selectmen  
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(207)363-1019

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removing or displacing soil, sand or vegetation, draining or dewatering, and building permanent structures, in, on, over or adjacent to these areas. The law is designed to protect these natural resources and is administered and enforced by the DEP.

The Mandatory Shoreland Zoning Act violation pertains to any expansion of a structure which increases the volume or floor area by 30% or more must meet the required setback requirements. No expansions are permitted closer to shoreline if the structure is less than required setback. It appears the illegal dwelling unit(s) have been expanded and placed closer to the wetlands in the rear of the property (within 100' of the upland edge of the wetland).

As evidenced in the attached pictures, the violations necessitate the demolition and removal of the illegal dwelling unit(s) as well as the removal of any unregistered vehicles, trailers, scrap materials, trash, and recreational vehicles from the property. A Maine licensed soil scientist or site evaluator must be procured in order to identify the potential septic system(s) onsite and any remedial action needed to fix any deficiencies found. Permits for the demolition of the structures must be obtained from the Code Enforcement Office and if any deficiencies are found in the septic system(s), the property owner must also submit an adequate HHE-200 application.

Remedial action must be taken concerning the above code and site plan violations immediately. It is suggested that the property owner schedules an appointment with the CEO to create an action plan and timeline to rectify the aforementioned violations.

Amber L. Harrison

Town of York Code Enforcement Officer



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: March 20, 2015

ACTION

DATE ACTION REQUESTED: February 23, 2015

DISCUSSION ONLY

SUBJECT: Discussion and Possible Action: Forward Ordinance Amendments to the May 16, 2015 Special General Referendum

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Listed below are the Ordinance Amendments proposed to be forwarded to the May 16, 2015 Special General Referendum, with the exception of the proposed new ordinance entitled: "Single-Use Bag Ordinance" as previously discussed:

1. Elimination of the Sunset Clause Regarding Outside Display Along Route One (Zoning);
2. Digital Display Sign Standards (Zoning);
3. Match Density and Minimum Lot Size in the Watershed Protection Overlay District (Zoning);
4. GEN-3 Permitted Uses within the GEN-3 Zoning District (Zoning);
5. Establish Sign Standards for "Gateway Signs" (Zoning);
6. Artisanal Food and Beverage Ordinance (Zoning);
7. Allow for Greater Residential Density in the York Beach Village Center Zone (Zoning);
8. Fine System Standardization of 21 Town Ordinances

In the essence of time, where there will be an individual motion to forward each proposed amendment. Taking Preference Votes for each amendment after the pass/fail motion would save some time later on in the meeting rather than re-reading the articles and statements of fact in New Business: K.3.

RECOMMENDATION: Forward each proposed amendment listed above to the May 16, 2015 Special General Referendum for consideration by the voters. Followed by taking Preference Votes on each amendment.

PROPOSED MOTION: I move to forward the " \_\_\_\_\_ " amendment to the ballot for consideration at the May 16, 2015 Special General Referendum.

PREPARED BY: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_

Melissa M. Avery, Assistant to the Town Manager



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: February 20, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: February 23, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Preference Votes – Budget Referendum and Special General Referendum	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The Board needs to take preference votes for each article.

RECOMMENDATION: n.a.

PROPOSED MOTION: The Chair should read each question one at a time and call for a preference vote on each.

PREPARED BY:

REVIEWED BY: \_\_\_\_\_



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: February 20, 2015

ACTION

DATE ACTION REQUESTED: February 23, 2015

DISCUSSION ONLY

SUBJECT: Forwarding the proposed warrants to the voters

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** The Board votes to send the referenda warrants to the voters. This May there will be 3 separate referenda: the Budget Referendum; the School Budget Validation Referendum; and the Special General Referendum.

The School Budget Validation Referendum is ready to be forwarded. It warrant contains the one simple question to ask the voters whether or not to affirm the results of the open school meeting.

I propose that the Board should hold one additional public hearing on Monday, March 30th. Regarding the Budget Referendum Warrant, there are two new articles proposed for the Budget Referendum that relate to the Police Station and Connector Road projects.

1) The first is the ballot question to ask the voters whether or not they will authorize a traffic signal on Route 1 at the Connector Road. If the signal question does not go on the ballot, or if the voters reject it at the polls, the connector road from the Police Station to Route One will no longer be a viable project. See Question #58.

2) The second is a ballot question asking the voters if they would be willing to combine the Police Station and the Connector Road projects into a single project and thereby creating a single budget for the combined project. The purpose of this question is to provide the ability to take savings from one portion of the project to benefit the entire project. See Question #59.

Neither of these articles would have any impact on the amount of money being requested of the York voters. However, these two articles are new and cannot be on the ballot without first having been heard at a public hearing.

Regarding the Special General Referendum Warrant, I made some minor changes to the wording of the two questions that pertain to accepting lots from the York Sewer District. The results probably wasn't substantive, but to be safe it would be best to conduct another public hearing before voting to send the warrant forward.

All materials must be delivered to the Town Clerk no later than April 1st, but we will plan on delivering everything on March 31st.

**RECOMMENDATION:** I recommend the Board make any changes, additions or subtractions to the draft Budget and Special General warrants and we will post a final version for a public hearing and action on March 30th.

**PROPOSED MOTION:** I move to forward the School Budget Validation Warrant to the voters for consideration on May 16, 2015.

I move to conduct a public hearing on March 30th regarding the draft Budget Referendum Warrant and the draft Special General Referendum Warrant, and to take final action following the public hearing.

PREPARED BY:  REVIEWED BY: \_\_\_\_\_

**TOWN OF YORK  
SCHOOL BUDGET VALIDATION REFERENDUM WARRANT  
ARTICLES TO BE ACTED UPON AT THE SCHOOL BUDGET VALIDATION REFERENDUM  
YORK, MAINE                      MAY 16, 2015**

TO: Douglas Bracy, 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 **Robert E. Butler Gymnasium at York High School on Saturday, May 16, 2015** between the hours of 8:00 o'clock in the forenoon and 8:00 o'clock in the evening, then and there to act on Article One, said article being set out below to wit:

**ONE:** Do you favor approving the York School budget for the upcoming school year that was adopted at the latest school budget meeting? M.R.S.A. 20-A Sec. 1486(3)(F)

YES \_\_\_\_ NO \_\_\_\_

\*\*\*\*\*

Dated at York this \_\_\_\_ day of \_\_\_\_\_ Two  
Thousand Fifteen:

**BOARD OF SELECTMEN**

\_\_\_\_\_  
Mary Andrews, Chairman

\_\_\_\_\_  
Robert E. Palmer, Jr., Vice Chairman

\_\_\_\_\_  
Torbert Macdonald

\_\_\_\_\_  
Jonathan O. Speers

**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 commencing at **8:00 A.M.** at the School Budget Validation Referendum to be held at the York High School Robert E. Butler Gymnasium on:

**DATE: MAY 16, 2015**

Dated at York this \_\_\_\_ day of \_\_\_\_\_ Two Thousand Fifteen:

\_\_\_\_\_  
Mary Andrews, Chairman

\_\_\_\_\_  
Robert E. Palmer, Jr., Vice-Chairman

\_\_\_\_\_  
Torbert Macdonald

\_\_\_\_\_  
Jonathan O. Speers

**BOARD OF SELECTMEN**



**Statement of Fact:** The purpose of this amendment is to provide a reasonable standard for Town approved gateway signs that communicate an identifiable village or area within the Town of York.

Planning Board recommends approval (5-0)  
Board of Selectmen recommends approval (0-0)

YES \_\_\_\_ NO \_\_\_\_

**SIX:** The Town hereby ordains amendment of the **Zoning Ordinance** to define a new principal use for craft manufactures of food and beverage products, and to establish where this new use is allowed or prohibited, specifically amending Article 2, Definitions, Article 4, Use Regulations, Article 8, Shoreland Overlay District and Article 10-G, Farm Enterprise Overlay District.

**Statement of Fact:** The purpose of this amendment is to facilitate the growth and diversification of the town’s food and beverage-based businesses and to enhance the Town’s hospitality attractions with regard to artisan crafted food and drink, specifically allowing a new use called, “Artisanal Food and/or Beverage Facility.” The definition is similar to one that was adopted by the Town of Kittery in recent years. It is intended to allow for manufacturing, sales, distribution and/or on-site consumption of artisanal food and beverage products that are produced on site. Types of businesses could include, but are not limited to, a brew pub, micro-brewery, distillery, coffee roaster, bakery or other such facilities.

Planning Board recommends approval (5-0)  
Board of Selectmen recommends approval (0-0)

YES \_\_\_\_ NO \_\_\_\_

**SEVEN:** The Town hereby ordains amendment of the **Zoning Ordinance** to revise the density provision applicable to the York Beach Village Center (YBVC) District under article 5.4.11.a regarding the allowed density of dwelling units in a mixed use building within the YBVC District.

**Statement of Fact:** The purpose of this amendment is to expand the re-development options for mixed-use buildings in the YBVC District. This amendment is fully consistent with the Comprehensive Plan’s Recommendation #6 for the York Beach Village Center: “Density requirements identified in the Zoning Ordinance should be adjusted to allow additional condominium development in the area.”

Planning Board recommends approval (5-0)  
Board of Selectmen recommends approval (0-0)

YES \_\_\_\_ NO \_\_\_\_

**EIGHT:** Do you favor authorizing the Town of York to accept a proposed gift of a lot or parcel of land, consisting of

approximately 4 acres adjoining Coastal Ridge Elementary School and to be used for school purposes, said lot or parcel of land being shown on the records of the Town Assessor as owned by the Heirs of Janice B. Armstrong and being located at **21 Field Avenue** in the Town of York, Maine (Tax Map 0044, Lot 0027-A)?

**Statement of Fact:** If approved, the Town would be able to accept this gift of land located on Field Avenue. This has been offered to the Town at no cost. The Town Assessor has valued this property at \$14,600.

Board of Selectmen recommends approval (0-0)

YES \_\_\_\_ NO \_\_\_\_

**NINE:** The Town hereby ordains amendment of the following ordinances listed here to **standardize the fine system**. Specific ordinances include the following: **Animal Control Ordinance, Beach Ordinance, Business Licensing Ordinance, E-911 Ordinance, Emergency Management Ordinance, Firearms Safety Ordinance, Fireworks Ordinance, Harbor Ordinance, Littering Ordinance, Noise Ordinance, Ordinance for Yard and Barn Sales, Ordinance Prohibiting Obscenity for Commercial Gain, Shellfish Conservation Ordinance, Skate Board Ordinance, Sohler Park Ordinance, Ordinance Regulating Solid Waste Collection, Recycling and Disposal, Street Opening and Culvert Ordinance, Ordinance Regulating the use of the Cliff Path and Fisherman’s Walk, Vehicles for the Sale of Food Ordinance and the Wheeler Wildlife Refuge Ordinance.**

**Statement of Fact:** The purpose of this amendment is to replace minimum-to-maximum range fines with fixed fines in 21 Town ordinances. The court system in the State of Maine is moving towards a new unified court docket system to streamline their workloads, and these changes make Town polices mesh with the State’s new system. In addition to helping manage the court system’s workload, this approach allows violators to simply pay the fines and avoid the necessity of making a court appearance.

Board of Selectmen recommends approval (0-0)

YES \_\_\_\_ NO \_\_\_\_

**TEN:** Shall the Town vote to accept by quitclaim deeds two parcels of land from the York Sewer District, the first being located at 24 Bay Haven Road (Tax Map 0020 Lot 0030-P) and the second being an parcel to the East with no assigned street number or tax map and lot numbers, both located in York, Maine?

**Statement of Fact:** If approved, the Town would be able to accept any and all property interests currently held by the York Sewer District in these two properties. They would be utilized by the Town to accommodate a stormwater drainage outfall for the Main Street reconstruction project. The York Sewer District would retain a perpetual easement to maintain

their sewer outfall line and any necessary appurtenances. These lots have been offered to the Town at no cost. The Town Assessor has valued this property at \$66,300.

Board of Selectmen recommends approval (0-0)

YES \_\_\_\_ NO \_\_\_\_

**ELEVEN:** Shall the Town vote to accept a parcel of land from the York Sewer District located at 410 Ridge Road (Tax Map 0094 Lot 0084-B) in York, Maine?

**Statement of Fact:** If approved, the Town would be able to accept this gift of land located on Ridge Road. This has been offered to the Town at no cost. The Town Assessor has valued this property at \$22,400. The York Sewer District acquired this property to accommodate utility access to the proposed new Police Station. The District's acquisition cost has already been included in the sewer utility costs for that project. No additional funds are being requested for this action.

Board of Selectmen recommends approval (0-0)

YES \_\_\_\_ NO \_\_\_\_

\*\*\*\*\*

Dated at York this \_\_\_\_ day of \_\_\_\_\_ Two Thousand Fifteen:

**BOARD OF SELECTMEN**

\_\_\_\_\_  
Mary Andrews, Chairman

\_\_\_\_\_  
Robert E. Palmer, Jr., Vice Chairman

\_\_\_\_\_  
Torbert Macdonald

\_\_\_\_\_  
Jonathan O. Speers

DRAFT

**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 commencing at **8:00 A.M.** at the Special General Referendum to be held at the York High School Robert E. Butler Gymnasium on:

**DATE: MAY 16, 2015**

Dated at York this \_\_\_\_ day of \_\_\_\_\_ Two Thousand Fifteen;

\_\_\_\_\_  
Mary Andrews, Chairman

\_\_\_\_\_  
Robert E. Palmer, Jr., Vice-Chairman

\_\_\_\_\_  
Torbert Macdonald

\_\_\_\_\_  
Jonathan O. Speers

**BOARD OF SELECTMEN**

**TOWN OF YORK  
BUDGET REFERENDUM WARRANT  
ARTICLES TO BE ACTED UPON AT THE BUDGET REFERENDUM  
YORK, MAINE                      MAY 16, 2015**

TO: Douglas P. Bracy, Constable of the Town of 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 **Robert E. Butler Gymnasium at York High School on Saturday, May 16, 2015** between the hours of 8:00 o'clock in the forenoon and 8:00 o'clock in the evening, then and there to act on Articles One through Fifty-Nine, said Articles being set out below to wit:

**ONE:** To elect the following:

**Two (2) Selectmen and Overseers of the Poor – Three-Year Term**

**Three (3) Members Budget Committee – Three-Year Term**

**Two (2) Members Superintending School Committee – Three-Year Term**

**One (1) Trustee for York Water District – Five-Year Term**

**One (1) Trustee for York Sewer District – Five-Year Term**

**One (1) Town Clerk and Tax Collector – Three-Year Term**

**TWO:** Shall the Town require the first payment of taxes (1/2 of taxes) to be paid not later than forty-five days from date of mailing; second payment (1/2 of taxes) to be paid by February 5, 2016? Taxes not paid by these dates shall be charged interest at the rate of 7% per annum.

Board of Selectmen recommends approval (0-0).

YES \_\_\_\_ NO \_\_\_\_

**THREE:** Shall the Town set an interest rate of 3% per annum to reimburse taxpayers for taxes determined in FY2016 to have been overpaid or abated?

Board of Selectmen recommends approval (0-0).

YES \_\_\_\_ NO \_\_\_\_

**MUNICIPAL OPERATING BUDGET FISCAL YEAR 2016**  
Preface: The Municipal Operating Budget presented here has been approved by the Budget Committee and reviewed by the Board of Selectmen. Their recommendations are shown separately under each article.

**IF THE MAJORITY OF VOTERS VOTE IN THE NEGATIVE ON AN ARTICLE, THE BUDGET AMOUNT WILL REVERT EITHER TO THE FY2015 APPROPRIATION OR TO \$0.**

**FOUR:** Shall the Town raise and appropriate a sum not to exceed **\$2,345,892** for the **Town Manager's Department, Finance Department, Information Technology, Human Resources, Assessor's Department, Community Development Department, Town Clerk/Tax Collector's Department, Elections, Town Hall Operations and Maintenance, Municipal Separate Storm Sewer, Earned Account, and Contingency**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Department</u>	<u>FY2015</u>	<u>FY2016</u>
Town Manager's Department	\$ 292,073	\$ 270,824
Finance Department	\$ 235,172	\$ 273,125
Information Technology	\$ 198,366	\$ 186,385
Human Resources	\$ 79,756	\$ 87,902
Assessor's Department	\$ 302,098	\$ 315,900
Community Development	\$ 408,078	\$ 403,456
Town Clerk/Tax Collector	\$ 375,640	\$ 394,032
Elections	\$ 25,673	\$ 48,480
Town Hall Operations/Maintenance	\$ 169,397	\$ 191,148
Municipal Separate Storm Sewer	\$ 95,100	\$ 94,640
Earned Account	\$ 30,000	\$ 30,000
Contingency	\$ 50,000	\$ 50,000
<b>Total</b>	<b>\$2,261,353</b>	<b>\$2,345,892</b>

**Statement of Fact:** Contingency funds may be used in FY2016 only and will therefore not be available as a carryforward to FY2017.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$2,345,892**.

A **NO** vote authorizes the previous year's appropriation of **\$2,261,353**.

YES \_\_\_\_ NO \_\_\_\_

**FIVE:** Shall the Town raise and appropriate a sum not to exceed **\$2,014,560** for **Debt Service**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$2,014,560**.

A **NO** vote authorizes the previous year's appropriation of **\$1,977,437**.

YES \_\_\_ NO \_\_\_

**SIX:** Shall the Town raise and appropriate a sum not to exceed \$5,000 for **Unemployment Costs**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Town is self-insured and pays unemployment claims as they arise. Any unspent funds from this account may be carried forward to future years because expenditures are unpredictable.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$5,000**.

A **NO** vote authorizes the previous year's appropriation of **\$5,000**.

YES \_\_\_ NO \_\_\_

**SEVEN:** Shall the Town raise and appropriate a sum not to exceed \$403,261 for **Property, Health Contingency, Liability and Workers' Compensation Insurance**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Town of York has seen an increase in both frequency and severity of claims during the past 36 months. As a result of the relatively small size of the York group, a single large claim can have a substantial impact on the Town's experience modification rate, which is the metric utilized to determine annual premium increases.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$403,261**.

A **NO** vote authorizes the previous year's appropriation of **\$410,903**.

YES \_\_\_ NO \_\_\_

**EIGHT:** Shall the Town raise and appropriate a sum not to exceed \$4,153,199 for the **Police Department, Communications, Animal Control and Harbor Management and authorize the Selectmen to expend any revenues received for dispatching and other Public Safety Services**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Department	FY2015	FY2016
Police	\$3,256,127	\$3,394,826
Communications	\$ 637,430	\$ 652,532
Animal Control	\$ 46,970	\$ 47,712
Harbor Management	\$ 55,727	\$ 58,129
<b>Total</b>	<b>\$3,996,254</b>	<b>\$4,153,199</b>

**Statement of Fact:** The Town of York provides PSAP (Public Safety Answering Point) E911 service for several surrounding towns, for

which the Town will receive \$116,427. These revenues are reflected in the budget request shown in this article.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$4,153,199**.

A **NO** vote authorizes the previous year's appropriation of **\$3,996,254**.

YES \_\_\_ NO \_\_\_

**NINE:** Shall the Town raise and appropriate a sum not to exceed \$78,000 for the **Vehicle Replacement Account for Police Vehicles**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Item	FY2015	FY2016
Police Vehicles	\$ 78,000	\$ 78,000
<b>Total</b>	<b>\$ 78,000</b>	<b>\$ 78,000</b>

**Statement of Fact:** Police vehicles are replaced by utilizing a replacement guideline that provides the flexibility to allow purchases to be made at the most opportune times and to get the best prices.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$78,000**.

A **NO** vote authorizes the previous year's appropriation of **\$78,000**.

YES \_\_\_ NO \_\_\_

**TEN:** Shall the Town raise and appropriate a sum not to exceed \$980,168 for the **York Village and York Beach Fire Departments**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Department	FY2015	FY2016
Village Fire Department	\$480,808	\$482,860
York Beach Fire Department	\$467,796	\$497,308
<b>Total</b>	<b>\$948,604</b>	<b>\$980,168</b>

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$980,168**.

A **NO** vote authorizes the previous year's appropriation of **\$948,604**.

YES \_\_\_ NO \_\_\_

**ELEVEN:** Shall the Town raise and appropriate a sum not to exceed \$1,010,748 for **Hydrants for Fire Protection**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$1,010,748**.

A **NO** vote authorizes the previous year's appropriation of **\$902,611**.

YES \_\_\_\_ NO \_\_\_\_

**TWELVE:** Shall the Town raise and appropriate a sum not to exceed **\$12,624** for **Cable TV Operations**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This provides for stipends for cameramen and repairs and maintenance for broadcast equipment.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$12,624**.

A **NO** vote authorizes the previous year's appropriation of **\$12,663**.

YES \_\_\_\_ NO \_\_\_\_

**THIRTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$40,000** for a **One-Year Contract with the York Ambulance Association**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Board of Directors of the York Ambulance Association has contracted with the Town to offset the annual operating expenses for the York Ambulance Association.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$40,000**.

A **NO** vote authorizes the previous year's appropriation of **\$40,000**.

YES \_\_\_\_ NO \_\_\_\_

**FOURTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$3,141,850** for **General Highway Maintenance, Tree Care, Streetlights and Signals, Traffic Lights, White Goods Disposal, Solid Waste Disposal, and Household Hazardous Waste Disposal and expend any revenues received**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Department	FY2015	FY2016
General Highway Maintenance	\$1,312,420	\$1,377,009
Tree Care	\$ 27,800	\$ 29,000
Streetlights and Signals	\$ 135,000	\$ 145,000
Traffic Lights	\$ 2,100	\$ 2,100
White Goods Disposal	\$ 77,953	\$ 84,471
Solid Waste Disposal	\$1,450,000	\$1,475,000
Household Hazardous Waste Disposal	\$ 29,000	\$ 29,000
<b>Total</b>	<b>\$3,034,273</b>	<b>\$3,141,580</b>

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$3,141,850**.

A **NO** vote authorizes the previous year's appropriation of **\$3,034,273**.

YES \_\_\_\_ NO \_\_\_\_

**FIFTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$1,271,709** for **FY2016 Winter Maintenance and Snow Removal and to authorize the Board of Selectmen and Treasurer to transfer an amount not to exceed \$100,000 from the unappropriated Fund Balance in the event winter weather conditions necessitate an over-expenditure of budgeted funds for the purpose of Winter Maintenance**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$1,271,709**.

A **NO** vote authorizes the previous year's appropriation of **\$1,199,482** and \$100,000 from the unappropriated Fund Balance in the event winter weather conditions necessitate an over-expenditure of budgeted funds for the purpose of winter maintenance.

YES \_\_\_\_ NO \_\_\_\_

**SIXTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$10,000** for the **Continuation of Improvements to the Cliff Path and Fishermen's Walk**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$10,000**.

A **NO** vote authorizes the previous year's appropriation of **\$0**.

YES \_\_\_\_ NO \_\_\_\_

**SEVENTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$550,000** for the **Paving of Town Roads**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$550,000**.

A **NO** vote authorizes the previous year's appropriation of **\$512,409**.

YES \_\_\_\_ NO \_\_\_\_

**EIGHTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$144,024** for the **Maintenance of School Grounds and Athletic Fields**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$144,024**.

A **NO** vote authorizes the previous year's appropriation of **\$139,004**.

YES \_\_\_ NO \_\_\_

**NINETEEN:** Shall the Town raise and appropriate a sum not to exceed **\$698,306** for the **Maintenance of Town Buildings, Grounds and Beaches**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$698,306**.

A **NO** vote authorizes the previous year's appropriation of **\$670,658**.

YES \_\_\_ NO \_\_\_

**TWENTY:** Shall the Town raise and appropriate a sum not to exceed **\$38,573** for the **Maintenance of the Short Sands Park Bathhouse**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$38,573**.

A **NO** vote authorizes the previous year's appropriation of **\$37,573**.

YES \_\_\_ NO \_\_\_

**TWENTY-ONE:** Shall the Town raise and appropriate a sum not to exceed **\$504,373** for the **Operation of the Library**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$504,373**.

A **NO** vote authorizes the previous year's appropriation of **\$483,102**.

YES \_\_\_ NO \_\_\_

**TWENTY-TWO:** Shall the Town raise and appropriate a sum not to exceed **\$320,078** for the **Senior Citizens' Center and General Assistance Program**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Department</u>	<u>FY2015</u>	<u>FY2016</u>
Senior Center	\$269,667	\$277,927
General Assistance	\$ 38,688	\$ 42,152
<b>Total</b>	<b>\$308,355</b>	<b>\$320,079</b>

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$320,079**.

A **NO** vote authorizes the previous year's appropriation of **\$308,355**.

YES \_\_\_ NO \_\_\_

**TWENTY-THREE:** Shall the Town raise and appropriate a sum not to exceed **\$39,320** for **Social Services and authorize the Board of Selectmen to reduce this amount if recommended by the Municipal Social Service Review Board**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Agency</u>	<u>Amount Recommended by the Social Services Committee</u>
AIDS Response Seacoast	\$ 1,500
American Red Cross of Southern Maine	\$ 1,000
Biddeford Free Clinic	\$ 150
Caring Unlimited/A Safe Place	\$ 3,750
Cross Roads House	\$ 1,000
Ethel's Tree of Life, Inc.	\$ 375
Home Health/Visiting Nurses of So. Maine	\$ 2,000
Kids Free to Grow	\$ 1,200
LifeFlight of Maine	\$ 1,000
Maine Behavioral Healthcare	\$ 2,800
Sexual Assault Response Services	\$ 500
Southern Maine Agency on Aging	\$ 10,000
Sweetser	\$ 1,045
Table of Plenty	\$ 1,500
York County Community Action	\$ 6,000
York County Food Rescue	\$ 2,000
York County Shelter Programs, Inc.	\$ 3,500
<b>Total</b>	<b>\$ 39,320</b>

**Statement of Fact:** The Board of Selectmen appointed a Municipal Social Service Review Board to review all of the Social Service requests from agencies serving York residents. This list is a compilation of the committee's recommendations.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$39,320**.

A **NO** vote authorizes an appropriation of **\$0**.

YES \_\_\_ NO \_\_\_

**TWENTY-FOUR:** Shall the Town raise and appropriate a sum not to exceed **\$82,005** for the **Board of Selectmen, Veterans' Graves and Ancient Burial Grounds, Cemeteries, Cable TV Regulatory Commission, Conservation Commission, Historic District Commission, Shellfish Commission, Appeals Board, Budget Committee, Planning Board**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Committee</u>	<u>FY2015</u>	<u>FY2016</u>
Board of Selectmen	\$ 25,644	\$ 26,882
Veterans' Graves/Ancient Burials Cemetery	\$ 16,696	\$ 25,270
Cable TV Regulatory Comm.	\$ 5,000	\$ 5,000
Conservation Commission	\$ 400	\$ 400
Energy Efficiency Committee	\$ 2,830	\$ 2,830
Historic District Commission	\$ 0	\$ 3,000
Recycling Committee	\$ 1,040	\$ 4,000
Shellfish Commission	\$ 1,000	\$ 0
Appeals Board	\$ 1,725	\$ 1,725
Budget Committee	\$ 6,535	\$ 3,998
Planning Board	\$ 100	\$ 100
<b>Total</b>	<b>\$ 69,770</b>	<b>\$ 82,005</b>

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$82,005**.

A **NO** vote authorizes the previous year's appropriation of **\$69,770**.

YES \_\_\_ NO \_\_\_

**TWENTY-FIVE:** Shall the Town raise and appropriate a sum not to exceed **\$140,895** for the **Recreation Department and authorize the Selectmen to expend all revenues generated by the Recreation Programs**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This Article represents that portion of the Recreation Department budget supported by tax appropriations, which fund the 1.5 full-time positions necessary for administration of the program.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote: 1) authorizes a tax appropriation of **\$140,895** as proposed by the Budget Committee; and 2) authorizes the expenditure of all revenues generated by the Recreation Programs in FY2016, which are estimated to be \$530,000.

A **NO** vote: 1) authorizes the previous year's tax appropriation of **\$138,439**; and 2) authorizes the expenditure of all FY2016 revenues generated by the Recreation Programs.

YES \_\_\_ NO \_\_\_

**TWENTY-SIX:** Shall the Town appropriate **all revenues generated by the Grant House at Goodrich Park and Sohier Park, which**

**are estimated to be \$488,400, for the operation and maintenance of the aforementioned properties**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This request represents no expenditure of tax dollars.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the expenditure of all revenues generated in FY2016, which are estimated to be **\$488,400**.

A **NO** vote authorizes the expenditure of all FY2016 revenues.

YES \_\_\_ NO \_\_\_

**TWENTY-SEVEN:** Shall the Town appropriate **all revenues generated by Mount Agamenticus, which are estimated to be \$87,423, for the operation and maintenance of the aforementioned property**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This request represents no expenditure of tax dollars.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the expenditure of all revenues generated in FY2016, which are estimated to be **\$87,423**.

A **NO** vote authorizes the expenditure of all FY2016 revenues.

YES \_\_\_ NO \_\_\_

**TWENTY-EIGHT:** Shall the Town appropriate **9.5% of the revenues generated by parking ticket collections and parking permits to pay the cost of cleaning and maintaining the bathhouse at Harbor Beach**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Town maintains the bathhouse at Harbor Beach and this article allows those costs to be covered by beach revenues rather than by tax appropriation.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the expenditure of 9.5% of the revenues generated by parking ticket collections and parking permits in FY2016, which are estimated to be **\$22,000**.

A **NO** vote authorizes the expenditure of 9.5% of revenues generated by parking ticket collections and parking permits in FY2016.

YES \_\_\_ NO \_\_\_

**TWENTY-NINE:** Shall the Town fund the Beach Reserve Account with 14% of the revenues generated by parking meter collections, and 4.5% of revenues generated by parking permits and parking ticket collections, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget as proposed by the Budget Committee?

**Statement of Fact:** The Board of Selectmen determined that revenues collected from parking meters can only be expended for qualified projects, and therefore the Beach Reserve Account will be funded by 14% of revenues generated by parking meter collections, and 4.5% of revenues generated by parking permits and parking ticket collections, estimated to be \$40,000. There is no tax appropriation. Future expenditures will be authorized by a budget referendum warrant article.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the collection of 14% of the revenues generated by parking meter collections, and 4.5% of revenues generated by parking permits and parking ticket collections in FY2016, which are estimated to be **\$40,000**.

A **NO** vote authorizes the collection of 14% of revenues generated by parking meter collections and 4.5% of revenues generated by parking permits and parking ticket collections in FY2016.

YES \_\_\_ NO \_\_\_

**THIRTY:** Shall the Town raise and appropriate a sum not to exceed \$40,000 for the purpose of conducting a Mosquito Control Program for FY2016, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget as proposed by the Budget Committee?

**Statement of Fact:** This is a community-based program conducted to reduce mosquito-borne and tick-borne diseases, and is designed to minimize human risk by utilizing various prevention strategies.

Budget Committee recommends approval (6-1).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$40,000**.

A **NO** vote authorizes the previous year's appropriation of **\$40,000**.

YES \_\_\_ NO \_\_\_

**THIRTY-ONE:** Shall the Town authorize the use of up to \$100,000 from the Town's fund balance for the Supplementary Contingency Account if deemed necessary by the Board of Selectmen, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** If approved by voters, up to \$100,000 from the Town's fund balance will be available by majority vote of the Board of Selectmen to be used only for emergencies and opportunities which are unknown to the Board at the time of budget preparation and which are recognized as Town responsibilities or are deemed by

the Board to be in conformity with the Comprehensive Plan or latest Capital Program.

Examples include (but are not limited to):

- A down payment or earnest money for securing unusual buying opportunities for parcels of land, buildings, or significant capital assets; to hold such potential purchase under contract until the next viable opportunity to offer the choice to the voters in a referendum;
- Unforeseen and therefore unbudgeted environmental or weather related repairs or precautions;
- Unusual or unpredicted spikes in the costs of materials or goods regularly purchased by the Town and declared essential by the Board.

In an uneventful year, it would be expected that none of the available money would be expended.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the expenditure from the fund balance of up to **\$100,000**, if necessary, to cover supplementary contingencies.

A **NO** vote authorizes the previous year's authorization to use up to **\$100,000** from the fund balance, if necessary, to cover supplementary contingencies.

YES \_\_\_ NO \_\_\_

**THIRTY-TWO:** Shall the Town authorize the use of up to \$180,000 from the Town's fund balance for a second Supplemental Contingency Account to help pay for maintenance of roads if Route One maintenance is transferred from the State to the Town, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** If approved by voters, up to \$180,000 from Town's fund balance will be available by majority vote of the Board of Selectmen to be used only if the State transfers to the Town maintenance responsibilities for the section of US Route One from approximately Mr. Mike's convenience store, north to the intersection of Cape Neddick Road. If used, these funds would supplement General Highway Maintenance and Winter Maintenance Removal operating budgets.

If the State retained maintenance responsibilities for this portion of Route One, none of this money would be spent.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an expenditure of **\$180,000**.

A **NO** vote authorizes the appropriation of **\$0**.

YES \_\_\_ NO \_\_\_

**THIRTY-THREE:** Shall the Town raise and appropriate a sum estimated to be **\$4,434,800** consisting of the estimated revenues listed below for FY2016, and apply such funds to the FY2016 Tax Commitment?

Auto Excise	\$ 2,860,000
Appeals Board Fees	\$ 3,500
Bad Check Charges	\$ 500
Boat Excise	\$ 29,000
Cable TV Franchise Fees	\$ 193,000
Ellis Park	\$ 27,000
General Assistance Reimbursement	\$ 12,000
Investment Interest	\$ 33,000
Lien Administrative Fees	\$ 2,400
Local Roads Subsidy	\$ 175,000
Meter Collections	\$ 215,000
Miscellaneous Income	\$ 74,200
Ordinance Fines	\$ 2,000
Parking Stickers	\$ 100,000
Photocopies	\$ 1,500
Plumbing Permits	\$ 39,000
R/E Interest	\$ 148,000
Refrigerant Disposal Fee	\$ 300
State Revenue Sharing	\$ 269,400
Tickets/Meter Fines	\$ 115,000
Town Clerk Fees	\$ 100,000
Transfer Station Permits	\$ 35,000
<b>Total</b>	<b>\$ 4,434,800</b>

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the use of the listed revenues, estimated to be **\$4,434,800**, to reduce the tax commitment.

A **NO** vote authorizes the use of the listed revenues, estimated to be **\$4,434,800**, to reduce the tax commitment.

YES \_\_\_\_ NO \_\_\_\_

**THIRTY-FOUR:** Shall the Town appropriate **\$600,000** from the Fund Balance and apply these funds to the FY2016 Tax Commitment as a reduction in the amount to be raised from taxation, as proposed by the Board of Selectmen?

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes an appropriation from the fund balance of **\$600,000** to reduce the tax commitment.

A **NO** vote authorizes the previous year's appropriation from the fund balance of **\$650,000**.

YES \_\_\_\_ NO \_\_\_\_

**THIRTY-FIVE:** Shall the Town authorize the Board of Selectmen to accept grants, donations and aid from State and Federal Agencies, as well as private sources, such as Foundations, Trusts and Individuals, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Board of Selectmen recommends approval (0-0).

YES \_\_\_\_ NO \_\_\_\_

**THIRTY-SIX:** Shall the Town authorize the Board of Selectmen to make one of the following decisions for each Tax Lien Acquired Property?

1. To dispose of the property by allowing the immediate former owner, or the immediate former owner's estate, to buy back title to the property from the Town. Buy-back of the property shall require: payment of all taxes due plus interest and lien costs; payment of all other costs; and an amount determined by the Board of Selectmen of up to ten (10%) percent of the then current assessed valuation as set by the Tax Assessor; and satisfaction of all other conditions established by the Board of Selectmen.
2. To dispose of the property by public sealed bid, auction or other public process.
3. To dispose of the property by conducting a limited public sale among the parties who own property that directly abuts this property.
4. To hold Town title to the property.

The decision of the Board of Selectmen to use any of the above options shall adhere to the Board of Selectmen Procedural Policy for the Disposition of Foreclosed Property.

Board of Selectmen recommends approval (0-0).

YES \_\_\_\_ NO \_\_\_\_

**THIRTY-SEVEN:** Shall the Town authorize the Town Treasurer to waive foreclosure of any tax lien during the 2015 and 2016 calendar years, said waiver requiring approval of the Board of Selectmen? The Board of Selectmen shall grant said approval only in circumstances where foreclosures would prove injurious to the Town of York, such as, but not limited to, the presence of hazardous waste upon the property, or the presence on the property of one or more substandard structure(s) for which the cost of removal or repair would exceed the value of the property.

Board of Selectmen recommends approval (0-0).

YES \_\_\_\_ NO \_\_\_\_

**THIRTY-EIGHT:** Shall the Town raise and appropriate a sum not to exceed **\$5,000** for a Grantor/Grantee Index, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget?

**Statement of Fact:** The Board of Selectmen seeks funds to begin the process of systematically inventorying and creating an official record of Town-owned properties and rights of way.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the expenditure of **\$5,000**.

A **NO** vote authorizes an appropriation of **\$0**.

YES \_\_\_\_ NO \_\_\_\_

**THIRTY-NINE:** Shall the Town raise and appropriate a sum not to exceed **\$20,000 for the purpose of establishing a legal fund to defend public access to the Cliff Path**, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget?

**Statement of Fact:** If approved, this warrant article would provide funding for a legal fund which would be used, if necessary, to pay legal expenses associated with defending the public's right to use the entire Cliff Path.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A **YES** vote authorizes the expenditure of **\$20,000**.

A **NO** vote authorizes an appropriation of **\$0**.

YES \_\_\_\_ NO \_\_\_\_

**MUNICIPAL AND SCHOOL CAPITAL PLAN**

**FORTY:** Shall the Town (1) approve the purchase of a Pickup Truck with at least a ¼ Ton Rack Body for use by the Parks Department (2) appropriate a sum not to exceed **\$34,000 for the cost of this project**; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$34,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **The first payment of principle and interest, estimated to be \$13,020, will occur in 2017.**

**Statement of Fact:** This article would approve the purchase of a pickup truck with at least a ¼ ton rack body, with light towing package. This would replace a 2004 GMC 3500 pickup truck. The following financial statement reflects total project costs.

**FINANCIAL STATEMENT**

<b><u>Total Town Indebtedness:</u></b>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	34,000
Total	\$ 28,536,021

**Costs:**

At an estimated interest rate of 3% for a three (3) year maturity, the estimated cost of the bond issue will be:

Principal	\$34,000
Interest	1,980
Total Debt Service	\$35,980

**Total estimated project costs including debt service: \$35,980**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (6-1).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_\_ NO \_\_\_\_

**FORTY-ONE:** Shall the Town (1) approve the purchase of a pre-owned Pickup Truck for use by the Parks Department; (2) appropriate a sum not to exceed **\$18,000 for the cost of this project**; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$18,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **The first payment of principle and interest, estimated to be \$6,540, will occur in 2017.**

**Statement of Fact:** This article would approve the purchase of a pre-owned pickup truck for use by the Parks Department. This vehicle will be assigned for the Veterans Graves and Ancient Burial Grounds Program.

**FINANCIAL STATEMENT**

<b><u>Total Town Indebtedness:</u></b>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	18,000
Total	\$28,520,021

**Costs:**

At an estimated interest rate of 3% for a three (3) year maturity, the estimated cost of the bond issue will be:

Principal	\$ 18,000
Interest	1,080
Total Debt Service	\$19,080

**Total estimated project costs including debt service: \$19,080**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).

Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FORTY-TWO: Shall the Town (1) approve the purchase of a Heavy Duty Plow Truck for use by the Public Works Department; (2) appropriate a sum not to exceed \$205,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$205,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? The first payment of principle and interest, estimated to be \$47,150, will occur in 2017.**

**Statement of Fact:** This article would approve the purchase a heavy duty wheeler plow truck (dual rear axle - 10 tire) for the Department of Public Works, to be used should the Town be required to take over a section of Route One plowing previously maintained by Maine DOT. This would replace a 2005 Heavy Duty Plow Truck (single rear axle-6 tire). Per vote of the Board of Selectmen, in the event Maine DOT does not transfer maintenance of the section of Route One in question a yes vote would authorize spending of \$157,000 for a single axle-6 tire plow truck).

**FINANCIAL STATEMENT**

<u>Total Town Indebtedness:</u>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>205,000</u>
Total	\$28,707,021

**Costs:**

At an estimated interest rate of 3% for a five (5) year maturity, the estimated cost of the bond issue will be:

Principal	\$205,000
Interest	<u>18,450</u>
Total Debt Service	\$223,450

**Total estimated project costs including debt service: \$223,450**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FORTY-THREE: Shall the Town (1) approve the purchase of a Bucket/Sign Truck for use by the Public Works Department; (2) appropriate a sum not to exceed \$94,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$94,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? The first payment of principle and interest, estimated to be \$21,820, will occur in 2017.**

**Statement of Fact:** This article would approve the purchase of a bucket truck for the Department of Public Works. This purchase will replace the Town's 1996 GMC bucket truck.

**FINANCIAL STATEMENT**

<u>Total Town Indebtedness:</u>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>94,000</u>
Total	\$28,596,021

**Costs:**

At an estimated interest rate of 3% for a five (5) year maturity, the estimated cost of the bond issue will be:

Principal	\$94,000
Interest	<u>8,400</u>
Total Debt Service	\$102,400

**Total estimated project costs including debt service: \$102,400**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FORTY-FOUR: Shall the Town (1) approve the design, engineering, consulting, construction and equipping of a York Community Auditorium building project at York High School; (2) appropriate a sum not to exceed \$10,465,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$10,465,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities,**

including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **The first payment of principle and interest, estimated to be \$840,000, will occur in 2017.**

**Statement of Fact:** This article would approve funding for the proposed York Community Auditorium building project at York High School. The plan for the project would include 750 seats. The new construction is planned to replace the current space and connect the music instructional wing, foreign language wing, gymnasium and cafeteria. The new space is intended to be upgraded to be ADA compliant and serve the educational and programming needs of the school department and be a venue for other town functions when available. The estimated first-year costs of operations related to this project include the cost of one custodian at \$50,000 and utility expenses of \$39,612.

**FINANCIAL STATEMENT**

**Total Town Indebtedness:**

A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>10,465,000</u>
Total	\$38,967,021

**Costs:**

At an estimated interest rate of 3.0% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

Principal	\$10,465,000
Interest	<u>3,307,500</u>
Total Debt Service	\$13,772,500

**Total estimated project costs including debt service: \$13,772,500**

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

S/ Margaret M. McIntosh, Town Treasurer

School Committee recommends approval (0-0).  
 Budget Committee recommends approval (5-2).  
 Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FORTY-FIVE: Shall the Town (1) approve security upgrades for all schools in the York School Department; and (2) appropriate a sum not to exceed \$164,000 for the cost of this project? This article appropriates \$34,857 from taxation, which is the estimated first-year cost of principal and interest.**

**Statement of Fact:** Funding for this project will be amortized over a 5-year period. The first-year cost, estimated at \$34,857, is included in the York School Department Operating Budget for fiscal year 2016. **This article does not authorize issuance of General Obligation Bonds.**

**FINANCIAL STATEMENT**

**Costs:**

At an estimated interest rate of 3.0% for a five (5) year maturity, the estimated cost of the bond issue will be:

Principal	\$164,000
Interest	<u>11,283</u>
Total Debt Service	\$175,283

**Total estimated project costs including debt service: \$175,283**

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

S/ Margaret M. McIntosh, Town Treasurer

School Committee recommends approval (0-0).  
 Budget Committee recommends approval (7-0).  
 Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FORTY-SIX: Shall the Town (1) approve design, engineering, construction and equipping of the Mount Agamenticus Universal Access Trail Project: Phase 2; (2) appropriate a sum not to exceed \$60,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$60,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **The first payment of principle and interest, estimated to be \$21,800, will occur in 2017.****

**Statement of Fact:** This article would approve funding for the construction of Phase 2 of the Mount Agamenticus Universal Access Trail. Phase 1 of the trail was completed in FY15. The cost estimate for Phase 2 is \$81,747 for 1645 feet of trail. Additional funding has been secured to bring this section of the project in at \$60,000. The goal of the project is to make a one-mile loop trail universally accessible. The total project is to be completed in four phases.

**FINANCIAL STATEMENT**

**Total Town Indebtedness:**

A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>60,000</u>
Total	\$28,562,021

**Costs:**

At an estimated interest rate of 2.2% for a ten (10) year maturity, the estimated cost of the bond issue will be:

Principal	\$60,000
Interest	<u>3,600</u>

Total Debt Service \$63,600

**Total estimated project costs including debt service: \$63,600**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FORTY-SEVEN: Shall the Town (1) approve design, engineering, construction and equipping of the Mount Agamenticus Universal Access Trail Project: Phases 3 and 4; (2) appropriate a sum not to exceed \$159,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$159,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? The first payment of principle and interest, estimated to be \$39,770, will occur in 2017.**

**Statement of Fact:** This article would approve funding for the construction of Phases 3 and 4 of the Mount Agamenticus Universal access trail. Phases 3 and 4 complete the trail. The last phases of the trail link the eastern and western shrubland lobes and incorporate unique geological features. Due to the topography of the summit these two phases will require additional effort to upgrade them to Architectural Barriers Act Accessible Standards (ABBS). The goal of the project is to make a one-mile loop trail universally accessible.

**FINANCIAL STATEMENT**

<u>Total Town Indebtedness:</u>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>159,000</u>
Total	\$28,661,021

**Costs:**

At an estimated interest rate of 3% for a five (5) year maturity, the estimated cost of the bond issue will be:

Principal	\$159,000
Interest	<u>13,800</u>
Total Debt Service	\$172,800

**Total estimated project costs including debt service: \$172,800**

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the

actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FORTY-EIGHT: Shall the Town (1) approve design, engineering, construction and equipping of the Bog Road Recreation Complex Project: Phase 2; (2) appropriate a sum not to exceed \$150,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$150,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen. The first payment of principle and interest, estimated to be \$34,500, will occur in 2017.**

**Statement of Fact:** This article would approve funding for Phase 2 of the Bog Road Recreation Complex. In May 2013 voters approved Phase 1 of the project for the construction of a multipurpose athletic field and parking area. The project will be ready for play in August 2015. This phase includes the construction of a maintenance building, combination football/concession building, perimeter fencing, goal posts, scoreboard, bleachers, and a cross country/hiking trail. The Town has applied for 50% matching funds through the National Park Service's "Land and Water Conservation Fund".

**FINANCIAL STATEMENT**

<u>Total Town Indebtedness:</u>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>150,000</u>
Total	\$28,652,021

**Costs:**

At an estimated interest rate of 3% for a five (5) year maturity, the estimated cost of the bond issue will be:

Principal	\$150,000
Interest	<u>13,500</u>
Total Debt Service	\$163,500

**Total estimated project costs including debt service: \$163,500**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

Budget Committee recommends approval (6-1).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

YES \_\_\_ NO \_\_\_

**FORTY-NINE: Shall the Town (1) approve upgrades to the wireless and connected networks in all York School Department buildings; (2) appropriate a sum not to exceed \$200,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$200,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? The first payment of principle and interest, estimated to be \$46,000, will occur in 2017.**

**FIFTY: Shall the Town (1) approve the purchase and installation of improvements to the Town Hall Information Technology Infrastructure; (2) appropriate a sum not to exceed \$225,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$225,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen The first payment of principle and interest, estimated to be \$31,750, will occur in 2017.**

**Statement of Fact:** This project funds upgrades to the wireless and connected networks throughout the York School Department. This project represents the final phase of a network upgrade which will bring high speeds from our local Wide-Area Network (WAN), installed four years ago, to the classrooms and all mobile and wired users within our schools. It also funds the core backbone to upgrading the phone systems to a Voice-Over-Internet Phone (VOIP) plan. The areas identified for this year's funding include; Village Elementary School, Coastal Ridge Elementary School, York Middle School, York High School and the York School Department's Central Office buildings.

**Statement of Fact:** This article would approve the purchase of improvements to Town Hall information technology infrastructure. Improvements include system-wide hardware changes, infrastructure, software licensing, and system programming.

**FINANCIAL STATEMENT**

<u>Total Town Indebtedness:</u>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>200,000</u>
Total	\$28,702,021

**FINANCIAL STATEMENT**

<u>Total Town Indebtedness:</u>	
A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>225,000</u>
Total	\$28,727,021

**Costs:**

At an estimated interest rate of 3.0% for a five (5) year maturity, the estimated cost of the bond issue will be:

Principal	\$200,000
Interest	<u>18,000</u>
Total Debt Service	\$218,000

**Costs:**

At an estimated interest rate of 3% for a ten (10) year maturity, the estimated cost of the bond issue will be:

Principal	\$225,000
Interest	<u>35,250</u>
Total Debt Service	\$260,250

**Total estimated project costs including debt service: \$218,000**

**Total estimated project costs including debt service: \$260,250**

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

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

S/ Margaret M. McIntosh, Town Treasurer

S/ Margaret M. McIntosh, Town Treasurer

School Committee recommends approval (0-0).

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FIFTY-ONE: Shall the Town (1) approve the purchase of a new Medical Defibrillator for the Village Fire Department; (2) appropriate a sum not to exceed \$24,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize**

the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$24,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **The first payment of principle and interest, estimated to be \$8,720, will occur in 2017.**

**Statement of Fact:** This article would approve the purchase of a new medical defibrillator for York Village Fire. This purchase would replace an aging defibrillator.

**FINANCIAL STATEMENT**

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>24,000</u>
Total	\$28,526,021

**Costs:**

At an estimated interest rate of 3% for a ten (3) year maturity, the estimated cost of the bond issue will be:

Principal	\$24,000
Interest	<u>1,440</u>
Total Debt Service	\$25,440

**Total estimated project costs including debt service: 25,440**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FIFTY-TWO: Shall the Town (1) approve the purchase of Two Outboard Motors for the Water Rescue Boat used by the Village Fire Department; (2) appropriate a sum not to exceed \$21,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$21,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **The first payment of principle and interest, estimated to be \$7,630, will occur in 2017.****

**Statement of Fact:** This article would approve the purchase of two outboard motors for the water rescue boat, replacing motors that were donated to the town ten years ago.

**FINANCIAL STATEMENT**

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>21,000</u>
Total	\$28,523,021

**Costs:**

At an estimated interest rate of 3% for a three (3) year maturity, the estimated cost of the bond issue will be:

Principal	\$21,000
Interest	<u>1,260</u>
Total Debt Service	\$22,260

**Total estimated project costs including debt service: \$22,260**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FIFTY-THREE: Shall the Town (1) approve the cost of purchasing, replacing, and installing Public Safety Answering Point (PSAP) telephone equipment as part of the communication system for all public safety departments; (2) appropriate a sum not to exceed \$42,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$42,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **The first payment of principle and interest, estimated to be \$15,260, will occur in 2017.****

**Statement of Fact:** This article would approve the cost of removing from the existing Police Station and installing in the new Police Station telephone equipment associated with 911 services.

**FINANCIAL STATEMENT**

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>42,000</u>

Total \$28,544,021

**Costs:**

At an estimated interest rate of 3% for a ten (10) year maturity, the estimated cost of the bond issue will be:

Principal	\$42,000
Interest	<u>2,520</u>
Total Debt Service	\$44,520

**Total estimated project costs including debt service: \$44,520**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FIFTY-FOUR: Shall the Town (1) approve the purchase, replacement, and installation of radio dispatch console positions for the Public Safety Dispatch Center; (2) appropriate a sum not to exceed \$177,000 for the cost of this project; and (3) hereby ordain to fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$177,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? The first payment of principle and interest, estimated to be \$23,310, will occur in 2017.**

**Statement of Fact:** This article would approve the purchase of two radio consoles in the dispatch center. These consoles would replace the obsolete existing units.

**FINANCIAL STATEMENT**

**Total Town Indebtedness:**

A. Bonds outstanding and unpaid	\$28,502,021
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>177,000</u>
Total	\$28,679,021

**Costs:**

At an estimated interest rate of 3% for a ten (10) year maturity, the estimated cost of the bond issue will be:

Principal	\$177,000
Interest	<u>28,890</u>
Total Debt Service	\$ 205,890

**Total estimated project costs including debt service: \$205,890**

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

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FIFTY-FIVE: Shall the Town raise and appropriate a sum not to exceed \$44,000 for Bond Financing Costs, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?**

**Statement of Fact:** The issuance of bonds carries with it legal and financial review costs of approximately \$44,000. With multiple proposed bondable projects it is not feasible to spread this cost over the various articles given that approval of all articles is not guaranteed and there would not be sufficient funds to cover these costs. If the funds are not needed they would revert to the general fund balance.

Budget Committee recommends approval (7-0).  
Board of Selectmen recommends approval (0-0).

A YES vote will authorize an expenditure of \$44,000.

A NO vote authorizes an appropriation of \$0.

YES \_\_\_ NO \_\_\_

**FIFTY-SIX: Shall the Town approve raising the levy limit of the Town of York Municipal Budget for the purpose of funding all of the preceding articles of the municipal budget approved by the voters hereunder?**

**Statement of Fact:** The State law known as LD 1 requires an affirmative vote to allow a municipality to raise the property tax limit higher than allowed under LD 1. Under LD 1 the maximum property tax levy for the Town of York municipal budget is \$11,983,475. If all articles contained herein concerning the municipal budget are approved, the amount appropriated will be \$12,405,438.

Board of Selectmen recommends approval (0-0).

A YES vote will allow the appropriation of all voter-approved articles.

A NO vote may result in an appropriation less than what has been approved.

YES \_\_\_ NO \_\_\_

**FIFTY-SEVEN: Shall the Town approve Five (5) Year Capital Improvements Program as proposed by the Board of Selectmen?**

**Statement of Fact:** The Town Charter requires the Board of Selectmen to adopt a Five Year Capital Improvements Program. A Capital Improvements item is defined as equipment, facilities, infrastructure or land that costs more than \$10,000 and provides a useful life of two or more years. Approval of this Article does not authorize any expenditure.

Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FIFTY-EIGHT: Shall the Town authorize a Traffic Signal and Road Improvements on Route One at the proposed Police Station Connector Road?**

**Statement of Fact:** At the Budget Referendum of May 2013 voters rejected a traffic signal and funding of \$525,000 at this location. This request is solely to determine whether or not a traffic signal shall be allowed at this location. No money is being requested. Funding will need to be obtained from grants or cost savings elsewhere in the connector road project.

Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

**FIFTY-NINE: Shall the Town approve and confirm that the project entitled the "Route One/York Beach Connector Road" approved by the May 21, 2011 referendum in Article 39 in the amount of \$1,626,882, along with the bonds authorized therein, was intended to be undertaken as a single project along with the "Public Safety Building" project, also approved by the May 21, 2011 referendum in Article 38 in the amount of \$6,810,539, along with the bonds authorized therein?**

**Statement of Fact:** The Route One/York Beach Connector Road would not be undertaken without the Town undertaking the Public Safety Building project, thus these two original authorizations are connected. There is only one Planning Board approval relating to both of these original authorizations. If one portion of this project experiences savings, this article would allow those savings to be available for use on the other portion of the project.

Board of Selectmen recommends approval (0-0).

YES \_\_\_ NO \_\_\_

\*\*\*\*\*  
Dated at York this \_\_\_\_ day of \_\_\_\_\_ Two Thousand Fifteen:

**BOARD OF SELECTMEN**

\_\_\_\_\_  
Mary Andrews, Chairman

\_\_\_\_\_  
Robert E. Palmer, Jr., Vice-Chairman

\_\_\_\_\_  
Torbert Macdonald

\_\_\_\_\_  
Jonathan O. Speers

DRAFT

**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 commencing at **8:00 A.M.** at the Budget Referendum to be held at the York High School Robert E. Butler Gymnasium on:

**DATE: MAY 16, 2015**

Dated at York this \_\_\_\_ day of \_\_\_\_\_ Two Thousand Fifteen:

\_\_\_\_\_  
Mary Andrews, Chairman

\_\_\_\_\_  
Robert E. Palmer, Jr., Vice-Chairman

\_\_\_\_\_  
Torbert Macdonald

\_\_\_\_\_  
Jonathan O. Speers

**BOARD OF SELECTMEN**



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: February 20, 2015

ACTION

DATE ACTION REQUESTED: February 23, 2015

DISCUSSION ONLY

SUBJECT: preparation for the joint meeting with the Planning Board

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** The Board of Selectmen and Planning Board are scheduled to meet on Thursday, March 26th at 6:00 PM. It would be beneficial for the Board to decide if there are specific topics that it would like addressed at this meeting time can be reserved for those topics.

I can think of 3 topics that might be of interest:

1. Urban Compact – lessons from our current struggle with MDOT and taking preventive action.
2. November Amendments – preview of the Comp Plan and ordinance work currently in process.
3. Timeline for Amendments – looking to prevent rush of last-minute items to the voters.

Are there other matters the Board would like to discuss at this meeting?

The next joint meeting is scheduled for Monday, June 8th.

RECOMMENDATION: n.a.

PROPOSED MOTION: n.a.

PREPARED BY:

REVIEWED BY: \_\_\_\_\_



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: March 20, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: February 23, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Harbor Board Appointment	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Mr. Strater was interviewed by the Board of Selectmen prior to this meeting regarding his Application for Membership to the Harbor Board. The Harbor Board has membership for 5 Regular Members and 2 Alternate Members; both of the Alternate Member positions are currently vacant.

The Harbor Board as it currently stands:

Joseph Donnelly Jr. – Expires 6/30/2015

David Gittins – Expires 6/30/2016

David Webber – Expires 6/30/2015

Matthew Donnell – Expires 6/30/2017

Michael Sinclair – Expires 6/30/2016

RECOMMENDATION: Appoint Mr. Strater as an Alternate Member to the Harbor Board.

PROPOSED MOTION: I moved to appoint Nicholas Strater as an Alternate Member to the Harbor Board, term expiring June 30, 2017

PREPARED BY: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_

Melissa M. Avery, Assistant to the Town Manager



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: March 19, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: February 23, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Special Event Permit Applications	

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** All appropriate departments have been notified and have given approval.

Options available to the Board: 1) Approve/Deny all Special Event Permit Applications listed below in one motion. 2) Approve/Deny Special Event Permit Applications in separate motions

1. Graystone Builders' Bonfire Benefit – September 5, 2015
2. York Lion's Club Annual Fund Raising Auction – July 31, 2015
3. Big A 50K – May 2, 2015
4. Alzheimer's Association's Walk to End Alzheimer's – September 19, 2015
5. Brit Bits' Little British Cars to York Beach – June 14, 2015
6. Maine State Troopers Foundation's Southern Maine Thin Blue Like 5K – October 24, 2015
7. York Beach Fire Department's 125<sup>th</sup> Anniversary Parade and Muster – July 18, 2015
8. First Parish Congregational Church's Village Fair and Supper – July 11, 2015
9. Ellis Short Sands Park Trust's Ellis Park 4<sup>th</sup> of July Fireworks – July 4, 2015
10. Patriot Riders' Spring Ride for the Troops – April 26, 2015

**RECOMMENDATION:** Approve all Special Event Permit Applications in one motion.

**PROPOSED MOTION:** I move to approve the following Special Event Permit applications subject to all, if any, conditions given by Department Heads: Graystone Builders' Bonfire Benefit on September 5, 2015, York Lion's Club Annual Fund Raising Auction on July 31, 2015, Big A 50K on May 2, 2015, Alzheimer's Association's Walk to End Alzheimer's on September 19, 2015, Brit Bits' Little British Cars to York Beach on June 14, 2015, Maine State Troopers Foundation's Southern Maine Thin Blue Like 5K on October 24, 2015, York Beach Fire Department's 125<sup>th</sup> Anniversary Parade and Muster on July 18, 2015, First Parish Congregational Church's Village Fair and Supper on July 11, 2015, Ellis Short Sands Park Trust's Ellis Park 4<sup>th</sup> of July Fireworks on July 4, 2015, and the Patriot Riders' Spring Ride for the Troops on April 26, 2015.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

PREPARED BY: \_\_\_\_\_

REVIEWED BY:  \_\_\_\_\_

Melissa M. Avery, Assistant to the Town Manager



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 3-14-2015

Name of Event: YORK LIONS ANNUAL FUN(D) RAISING AUCTION

Type of Event: LIVE AUCTION

Organization Name: YORK LIONS CLUB Phone #: 207-363-7382

Organization Address: PO BOX 114 City YORK State: ME Zip: 03909

Applicant Name: FRED WANDLAND Phone #: 207-363-7382

Applicant Address: 7 HILLTOP DR City: YORK State: ME Zip: 03909

Contact Name for Day of Event: FRED WANDLAND Contact Phone # 207-363-7382

Date of Event: 7/31/2015 Day of Week: FRIDAY

Starting Time: 3 PM Ending Time: 9 PM

Assembly Area: YORK BEACH BALL PARK

Dispersal Area: YORK BEACH BALL PARK

Event Route: NONE

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
100-150

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

NONE

Describe how group is organized and supervised to insure order: THE CLUB AUCTION COMMITTEE IS SUB DIVIDED INTO GROUPS THAT ARE RESPONSIBLE FOR ALL PHASES OF THE AUCTION INCLUDING CLEAN-UP.

Purpose of the Event: ANNUAL CLUB FUNDRAISER TO SUPPORT LOCAL COMMUNITY LION PROJECTS.

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Fred Wandland

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 03-16-2015</u>
Public Works	<u>Lessard 03-17-2015</u>
Parks/Recreation	<u>Sullivan 03-16-2015</u>
Village Fire	<u>Apgar 03-16-2015</u>
York Beach Fire	<u>Bridges 03-16-2015</u>
Code Enforcement	<u>Harrison 03-17-2015</u>
York Ambulance	<u>Tucker 03-17-2015</u>
Water District	<u>Neumann 03-16-2015</u>
Sewer District	<u>Haskell 03-17-2015</u>

Special Conditions:

**Beach Fire Department:** No extra "port-a-potties" required if there are already some there for

York Days

Any Questions? Call Dave Bridges (207)363-1014

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 1/28/2015  
Name of Event: BIG A 50K TRAIL RACE  
Type of Event: TRAIL RUNNING RACE  
Organization Name: n/a Phone #: 207-363-8882  
Organization Address: n/a City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Applicant Name: RICHARD COLLINS Phone #: 207-363-8882  
Applicant Address: 6 Old Mountain Rd City: CAPE NEDDICK State: ME Zip: 03902  
Contact Name for Day of Event: RICHARD COLLINS Contact Phone # 603-502-7349  
Date of Event: MAY 2nd, 2015 Day of Week: SATURDAY  
Starting Time: 7:00 AM Ending Time: 4:00 PM  
Assembly Area: SUMMIT OF MT AGAMENTICUS  
Dispersal Area: \_\_\_\_\_  
Event Route: SEE COURSE SPREADSHEET

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
60

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):  
none

Describe how group is organized and supervised to insure order: There are  
two race directors and 5 volunteers to supervise

Purpose of the Event: Trail running race to raise money  
for Mt Agamenticus Conservation  
The above information is true to the best of my knowledge and belief.

Signature of Applicant: Richard Collins

note: This is the 5th year of the event. I have had correspondence with Steve Burns and Owen Davis and have verbal agreement that an

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 02-04-2015</u>
Public Works	<u>Lessard 02-04-2015</u>
Parks/Recreation	<u>Sullivan 02-12-2015</u>
Village Fire	<u>Apgar 02-03-2015</u>
York Beach Fire	<u>Bridges 03-16-2015</u>
Code Enforcement	<u>Harrison 03-17-2015</u>
York Ambulance	<u>Tucker 03-17-2015</u>
Water District	<u>Neumann 02-04-2015</u>
Sewer District	<u>Haskell 02-04-2015</u>

Special Conditions:

**Police Department:** Will follow Safety Plan agreed on with the sponsor, including contact numbers for the event.

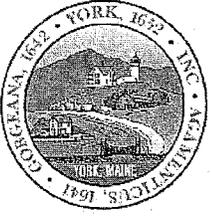
Any Questions? Call Lieutenant Szeniaowski (207) 363-1031

**Parks and Recreation Department:** Mount Agamenticus Steering Committee has reviewed the permit and do not anticipate any impact to the trails or their work objectives.

Any Questions? Call Robin Kerr (207) 361-1102

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 1-15-2015

Name of Event: Walk to End Alzheimer's

Type of Event: Fundraiser & Awareness Event

Organization Name: Alzheimer's Assoc., Maine Phone #: 207-772-0115

Organization Address: 383 US Rt. 1 Suite 2C City: Scarborough State: ME Zip: 04074

Applicant Name: Lisa Marin Phone #: 207-772-0115

Applicant Address: 383 US Rt. 1 Suite 2C City: Scarborough State: ME Zip: 04074

Contact Name for Day of Event: Lisa Marin Contact Phone #: 207-772-0115

Date of Event: 9/19/2015 Day of Week: Saturday

Starting Time: 6am Set-up Ending Time: 1 PM (Cleanup Complete)

Assembly Area: York Beach Ball Park

Dispersal Area: York Beach Ball Park

Event Route: Begins Ball Park - Church St - right onto Long Beach - to Anchorage Motor Inn / Sun-surf Rest. - cross road + turn to follow Long Sands Avenue + Ocean Avenue past Short Sands Beach - left onto Rail Road / end back @ Ball Park

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
450

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

Signage at Fire Dept - Signage along route - "Promise Flower" garden - Short Sands beach - use of Short Sands gazebo

Describe how group is organized and supervised to insure order: Volunteer committee + Maine Chapter staff provide route maps directional signage along route, etc. Volunteers are stationed along route.

Purpose of the Event: Fundraiser for the Alzheimer's Association

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Lisa Marin

**For Town Use Only**

Reviewed by:

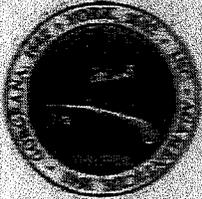
<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 02-10-2015</u>
Public Works	<u>Lessard 03-17-2015</u>
Parks/Recreation	<u>Sullivan 02-10-2015</u>
Village Fire	<u>Apgar 03-16-2015</u>
York Beach Fire	<u>Bridges 02-10-2015</u>
Code Enforcement	<u>Harrison 02-10-2015</u>
York Ambulance	<u>Tucker 03-17-2015</u>
Water District	<u>Neumann 02-10-2015</u>
Sewer District	<u>Haskell 02-10-2015</u>

Special Conditions:

**Beach Fire Department: Need to supply 5 "port-a-potties" to be placed at the ball field**  
**Any Questions? Call Dave Bridges (207) 363-1014**

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 1/14/15

Name of Event: Little British Cars to York Beach Maine LBC-YBME

Type of Event: British Car Show

Organization Name: Brit Bits Phone #: 603-433-0001

Organization Address: 15 Sagamore Rd city Rye State: NH Zip: 03870

Applicant Name: Ralph Littlefield Phone #: 603-205-5449

Applicant Address: 124 Old Post Rd city: Kittery State: ME Zip: 03904

Contact Name for Day of Event: Ralph Littlefield Contact Phone #: 603-205-5449

Date of Event: June 14, 2015 Day of Week: Sunday

Starting Time: 0800 Ending Time: 1500

Assembly Area: York Beach Ball Field

Dispersal Area: N/A

Event Route: N/A

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
100

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

Static display of British Cars less than 100 expected

Describe how group is organized and supervised to insure order: \_\_\_\_\_

Volunteer help on field parking + registration

Purpose of the Event: Show + Shine / Non Profit Fund Raiser

The above information is true to the best of my knowledge and belief.

Signature of Applicant: [Signature]

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>	
Police Department	<u>Szeniawski</u>	<u>02-12-2015</u>
Public Works	<u>Lessard</u>	<u>03-17-2015</u>
Parks/Recreation	<u>Sullivan</u>	<u>02-10-2015</u>
Village Fire	<u>Apgar</u>	<u>02-10-2015</u>
York Beach Fire	<u>Bridges</u>	<u>02-10-2015</u>
Code Enforcement	<u>Harrison</u>	<u>02-10-2015</u>
York Ambulance	<u>Tucker</u>	<u>03-17-2015</u>
Water District	<u>Neumann</u>	<u>02-10-2015</u>
Sewer District	<u>Haskell</u>	<u>02-10-2015</u>

Special Conditions:

**Police Department:** Will not require a detail officer

Any Questions? Call Lieutenant Szeniewski (207) 363-1031

**Beach Fire Department:** Need to supply 1 "port-a-potty" for each 100 participants

Any Questions? Call Dave Bridges (207) 363-1014

**Parks and Recreation Department:** Contact Parks and Recreation prior to event so they can mark irrigation heads to avoid driving on them.

Any Questions? Call Mike Sullivan (207) 363-1040

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: Feb 18 2015

Name of Event: Southern Maine Thin Blue Line 5k Run/Walk

Type of Event: A 5k Run/Walk

Organization Name: Charles C. Black II, with the support of  
Maine State Troopers Foundation Phone #: 363-2835

Organization Address: 2 Andrews Way City York State: ME Zip: 03909

Applicant Name: Charles C. Black II Phone #: 363-2835

Applicant Address: 2 Andrews Way City: York State: ME Zip: 03909

Contact Name for Day of Event: Charles C. Black II Contact Phone # (cell) 252-2352

Date of Event: Oct 24 2015 Day of Week: Saturday

Starting Time: 9 AM (Pre-reg 7:30) Ending Time: 11 or 12

Assembly Area: York Police Station

Dispersal Area: York Police Station

Event Route: Up Main St. to River Rd to Clark Rd to Cape  
Neddick Rd to Main St. back to York Police Station.

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
300

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc): Participants may run or walk along specified route. There may be some signs along route for information/education purposes.

Describe how group is organized and supervised to insure order: There will be a police escort for runners/walkers, supported by additional safety officers/volunteers along route wherever it is determined necessary.

Purpose of the Event: To Never forget Maine Law Enforcement Officers who have made the ultimate sacrifice, and to recognize all officers who put their lives on

The above information is true to the best of my knowledge and belief. the line every day for all of us.

Signature of Applicant: Charles C. Black II

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 03-16-2015</u>
Public Works	<u>Lessard 02-18-2015</u>
Parks/Recreation	<u>Sullivan 02-19-2015</u>
Village Fire	<u>Apgar 02-19-2015</u>
York Beach Fire	<u>Bridges 02-19-2015</u>
Code Enforcement	<u>Harrison 02-19-2015</u>
York Ambulance	<u>Tucker 03-17-2015</u>
Water District	<u>Neumann 02-19-2015</u>
Sewer District	<u>Haskell 02-19-2015</u>

Special Conditions:

**Police Department:** Will follow Safety and Security Plan as agreed to with the sponsor.  
Organizers have secured off-site parking  
Any Questions? Call Lieutenant Szeniawski (207) 363-1031

**Beach Fire Department:** Need signs warning motorists about the event.  
Any Questions? Call Dave Apgar (207) 363-1015

**Sewer Department:** Main Street may be under construction but there should be no problem  
having the area prepared and cleaned up for the event.  
Any Questions? Call Tim Haskell (207) 363-4232

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 2/22/15

Name of Event: YORK BEACH FIRE DEPT'S 125<sup>TH</sup> ANNIVERSARY

Type of Event: PARADE & MUSTER

Organization Name: YORK BEACH FIRE DEPT Phone #: 363-1014

Organization Address: P.O. Box 70 City: YORK BEACH State: ME. Zip: 03910

Applicant Name: MARK W. GAY Phone #: 337-2124

Applicant Address: P.O. Box 543 City: YORK BEACH State: ME. Zip: 03910

Contact Name for Day of Event: \_\_\_\_\_ Contact Phone # \_\_\_\_\_

Date of Event: JULY 18, 2015 Day of Week: SATURDAY

Starting Time: 11:00 Ending Time: PARADE END 12:00-12:30

Assembly Area: ROUTE 1A starting at Atlantic Ave

Dispersal Area: YORK HIGH SCHOOL

Event Route: MAIN St, Railroad Ave, Church St, Long Beach Ave  
Long Sands Rd to York High School (Muster will be held at  
York High School)

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
50-100

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

Fire Trucks, Amb, Marchers

Describe how group is organized and supervised to insure order: CHIEFS & OFFICERS  
of the DEPT.

Purpose of the Event: CELEBRATING 125 yrs of Service to York

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Mark W. Gay Captain

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 02-23-2015</u>
Public Works	<u>Lessard 03-11-2015</u>
Parks/Recreation	<u>Sullivan 02-23-2015</u>
Village Fire	<u>Apgar 02-23-2015</u>
York Beach Fire	<u>Bridges 02-23-2015</u>
Code Enforcement	<u>Harrison 02-23-2015</u>
York Ambulance	<u>Tucker 03-17-2015</u>
Water District	<u>Neumann 02-23-2015</u>
Sewer District	<u>Haskell 02-23-2015</u>

Special Conditions:

**Police Department:** Will follow Safety and Security Plan.

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Any Questions? Call Lieutenant Szeniaewski (207) 363-1031

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Town Manager

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Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 3/3/15

Name of Event: VILLAGE FAIR / BEAN + HAM SUPPER

Type of Event: COUNTRY FAIR / YARD SALE / BEAN + HAM SUPPER / CHILDREN GAMES

Organization Name: 1st PRESBYTERIAN CONGREGATION CHURCH Phone #: 207-363-3758

Organization Address: 180 YORK STREET City: YORK State: ME Zip: 03909

Applicant Name: NELSON J GEARDANO DEACON Phone #: 207 351-6701

Applicant Address: 165 YORK ST City: YORK State: ME Zip: 03909

Contact Name for Day of Event: REV. VERLIE CAPELAND Contact Phone #: 207 337-8881

Date of Event: 7/11/15 Day of Week: SATURDAY

Starting Time: 9AM Ending Time: 7PM

Assembly Area: 1st PRESBYTERIAN CONGREGATION CHURCH CAMPOS TOWN HALL

Dispersal Area: N/A

Event Route: N/A

\* WOULD LIKE TO PUT BANNER ACROSS YORK ST 6/29 - 7/13/15

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
499

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):  
N/A

Describe how group is organized and supervised to insure order: CHURCH EVENTS COMMITTEE AND VOLUNTEERS

Purpose of the Event: COMMUNITY OUT REACH - GENERAL FUNDRAISER

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Nelson Capeland

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 03-10-2015</u>
Public Works	<u>Lessard 03-11-2015</u>
Parks/Recreation	<u>Sullivan 03-10-2015</u>
Village Fire	<u>Apgar 03-11-2015</u>
York Beach Fire	<u>Bridges 03-10-2015</u>
Code Enforcement	<u>Harrison 03-11-2015</u>
York Ambulance	<u>Tucker 03-17-2015</u>
Water District	<u>Neumann 03-10-2015</u>
Sewer District	<u>Haskell 03-10-2015</u>

Special Conditions:

**Police Department:** Will require one (1) detail officer; A Traffic Safety Plan has been put in place with the applicant.

Any Questions? Call Lieutenant Szeniaowski (207) 363-1031

**Water Department:** Expect Organug Road to be under construction

Any Questions? Call Don Neumann (207) 363-2265

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: Feb 25 2015

Name of Event: ELLIS PARK FIREWORKS 4th of July

Type of Event: FIREWORKS

Organization Name: Ellis Short Sands Park Trust Phone # 207-363-3882  
603-742-7935

Organization Address: Ocean Ave PO Box 364 City York Beach State: ME Zip: 03910

Applicant Name: William Burnham Chairman Phone #: 603-742-7935

Applicant Address: Ellis Short Sands Park  
PO Box 364 City: York Beach State: ME Zip: 03910

Contact Name for Day of Event: William Burnham Contact Phone # 207-363-3882

Date of Event: July 4 2015 <sup>DATE</sup> 7/5/15 Day of Week: SAT / SUN Rain Date: \_\_\_\_\_

Starting Time: 9:30 PM Ending Time: \_\_\_\_\_

Assembly Area: \_\_\_\_\_

Dispersal Area: N/A

Event Route: \_\_\_\_\_

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)

Insurance Provided By Central Maine Pyrotechnics

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

Describe how group is organized and supervised to insure order: \_\_\_\_\_

Purpose of the Event: July 4th Fireworks off a barge Short Sands Beach

The above information is true to the best of my knowledge and belief.

Signature of Applicant: William H Burnham Chairman  
Ellis Short Sands Park Trust

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>	
Police Department	<u>Szeniawski</u>	<u>03-10-2015</u>
Public Works	<u>Lessard</u>	<u>03-11-2015</u>
Parks/Recreation	<u>Sullivan</u>	<u>03-10-2015</u>
Village Fire	<u>Apgar</u>	<u>03-11-2015</u>
York Beach Fire	<u>Bridges</u>	<u>03-10-2015</u>
Code Enforcement	<u>Harrison</u>	<u>03-11-2015</u>
York Ambulance	<u>Tucker</u>	<u>03-17-2015</u>
Water District	<u>Neumann</u>	<u>03-10-2015</u>
Sewer District	<u>Haskell</u>	<u>03-10-2015</u>

Special Conditions:

**Police Department:** Will work in conjunction with YBFD for traffic control and will use the Safety and Security Plan from previous years with any needed updates.

Any Questions? Call Lieutenant Szeniaowski (207) 363-1031

**Beach Fire Department:** Will support event with personnel and equipment

Any Questions? Call Chief Dave Bridges (207) 363-1014

**Village Fire Department:** Will have detail at Town Dock 2 while barge is being loaded. Organizer will need to contact us to make arrangements.

Any Questions? Call Dave Apgar (207) 363-1015

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



## Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 3-1-15

Name of Event: 2015 Spring Ride for the Troops 8th annual  
Type of Event: Breakfast & escorted motorcycle parade @ 10:30 AM  
Organization Name: Patriot Riders Phone #: 603-978-5273 <sup>to arundel</sup>  
Organization Address: P.O. Box 1259 City: Sanford State: ME Zip: 04073  
Applicant Name: Jim / Kandace Phone #: 603-978-5273 <sup>Jim</sup>  
Applicant Address: 9 Hannaford Dr City: York State: ME Zip: 03909 <sup>Kandy 207-332-7131</sup>  
Contact Name for Day of Event: JIM / Kandace Contact Phone #: 603-978-5273 <sup>Jim</sup>  
Date of Event: 4/26/15 Day of Week: Sunday <sup>Kandy 207-332-7131</sup>  
Starting Time: 7:30 AM Ending Time: 11:15  
Assembly Area: American Legion parking lot (9 Hannaford Dr)  
Dispersal Area: Same as above  
Event Route: Exit American Legion right onto Hannaford Dr. left onto Rt 91 right onto Rt. 1 see attached Route

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
200-500

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

200-500 motorcycles for an escorted Scenic Ride through Maine... Ending @ Bentley's 1601 Portland Rd Arundel.

Describe how group is organized and supervised to insure order: Patriot Riders, Legion Volunteers and local volunteers to control parking & order

Purpose of the Event: Fundraiser to take care of our troops & their families

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Kandace Miken

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>	
Police Department	<u>Szeniawski</u>	<u>03-10-2015</u>
Public Works	<u>Lessard</u>	<u>03-11-2015</u>
Parks/Recreation	<u>Sullivan</u>	<u>03-10-2015</u>
Village Fire	<u>Apgar</u>	<u>03-11-2015</u>
York Beach Fire	<u>Bridges</u>	<u>03-10-2015</u>
Code Enforcement	<u>Harrison</u>	<u>03-11-2015</u>
York Ambulance	<u>Tucker</u>	<u>03-17-2015</u>
Water District	<u>Neumann</u>	<u>03-10-2015</u>
Sewer District	<u>Haskell</u>	<u>03-10-2015</u>

Special Conditions:

**Police Department:** Will assign an officer to assist at Route One and Route 91 intersection for southbound vehicles. We expect the organizers to contact the towns they are driving through, as they have in the past.

Any Questions? Call Lieutenant Szeniaowski (207) 363-1031

**Beach Fire Department:** Will support event with YBFD Ladder 1

Any Questions? Call Chief Dave Bridges (207) 363-1014

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 3-4-15

Name of Event: Graystone Builders Bonfire Benefit

Type of Event: Fundraiser - York Food Pantry

Organization Name: York Food Pantry Phone #: \_\_\_\_\_

Organization Address: Woodbridge Rd City: York State: ME Zip: 03909

Applicant Name: Graystone Builders Phone #: 207-363-6085

Applicant Address: 7164 US Rt 1 Suttell City: York State: ME Zip: 03909

Contact Name for Day of Event: Walter Woods Contact Phone # 207-752-0062

Date of Event: 9/5/15 Day of Week: Saturday

Starting Time: 4:30 pm Ending Time: 10:00 pm

Assembly Area: Long Sands Beach - bathhouse area

Dispersal Area: Same

Event Route: None

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)

450 +-

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

One band, 8 vehicles, 2 cook grills, firetruck

Describe how group is organized and supervised to insure order: Volunteers with

many years experience running this event

Purpose of the Event: Fundraiser for York Food Pantry

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Walter Woods

**For Town Use Only**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 03-18-2015</u>
Public Works	<u>Lessard 03-17-2015</u>
Parks/Recreation	<u>Sullivan 03-16-2015</u>
Village Fire	<u>Apgar 03-16-2015</u>
York Beach Fire	<u>Bridges 03-16-2015</u>
Code Enforcement	<u>Harrison 03-17-2015</u>
York Ambulance	<u>Tucker 03-17-2015</u>
Water District	<u>Neumann 03-16-2015</u>
Sewer District	<u>Haskell 03-17-2015</u>

Special Conditions:

**Beach Fire Department:** This event will need to follow the standard procedures already in service for this event. Firefighters and fire equipment will need to be paid for by the host. Any unforeseen safety conditions encountered that day could cancel the event.

Any Questions? Call Dave Bridges (207)363-1014

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Town Manager

\_\_\_\_\_  
Date