



Town of York

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York, Maine 03909-1314

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

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www.yorkmaine.org

BOARD OF SELECTMEN'S MEETING AGENDA 7:00PM MONDAY, AUGUST 11, 2014 YORK LIBRARY

Call to Order

Opening Ceremonies

A. Minutes

1. July 7, 2014 Meeting Minutes
2. July 8, 2014 Meeting Minutes
3. July 8, 2014 Meeting Minutes
4. July 21, 2014 Meeting Minutes
5. July 28, 2014 Meeting Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

1. York Village Study Committee Contract with TDRC

E. Reports

1. Energy Efficiency Committee Report on Solar Project at the York Beach Fire Department
2. Assessor's Annual Report

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 #6

H. Public Hearings

1. New Business License: Bamboo Garden

I. Endorsements

Business Licenses:

1. Woods Family, Inc. DBA: Woody's Brick Oven Pizza (Food Service);
Located at 11 Railroad Avenue

J. Old Business

K. New Business

1. Discussion and Possible Action for Submission of an MS4 319 Grant
2. Discussion and Possible Action of the FY15 Paving List
3. Discussion and Possible Action on Authorizing SMRT to Complete Plans and Documents Necessary for the Initiation of a Competitive Bid Process for the Police Station and Connector Road Projects
4. Discussion and Possible Action of a Joint Agreement with the York Public Library
5. Discussion and Possible Approval of a Voting Ballot for MMA Executive Committee and Vice-President
6. MSSRB Appointment
7. EESC Appointment
8. Business Directional Sign: Just Write Card and Gift
9. Business Directional Sign: The Grandview Hotel
10. Property Redemption: 16 Pine Street

L. Other Business

M. Citizens' Forum

Adjourn

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:00/7:00PM MONDAY, JULY 7, 2014
YORK LIBRARY**

6:00PM: Work Session – Town Manager Search Committee

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Torbert Macdonald, Jonathan O. Speers, Ronald Nowell, Town Manager Robert G. Yandow, Recorder Melissa M. Avery and members of the press and public.

Call to Order

Chairman Andrews called the meeting to order at 7:00PM.

Opening Ceremonies

- A. **Minutes**
- B. **Chairman's Report**

Chairman Andrews stated that the bathhouse project at Short Sands turned out great from what she has heard. Ms. Andrews also read for the public the current openings on Municipal Boards and Committees and urged the public to apply to fill the vacancies.

- C. **Manager's Report**

Town Manager Yandow talked about the current feud between the Governor's office, the State Department of Health and Human Services and local communities regarding Municipal General Assistance programs and stated that the Maine Municipal Association will be taking action to get more answers for the Cities and Towns. Mr. Yandow announced that the Kittery Area Comprehensive Transportation System has allocated \$700,000 to the Town of York's Route 91 project, adding to the \$400,000 approved by the voters, making the total funds for the project \$1,100,000. Mr. Yandow reminded citizens that it is the time of year that we need to start taking the necessary precautions to avoid the threat of Eastern Equine Encephalitis, as such problems come with the season and Vermont has already had positive tests for EEE.

D. Awards

1. Bid for Bog Road Field Project

The Parks and Recreation Department received the following bids for the construction of the multipurpose athletic field and parking area on Bog Road:

- | | |
|-------------------------------------|-----------|
| 1. Shaw Brothers Construction, Inc. | \$438,665 |
| 2. R.J. Grondin and Sons | \$459,670 |
| 3. NorthEast Earth Mechanics, Inc. | \$498,800 |
| 4. Brex Corporation | \$512,312 |
| 5. Foglio, Inc. | \$524,385 |
| 6. Altus Construction, Inc. | \$609,097 |

Parks and Recreation Director Michael Sullivan recommended per the revised and negotiated agreement with Shaw Brothers Construction, Inc. dated June 25, 2014, that the contract for the Multipurpose Athletic Field and Parking Area at Bog Road go to Shaw Brother's Construction, Inc. of Gorham, Maine in the amount of \$354,883. Funding for this project to include \$377,000 from bonding as approved by the voters and \$17,883 from fundraising through the "Charlie Brown Basketball Classic". Additionally Mr. Sullivan recommended authorizing the use of 516 cubic yards of reclaimed asphalt to be supplied from Public Works reserves at no cost to the project.

Mr. Macdonald stated that he was against the use of the reclaimed asphalt as he feels it is harmful to the sensitive environment in this project. Mr. Macdonald mentioned that the Selectmen have \$20,000 in the Selectmen's Contingency Fund and that the Board could use some of that money towards a safer alternative to the recycled asphalt aspect of the Bog Road project.

Moved by Mr. Nowell, seconded by Mr. Macdonald to award the bid for the Multipurpose Athletic Field and Parking Area to Shaw Brothers Construction, Inc. in the amount of \$354,883 per the revised agreement dated June 25, 2014. Funding for the project to include \$337,000 from bonding as approved by the voters and \$17,883 from fundraising through the "Charlie Brown Basketball Classic". Vote 5-0, motion passes.

E. Reports

1. Energy Efficiency Steering Committee Grant Update

Chairman of the Energy Efficiency Steering Committee Wayne Boardman gave the Board of Selectmen an update regarding the Seacoast Energy Initiative Grant. Mr. Boardman announced that the Town of York was awarded \$98,000 for an Energy Renewal Project. The Energy Efficiency Steering Committee has teamed up with the Town of South Berwick on combining Requests for Proposals for solar projects in the two Towns.

Ms. Andrews commended the entire Energy Efficiency Steering Committee on all their hard work over the past few years.

- 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.

Public Comment: Helen Rollins
Victoria Simon
David Boyer
Sherry Dabiere

- G. **Approval of Warrant #1**

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve Warrant #1. Vote 5-0, motion passes.

- H. **Public Hearings**

- I. **Endorsements**

Business Licenses:

1. Jennifer Sterns DBA: Shore Road Restaurant and Market
2. 216 Atlantic Keepers, LLC DBA: Atlantic House Inn
3. Michael L. Stotts DBA: Sea Rose Inn

Moved by Mr. Nowell, seconded by Mr. Speers to approve the following licenses: Jennifer Sterns DBA: Shore Road Restaurant and Market for Victualers, located at 10 Shore Road, 216 Atlantic Keepers, LLC DBA: Atlantic House Inn for Hotel/Motel with Cooking Facilities, located at 2 Beach Street and Michael L. Stotts DBA: Sea Rose Inn for Bed and Breakfast, located at 2 Southside Road subject to the taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

Transient Seller's License:

1. Hinkle – Southwestern Advantage

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Transient Seller's License for Kathleen Hinkle with Southwestern Advantage. Vote 5-0, motion passes.

- J. **Old Business**

1. Discussion and Possible Action on Revised Code of Ethics Policy

During a discussion at the June 17, 2014 Board of Selectmen's meeting a decision was made to remove some sections of the existing Code of Ethics Policy. As such, the former Section 6. Decisions Based on merit, has been removed from the updated policy. Additionally, the terms "Special Interest" and "Bias" were removed from Section 8B. Finally, the "Member Statement" was also removed.

Mr. Palmer pointed out that a few instances of the term "special interest" in Section 7C on page 4 need to be removed, accompanying the removal of the definition "Special Interest" previously agreed on.

Mr. Macdonald stated that he feels the "Code of Ethics Policy is an attempt to codify the code of conduct which is antithetical to the freedom of speech".

Mr. Nowell stated that he disagrees with Section 3, as he feels he has the right to voice his opinion on members of Town Boards, Committees, or Commissions, or of Town Staff or Citizens.

Moved by Mr. Palmer, seconded by Mr. Speers to approve the revised Code of Ethics Policy based on the changes made at the June 17, 2014 work session. Vote 3-2, Mr. Macdonald and Mr. Nowell against, motion passes.

2. Discussion and Possible Action on the Issuance of a Driveway Permit at 65 Old Post Road

Gene Corey, the listing agent for the property explained that Director of Public Works Dean Lessard issued a Conditional Approval for the proposed driveway at 65 Old Post Road, stating that minimum sight distance of 305 feet be obtained through excavation and tree removal by the applicant. The property owners request that the Board of Selectmen take action and approve the proposed driveway location, without the 305 foot condition.

Moved by Mr. Nowell, seconded by Mr. Macdonald to direct the Town Manager to direct the Director of Public Works to issue a Driveway Exit Permit at 65 Old Post Road with Town Attorney Mary Costigan's recommendations on Warning Signs. Vote 5-0, motion passes.

K. New Business

1. Discussion with Senior Center Advisory Board Regarding Future Needs

The Senior Citizen's Advisory Board was not present.

2. Discussion and Possible Action on Process for Negotiation of Time Warner Franchise Agreement

As previously indicated, the Town's Franchise Agreement with Time Warner Cable expires on November 28, 2014.

The Board directed the Town Manager to contact Time Warner Cable and set up a meeting to discuss negotiating a new or extended Franchise Agreement.

3. Discussion and Possible Action on Petitions Submitted Requesting Enactment of an Ordinance for Use of Marijuana by Persons 21 Years of Age or Older

On June 19, 2014 Sherry Dabiere submitted petitions to the Town Clerk requesting that an ordinance be placed before the voters in the Town of York. Specifically, the ordinance, if passed, would allow use and possession of one ounce or less of marijuana by persons 21 years of age or older providing the use or possession were not in a public place. The Town Clerk subsequently verified that the petitions contained 174 signatures of registered York voters.

Moved by Mr. Palmer, seconded by Ms. Andrews to request a legal opinion from the Town Attorney on the legality of the petition submitted requesting "Enactment of an Ordinance for Use of Marijuana by Persons 21 Years of Age or Older" in regards to Section 22 (A) of the Town of York Home Rule Charter. Vote 2-3, Mr. Nowell, Mr. Speers and Mr. Macdonald against, motion fails.

Moved by Mr. Nowell, seconded by Mr. Macdonald to schedule a Public Hearing on the June 28, 2014 Board of Selectmen's Meeting and to send the petition submitted requesting "Enactment of an Ordinance for Use of Marijuana by Persons 21 Years of Age or Older" to the Town Attorney. Vote 3-2, Mr. Palmer and Ms. Andrews against.

4. Discussion and Possible Action for Conflict Waiver from Bernstein Shur

Moved by Mr. Nowell, seconded by Mr. Macdonald to authorize the Chairman to sign the Conflict Waiver from Bernstein Shur. Vote 5-0, motion passes.

5. Special Event Permit: York Hospital Breast Cancer Walk for Hope

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit for the York Hospital Breast Cancer Walk for Hope event on Thursday, July 31, 2014 subject to the attached conditions given by Department Heads. Vote 5-0, motion passes.

6. Special Event Permit: New England Classic Tour de Cure

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit for the New England Classic Tour de Cure event on Sunday, July 13, 2014 subject to the attached conditions given by Department Heads. Vote 5-0, motion passes.

L. Other Business

Mr. Macdonald stated that the Planning Board is reviewing the Police Station Project at this Thursday's meeting. He requested that the Board of Selectmen have a Work Session to discuss and give their input on the Police Station Project.

Mr. Nowell stated that over three weeks ago, the trustees at the Trustees of the York Water District authorized the Water District Superintendent to file a formal complaint against the Director of Public Works Dean Lessard; Mr. Nowell would like an update on the status of that formal complaint. Mr. Nowell also stated that he feels that the intersection on County Road has created a hazard to the current traffic pattern and needs to be addressed.

Ms. Andrews questioned where the "Welcome to York, Maine" sign that used to be on the Spur Road has gone and how we can go about getting it put back up. Mr. Andrews also stated that a member of the Historic Markers Committee brought a concern to her over the maintenance of the Historic Markers that the Committee historically established.

M. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Nowell, seconded by Mr. Speers to adjourn the meeting at 9:00PM. No objection, so moved.

**BOARD OF SELECTMEN'S
MEETING AGENDA
9:00AM TUESDAY, JULY 8, 2014
YORK TOWN HALL**

Present: Chairman Mary Andrews, Vice Chairman Robert R. Palmer Jr, Torbert Macdonald, Ronald Nowell, Jonathan O. Speers, Town Manager Robert G. Yandow, and Town Attorney Mary Costigan.

Call to Order

Chairman Mary Andrews called the meeting to order at 9:04AM.

A. Executive Session

1. Consultation with Town Attorney; Pursuant to MRSA Title 1, Section 405 (6)(E)

Moved by Mr. Macdonald, seconded by Mr. Palmer to enter into Executive Session. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Speers to exit out of Executive Session at 10:14AM. Vote 5-0, motion passes.

Adjourn

Chairman Andrews adjourned the meeting at 10:14AM. No objection so moved.

**BOARD OF SELECTMEN'S
MEETING MINUTES
7:30/8:00PM TUESDAY, JULY 8, 2014
YORK PUBLIC LIBRARY**

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr. Jonathan O. Speers, Torbert Macdonald, Ronald Nowell, and Director of Human Resources Liam Gallagher.

Call to Order

Chairman Mary Andrews called the meeting to order at 7:20PM

A. Executive Session

1. Discuss Appointment; Pursuant to MRSA Title 1, Section 405(6)(A)

Moved by Mr. Macdonald, seconded by Mr. Nowell to enter into Executive Session at 7:20PM. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Nowell to exit out of Executive Session at 7:30PM. Vote 5-0, motion passes.

B. Committee Appointments

1. Citizens' Ad Hoc Town Manager Search Committee Appointments

Moved by Mr. Nowell, seconded by Mr. Macdonald to appoint Paul Salacain, Kathleen Kluger, Linda Scotland, Rozanna Patane and James Smith as members of the Citizens' Ad Hoc Town Manager Search Committee. Vote 5-0, motion passes.

Adjourn

Moved by Mr. Macdonald, seconded by Mr. Nowell to adjourn the meeting at 7:35PM. No objection, so moved.

**BOARD OF SELECTMEN'S
MEETING MINUTES
9:30AM MONDAY, JULY 21, 2014
YORK PUBLIC LIBRARY**

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Torbert Macdonald, Jonathan O. Speers, Ronald Nowell, Town Manager Robert G. Yandow, Recorder Melissa M. Avery and members of the press and public.

Call to Order

Chairman Mary Andrews called the meeting to order at 9:30AM.

A. Storm Damage and Cleanup

1. Discussion and Possible Action on Allocating Funding for Storm Damage and Cleanup

Moved by Mr. Speers, seconded by Mr. Palmer to direct the Town Manager to continue to pay the bills as necessary to provide appropriate clean up expense after the storm but to wait until a later date for a full accounting of the total costs. Vote 5-0, motion passes.

Adjourn

Moved by Mr. Macdonald to adjourn the meeting at 10:20AM. No objection, so moved.

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:30PM/7:00PM MONDAY, JULY 28, 2014
YORK LIBRARY**

6:30/6:45PM: MSSRB and EESC Interviews

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Jonathan O. Speers, Torbert Macdonald, Ronald Nowell, Town Manager Robert G. Yandow, Recorder Melissa M. Avery and members of the press and public.

Call to Order

Chairman Andrews called the meeting to order at 7:00PM.

Opening Ceremonies

Mr. Macdonald asked that the Board observe a moment of silence for former State Representative Paul McGowan who passed away over the weekend.

A. Minutes

1. May 19, 2014 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Meeting Minutes for May 19, 2014. Vote 5-0, motion passes.

2. June 9, 2014 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Meeting Minutes for June 9, 2014. Vote 5-0, motion passes.

3. June 23, 2014 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Meeting Minutes for June 23, 2014. Vote 5-0, motion passes.

B. Chairman's Report

Chairman Mary Andrews wanted to give credit and recognition to all the people who contributed the micro-burst clean up from Tuesday's storm.

C. Manager's Report

Town Manager Robert G. Yandow stated that to date the Town has spent \$30,209.36 on private contractor invoices, along with Police Department and Public Works costs for the response aspect of the micro-burst. The contractors and crews will start the cleanup phase this week. Mr. Yandow also mentioned that it appears that the total cost of this micro-burst will not be as high as the micro-burst in 2010. Easterly Surveying, the contracted company to do the survey of Long Beach Avenue for the Long Sands Bathhouse Project has not made substantial progress as of yet, but will be taking on extra help to get the project going in hopefully late July, early August. Mr. Yandow stated that the Board of Selectmen and School Committee have a tentative meeting scheduled for August 20, 2014 6:00PM at the York Public Library before the School Committee's regularly scheduled meeting. Another tentative meeting is scheduled for August 28, 2014 at 4:00PM with the York Sewer District to discuss easement and property issues, to be held at the York Sewer District Office. Last Thursday the Planning Board found a few issues with the Findings of Fact for the Police Station Project and has been scheduled to go back to the Planning Board on August 14, 2014. The Town Clerk advised Mr. Yandow that tax bills will be mailed out on August 5, with the first installment due September 19, 2014 and the second due February 6, 2015.

D. Awards

E. Reports

1. York Water District Report on Proposed Rate Increase

Water District Superintendent Don Neumann gave a report on the proposed rate increase for the York Water District.

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.

Public Comment: Patricia McNally
Ed Woods

G. Approval of Warrant #4

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve Warrant #4. Vote 5-0, motion passes.

H. Public Hearings

1. November 2014 Referendum Ordinance Amendments

1) MS4 Post-Construction Stormwater Management Ordinance

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing for MS4 Post-Construction Stormwater Management Ordinance. No objection, so ordered.

Public Comment: None

Moved by Mr. Nowell, seconded by Mr. Macdonald to close the Public Hearing. No objection, so ordered.

2) MS4 Non-Stormwater Discharge Ordinance

Moved by Mr. Nowell, seconded by Mr. Macdonald to open the Public Hearing for MS4 Non-Stormwater Discharge Ordinance. No objection, so ordered.

Public Comment: Arthur Kyricos

Moved by Mr. Nowell, seconded by Mr. Macdonald to close the Public Hearing. No objection, so ordered.

3) Require Septic System Inspections at Time of Property Transfers

Moved by Mr. Nowell, seconded by Mr. Speers to open the Public Hearing for Requiring Septic System Inspections at Time of Property Transfers. No objection, so ordered.

Public Comment: Lew Stowe
Helen Rollins
Greg Gosselin
Bob Harris
Lori Barrett

Moved by Mr. Nowell, seconded by Mr. Macdonald to close the Public Hearing. No objection, so moved.

4) Application Procedures for Piers, Wharfs, Docks and Floats

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing for Application Procedures for Piers, Wharfs, Docks and Floats. No objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Nowell to close the Public Hearing. No objection, so ordered.

5) Standards for Piers, Wharfs, Docks and Floats

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing for Standards for Piers, Wharfs, Docks and Floats. No objection, so ordered.

Public Comment: Name

Moved by Mr. Nowell, seconded by Mr. Macdonald to close the Public Hearing. No objection, so ordered.

6) Medical Marijuana

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing for Medical Marijuana. No objection, so ordered.

Public Comment: Sally Manninen
Louise Littlefield
Charlie Spear

Moved by Mr. Nowell, seconded by Mr. Macdonald to close the Public Hearing. No objection, so ordered.

7) Enabling Ordinance for Special Events Regulations

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing for Enabling Ordinance for Special Event Regulations. No objection, so ordered.

Public Comment: None

Moved by Mr. Nowell, seconded by Mr. Macdonald to close the Public Hearing. No objection, so ordered.

2. New Business License Applications

- 1) Jacob Remiganti DBA: Dr. Claw's Lobster Rolls (Food Service); located at 11 Main Street
- 2) Woods Family, INC. DBA Woody's Brick Oven Pizza (Food Service); located at 11 Railroad Avenue

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing for new Business Licenses for Jacob Remiganti DBA: Dr. Claw's Lobster Rolls and Woods Family, Inc. DBA: Woody's Brick Oven Pizza. No objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the Public Hearing. No objection, so ordered.

3. Petition Submitted to the Town Clerk for Enactment of an Ordinance Allowing Use of Marijuana by Persons 21 Years of Age or Older in the Town of York

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing for Petition Submitted to the Town Clerk for Enactment of an Ordinance Allowing Use of Marijuana by Persons 21 Years of Age or Older in the Town of York

Public Comment: Windol Weaver
Scott Gonyer
Devon Ryol
Sally Manninen
Arthur Kyricos
Gina Kyricos-Brodsky
Dave Boyer
Deb Erickson-Irons
Doug Bracy
Chris Rioux
Louise Littlefield
Meg Goldberg
Sherry Dabiere

Moved by Mr. Nowell, seconded by Mr. Macdonald to close the Public Hearing. No objection, so moved.

I. Endorsements

Business Licenses:

1. Paul A. Gagnon Trustee DBA: Chapman Cottage (Food Service, Liquor, Special Amusement, and Bed and Breakfast)
2. Yau Chung Ming DBA: China Bistro, Inc. (Food Service and Liquor)
3. Trevor A. Fitzgerald DBA: Hawaiian Jim's Shave Ice (Food Service)
4. Pat Rocheleau DBA: The Ledges Golf Course (Food Service and Liquor)

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the following Licenses: Paul A. Gagnon Trustee DBA: Chapman Cottage for Food Service, Liquor, Special Amusement, and Bed and Breakfast, Yau Chung Ming DBA: China Bistro, Inc. for Food Service and Liquor, Trevor A. Fitzgerald DBA: Hawaiian Jim's Shave Ice for Food Service, Pat Rocheleau DBA: The Ledges Golf Course for Food Service and Liquor subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes

J. Old Business

K. New Business

1. Discussion and Possible Action on Marijuana Petition

On July 7, 2014 The Board of Selectmen discussed a petition that has been submitted to, and verified by, the Town Clerk, Mary-Anne Szeniewski that would allow the use and possession of one ounce or less of marijuana by persons 21 years of age or older.

Moved by Mr. Macdonald, seconded Mr. Nowell to send the Petition for Enactment of an Ordinance: Use of Marijuana by Persons 21 Years of Age or Older to the November 2014 Special General Referendum. Vote 2-3, Mr. Speers, Ms. Andrews and Mr. Palmer against, motion fails.

2. Appointment of Dylan Smith as one of York's Representatives to KACTS

Moved by Mr. Nowell, seconded by Mr. Macdonald to appoint Dylan Smith as one of York's representatives to the Kittery Area Comprehensive Transportation Study. Vote 5-0, motion passes.

3. General Assistance Ordinance 2014-2015: Adoption of Appendices A

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the new 2014-2015 General Assistance Ordinance Appendices A. Vote 5-0, motion passes.

4. Move November 2014 General Referendum Ordinance Amendments to Second Public Hearing on August 25, 2014

Moved by Mr. Macdonald, seconded by Mr. Nowell to schedule each of the 7 proposed ordinance amendments for a second Public Hearing to be held on August 25, 2014: MS4 Post-Construction Stormwater Management, MS4 Non-Stormwater Discharge Ordinance, Require Septic System Inspections at the time of Property Transfers, Application Procedures for Piers, Wharfs, Docks and Floats, Standards for Piers, Wharfs, Docks and Floats, Medical Marijuana and Enabling Ordinance for Special Events Regulations. Vote 5-0, motion passes.

5. Ballot for Election to MMA Legislative Policy Committee

Moved by Mr. Palmer, seconded by Mr. Nowell to cast ballots for Torbert Macdonald and Perry Ellsworth for membership on the MMA Legislative Policy Committee representing District 35. Vote 5-0, motion passes.

6. Property Redemption: 4 Cape Neddick Camp Ground

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the property redemption of Tax Map 0018-0018-0004; located at 4 Cape Neddick Camp Ground, as requested, subject to the attached conditions being met and that all taxes, interest and administrative costs are paid in full by no later than September 26, 2014. Vote 5-0, motion passes.

7. Special Event Permit: Zumba with Marianela

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit application for Zumba with Marianela, on Sunday, August 24, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

8. Special Event Permit: The Big Andrew Surf Competition and Fundraiser

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit application for The Big Andrew Surf Competition and Fundraiser, on Sunday, August 10, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

9. Special Event Permit: The Big Andrew Car Classic

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit application for The Big Andrew Car Classic, on Sunday, August 9, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

10. Special Event Permit: Great Maine Getaway

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit application for the Great Maine Getaway, on Saturday, August 9, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

L. Other Business

Mr. Macdonald spoke about an ordinance which he is proposing for the November Election; Artisanal Food and Drink Amendment.

Moved by Mr. Macdonald, seconded by Mr. Nowell to forward the proposed Artisanal Food and Drink Amendment to the Planning Board and bring it forward for a Public Hearing. Vote 4-1, Mr. Palmer opposed, motion passes.

Mr. Speers inquired about the status of the Municipal Building Committee for the Police Station Project.

Mr. Nowell stated that he has received complaints and that he feels that many road in the York are substandard.

M. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Nowell, seconded by Mr. Macdonald to adjourn the meeting at 10:54PM. No objection, so ordered.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 7, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: York Village Study Committee Agreement with the Downtown Revitalization Collaborative	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to award a contract in the amount of \$143,303 to the Downtown Revitalization collaborative of Portland, Maine for design and development of a Master Plan in York Village.

Discussion: On June 23, 2014 the Board of Selectmen authorized the York Village Study Committee to negotiate a contract with the Downtown Revitalization Collaborative of Portland for design and development of the York Village Master Plan. I have attached the Proposal & Agreement for Professional Services as recommended by the York Village Study Committee.

Funding for this contract would be from the Municipal Participation Initiative (MPI) funds provided by the Maine Department of Transportation.

FISCAL IMPACT: \$143,303
DEPARTMENT LINE ITEM ACCOUNT: MDOT MPI Funds \$500,000
BALANCE IN LINE ITEM IF APPROVED: \$356,697

Prepared By: Robert M. Gannon

Reviewed By: _____

Moved by Mr. Nowell, seconded by Mr. Macdonald to repeal the Off-Premise Catering License Policy and the License Application Policy. Vote 5-0, motion passes.



2. Discussion and Possible Action on a Request by the York Village Study Committee to Negotiate for Design Services

The York Village Study Committee previously advised the Board of Selectmen about the Request for Qualifications process that the committee was engaged in regarding design and development services for York Village. The RFQ process has been completed and the committee has selected The Downtown Revitalization Collaborative of Portland, Maine as the preferred vendor.

Moved by Mr. Nowell, seconded Mr. Macdonald to authorize the York Village Study Committee to negotiate a contract with The Downtown Revitalization Collaborative of Portland for design and development of the York Village Master Plan with the understanding that the Board of Selectmen must ultimately approve the contract. Vote 5-0, motion passes.

3. Appointments to the York Village Study Committee

Moved by Mr. Nowell, seconded by Mr. Speers to appoint Christine Hartwell to the York Village Study Committee. Vote 5-0, motion passes.

4. Discussion and Possible Action on a Letter From the York Sewer District Regarding Transferring Ownership of Land

The former Board of Selectmen Chairman received a letter from York Sewer District regarding the long-standing issue of an easement from the Sewer District in order to complete the drainage portion of the Main Street paving project. The York Sewer District would like to meet with the Selectmen to discuss the Main Street drainage project and their offer to donate the necessary land to the Town. Chairman Andrews stated that she has indeed left a message for Sewer District Superintendent, Tim Haskell regarding setting up a meeting.

5. Discussion and Possible Action on Requesting the Town Manager Contact the Davis Family Regarding Property Located at 142 York Street

Moved by Mr. Macdonald, seconded by Mr. Nowell to authorize the Town Manager to contact the estate representative for the Davis family to determine if the asking price for the property is subject to negotiation. Vote 5-0, motion passes.

6. Board of Appeals Re-Appointments

The Downtown Revitalization Collaborative

Community Planning | Outreach | Landscape Architecture | Architecture | Civil Engineering | Funding
Great Ideas to Ribbon Cutting

August 7, 2014

Ron McAllister, Chair
York Village Study Committee

Subject: **York Village Center
Master Plan, Design & Construction Documentation
Agreement for Professional Services**

Dear Ron,

On behalf of The Downtown Revitalization Collaborative we are delighted to be selected for the York Village Center Master Plan, Design & Construction Documentation. The Collaborative consists of Denis Lachman (Principal, Lachman Architects & Planners), Regina Leonard (Maine Licensed Landscape Architect), Rodney Lynch (AICP, Community and Economic Development Planner) and Tom Fowler (Civil Engineer, Landmark Corporation Surveyors & Engineers) and John Adams (Milone & MacBroom). For this project Denis is the Collaborative's representative and prime consultant to the Town.

The following Proposal and Agreement provides the services we understand the Town seeks. We hope you will find the cost fair and reasonable for the wide range of anticipated services and the intensity of the effort by the end of the year. If you have any questions, please do not hesitate to contact me or Regina.

Sincerely,



Denis Lachman

The Downtown Revitalization Collaborative

Community Planning | Outreach | Landscape Architecture | Architecture | Civil Engineering | Funding
Great Ideas to Ribbon Cutting

August 7, 2014

York Village Center Master Plan, Design & Construction Documentation Proposal & Agreement for Professional Services

This Agreement is between the Town of York (Owner) and The Downtown Revitalization Collaborative (Consultant). For this project Lachman Architects & Planners is the prime consultant to the Town, and Denis Lachman is the Collaborative's representative.

Section A **THE PROJECT**

Section B **TASKS AND SCOPE OF SERVICES**

Section C **WORK PLAN**

Section D **COMPENSATION**

Section E **DELIVERABLES**

Section F **OTHER PROVISIONS**

A. THE PROJECT

Introduction

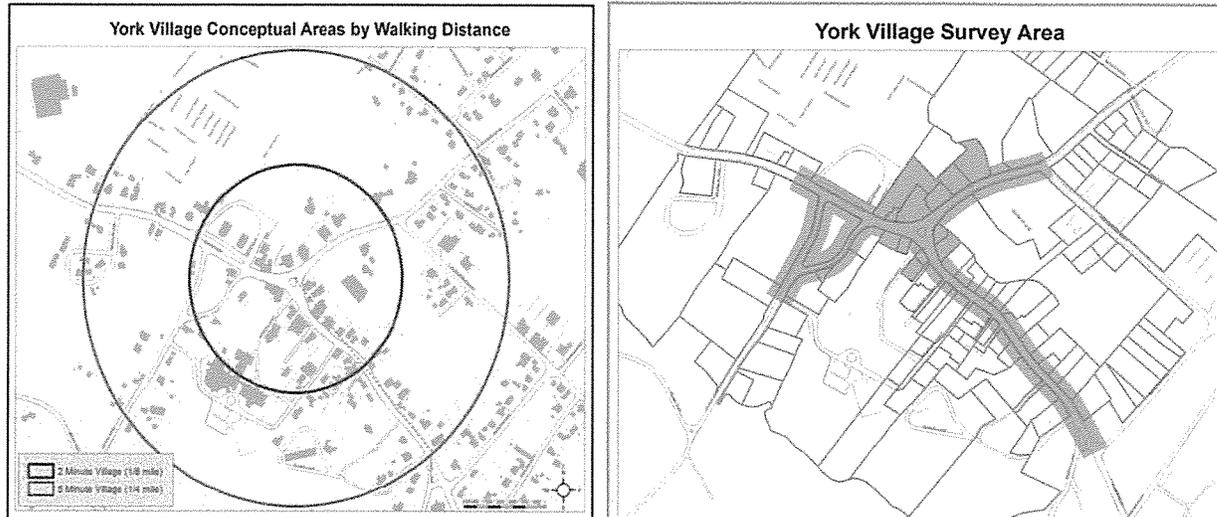
In May of 2011, the York Board of Selectmen appointed the York Village Study Committee (YVSC) to look into ways in which York Village might be revitalized. The mission of the committee is to establish a framework that will promote the vitality and beauty of York Village and create a dynamic, safe, and sustainable town center which reflects the history of a community and is both welcoming to visitors and supportive of local businesses. The York Village Study Committee (YVSC) met with business owners, residents and other interested parties to get their feedback on how York might achieve these objectives.

The YVSC has developed 25 detailed recommendations related to public process, key properties, parking, sidewalks, traffic, streetscape, planning and zoning. Three possible options for the monument intersection at the heart of York Village have been developed. The three options build upon each other in both size of green space and the features added.

The work to date of the YVSC has laid the groundwork for the next phase in the development and eventual implementation of a Master Plan for York Village, the focus of this proposal.

Project Focus Area

Early on in the planning process, the committee conceptualized York Village in geographic terms, focusing on walking radii from the Civil War monument at the center of the primary York Village intersection. The area of concern for this particular stage of improvements is a portion of York Street and a portion of Long Sands Road, falling between the radii of a 2 and a 5 minute walk (or 1/8 and 1/4 of a mile) from the monument. An engineering survey of existing conditions in the area is currently being conducted. Inset maps show the study radii and the survey area, respectively.



Development of a Multi-disciplinary Team

The execution of the committee's visioning work now requires multiple disciplines working as a team. These disciplines include architecture and landscape architecture, urban design and planning, civil and traffic engineering, economic development and financing, and possibly others. To create this multi-disciplinary team, the YVSC developed a Request for Quote seeking a consulting team that is expected to build on the progress made over the last three years and see this town project through to completion. The YVSC will continue to play a leadership role in seeing this project to completion and will be involved in all aspects of community engagement.

On June 23, 2014 the York Board of Selectmen authorized The Village Study Committee to negotiate an Agreement for Services with The Downtown Revitalization Collaborative. The YVSC would then return to the Board of Selectmen with a recommended proposal for Board of Selectmen's consideration and action.

General Scope of Services

Many towns accomplish improvements sequentially over several years and funding cycles. However, village centers and public spaces are complex environments and their success depends on an integrated and comprehensive approach - which York has wisely selected to pursue. As described in the RFQ, The Downtown Revitalization Collaborative's general charge includes:

- *complete street design*
- *sign age (regulatory, directional, and informational)*
- *pavement markings and traffic control*
- *bicycle and pedestrian enhancements*
- *hardscape and landscape design*
- *public parking, public space creation and design*
- *possible underground and above ground utility relocations*
- *drainage modifications and improvements including implementation of green infrastructure*
- *public participation and acceptance*

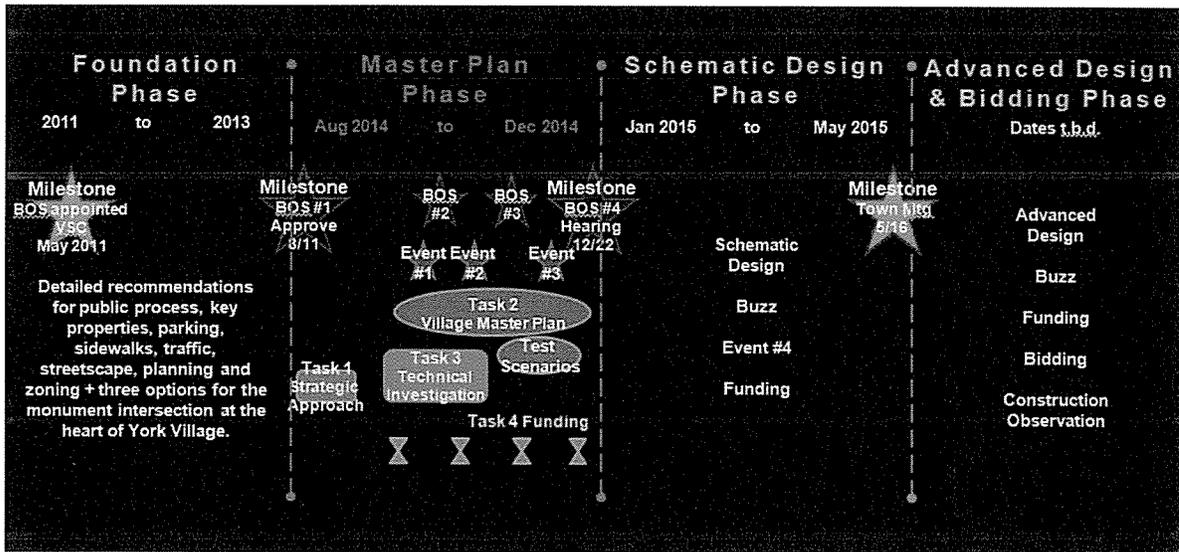
To implement this broad scope envisioned by the YVSC, the first task of the Master Plan Phase requested of the TDRC was to advance the YVSC's effort into a strategy that organizes this complex multi-faceted and multidisciplinary effort, into a coherent work plan that is orderly, integrated, efficient, predictable with milestones, and accountable. The proposed work plan follows:

B. TASKS & SCOPE OF SERVICES

Task 1 – Formulate a Strategic Approach

A thorough and thoughtful Strategic Approach - an overarching plan for all that follows – is the best investment towards a cost efficient, smooth and successful construction project later, when the stakes, costs and expectations are much higher. The Strategic Approach resulted from collaboration between the YVSC and TDRC, and incorporates many considerations such as annual municipal fiscal cycles, review process, citizen reviews and seasonal fluctuations. Keeping this complex multi-disciplinary effort, with sequential, concurrent and overlapping tasks moving smoothly forward with momentum requires excellent project management throughout.

Phasing & Milestones – Two core considerations that shaped the Strategic Approach are Phasing and Milestones. Phasing organizes current and future activity into distinct yet interrelated sequential phases, the Master Plan Phase, the Schematic Design Phase and the Advanced Design and Bidding Phase, as illustrated below.



A Complete Project - It is understood and agreed that the Town intends to engage The Downtown Revitalization Collaborative for the complete project, including Master Plan Phase and all its tasks, Schematic Design Phase and all its tasks, and if the project proceeds, Advanced Design and Bidding Phase and all its tasks.

Some Tasks and Services are better understood at this early stage, and are consequently easier to define and quantify. These are identified and included in Master Plan Phase, along with their compensation. Other Tasks and Services remain highly undefined, and their clarity is based on many factors not yet known or understood, including the projects' funding (amount & sources) and the scope of work it will support. Consequently Schematic Design Phase Tasks and Services are not identified at this time and will be determined at the conclusion of Master Plan Phase, when the scope is better understood. In turn, Advanced Design and Bidding Phase will be determined at the conclusion of Schematic Design Phase, when the scope is defined.

Master Plan Phase - This initial phase will confirm the Strategic Approach, conduct the necessary technical investigation and identify the best scenario for the Village Master Plan. It will include a series of three public events at which dialogue with stakeholders will be paramount, plus multiple Selectboard meetings.

Proceeding From Master Plan Phase to Schematic Design Phase - Near the conclusion of Master Plan Phase, many of the undefined Tasks and Services will be better understood and consequently easier to define and quantify. Schematic Design Phase Tasks, Services and Compensation will be addressed at that time through an Addendum to this Agreement.

Schematic Design Phase – This second phase of the Master Plan project continues where the Master Plan and Technical Investigation leave off, but narrows their focus to the Village Center core with increasingly technical and detailed considerations that results in a schematic design and will see the beginning of the publicity campaign (Buzz) to build awareness of the project. At least one additional public event will take place during this phase.

Proceeding from Schematic Design Phase to Advanced Design and Bidding Phase - Schematic Design Phase culminates with the Budget Referendum Warrant (Town Meeting) May16, 2015. Proceeding from Schematic Design Phase to Advanced Design and Bidding Phase is contingent on funding from grant opportunities and a citizen approved bond. If the projects' funding (amount & sources) is secured then the scope of work it will support will become clear, allowing the YVSC and TDRC will proceed to Advanced Design and Bidding Phase.

Advanced Design and Bidding Phase - This third and final pre-construction phase advances Schematic Design to even greater specificity into documents for bidding and construction. Throughout all phases of the Master Plan development funding opportunities will be explored and presented to the YVSC and the Selectboard

Milestones – Equally important as Phasing to shape the Strategic Approach, are Milestones of accomplishment. The Master Plan Phase formally begins after the first milestone – Selectboard approval (anticipated) of this proposal at their August 11, 2014 meeting, and concludes with the second milestone – a Selectboard Hearing on December 22, 2014 (possible date). The Schematic Design Phase begins January 2015 and concludes with the third milestone - Budget Referendum Warrant (Town Meeting) May16, 2015. Activities are framed to fit between these municipal milestones.

Project Areas - In addition to establishing Phasing and Milestones, Task 1 Strategic Approach also confirms Project Areas. Project Area considerations build on foundation work by the YVSC and consists of 2 overlapping areas of work – the larger and generally studied Master Plan area (shown within the blue 5-minute walk circle) and the smaller, targeted and more intensively studied Technical Investigation area (the Village Center Core shown within the yellow limits), as illustrated below.



Task 2 - The Village Master Plan

The Village Master Plan builds on the excellent foundation work of the YVSC and studies how the 5 minute walk area, identified by the YVSC, might look, feel and function more like a village. In particular, the Master Plan evaluates the YVSC's 3 concepts against traffic, safety and flow information. Physical or policy conflicts may become apparent leading to one or more scenarios becoming unfeasible. A preferred scenario will emerge that meets both technical requirements and is consistent with the community's vision for its village center, as expressed through the planning process.

Public Events - The Village Master Plan purposefully engages citizens through 3 interactive outreach events from the ground up to help them become invested in this project and the future of their Village center, and to garner their support. The events are described below:

- Event #1 (late September suggested) lays the groundwork for the Master Plan and focuses on what makes a good village center and community value, and their convergence. Event #1 is a Saturday morning 4 hour interactive event in 3 parts: Part 1 - Intro to Analysis & Concepts. Part 2 - What Do YOU Value? How does design express YOUR values? Small groups. Part 3 - Small groups report back for themes
- Event #2 (late October suggested) recaps Event #1 and confirms "Did We Hear You?" plus introduces master plan diagrams in a weekday evening 2 hour event.
- Event #3 (mid November suggested) is a Saturday morning 4 hour interactive event in 3 parts. It recaps Events #1 and #2, summarizes technical and planning to date, reviews master plan diagrams, introduces the Traffic Model and reviews the Preferred Concept.

Selectboard Meetings - In addition to citizen involvement, the Village Master Plan purposefully involves the Selectboard to keep them informed and receive their input along the way, on 4 occasions:

- Selectboard Meeting #1 (8/11) introduces the Strategic Plan and its process.
- Selectboard Meeting #2 (9/22 suggested) expands about the Strategic Plan and provides updates about activities to date.
- Selectboard Meeting #3 (11/10 suggested) follows Event #2 with a recap, updates about recent activities and introduces Event #3.

York Village Master Plan Report - Task #2 results in a Report that summarizes all work to date in text and graphics – to foster easy comprehension by all. This efficient & comprehensive document is in a 2 part format: the Body includes Chapters (such as Purpose Statement, Acknowledgments, Frequently Asked Questions & Answers, Hard and Soft Costs Budget, Technical Investigation (Traffic & Utilities), Master Plan, Funding), and the Appendix (which includes back up and technical information). The Report is made available to the BOS & public prior to the hearing. Please see Section E Deliverables.

- The Selectboard Meeting #4 Hearing (12/22 suggested) is an opportunity for public testimony and formal review of the Report.

Task 3 - Technical Investigation

Concurrent with the Master Plan is an investigation of above and below ground conditions that might impact the design, including Utilities (inventory & assess stormwater & other utilities), Traffic (a Study including collection of turning movement counts and volume data; traffic observations, signal warrant analysis, traffic modeling), Parking (counts, frequency and patterns), Trees, Lights, etc.

Task 3 results in summaries in text and drawings by discipline formatted as chapters in the York Village Master Plan. Please see Section E Deliverables.

Task 4 - Funding Strategy

The cost of implementing the Master Plan is going to be substantial. The exact amount cannot be determined until the extent of construction is clear. Regardless of the amount of money necessary to complete the project, it is understood that all possible non-municipal funding opportunities should be explored in order to minimize dependency on property tax revenues. Non-municipal public agencies and programs as well as foundation and other private sources of support will be explored, organized and planned, then developed to the greatest extent possible.

The intent of Funding Strategy is to identify all potential sources beyond the town's local tax base for this project, then organize them into a common template (category, name, purpose, deadlines, cycles, amounts, etc) plus organized by deadlines into calendar based work plan format. With this information easily understood, evaluate timing (sooner) vs. more competitive application (later) and likelihood of success with realistic expectations into a Funding Strategy - which sources to pursue and when.

Task 4 also includes meeting with Business & Property Owners & Merchants to learn how this effort might help support their aspirations, meet their challenges, address their concerns, and understand their level of support. Many owners do not attend public meetings, but are open to meeting the team one-to-one. In addition, if desired, is an educational meeting for Property Owners, Banks & others about Historic Rehab Tax Credits and how they can be used to improve properties and leverage with other programs.

Task 4 results in a document formatted as a chapter in the York Village Master Plan. Please see Section E Deliverables.

Task 5 – Support the YVSC's Outreach & Buzz

Outreach & Buzz is multi-step process of building public awareness and interest in the project, helping to ensure that people are given every opportunity to buy into the revitalization of the Village and helping to increase the probability of a positive vote when the warrant comes to a vote. Specifically the goals of Outreach and Buzz are to help citizens:

- stay informed and in the loop,
- understand the topics and consequences to them,
- get excited about possibilities,
- and feel included in the process.

Typically the methods to achieve this include reaching as many citizens and stakeholders as possible through different avenues such as Flyer/Mailer & Poster; News Articles - "series articles" leading up to ballot; Web posting; E Letter to keep all attenders and interested parties "in the loop" prior to each Event and maybe after; follow along with Social Media - Facebook, Twitter etc; meetings with Small Affinity Groups by interest (families, healthy downtowns, business, merchants, library, youth, historical, critics etc); Local & Regional Organizations - meet with Churches, Chamber of Commerce, Rotary, Church etc; Library; Community TV; and many others.

As part of their foundation work over the past 3 years, the YVSC conducted Outreach & Buzz, and they recognize continuing it is critical to success. Outreach & Buzz is most effective by locals for locals, and during the Master Plan Phase, so the YVSC will lead and conduct this effort. However TDRC was requested to guide and support their effort.

What needs to be done (tasks required) for Outreach and Buzz to be successful has not yet been defined, nor has an understanding of who does what - the distinction between lead (YVSC) and support (TDRC). For this reason compensation includes a modest allowance for TDRC to guide and support the YVSC, to be used as needed and drawn against.

C. WORK PLAN

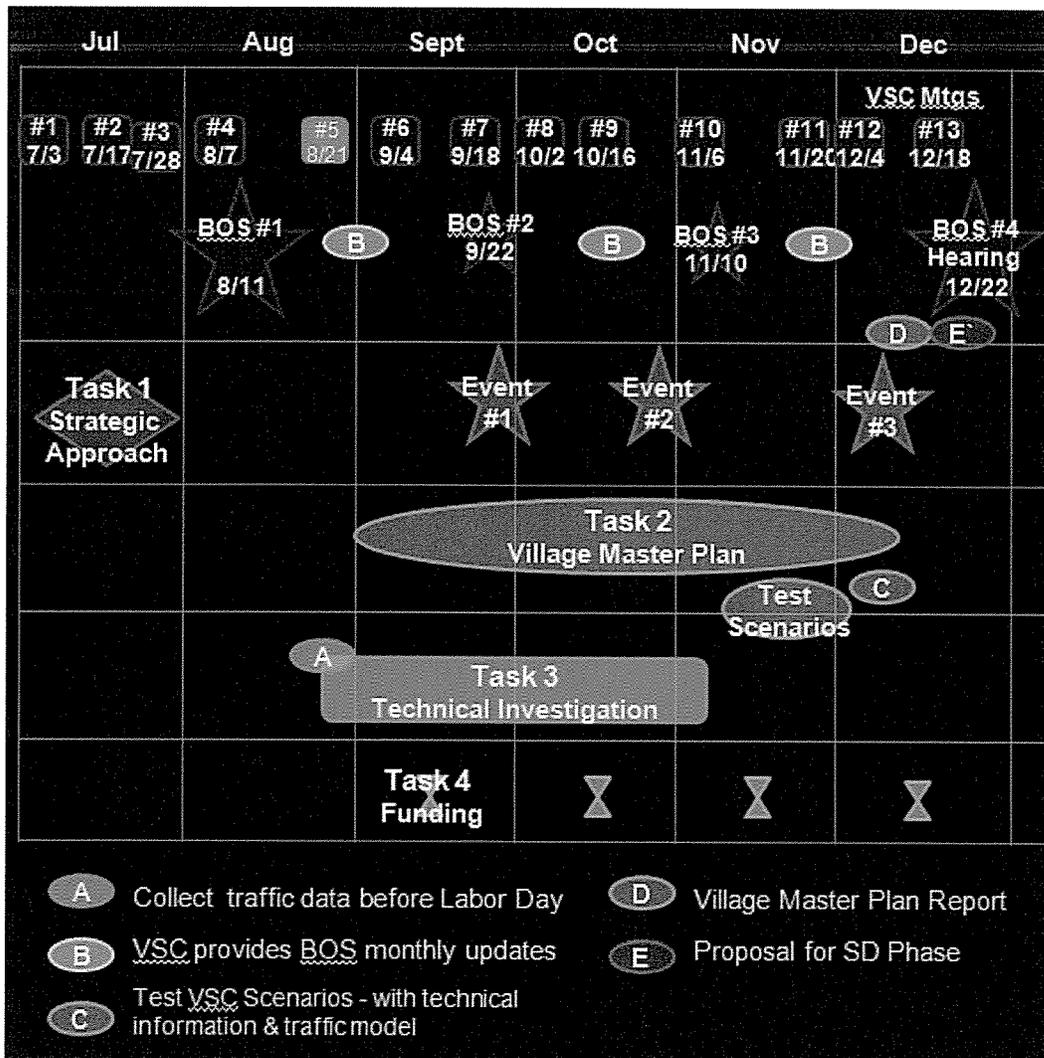
General Expectations for Master Plan Phase Services

The YVSC laid the foundation for the Master Plan by identifying in the RFQ the following general expectations of services the successful firm might be required to accomplish:

...create preliminary design reports; perform field surveys; plot topography and cross sections; prepare submissions for utility verification and relocation engineering; develop right-of-way plans; prepare drainage reports; perform geotechnical investigations and prepare geotechnical reports; prepare type, size and location reports; prepare structure drawings (including culverts, catch basins and monument support) for repair, rehabilitation or replacement; prepare erosion control details and narrative; prepare applications for environmental and other federal, state and municipal permits; perform traffic 2 counts and analyses, including detour planning and mapping; prepare traffic control plans and narrative; investigate utility and property involvements and coordinate with utilities; prepare submissions for meetings; attend meetings with the Village Study Committee, Town boards or other agencies; and prepare construction plans and documents, specifications and estimates.

From Tasks & Services to Work Plan

To accomplish these Tasks and Services identified above by the YVSC, TDRC was requested to organize them into a coherent and efficient effort - specifically to create a Work Plan – plus add others as necessary. The Work Plan below organizes Master Plan Phase Tasks and Services by calendar time and milestones. Some services are sequential and others are concurrent or overlapping.



D. COMPENSATION

Compensation for Master Plan Phase Tasks & Services

Compensation for Master Plan Phase Professional Services is a lump-sum fixed-fee of **\$143,303**. We strive to be transparent and accountable, particularly with respect to compensation. Each number described below is derived from and described in detail in Attachments A - F. The lump-sum fixed-fee is based on the Tasks and Services described herein, and changes to the scope of services may alter the fee. Because Task 5, Outreach and Buzz Support for YVSC has not yet been defined, nor has an understanding of who does what, a modest not-to-exceed allowance is included for TDRC to guide and support the YVSC, to be used as needed and drawn against.

	Task 1 Strategic Approach	Task 2 Village Master Plan	Task 3 Tech Investigation (Traffic, Civil, Landscape Architecture, Architecture)	Task 4 Funding Strategy	Task 5 Outreach & Buzz Support for VSC	
Planning, Architecture & Project Management (DL)	\$14,960	\$29,865	\$6,380	\$5,830	\$5,000	\$62,035
Landscape Architecture (RSL)	\$2,176	\$19,552	\$7,065			\$28,793
Civil Engineering (TF)	\$1,934	\$3,739	\$12,212			\$17,885
Traffic Engineering (JA)	\$1,625	\$5,975	\$22,790			\$30,390
Economics (RL)				\$4,200		\$4,200
Fee	\$20,695	\$59,131	\$48,447	\$10,030	\$5,000	\$143,303

The Downtown Revitalization Collaborative consists of Denis Lachman (DL) Principal, Lachman Architects & Planners; Regina Leonard (RSL) Maine Licensed Landscape Architect; Rodney Lynch (RL) AICP, Community and Economic Development Planner, Tom Fowler (TF) Civil Engineer, Landmark Corporation Surveyors & Engineers and John Adams (JA) Milone & MacBroom.

Direct and Out of Pocket Expenses – Included and Excluded

Expenses Included – The following expenses are included:

- Printing for Working Communications for internal TDRC meetings, and working meetings with the Owner are included.
- Printing and Supplies for Public Events, such as reproduction of boards, instructions plus miscellaneous supplies are included.
- Mileage and Other Incidental expenses are included.

Expenses Excluded – The following expenses are not included:

- Printing of Regular YVSC Meeting Materials - Submittals will be transmitted electronically and TDRC will not bring multiple copies to each meeting. Printing and/or reproduction of material for and after YVSC meetings will be by others.
- Selectboard Meeting Materials – Like YVSC meetings, submittals for Selectboard meetings will be transmitted electronically and TDRC will not bring multiple copies to each meeting. Printing and/or reproduction of material for and after Selectboard meetings will be by others.
- Reports - Printing and/or reproduction of reports (drafts and final) will be by others.
- Posters and Brochures etc for use by YVSC for Outreach and Buzz - Printing and/or reproduction will be by others.

Sub Consultants

No sub consultants are anticipated. If any sub consultants are required, we will proceed only after consultation and prior approval in writing from the Selectboard.

Additional Services

If any additional services are requested by the Town beyond those identified in **Master Plan Phase Work Plan** above, we will gladly perform them, but proceed only after consultation and prior approval in writing from the Selectboard. Additional Services will be performed on an hourly basis and will be billed at the same rates as Basic Services. Rates are valid for one year and thereafter may be subject to cost-of-living increases. Our goal is to provide excellent value (quality and quantity) for a fair price. We are extremely efficient and make every effort to keep hours and fees as low as professionally possible.

E. DELIVERABLES

The York Village Master Plan Report is the overall deliverable, which summarizes all work during this phase. This efficient, well organized and comprehensive document is in a 2 part format: the Report, with multiple chapters that parallel the process and the Appendix, which includes back up and technical information. The outline is below and please see Attachments A – F for additional detail information.

Report

- Cover
- Purpose Statement (why and what)
- Acknowledgments (who)
- Introduction to the Master Plan (summary in text and graphics, 24x36 hand-drawn and color-rendered plan, 3D visuals such as street level vignettes)
- Questions and Answers About the Master Plan
- Budget Summary (including hard and soft costs)
- Chapter 1 - The Strategic Approach and Master Plan Process (summary in text and graphics of the overarching plan for all that follows, incorporates multiple considerations such as annual municipal fiscal cycles, review process, citizen reviews and seasonal fluctuations)
- Chapter 2 – Planning and Urban Design Assessment (summary in text and graphics of development patterns, architecture, infrastructure, streetscape features, pedestrian & vehicular patterns, open space & landscape, recommendations).
- Chapter 3a – Technical Investigation - Civil and Utilities (summary in text and graphics of utilities, storm water, sewer & others, lighting, street tree assessment, sidewalk assessment, crosswalk inventory, recommendations).
- Chapter 3b – Technical Investigation – Traffic (summary in text and graphics of traffic, collection of turning movement counts and volume data; traffic observations, signal warrant analysis, traffic modeling, pedestrian and bicycle counts, parking counts, frequency and patterns, traffic modeling & testing of concepts, recommendations).
- Chapter 4 – Funding & Implementation Strategy – (summary in text and graphics of all potential sources beyond the town’s local tax base for this project, organized into a common template, organized by deadlines into calendar based work plan format, identification of individual projects or phasing, includes phasing plan graphic, cost estimates, organized by projects, Schematic Design Phase scope of work & costs, for approval).
- Chapter 5 – Outreach and Buzz (not yet been defined, nor who does what, to be determined).

Appendix

- Back up and Technical Information

F. OTHER PROVISIONS

Initial (Retainer) Payment

No Initial or Retainer Payment is required to activate this signed contract.

Payment Schedule & Billing Terms

Fees for professional services will be invoiced in 4 equal installments at the end of September, October, November and December. All payments are due in 15 days from date of invoice. Unpaid invoices over 30 days will incur a service fee of 1.5% per 30 days.

Limits of Liability

It is understood and agreed that the Owner will limit the Consultant's liability to their total compensation.

Termination

Either party may terminate this agreement in whole or in part at any time by written notice to the other. Such notice is effective on receipt. In the event of such termination, the Consultant's shall be paid for the services rendered and expenses incurred or committed prior to the effective date of notice of termination.

Ownership and Use of Consultant's Drawings and Other Documents

This approach is intended to balance and meet the interests and needs of the Town (use of the documents) and the Consultant (protection from liability).

Authorship and Ownership of the Documents

Drawings, reports and other documents prepared by the Consultant for this Project are instruments of the Consultant's service and the Consultant shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright. This includes documents in electronic form.

Owner's Rights to Use the Documents - for this Project – With Author Retained

Upon execution of this Agreement, the Consultant grants to the Owner a nonexclusive license to use the Consultant's Instruments of Service for this Project, provided that the Owner substantially performs its obligations, including prompt payment of all sums when due, under this Agreement. The license granted under this section permits the Owner to retain and reproduce applicable portions of the Documents for performing services or construction for the Project at the worksite. If the Consultant terminates this Agreement for rightful cause the license granted shall terminate.

Owner's Rights to Use the Documents - for this Project – Without Author Retained

In the event the Project proceeds without retaining the author of the Documents, the Owner releases the Consultant from all claims and causes of action arising from such uses. The Owner, to the extent permitted by law, further agrees to indemnify and hold harmless the Consultant from all costs and expenses, including the cost of defense, related to claims and causes of action asserted by any third person or entity to the extent such costs and expenses arise from the Owner's use of the Documents under this Section. The terms of this Section shall not apply if the Owner terminates this Agreement for rightful cause.

Owner's Rights to Use the Documents - for future Phases of this Project or other Projects – Without Author Retained

After completion of the Project, the license granted permits the Owner to reuse, reproduce, or make derivative works from the Documents in later phases for the purpose of maintaining, or expanding the Project at the work site or other Projects at other work sites. The Owner's use of the Documents without the Consultant's involvement in future phases or on other projects is at the Owner's sole risk. The Owner shall indemnify and hold harmless the Consultant, and the agents, officers, directors and employees of each of them, from and against any and all claims, damages, losses, costs and expenses, including reasonable attorneys' fees and costs, arising out of or resulting from any such use.

Any detail created for the Town as part of this Project with the intent that it may be used as a Town Design Standard may be used for other Projects at other work sites. Whenever these details are utilized in association with another project, the release from liability is triggered.

Owner's Rights to Use the Documents - for Marketing and Outreach

The license granted permits the Owner to use the Documents for marketing and outreach. The Owner will credit the Consultant for any and all publications or references to products developed for this project.

Consultant's Rights to Use the Documents - for Promotion and Other Projects

As instruments of their service the Consultant retains the rights to use the products for representations of the Project in its promotional and professional materials.

The Consultant is permitted to reuse individual elements of the design of the Project on other projects; provided, however, that the Consultant shall not substantially reproduce the design of the Project

Disputes

Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to the institution of legal or equitable proceedings by either party.

We are prepared to dedicate ourselves to this project, and committed to deliver all services in a timely manner. If this proposal meets with the Town's approval, please sign where noted below as our authorization to proceed.

Sincerely, 

Denis Lachman for The Downtown Revitalization Collaborative

Accepted by _____ Date: _____

Attachments:

- A. Meeting Tally
- B. Lachman Architects & Planners Detail of Tasks, Hours & Fee
- C. Regina Leonard Detail of Tasks, Hours & Fee
- D. John Adams Detail of Tasks, Hours & Fee
- E. Tom Fowler Detail of Tasks, Hours & Fee
- F. Rodney Lynch Detail of Tasks, Hours & Fee

Attachment A

Meetings Summary

	20	19	5	1	0
	DL	RSL	JA	RL	TF
1	Task 1 Strategic Approach				
5	VSC Mtg #1 7/3 - Introduce, review, discuss & agree to proceed (DL + RSL)	1	1		
7	VSC Mtg #2 7/17 - Review & discuss Draft #1 in detail (DL + RSL)	1	1		
9	VSC Mtg #3 7/28 - Review & discuss Draft #2 in detail (DL + RSL)	1	1		
11	VSC Mtg #4 8/7 - Review & discuss Draft #3 in detail. Prep for BOS (DL + RSL)	1	1		
13	BOS Mtg #1 8/11 - BOS review & approve Agreement, Attend (DL)	1	0		
15	VSC Mtg #5 8/21 - No attendance by TDRC	0	0		
21					
22	Task 2 Village Master Plan				
27	VSC Mtg #6 9/4 - Updates: Technical Investigation + Plan Event #1 (DL & RSL)	1	1		
36	VSC Mtg #7 9/18 - Updates: Technical Investigation + Preview Event #1 (DL & RSL)	1	1		
37	BOS Mtg #2 9/22 - Introduction to process	1	1		
	Event #1: Late Sept - 9/27/14 (suggested) 4 hr Sat morning interactive workshop for all stages & ages. Title - Let's Improve Our Village Center: What Do YOU Think?. Part 1 - What Make a Good Village Center? Intro to Analysis & Concepts. Part 2 - What Do YOU Value? How does design Express YOUR values? Small groups. Part 3 - What Do YOU Think? Small groups report back. VSC Facilitators trained by DL. (DL & RSL)	1	1		
40					
45	VSC Mtg #8 10/2 - Review Event #1 + Traffic Study (DL & RSL & JA)	1	1	1	
	VSC Mtg #9 10/16 - Updates: meetings with business leaders + Funding Strategy + introduce Master Plan diagrams + preview Event #2 (DL & RS & RL)	1	1		1
59					
	Event #2: late October- 2 hrs, weekday evening. Title - Let's Improve Our Village Center: Did We Hear You? & Update. Recap 1st Event + introduce Master Plan diagrams Update Business feedback. (DL + RSL)	1	1	1	
63					
76	VSC Mtg #10 11/6 - Review Event #2 + Traffic Model + Preferred Concept (DL & RS & JA)	1	1	1	
	BOS Mtg #3 11/10 - Provides updates following Event #2 and before Event #3	1	1	1	
78	VSC Mtg #11 11/20 - Review Report outline + Plan Event #3	1	1		
80	VSC Mtg #12 12/4 - review Draft #1 + Preview Event #3	1	1		
	Event #3: Early December - 12/XX/14? 4 hrs, Sat morning, interactive event in 3 parts. Recaps Events #1 and #2 summarizes technical and planning to date + reviews master plan diagrams + introduces the Traffic Model + introduces the Preferred Concept. (DL & RS & JA)	1	1	1	
83					
	VSC Mtg #13 12/18 - Review Event #3 + Review Report Draft #2 + Preview/plan BOS #3 Hearing + Review Proposal for Phase 2	1	1		
94					
	BOS Mtg #4, 12/22 Hearing - Brief Presentation + Public comment + Review Proposal for Phase 2 (DL & RSL)	1	1		
98					

		136	\$14,960
		<i>Total Hrs</i>	<i>Total Fee</i>
1	Task 1 Strategic Approach	136	\$14,960
2		<i>Total Hrs</i>	<i>Total Fee</i>
3	Launching	126	\$13,860
4	Develop Strategic Approach & Tasks & Work Plan for review & discussion. PwrPt for advanced communication.	24	
5	VSC Mtg #1 7/3 - Introduce, review, discuss & agree to proceed (DL + RSL)	5	Prep + Travel + Mileage + Meeting
6	Advance & refine Strategic Approach & Tasks & Work Plan + Draft Agreement + Fee. Coord all team in to Draft #1. PwrPt for advanced communication.	24	
7	VSC Mtg #2 7/17 - Review & discuss Draft #1 in detail (DL + RSL)	5	Prep + Travel + Mileage + Meeting
8	Based on VSC Mtg #2, revise into Draft #2. Circulate for review.	20	
9	VSC Mtg #3 7/28 - Review & discuss Draft #2 in detail (DL + RSL)	5	Prep + Travel + Mileage + Meeting
10	Based on VSC Mtg #3, revise into Draft #3. Circulate for review.	16	
11	VSC Mtg #4 8/7 - Review & discuss Draft #3 in detail. Prep for BOS (DL + RSL)	5	Prep + Travel + Mileage + Meeting
12	Based on VSC Mtg #4, revise to Final Draft. Agreement to BOS	8	
13	BOS Mtg #1 8/11 - BOS review & approve Agreement, Attend (DL)	6	Prep + Travel + Mileage + Meeting
14	Agreement tweaks and refinement. Major changes or reworking not included.	8	
15	VSC Mtg #5 8/21 - No attendance by TDRC	0	
16			
17	Internal and External Coordination	10	\$1,100
18	Internal team communication & coordination - email, mtgs, conf calls etc		
19	Contract administration - internal (tracking) & external (invoicing)		
20	External team communication & coord w/Ron & Dean		
21			
22	Task 2 Village Master Plan	272	\$29,865
23		<i>Total Hrs</i>	<i>Total Fee</i>
24	Laying the Groundwork	12	\$1,320
25	Base planning info (RSL)	0	
26	Conceptualize Community Event #1	4	
27	VSC Mtg #6 9/4 - Updates: Technical Investigation + Plan Event #1 (DL & RSL)	8	Prep + Travel + Mileage + Meeting
28	Outreach & generate event buzz by VSC	0	
29			
30	Pre Master Plan Community Event #1	30	\$3,300
31	Event #1 lays the groundwork for the Master Plan focusing on what makes a good village center and community values. Event #1 is a Sat morning 4 hr interactive event in 3 parts. . Part 1 - Intro to Analysis & Concepts. Part 2 - What Do YOU Value? How does design Express YOUR values? Small groups. Part 3 - Small groups report back for themes.		
32	Urban Design analysis visuals for event	4	
33	Comparative analysis of similar towns (Kennebunk?)	4	
34	Prep - PwrPt with lots of visuals for advanced communication, small group guidelines, graphics working material, copies, boards, supplies, facilitator guidelines, logistics (location, rooms, assignments, food etc) etc.	8	
35	Outreach & generate event buzz by VSC	0	
36	VSC Mtg #7 9/18 - Updates: Technical Investigation + Preview Event #1 (DL & RSL)	8	Prep + Travel + Mileage + Meeting
37	BOS Mtg #2 9/22 - Introduction to process	6	Prep + Travel + Mileage + Meeting
38			
39	Master Plan Community Event #1	8	\$880
40	Event #1: Late Sept - 9/27/14 (suggested) 4 hr Sat morning interactive workshop for all stages & ages. Title - Let's Improve Our Village Center: What Do YOU Think?. Part 1 - What Make a Good Village Center? Intro to Analysis & Concepts. Part 2 - What Do YOU Value? How does design Express YOUR values? Small groups. Part 3 - What Do YOU Think? Small groups report back.	8	Event + Set up & breakdown + Travel + Mileage
41	VSC Facilitators trained by DL. (DL & RSL)		
42	Post Master Plan Community Event #1	16	\$1,760
43	Summarize boards w/ notes & graphics. Extract themes.	4	
44	Tie up loose ends. Format PwrPt for VSC web site.	4	
45	VSC Mtg #8 10/2 - Review Event #1 + Traffic Study (DL & RSL & JA)	8	Prep + Travel + Mileage + Meeting
46			

47	Master Planning & Design	24	\$2,640
48	Individual scenario exploration	4	
49	Joint scenario exploration	4	
50	Sketch scenario diagrams	4	
51	Test Scenarios on site (w/RSL)	4	Combine with VSC Mtg #8 10/2
52	Test Scenarios in Team mtgs	4	
53	Revise & refine scenario (RSL)	0	
54	Block out text for Master Plan Report (DL)	4	
55			
56	Pre Master Plan Community Event #2	14	\$1,540
57	Event #2 recaps Event #1 and confirms "Did We Heard You?" plus introduces master plan diagrams		
58	Prep - Condensed outcome from Event #1 for catch-up attenders. PwrPt with lots of visuals for advanced communication. small group guidelines, graphics working material, copies, boards, supplies, facilitator guidelines, logistics (location, rooms, assignments etc)	8	
59	VSC Mtg #9 10/16 - Updates: meetings with business leaders + Funding Strategy + introduce Master Plan diagrams + preview Event #2 (DL & RS & RL)	6	Prep + Travel + Mileage + Meeting
60	Outreach & generate event buzz by VSC	0	
61			
62	Master Plan Community Event #2	6	\$605
63	Event #2: late October - 2 hrs, weekday evening. Title - Let's Improve Our Village Center: Did We Hear You? & Update. Recap 1st Event + introduce Master Plan diagrams Update Business feedback. (DL + RSL)	6	Event + Set up & breakdown + Travel + Mileage
64			
65	Post Master Plan Community Event #2	8	\$880
66	Summarize boards w/ notes & graphics. Extract themes.	4	
67	Tie up loose ends. Format PwrPt for VSC web site.	4	
68			
69	Test VSC 3 Scenarios	4	\$440
70	Test VSC Concepts with Technical info + Master Plan + Traffic Model	4	
71	Preferred Concept emerges	0	
72			
73	Pre Master Plan Community Event #3	40	\$4,400
74	Event #3 is a Sat morning 4 hr interactive event in 3 parts. It recaps Events #1 and #2 summarizes technical and planning to date + reviews master plan diagrams + introduces he Traffic Model + introduces the Preferred Concept.		
75	Prep - Condensed outcome from Event #2 for catch-up attenders. PwrPt with lots of visuals for advanced communication. small group guidelines, graphics working material, copies, boards, supplies, facilitator guidelines, logistics (location, rooms, assignments etc)	8	
76	VSC Mtg #10 11/6 - Review Event #2 + Traffic Model + Preferred Concept (DL & RS & JA)	6	Prep + Travel + Mileage + Meeting
77	BOS Mtg #3 11/10 - Provides updates following Event #2 and before Event #3	6	Prep + Travel + Mileage + Meeting
78	Block out Master Plan Report	8	
79	VSC Mtg #11 11/20 - Review Report outline + Plan Event #3	6	Prep + Travel + Mileage + Meeting
80	Advance Report to Draft #1. Event outreach & generate event buzz by VSC	0	
81	VSC Mtg #12 12/4 - review Draft #1 + Preview Event #3	6	
82	Advance Report Draft #1 to Draft #2		
83			
84	Master Plan Community Event #3	8	\$880
85	Event #3: Early December - 12/XX/14? 4 hrs, Sat morning, interactive event in 3 parts. Recaps Events #1 and #2 summarizes technical and planning to date + reviews master plan diagrams + introduces the Traffic Model + introduce the Preferred Concept. (DL & RS & JA)	8	Event + Set up & breakdown + Travel + Mileage
86			
87	Post Master Plan Community Event #3	8	\$880
88	Summarize boards w/ notes & graphics. Extract themes.	4	
89	Tie up loose ends. Format PwrPt for VSC web site.	4	

89	Master Plan Report	24	\$2,640
	Village Master Plan Report is an efficient & comprehensive report describing & documenting all effort to date. 2 part format: Report + Appendix. Includes chapters: Purpose Statement, Acknowledgments, Frequently Asked Questions & Answers, Budget, Technical Investigation (Traffic & Utilities), Village Master Plan, Schematic Design, Funding Strategy & Next Step. The Report is made available to the BOS & public prior to the hearing.	24	
90	Circulate Report Drafts to VSC		
91			
92			
93	BOS Mtg #3 - Pre Hearing	10	\$1,100
94	VSC Mtg #13 12/18 - Review Event #3 + Review Report Draft #2 + Preview/plan BOS #3 Hearing + Review Proposal for Phase 2	6	Prep + Travel + Mileage + Meeting
95	Prepare condensed PwrPt presentation for advanced communication for Report for BOS & citizens, some exposed to project and others new.	4	
96			
97	BOS Mtg #3 - Hearing	6	\$660
98	BOS Mtg #4, 12/22 Hearing - Brief Presentation + Public comment + Review Proposal for Phase 2 (DL & RSL)	6	Prep + Travel + Mileage + Meeting
99			
100	BOS Mtg #3 - Post Hearing	4	\$440
101	Summarize as required + misc post event tie up	4	
102			
103	Internal and External Coordination	50	\$5,500
104	Internal team communication & coordination - email, mtgs, conf calls etc		
105	Contract administration - internal (tracking) & external (invoicing)		
106	External team communication & coord w/Ron & Dean		
107			
108	Task 3 Technical Investigation	58	\$6,380
109		Total Hrs	Total Fee
110	Background	12	\$1,320
111	Review past VSC documents	4	
112	Review & understand Zoning, no detailed analysis but will identify significant issues	4	
113	Review & understand Property Ownership. Base info by TF	4	
114			
115	Architecture & Historic District	26	\$2,860
116	Research & understand history of Village Center & Historic District.	4	
117	Research & document existing buildings (brief description, size, flrs, age, condition, use and # users)	8	
118	Visit Historical Society & Town Hall to obtain historic photos of buildings	4	Combine with VSC Mtg #7
119	Obtain National Register Historic District designation form from MHPC	2	
120	Assemble info into visual summary. Assemble existing and historic photos into comparative street elevations	8	
121			
122	Internal and External Coordination	20	\$2,200
123	Internal team communication & coordination - email, mtgs, conf calls etc		
124	Contract administration - internal (tracking) & external (invoicing)		
125	External team communication & coord w/Ron & Dean		
126			
127			

Task 4 Funding Strategy		53	\$5,830
		<i>Total Hrs</i>	<i>Total Fee</i>
127			
128			
129	Initial Tasks	15	\$1,650
130	Identify& list possible funding opportunities for this project (for example: public infrastructure, roads, streetscapes, trails etc)	2	
131	Organize funding opportunities into common template format (category, name, purpose, deadlines, cycles, amounts etc) + assemble into binder for easy reference + organize deadlines into calendar based work plan format for easy communication. DL format & RL fill in <u>Funding strategy meeting</u> with VSC. With overview (opportunities, categories, deadlines and calendar) strategize which to apply and when. Evaluate timing (sooner) vs. more competitive application (later) and likelihood of success with realistic expectations. Select up to 6 funding sources to proceed.	4	
132	Guide & shape team effort with input about funding opportunities, deadlines etc	0	combine with VSC Mtg #8 10/16
133	Periodic update to VSC for review & input	4	
134		5	
135			
136	Including Property Owners, Business Owners & Merchants	3	\$330
137	The goals of including Business & Property Owners & Merchants are to learn how this effort might help support their aspirations, meet their challenges, address their concerns, and understand their level of support. Many owners do not attend public meetings, but are open one-to-one.		
138	VSC does advance communication and coordination with multiple parties to set up meeting dates and times.	1	
139	Prep for meetings. RL meets with Meet with Business & Property Owners & Merchants one-to-one over 2 days. Day 1 (6) 45 min mtgs + Day 2 VSC mtg + (4) 45 min mtgs + Travel + Mileage + Per diem	2	
140			
141	Historic Rehabilitation Tax Credits Training	7	\$770
142	Educational meeting for Property Owners, Banks & others about HRTCs and how they can help improve properties and leverage with other programs	6	Prep + Mtg. Combine with VSC mtg
143	VSC does advance communication and coordination with multiple parties to set up meeting dates and times.	1	
144			
145	Funding Strategy Report	8	\$880
146	Combine all effort into Funding Report.	4	
147	Prepare visual summary for Outreach Events #1, #2 and #3.	4	
148			
149	Internal and External Coordination	20	\$2,200
150	Internal team communication & coordination - email, mtgs, conf calls etc		
151	Contract administration - internal (tracking) & external (invoicing)		
152	External team communication & coord w/Ron & Dean		



7/22/2014

York Village - Phase One

Denis Lachman
Lachman Architects & Planners
165 State Street
Portland, Maine 04101

Following are the anticipated professional landscape architectural services and fees related to the above project.

	Hours	Rate	Cost
I. STRATEGIC APPROACH			\$2,063
A. Meetings¹ & Project Coordination	27	50	\$1,350
Project coordination/administration	2		
Staff/Team meetings (5)	10		
VSC meetings (5 meetings), includes travel	15		
B. Scope of Services Development	12	50	\$600
Develop work plan, define roles & responsibilities (team)	2		
Develop scope of services (landscape architecture)	6		
Review & refine scope of services (team)	4		
SUBTOTAL, FEES	39	50	\$1,950
C. Direct Expenses	\$113.25		\$113.25
Reimbursable expenses ⁵ (Reimbursed at 100%)	\$0.00		
Mileage & tolls (71 mi OW, \$4 toll RT, \$0.56/mi = \$44/trip x 0)	\$84.00		
Portland to LAP \$14/trip x 6 trips			
Standard supplies & overhead fee (1.5%)	\$29.25		
II. VILLAGE MASTER PLAN			\$18,821
A. Meetings¹ & Project Coordination	87	90	\$7,830
Project coordination/administration	8		
Meeting preparation, presentation materials	18		
Internal meetings (10 hours budgeted)	10		
VSC meetings (8 budgeted)	24		
Unassigned meetings (3 meetings allowance)	9		
Public meetings (3 meetings)	18		
B. Coordination of Base Materials	2	90	\$180
Mock-up plan sheets	2		
C. Village Master Plan	112	90	\$10,080
Define SWOT, goals & objectives, strategy	6		
Master plan concept sketches - for VSC review, public	12		
Preliminary master plan & color rendering	32		
Final master plan & color rendering	24		
Summary report w/supporting graphics (landscape, streetscape)	32		
Cost estimate - MP level	6		
SUBTOTAL, FEES	201	90	\$18,090
D. Direct Expenses	\$731.35		\$731.35
Reimbursable expenses ⁵ (Reimbursed at 100%)	\$200.00		
Mileage & tolls (71 mi OW, \$4 toll RT, \$0.56/mi = \$44/trip x 4)	\$260.00		
Portland to LAP \$14/trip x 6 trips			
Standard supplies & overhead fee (1.5%)	\$271.35		

III. TECHNICAL INVESTIGATION			\$6,683
A. Meetings¹ & Project Coordination	22	90	\$1,980
Communications / Administration	8		
Internal meetings (8 hours budgeted)	8		
Unassigned meetings (2 meetings allowance)	6		
B. Coordination & Review of Base Materials	8	90	\$720
Prepare base plans ² for field work	2		
Project Area Key / Graphics	2		
Review: Project & relevant town documents	4		
C. Project Area Inventory & Assessment	40	90	\$3,600
Site visits / field work (20 hours allowance)	20		
Compile inventory & assessment data:	8		
Property ownership, greenspace, street trees, sidewalks & trails, pedestrian patterns, lighting, seating, signage			
Prepare inventory & assessment graphics	12		
SUBTOTAL, FEES	70	90	\$6,300
D. Direct Expenses	\$382.50		\$382.50
Reimbursable expenses ⁵ (Reimbursed at 100%)	\$100.00		
Mileage & tolls (71 mi OW, \$4 toll RT, \$0.56/mi = \$44/trip x 2)	\$188.00		
Portland to LAP \$14/trip x 4trips			
Standard supplies & overhead fee (1.5%)	\$94.50		

Total Services

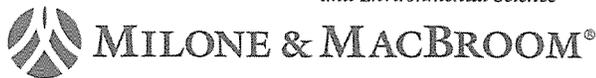
\$27,567

NOTES:

¹Additional meetings, if determined necessary, will be billed at: \$90/hour

²Fee assumes that client will provide a current, detailed field survey prior to the initiation of work.

⁵Reimbursable expenses and mileage are estimated only.



YORK VILLAGE PROPOSED SCOPE OF SERVICES

Task 1.0 - Strategic Approach - \$1,625

- 1.1 Project Scoping, Coordination, and Meetings/Phone Conferences with Team and Town staff

Task 2.0 - Village Master Plan - \$5,975

- 2.1 Coordination/Communications with Team
- 2.2 Prepare for & Attend VSC Meeting #8
- 2.3 Prepare for & Attend VSC Meeting #10
- 2.4 Prepare for & Attend BOS Meeting #3
- 2.5 Technical Assistance on Master Planning/Sketches
- 2.6 Prepare For & Attend Post Master Plan Community Event #3
- 2.7 Big Picture Budget Cost Estimates for Traffic Infrastructure

Task 3.0 - Technical Investigation/Traffic Analysis & Test Scenarios - \$22,790

- 3.1 Coordination/Communications with Team
- 3.2 Perform Signal Warrant Analysis for the Intersection of Route 1A at Long Sands Road, utilize MUTCD traffic signal warrants.
- 3.3 Perform safety analysis for study area; review Maine DOT accident data and review sight distances
- 3.4 Traffic Modeling of 3 Concept Alternatives for study area using Synchro/Simtraffic Modeling for AM, PM and Saturday Peak Hours
- 3.5 Summarize Findings of Traffic & Parking Analysis in Report Format
- 3.6 Meet with MDOT & Summarize outcomes in one page Memo
- 3.7 Further Develop Chosen Alternative with VISSIM Modeling Software for PM Peak Hour, this analysis will take into account impacts from new Bypass Road forecasts

Note: Traffic data collection including; traffic counts, parking analysis and traffic observations will be completed during August of 2014 under separate contract with Town of York

Task 4.0 – Funding - \$0

- No participation, handled by Rodney Lynch & Lachman Architects & Planners

Engineering,
Landscape Architecture
and Environmental Science



MILONE & MACBROOM®

2014 Hourly Rates & Reimbursable Expenses – Maine Office

Principal	\$150.00	Per Hour
Senior Licensed Professional/Specialist	\$125.00	Per Hour
Lead Licensed Professional/Specialist	\$120.00	Per Hour
Licensed Professional/Specialist	\$110.00	Per Hour
Senior Engineer/Designer/Planner	\$100.00	Per Hour
Engineer/Designer/Planner	\$ 90.00	Per Hour
Resident Project Representative	\$110.00	Per Hour
Chief Inspector	\$100.00	Per Hour
Senior Inspector	\$ 90.00	Per Hour
Senior Draftsperson/Technician	\$ 80.00	Per Hour
Draftsperson/Technician	\$ 75.00	Per Hour
Clerical	\$ 45.00	Per Hour

Reimbursable Expenses

Bond Prints	\$ 2.00	Each
Large Bond Prints	\$ 3.00	Each
Fixed Line Mylars	\$75.00	Each
Color Plots/Mylars	\$30.00	Each
Large Color Plots/Mylars	\$45.00	Each
Photo Copies – 8½ x 11	\$ 0.12	Per Copy
Photo Copies – 11 x 17	\$ 0.24	Per Copy
Color Copies – 8½ x 11	\$ 1.25	Per Copy
Color Copies – 11 x 17	\$ 2.25	Per Copy
Binding 0-200 pages	\$ 6.00	Per Bound Copy
201 or more pages	\$ 7.50	Per Bound Copy
Board Mounting	\$25.00	Each
FedEx – \$0-\$25	\$25.00	Per FedEx
FedEx – Over \$25	Cost	Per FedEx
Mileage	(IRS Rate)	Per Mile

**Professional Fee Estimate
Town of York - Village Master Plan**

STAFF-HOUR ESTIMATE WITH MAINE PREFERRED RATES	Senior Licensed Engineer	Lead Licensed Engineer	Licensed Engineer/LA/Planner	Engineer/LA	Drafter	Admin	Totals
	\$ 125.00	\$ 120.00	\$ 110.00	\$ 90.00	\$ 75.00	\$ 45.00	
Task 1.0 Strategic Approach							
1.1 Project Scoping, Coordination & Meetings/Phone Conferences with Team & Town staff	13.0						
Total Hours	13.0	0.0	0.0	0.0	0.0	0.0	13.0
Task Lump Sum Total:	\$1,625	\$0	\$0	\$0	\$0	\$0	\$ 1,625
Task 2.0 - Village Master Plan							
2.1 Coordination/Communications with Team	8.0						
2.2 Prepare for & Attend VSC Meeting #8	5.0						
2.3 Prepare for & Attend VSC Meeting #10	5.0						
2.4 Prepare for & Attend BOS Meeting #3	5.0						
2.5 Technical Assistance on Master Planning/Sketches	8.0						
2.6 Prepare For & Attend Post Master Plan Community Event #3	6.0						
2.7 Big Picture Budget Cost Estimates for Traffic Infrastructure	2.0	3.0		1.0	2.0		
2.8 Direct Expenses							\$500
Total Hours	39.0	3.0	0.0	1.0	2.0	0.0	45.0
Task Lump Sum Total:	\$4,875	\$360	\$0	\$90	\$150	\$0	\$ 5,975
Task 3.0 - Technical Investigation/Traffic Analysis & Test Scenarios							
3.1 Coordination/Communications with Team	14.0						
3.2 Perform Signal Warrant Analysis for the Intersection of Route 1A at Long Sands Road	3.0						
3.3 Perform safety analysis for study area	3.0						
3.4 Traffic Modeling of 3 Concept Alternatives for study area using Synchro/Simtraffic Modeling for AM, PM and Saturday Peak Hours	16.0						
3.5 Summarize Findings of Traffic & Parking Analysis in Report Format	18.0	8.0	16.0	8.0	4.0	4.0	
3.6 Meet with MDOT & Summarize in Memo	8.0						
3.7 Further Develop Chosen Alternative with VISSIM Modeling Software for PM Peak Hour, this analysis will take into account impacts from new Bypass Road forecasts	18.0						
3.8 Direct Expenses							\$1,250
Total Hours	80.0	8.0	64.0	34.0	4.0	4.0	194.0
Task Lump Sum Total:	\$10,000	\$960	\$7,040	\$3,060	\$300	\$180	\$ 22,790
Task 4.0 - Funding							
4.1 Technical Input							
Total Hours							0.0
Task Lump Sum Total:	\$0	\$0	\$0	\$0	\$0	\$0	\$ -
Total Hours							0.0
Task Lump Sum Total:	\$0	\$0	\$0	\$0	\$0	\$0	\$ -
	132.0	11.0	64.0	35.0	6.0	4.0	252

Total Hours 252.00

TOTAL FEE \$30,390.00

Notes

- Turning movement counts will be taken at the following intersections
Route 1A at Long Sands Rd (including gas station driveways), Lindsey Road, Lindsey Road #2, Hospital Dr, Williams Ave, Library Drive, & Woodbridgr Rd,
12 hour TMC's will be taken at Route 1A at Long Sands Road for a Weekday,
the other study intersection will include only the AM, PM & Saturday peak hours
- VISSIM model will be developed for the chosen alternative for the worst peak hour condition - assumed to be weekday PM.



LANDMARK CORPORATION

SURVEYORS & ENGINEERS

MARK W. INGRAHAM, PLS K. MARK BARBOUR, PLS MICHAEL J. SABATINI, P.E.

YORK VILLAGE PROPOSED SCOPE OF SERVICES – PHASE 1

Task 1 – Strategic Approach - \$ 1,930

- Team conference calls
- Team meeting
- Scoping

Task 2 – Village Master Planning - \$ 3,740

- Project communications (Assume 14 weeks @ 1 hour per week)
- Create Base Plan for Master Plan. Start with plan produced by LinePro and update with: Aerial Photos, Tax Maps, Soils, LiDAR topography, Flood data, and Soils, as needed
 - Product is an Autocad drawing and PDF exhibits as necessary to project team for use in planning & presentations in ¼ mile radius around Civil War Monument
- Provide big picture cost estimating for infrastructure portions of Village Master Plan

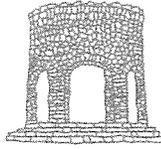
Note: no field work anticipated at this stage

Task 3 – Technical Investigation - \$ 12,210

- Project communications (Assume 10 weeks @ 1 hour per week)
- Meetings (Assume 1 Team Meeting)
- Supplement Existing Conditions Survey as needed
 - Assumes LinePro vertical & horizontal control is provided and still intact so we can tie-in to horizontal & vertical datum
 - Assumes 2 days of field work & travel
 - Product is updated existing conditions survey in CAD & pdf
- Site Visits (Assumes 3 visits, 1 concurrent with survey)
- Meet with Water District, Sewer District, and Public Works to review records & inventory utilities
- Phone meetings with CMP, Fairpoint, & Time Warner
- Assess the impacts of the 3 Design Alternatives on stormwater, grading, and utilities
 - Product is a memo describing qualitative results of examining changes necessary to implement the 3 alternatives
- Initial Permitting Review (except DOT permitting to be done by Milone & MacBroom)
 - Product is a 1 page summary memo of permitting findings

Task 4 – Funding - \$ 0

- No participation, all handled by Rodney Lynch & Lachman Architects & Planners



LANDMARK CORPORATION

SURVEYORS & ENGINEERS

MARK W. INGRAHAM, PLS K. MARK BARBOUR, PLS MICHAEL J. SABATINI, P.E.

SCHEDULE OF BILLING RATES

<u>Classification</u>	<u>Hourly Rate</u>
Professional Engineer (Principal)	\$ 105.00
Professional Engineer I	\$ 89.00
Professional Engineer II	\$ 75.00
Professional Land Surveyor (Principal)	\$ 90.00
Professional Surveyor I	\$ 60.00
<u>Reimbursable Expenses</u>	<u>Charge</u>
Mileage	\$ 0.50/mile
Plans / CAD Plots (24" x 36")	\$ 5.00/sheet
Photocopies (8 1/2" x 11")	\$ 0.20/sheet
Shipping	Cost + 10%
Subcontractors & Consultants	Cost + 10%

219 MEADOW STREET ROCKPORT, MAINE 04856

PHONE: (207) 236-6757 FAX: (207) 470-7020

WWW.LANDMARKMAINE.COM

Task 4 Funding Strategy for Rodney Lynch		56	\$4,200
126			
128			
129	Initial Tasks	16	\$1,200
130	Identify& list possible funding opportunities for this project (for example: public infrastructure, roads, streetscapes, trails etc)	4	
131	Organize funding opportunities into common template format (category, name, purpose, deadlines, cycles, amounts etc) + assemble into binder for easy reference + organize deadline into calendar based work plan format for easy communication. DL format & RL fill in <u>Funding strategy meeting</u> with VSC. With overview (opportunities, categories, deadlines and calendar) strategize which to apply and when. Evaluate timing (sooner) vs. more competitive application (later) and likelihood of success with realistic expectations. Select up to 6 funding sources to proceed.	4	
132	Guide & shape team effort with input about funding opportunities, deadlines etc	8	
133	Periodic update to VSC for review & input	0	
134			
135			
136	Including Property Owners, Business Owners & Merchants	30	\$2,250
137	The goals of including Business & Property Owners & Merchants are to learn how this effort might help support their aspirations, meet their challenges, address their concerns, and understand their level of support. Many owners do not attend public meetings, but are open one-to-one.		
138	VSC does advance communication and coordination with multiple parties to set up meeting dates and times.	0	
139	Prep for meetings. RL meets with Meet with Business & Property Owners & Merchants one-to-one over 2 days. Day 1 (6) 45 min mtgs + Day 2 VSC mtg + (4) 45 min mtgs + Travel + Mileage + Per diem	30	
140			
141	Historic Rehabilitation Tax Credits Training	5	\$375
142	Educational meeting for Property Owners, Banks & others about HRTCs and how they can be improved properties and leverage with other programs	0	
143	VSC does advance communication and coordination with multiple parties to set up meeting dates and times.		
144			
145	Funding Strategy Report	5	\$375
146	Combine all effort into Funding Report.	4	
147	Prepare visual summary for Outreach Events #1, #2 and #3	1	
148			
149	Internal and External Coordination	0	\$0
150	Internal team communication & coordination - email, mtgs, conf calls etc	0	
151	Contract administration - internal (tracking) & external (invoicing)	0	
152	External team communication & coord w/Ron & Dean		

2014 Assessor's Report to the Board of Selectmen

General Information

- The new tax rate is \$10.70, up .27¢.
- The new total taxable valuation of the town is \$3,915,250,959. That's up \$60,216,343 from last year.
- We have a certified assessment ratio of 100%, with an actual of 100%. Our quality rating is 7.8%.
- This year we picked up \$30,705,500 in new construction, this includes additions and renovations. Last year we picked up \$28,562,500.
- We had 318 qualified sales in 2013/2014, compared to 282 the previous year.
- 7 of the 71 neighborhoods saw a decrease in value due to lower market values. The remaining neighborhoods stayed the same as last year.
- The average selling price of a single family home, April 2, 2013 – April 1, 2014, was \$468,012.
- The average assessed value of those same homes is \$465,704.
- This year's overlay is \$146,209.26.
- The 2014 TIF Financing Plan Amount is \$0; there was a increase in building values town wide, but a decrease in the building values in the TIF District.
- The 2015 State Valuation is \$3,967,100,000 (2013 municipal valuation), second highest in the State behind the City of Portland.

Assessment Statistics

- Total real estate accounts in the Town of York: 10,632.
- 2,528 properties had an increase in valuation:
 - 1,145 properties had an increase of \$100 - \$9,900
 - 867 properties had an increase of \$10,000 - \$24,900
 - 229 properties had an increase of \$25,000 - \$49,900
 - 110 properties had an increase of \$50,000 - \$99,000

- 156 properties had an increase of \$100,000 - \$499,000
- 21 properties had an increase of over \$500,000
- 6,203 properties' values stayed the same.
- 1,901 properties went down in value:
 - 1,367 properties had a decrease of \$100 - \$9,900
 - 317 properties had a decrease of \$10,000 - \$24,900
 - 115 properties had a decrease of \$25,000 - \$49,900
 - 71 properties had a decrease of \$50,000 - \$100,000
 - 31 properties had a decrease of over \$100,000
- The 2014 average ratio of assessment to sale price for single family homes (non-waterfront) is 99%. The median ratio of assessment to sale price is 98%. (194 sales)
- The average ratio of assessment to sale price for waterfront properties is 104%. The median ratio of assessment to sale price for waterfront properties is 100%. (20 sales)
- The average ratio of assessment to sale price for vacant land is 100%. The median ratio of assessment to sale price for vacant land is 101%. (22 sales)
- The average ratio of assessment to sale price for condominium properties is 98%. The median ratio of assessment to sale price for condominium properties is 98%. (61 sales)
- The average ratio of assessment to sale price for commercial properties is 109%. The median ratio of assessment to sale price for commercial properties is 104%. (8 sales)
- A home, assessed at \$400,000, with no increase/decrease in assessed value, will see an increase in their tax bill of \$108.00.

Historic View of Taxable Value, Tax Rates, and Budgets

The new tax rate is \$10.70 per thousand dollars of value. This is up from the 2013/2014 rate of \$10.43. This is the seventh time since 2002 that the tax rate has gone up. This year we had a 1.6% increase in the Town's assessed value. As you can see by the table below, for the tax rate to be reduced, the percent increase in assessed values needs to be higher than the percent increase in the budget.

Fiscal Year	Taxable Valuation	% Change in Valuation	Tax Rate/1000	% Change in Tax Rate	Annual Budget	% Change in Annual Budget
2003	\$2,564,460,490	+89.06%	\$10.25	-46.05%	\$26,285,720	+1.99%
2004	\$2,794,142,350	+8.96%	\$9.70	-5.37%	\$27,103,181	+3.11%
2005	\$3,188,015,020	+14.10%	\$8.75	-9.79%	\$27,895,131	+2.92%
2006	\$3,465,999,200	+8.72%	\$8.46	-3.31%	\$29,322,353	+5.12%
2007	\$3,794,235,030	+9.47%	\$8.14	-3.78%	\$30,736,026	+4.82%
2008	\$3,988,361,710	+5.12%	\$8.10	-0.49%	\$32,160,100	+4.63%
2009	\$4,100,916,830	+2.82%	\$8.26	+1.98%	\$33,722,498	+4.86%
2010	\$4,037,653,357	-1.54%	\$8.58	+3.87%	\$34,485,161	+2.26%
2011	\$3,967,061,240	-1.78%	\$9.10	+6.06%	\$35,961,240	+4.28%
2012	\$3,909,591,408	-1.45%	\$9.35	+2.75%	\$36,406,723	+1.24%
2013	\$3,849,714,344	-1.53%	\$9.96	+6.52%	\$38,245,119	+5.05%
2014	\$3,855,034,616	+ .14%	\$10.43	+4.72%	\$39,974,697	+4.52%
2015	\$3,915,250,959	+1.6%	\$10.70	+2.59%	\$41,746,976	+4.43%

Respectfully Submitted,
Rick Mace, Assessor



PUBLIC HEARING NOTICE

August 11, 2014

7:00PM

York Public Library

The Selectmen will hold a Public Hearing on August 11, 2014 regarding a New Business License Application for the following:

- Hong Ji, Inc. DBA Bamboo Garden; Located at 8 Market Place Drive (Food Service, Liquor, Special Amusement)



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 8, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Business License Application (1)	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Approve all Business License Application (1)
PROPOSED MOTION: I move to approve the following licenses: 1. Woods Family, Inc. DBA: Woody's Brick Oven Pizza for Food Service; Located at 11 Railroad Avenue <i>... subject to taxes, fees and inspections being current and compliant with the usual noise stipulations</i>
FISCAL IMPACT: N/A
DEPARTMENT LINE ITEM ACCOUNT: N/A
BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared By: Melissa M. Avery

Reviewed By: Robert S. Gendron

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: WOODYS ROCK OVEN PIZZA

Street Address: 11 RAILROAD AVE

Business Owner: WOODS Family Inc Business Manager: Jon Woods & Family

Mailing Address: 11 RAILROAD AVE Mailing Address: _____
YORK ME 03909

Phone Number: 207-363-0060 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: 32

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):	025015	21390	
Expiration Date(s):	12-31-14	DHS 1/5/15	
Classification(s):	Sales Tax	FOOD	

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]
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: 0023 - 0004	
Application and First License (\$60)		60.00	Processed By: mmavery	
Subsequent Licenses (\$30 each)		-	Received Date: 7/11/2014	
New License Fee (\$50)		50.00	Amount Received: \$ 110.00	
License Amendment (\$25)		-	Check # 20381 or Cash <input type="checkbox"/>	
Other: _____		-	LICENSE #: _____ - _____	
TOTAL DUE		\$ 110.00		
Department Approvals		Date of Approval		Special Conditions (Attached if Necessary)
Code Enforcement	__ N/A	7/14/2014 Newell		YES <input checked="" type="radio"/> NO
Fire	__ N/A	7/27/2014 Bridges		YES <input checked="" type="radio"/> NO
Police	<input checked="" type="checkbox"/> N/A			YES NO
Tax Collector	__ N/A	7/11/2014 Szeniaowski		YES <input checked="" type="radio"/> NO
Board of Selectmen		Town Manager for the Board of Selectmen _____ Date _____		YES NO



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 11, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Letter of Support and Application to apply for Maine DEP 319 Grant for the Cape Neddick Watershed.	

TO: BOARD OF SELECTMEN
FROM: Leslie Hinz
RECOMMENDATION: To receive a presentation from Emily DiFranco of FB Environmental regarding the 319 Grant. I recommend the Board authorize the Town Manager to sign the Letter of Support and Maine DEP Application to apply for a 319 Grant.
PROPOSED MOTION: Regarding the Clean Water Act 319 Grant for the Cape Neddick River Watershed: 1- I move to authorize the Town Manager to sign the Letter of Support; and 2- I move to authorize the Town Manager to sign the Maine DEP Application to apply for a 319 Grant with a cash match of \$10,000 in FY14 and \$10,000 in FY15 from the MS4 Budget.
NOTE: Contingent upon the decided vote, signatures on both documents is required at the August 11 th meeting.

Discussion: See attached.

FISCAL IMPACT: \$10,000.00 FY14
DEPARTMENT LINE ITEM ACCOUNT: 100.0141.8001
BALANCE IN LINE ITEM IF APPROVED: \$10,000.00 FY15

Prepared By: Leslie King

Reviewed By: Robert S. Gannon

Memorandum

To: Board of Selectman
From: Leslie Hinz, Stormwater Manager
Date: August 4, 2014

Subject: 319 Grant for Cape Neddick River Watershed Plan

In 2011, at the request of the Cape Neddick River Association, the Board of Selectmen initiated a study of the Cape Neddick River Watershed. Over the course of many years, water testing has shown bacteria levels in the river exceeding the State water quality standards for bacteria. The Plan gives a comprehensive history of the watershed, possible causes of pollution, and an action plan for eliminating pollution.

The original watershed plan was completed in June of 2013, by Watershed Solutions, and sent to Maine DEP for preliminary review and comments for the grant acceptance. Maine DEP found the original plan to have some deficiencies with respect to the criteria needed for the grant application. FB Environmental was hired to review the plan and make the correction needed to have the plan eligible for the grant. The Cape Neddick Watershed Based Plan dated June 2014 is the product of that study.

The Cape Neddick Watershed Based Plan makes the Town eligible to receive federal Clean Water Act 319 funds. These grants help communities improve water quality for impaired waters through matching funds. With the assistance of FB Environmental, Public Works, and other Town Departments, the money will help with installation of water quality systems to remove bacteria and sediment in the Cape Neddick River Watershed. There will be two types of infiltration systems installed in the lower Cape Neddick Watershed along Shore Road, and integrated into the sidewalk project by Public Works, and the water line replacement by the York Water District.

Additional documents will be presented at the meeting.

Mary Andrews
Board of Selectmen - Chair
Town of York, Maine
186 York Street
York, ME 03909



July 21, 2014

Dear Ms. Andrews,

FB Environmental Associates (FBE) has been assisting the Town of York and the Cape Neddick River Association (CNRA) to improve the water quality and aquatic habitat in the Cape Neddick River. The Cape Neddick River is considered impaired due to bacteria by the Maine Department of Environmental Protection (ME DEP) and has had an increasing number of beach closures due to high bacteria counts at Cape Neddick Beach in the past few years. To address these concerns, FBE and the CNRA are hoping to apply for grant money from the ME DEP through their Section 319 Watershed Restoration grants program. These watershed assistance grants are focused on implementing practices to treat or reduce bacteria before it enters the River.

The Cape Neddick River Watershed Plan Implementation Project would focus on installing Best Management Practices to specifically treat bacteria in stormwater before it reaches the River, enhance buffers along the shoreline of the River on both private and public property, develop a comprehensive public education and outreach campaign, and identify hotspots of bacteria to the River with the goal of remediation.

A requirement of these grants is a contribution of match from the town. This match does not necessarily have to be cash, and most of the time is in-kind from services such as time and equipment from public works. However, to make this application a strong candidate in this competitive grant process, ME DEP looks favorably upon applicant's providing some portion of cash match. As shown below and in the attached task list, a \$10,000 cash match is being proposed to assist homeowners with buffer installations, develop educational brochures, and conduct source tracking of identified hotspots.

This application is due on August 12 and a requirement of the application is a letter of support from the town. This letter of support should indicate that the town is in support of the application, is aware of the match requirement of the grant, and is prepared to provide this match. I have provided a brief summary of the project costs and match estimates for the application below.

Total Grant Funds Requested: \$92,500

Total Match: \$73,500

- \$63,500 in-kind (staff and volunteer hours; Public Works staff and equipment)
- \$10,000 cash match (funds to assist homeowners with buffer installations, development of educational brochures, and source tracking of identified hotspots).

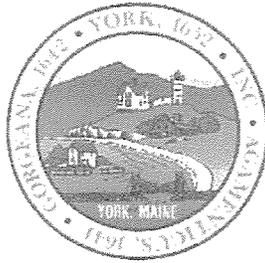
Thank you for your continued support of efforts to restore the Cape Neddick River.

Sincerely,

A handwritten signature in cursive script that reads "Forrest Bell".

Forrest Bell ~ FB Environmental Associates

TEL. 207-363-1010
207-363-1011
FAX. 207-363-1012



Dean H. Lessard, P.E.

*Director of Public Works
Town of York
York, Maine 03909
dlessard@yorkmaine.org*

August 5, 2014

To whom it may concern:

The York Department of Public Works is working in conjunction with the York Community Development Department on an infrastructure improvement project that will also improve water quality in the Cape Neddick River Watershed. Emily DiFranco of FB Environmental and Robert Woodman of fabco Industries are helping the town with its application of a Maine Department of Environmental Protection Agency 319 grant to partially fund the water quality improvement elements of the project.

The Department of Public Works is committed to providing the necessary hard or soft match required for the grant. The soft match would include labor and equipment for all BMP installations on town owned property. York Public Works will work with the grant administrator and consultants to ensure all proposed work is completed in the two year contract period.

Sincerely,

Dean Lessard, P.E.
Director of Public Works
York, Maine



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 7, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Proposed FY 2015 paving projects.	

TO: BOARD OF SELECTMEN
FROM: Dean Lessard, Director of Public Works
RECOMMENDATION: The Department recommends that the proposed pavement preservation projects for FY 2015 be approved.
PROPOSED MOTION: I move to approve the list of proposed pavement preservation projects submitted by the Director of Public Works for FY 2015.

Discussion:

- On April 3, 2014 the Greater Portland Council of Governments (GPCOG) issued a request for paving bids for the cities and towns in York and Cumberland Counties in an effort to obtain the lowest possible price for paving for the municipalities.
- On April 24, 2014 the Greater Portland Council of Governments (GPCOG) opened bids. No responsive bid proposals were received for the Town of York. Libby Scott, Inc the Town's existing paving contractor submitted a bid of \$70.50 directly to the Town of York prior to the GPCOG bid opening. Libby Scott, Inc was the low bidder in FY2014 and their FY2015 price was not increased. The Town of York's FY2014 bid prices were (Pike Industries - \$75.60/ton, Libby Scott - \$70.50/ton)
- On June 23, 2014 the Board of Selectmen awarded the FY 2015 paving bid to Libby-Scott, Inc.

Attached is the list of proposed paving projects selected by Public Works to be completed in FY 2015.

FY 2015 GPCOG Paving low Bid Results for other towns:

Baldwin	\$73.00	Berwick	\$70.90	Brunswick	\$80.00
Cape Eliz	\$70.90	Gorham	\$68.90	Naples	\$74.50
New Glou	\$69.00	Old Orchard	\$70.00	Raymond	\$67.00
Standish	\$73.00	Westbrook	\$70.50	Windham	\$68.40

FISCAL IMPACT: Libby-Scott Inc's price per ton for paving is \$70.50. The following table shows the life cycle impact of current funding levels.

Comparison Values	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015
Price Per Ton	\$64.50	\$64.50	\$66.50	\$72.00	\$70.50	\$70.50
Percentage Increase		0%	+3.0%	+8.3%	-2.4%	0%
Price Per Mile	\$87,410	\$87,410	\$90,120	\$97,397	\$95,368	\$95,368
Funding Level	\$492,600	\$492,600	\$417,600	\$537,409	\$512,409	\$512,409
Miles Paved	5.64 miles	5.64 miles	4.63 miles	5.52 miles	5.37 miles	5.37 miles
Paving Cycle	24 years	24 years	29 years	25 years	25 years	25 years

Prepared By: _____

Reviewed By: Robert B. Gannon

Cost Comparison Analysis - Asphalt Overlay vs. Asphalt Rubberized Chip Seal

Asphalt Price/ Ton: \$72.00
 Chip Seal/ SQYDS: \$4.65

*Areas Highlighted in Yellow require Data Entries:

Asphalt Shim and Asphalt Surface Treatment Overlay

Name	From	To	Scope	Shim/Base			Shim Surface			Surface			Affected				
				(inches)	(inches)	(ft)	Surface Length (ft)	Width (ft)	Quantity (Tons)	Quantity (Tons)	Quantity (Tons)	Estimate (\$)	Estimate (\$)	Total (\$)	Entrances (#)	Utilities (#)	Culverts (#)
Bog	Scituate	Fall Mill	Shim/Overlay	0.75	1.25	1375	22	138	231	\$12,455	\$20,759	\$33,215		None			No
Bog	Fall Mill	78 Bog	Shim/Overlay	0.75	1.25	1100	22	111	185	\$9,964	\$16,607	\$26,572		None			No
Fall Mill	Bog	Fall Mill Ext	Shim/Overlay	0.75	1.25	2830	22	285	475	\$25,636	\$42,726	\$68,361		None			No
Fall Mill	Pudding	Fall Mill Ext	Shim/Overlay	0.75	1.25	2766	22	278	464	\$25,056	\$41,760	\$66,815		None			No
Fall Mill Ext	Fall Mill	Dead End	Shim/Overlay	0.75	1.25	2799	22	282	470	\$25,355	\$42,258	\$67,613		None			No
Sub Total:						10,870		1,094	1,823	\$98,466	\$164,110	\$262,576					
Total:						2.06				\$98,466	\$164,110	\$262,576					

Ashpalt shim and Asphalt Rubberized Chip Seal Surface Treatment

Name	From	To	Scope	Shim/Base			Shim Surface			Surface			Affected				
				(inches)	(inches)	(ft)	Surface Length (ft)	Width (ft)	Quantity (Tons)	Quantity (Tons)	Quantity (Tons)	Estimate (\$)	Estimate (\$)	Total (\$)	Entrances (#)	Utilities (#)	Culverts (#)
Bog	Scituate	Fall Mill	Shim/AR	0.75	0.50	1375	22	138	3,361	11,957	\$17,192	\$29,149		None			No
Bog	Fall Mill	78 Bog	Shim/AR	0.75	0.50	1100	22	111	2,689	9,566	\$13,754	\$23,319		None			No
Fall Mill	Bog	Fall Mill Ext	Shim/AR	0.75	0.50	2830	22	285	6,918	24,610	\$35,384	\$59,995		None			No
Fall Mill	Pudding	Fall Mill Ext	Shim/AR	0.75	0.50	2766	22	278	6,761	24,054	\$34,584	\$58,638		None			No
Fall Mill Ext	Fall Mill	Dead End	Shim/AR	0.75	0.50	2799	22	282	6,842	24,341	\$34,997	\$59,337		None			No
Sub Total:						10,870		1,094	26,571	\$94,527	\$135,911	\$230,438					
Total:						2.06				\$94,527	\$135,911	\$230,438					

Asphalt Rubberized Chip Seal Surface Treatment without Shim

Name	From	To	Scope	Shim/Base			Shim Surface			Surface			Affected				
				(inches)	(inches)	(ft)	Surface Length (ft)	Width (ft)	Quantity (Tons)	Quantity (Tons)	Quantity (Tons)	Estimate (\$)	Estimate (\$)	Total (\$)	Entrances (#)	Utilities (#)	Culverts (#)
Bog	Scituate	Fall Mill	Seal/AR	0.00	0.50	1375	22	0	3,361	0	\$17,192	\$17,192		None			No
Bog	Fall Mill	78 Bog	Seal/AR	0.00	0.50	1100	22	0	2,689	0	\$13,754	\$13,754		None			No
Fall Mill	Bog	Fall Mill Ext	Seal/AR	0.00	0.50	2830	22	0	6,918	0	\$35,384	\$35,384		None			No
Fall Mill	Pudding	Fall Mill Ext	Seal/AR	0.00	0.50	2766	22	0	6,761	0	\$34,584	\$34,584		None			No
Fall Mill Ext	Fall Mill	Dead End	Seal/AR	0.00	0.50	2799	22	0	6,842	0	\$34,997	\$34,997		None			No
Sub Total (ft.):						10,870		0	0	\$0	\$135,911	\$135,911					
Total (miles):						2.06				\$0	\$135,911	\$135,911					



Asphalt-Rubber SAM is a stress absorbing membrane type surface treatment which creates a highly durable wearing surface for demanding pavements. The innovative surface treatment consists of hot pre-coated 3/8" or 1/2" crushed stone placed over a thick (0.45 to 0.6 gallons per yd²) hot-applied crumb rubber modified asphalt (CRMA). The CRMA is composed of performance graded asphalt blended with ground rubber from recycled tires and meets the ASTM Specification D-6114 for Asphalt-Rubber Binder. The tire rubber is finely ground at ambient temperatures then blended with asphalt at temperatures exceeding 350° F. The high temperature causes the oils in the asphalt to swell the elastomeric rubber polymer, resulting in a durable, elastic and flexible binder material that is less sensitive to brittleness at low temperatures and bleeding at high temperatures. The tire rubber contributes polymer, carbon black and anti-oxidants. The result is a very adhesive and cohesive high viscosity binder that provides high film thickness on the aggregates, improving durability and resistance to oxidative aging, aggregate loss and delamination. The Asphalt-Rubber SAM durability doubles the life of conventional chip seals while greatly reducing reflective cracking and the propagation of new cracks.

Asphalt-Rubber SAM Benefits

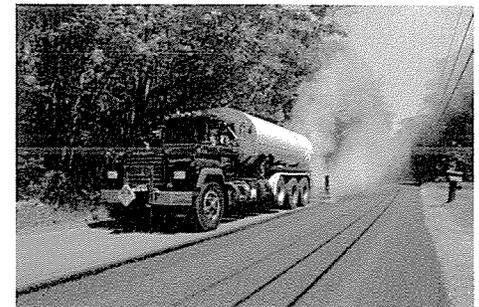
- ☑ Waterproofs and seals small cracks and imperfections on the existing pavement surface
- ☑ Minimizes loss of curb reveal and alignment; thinner than hot mix overlays
- ☑ Uses recycled material, reduces scrap tire inventories
- ☑ More durable than conventional asphalt
- ☑ Developed for higher traffic volume roads
- ☑ Quick construction and traffic return with minimal user delays
- ☑ Long lasting preventive maintenance preserves the value of your structurally sound pavements with distressed surfaces



Asphalt-Rubber SAM Uses

Asphalt-Rubber SAM is designed for demanding, higher traffic roadways; but they may be used on any type of road where a high performance

surface treatment is desired. They are ideal for cracked and raveled surfaces where traffic delays, curb reveal, and clearances under bridges and overpasses are a concern. The pavement to be sealed should be structurally sound and properly drained. It should have a good profile, but may have aged asphalt with moderate surface cracking and raveling.



When warranted, potholes and cracks should be filled. The surface should be swept of any stones, sand, mud or other loose debris. Asphalt-Rubber SAM is a long-lasting treatment for distressed-surface pavements that you want to preserve.

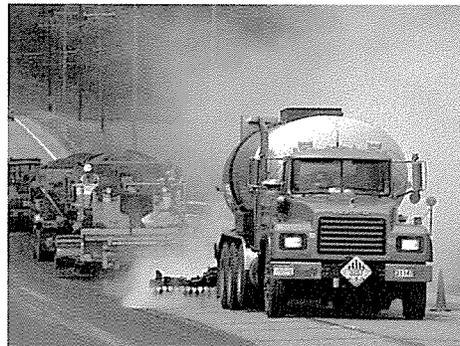
All States Materials Group wants to make sure your road surfacing job is a success. We can help with determining the right treatment at the right time for your pavement. Contact our professionals for more information about protecting your roadways with Asphalt-Rubber SAM surfacing.



Asphalt-Rubber SAMI is a stress absorbing membrane type interlayer placed between distressed pavements and hot mix overlays to seal existing cracks and retard reflective cracking. The process may be used on distressed asphalt, concrete and composite pavements. The innovative interlayer consists of hot pre-coated 3/8" or 1/2" crushed stone placed over a thick (0.5 to 0.6 gallons per yd²) hot-applied crumb rubber modified asphalt (CRMA). The CRMA is composed of performance graded asphalt blended with ground rubber from recycled tires and meets the ASTM Specification D-6114 for Asphalt-Rubber Binder. The interlayer is then covered with a hot mix overlay or other surface course. The tire rubber is finely ground at ambient temperatures then blended with asphalt at temperatures exceeding 350° F. The high temperature causes the oils in the asphalt to swell the elastomeric rubber polymer, resulting in a durable, elastic and flexible binder material that remains flexible at low temperatures and doesn't flow at high temperatures. The tire rubber contributes polymer, carbon black and anti-oxidants. The result is a thick, very adhesive and cohesive membrane binder that bridges and flexes with cracks, protects the pavement structure from water and retards reflective cracking. Asphalt-Rubber SAMI extends the life of overlays.

Asphalt-Rubber SAMI Benefits

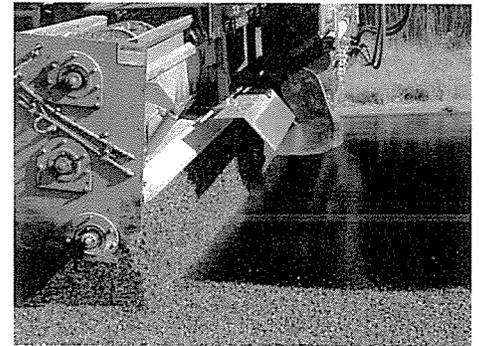
- ☑ Retards reflective cracking
- ☑ Waterproofs and seals cracks and imperfections on the old pavement surface
- ☑ Flexes with the pavement even at temperature extremes
- ☑ Uses recycled material
- ☑ Quick construction and traffic return with minimal user delays
- ☑ Hot mix overlays utilizing a SAMI allow for thinner HMA lifts, improve rideability and smoothness, while adding structure
- ☑ Long lasting corrective maintenance for improving rideability and extending the life of your pavements



Asphalt-Rubber SAMI Uses

Asphalt-Rubber SAMI is designed for waterproofing and sealing the existing distressed pavement surface and retarding reflective cracking when overlaying cracked

and raveled surfaces. It has been proven effective on streets, highways and airfields. The pavement to be overlaid should have a structurally sound base and be properly drained. It may have aged asphalt with extensive surface cracking, raveling and other surface distresses. When warranted, potholes and large cracks



should be filled. The surface should be swept of any stones, sand, mud or other loose debris. With the right hot mix overlay, Asphalt-Rubber SAMI enables thinner overlay lifts and retards reflective cracking, extending the serviceable life of the overlay.

All States Materials Group wants to make sure your paving job is a success. Our professionals can work with municipal, state or consulting engineers on a job-by-job basis to construct an Asphalt-Rubber SAMI that meets your specific needs. Contact us for more information about Asphalt-Rubber SAMI.

SPECIFICATIONS FOR ASPHALT-RUBBER SURFACE TREATMENT WITH AGGREGATE COVER

STRESS ABSORBING MEMBRANE - SAM STRESS ABSORBING MEMBRANE INTERLAYER - SAMI

This specification covers requirements for materials, manufacture, and application of asphalt-rubber as a stress absorbing membrane (SAM) or a stress absorbing membrane interlayer (SAMI). This specification shall consist of an application of a combined reacted mixture of hot paving grade asphalt and ground rubber followed immediately with a cover material.

1.0 MATERIALS

1.1 Base Asphalt Binder:

The base asphalt binder shall have a PG (Performance Grade) of PG58-28. The supplier may substitute PG64-28 where needed to meet the requirements of ASTM D 6114 (type II). The intended PG must be used in the mix design and for the Asphalt-Rubber blending.

1.2 Asphalt-Rubber Binder:

The physical requirements for the Asphalt-Rubber binder shall conform to ASTM D 6114 type II specifications. The minimum percentage of ground rubber shall be 15% by weight of the total Asphalt-Rubber binder.

The reclaimed vulcanized rubber shall be produced primarily from the processing of automobile and truck tires. The rubber shall be produced by the ambient temperature grinding processes only.

The specific gravity of reclaimed vulcanized ground rubber shall be not less than 1.10 and not greater than 1.20

Rubber for use in Asphalt-Rubber binder shall be free of loose fabric, wire and other contaminants. Up to 4 percent (by weight of rubber) calcium carbonate or talc may be added to prevent caking or sticking of the particles together. The ground rubber shall be sufficiently dry so as to be free flowing and not produce foaming when blended with the hot PG binder.

At least two weeks before its intended use, the Contractor shall furnish samples of the Asphalt-Rubber binder proposed for use on the project. The samples shall consist of 2 one-quart size cans of the Asphalt-Rubber binder, together with the formulation and identification of the base PG binder used.

1.3 Aggregate

The aggregate shall conform to the requirement of appropriate state or local specifications for crushed stone. Crushed gravel stone will not be permitted. Percentage of wear as determined by the Los Angeles Abrasion Test (AASHTO-T96) shall be a maximum of 30. The aggregate shall be pre-heated to a temperature between 93°C and 149°C, (200°F and 300°F), and be pre-coated with 0.4% to 0.8% (by weight of aggregate) of PG 58-28, PG 64-28 or PG 64-22 asphalt binder prior to application. It is recommended that the gradation of the aggregate meet the following limits:

<u>Sieve Size</u>	<u>% Passing – Nominal Size</u>		
	<u>9.5 mm, (3/8")</u>	<u>12.5 mm, (1/2")</u>	<u>9.5 mm, (3/8") SAMI ONLY</u>
15.8 mm, (5/8")	100%	100%	100%
12.5 mm, (1/2")	100%	90 – 100%	100%
9.5 mm, (3/8")	85 – 100%	25 – 65%	85 – 100%
4.75 mm, (#4)	0 – 8%	0 – 8%	0 – 30%
2.36 mm, (#8)	0 – 4%	0 – 4%	0 – 5%
0.075 mm, (#200)	0 – 2%	0 – 2%	0 – 2%

NOTES:

1. For SAM applications use the 9.5 or 12.5 mm gradation requirements. The Flakiness Index shall be less than 20% (NFP 18-561 Test).
2. For SAMI applications use any of the above three (3) gradations. The Flakiness Index shall be less than 30% (NFP 18-561 Test).

1.4 Materials Testing

A minimum of 30 days prior to construction the Agency or contractor (if asphalt-rubber supplier is acting as a sub-contractor) shall send a representative sample of the asphalt binder and the aggregate proposed for use to the asphalt-rubber supplier for testing. Testing for stripping and asphalt content to determine and assure that appropriate characteristics are achieved when blended with the granulated rubber will be performed.

2.0 ASPHALT-RUBBER MIXING AND REACTION

2.1 Mixing and Reaction Equipment

The method and equipment for combining the ground rubber and PG asphalt binder shall be so designed and accessible that the Engineer can readily determine the percentage of each material being incorporated into the mixture.

Equipment utilized in the production and proportioning of Asphalt-Rubber binder shall include the following as a minimum:

An asphalt heating tank or heat exchanger with hot oil heat transfer to heat the PG asphalt binder

to the necessary temperature before blending with the ground rubber. This unit shall be equipped with a thermostatic heat control device.

A mechanical blender shall be utilized for proper proportioning and thorough mixing of the PG asphalt binder and ground rubber. This unit shall have a coriolis type mass flow meter capable of measuring and recording the flow rate and total quantity of asphalt binder in both gallons and weight. The quantity of ground rubber shall be determined by weight utilizing either a hopper equipped with load cells or a feeder equipped with a belt scale. The percentage of ground rubber based on total asphalt rubber binder shall be recorded.

An asphalt rubber storage tank equipped with a heating system to maintain the proper temperature of the binder and an internal mixing unit capable of maintaining a homogeneous mixture of asphalt and ground rubber.

2.2 Mixing

The temperature of the asphalt binder shall be between 325 and 400 °F at the time of addition of the ground rubber. Ensure that there are no agglomerations of rubber particles in excess of two inches in the least dimension in the mixing chamber.

The Contractor shall document that the proportions are accurate and that the rubber has been uniformly incorporated into the mixture. Ensure that the crumb rubber and asphalt binder are thoroughly mixed. Rubber floating on the surface or agglomerations of rubber particles is evidence of insufficient mixing. Maintain the temperature of the asphalt-rubber binder immediately after mixing between 325 and 375 °F for a minimum of 45 minutes before use.

3.0 **EQUIPMENT**

3.1 Distributor Truck

On projects exceeding 31.8 metric tons, (35 tons), of liquid asphalt rubber, at least two pressure-type bituminous distributor trucks in good condition will be required. The distributor shall be equipped with an internal heating device capable of heating the material evenly up to 218°C, (425° F); an internal mixing unit capable of maintaining a proper mixture of asphalt cement and granulated rubber; have adequate pump capacity to maintain a high rate of circulation in the tank and to spray the asphalt-rubber at a viscosity of 1,500 to 5,000 centipoise; have adequate pressure devices and suitable manifolds to provide constant positive cut-off to prevent dripping from the nozzles. Distributor shall be equipped with an electronically controlled computerized compensation unit for controlling application rates at various width and speed changes. The application unit shall have electronic controls and a digital read out installed and operated from the inside of the cab of the distributor. The distribution bar on the distributor shall be fully circulating. Any distributor that produces a streaked or irregular distribution of the material shall be promptly repaired or removed from the project.

Distributor equipment shall include a tachometer, pressure gauges, volume measuring devices, and a thermometer for reading temperature of tank contents. Controls for spray bar shall be located in cab of truck, for controlling width and rate of spray of product. It shall be so constructed that uniform applications may be made at the specified rate per square yard with a tolerance of plus or minus 0.05 gallon per square yard.

A “bootman” shall accompany the distributor and ride in a position so that all spray bar nozzles are in his full view and readily accessible for unplugging.

3.2 Hauling Equipment

Trucks for hauling cover material shall be rear discharge conveyor-fed or “live bottom” trucks and shall be equipped with a device to lock onto the hitch at the rear of the chip spreader to prevent aggregate spillage.

Sufficient hauling vehicles will be available to ensure continuous operation of the distributor and chip spreader.

3.3 Aggregate Spreader

The aggregate spreader shall be hydrostatically driven and self propelled. It must be equipped with a hydraulically controlled variable adjustable head that is capable of spreading stone in widths from 4.5 to 18 feet. The spreader shall be mounted on pneumatic tires, and shall apply the stone on the road surface in a manner that ensures that the tires do not contact the road surface until after the stone has been applied. The unit shall be equipped with an electronic radar type sensor used to measure ground speed and will automatically adjust the stone application rate depending on width of application and the speed of chip spreader. It shall have the ability to apply stone on any grade from 0 - 6%. The spreader shall be equipped with an integral hopper with a minimum capacity of 4.5 metric tons, (5 tons), of stone which shall be filled by trucks in a manner which ensures that the truck tires never come in contact with asphalt treated road surfaces until the stone has been properly applied. To maintain constant stone application, a self-locking truck hitch will permit towing of aggregate trucks without stopping the chip spreader. It will be capable of maintaining positive engagement over irregular terrain.

3.4 Pneumatic-Tired Roller

A minimum of two (2) self-propelled, multiple wheel, pneumatic-tired roller shall be used and shall weigh between 6.5 and 10.9 metric tons, (7 and 12 tons), and shall have a total compacting width of at least 1.4 meters, (56 inches). The pneumatic roller tires shall either be foam filled or have a minimum tire pressure of 414 kPa, (60 psi).

3.5 Steel-Wheel Roller

A minimum of one (1) self-propelled, 2-axle (tandem) steel-wheel roller shall be used and shall weigh between 7.3 and 10.9 metric tons, (8 and 12 tons), and be equipped with scrapers, wetting pads and watering system. Combination pneumatic and steel drum-type rollers are acceptable, as one unit only.

3.6 Self-Propelled Rotary Pick-up Sweepers

A minimum of two (2) self-propelled rotary pick-up sweepers shall be used. They shall be designed, maintained, equipped, and operated so that the pavement surface can be swept clean. The rotary sweepers shall be equipped with adjustable down pressure on the sweeper heads and shall be capable of temporarily storing the picked up material from the surface of the pavement for disposal offsite.

4.0 CONSTRUCTION PROCEDURES

4.1 Preparation

The owner shall repair potholes, other areas of pavement failure, and major depressions in the existing pavement surface. The owner shall place a leveling course on planed, milled or existing surface, if required.

Immediately prior to application of the asphalt-rubber, the surface shall be thoroughly cleaned by sweeping. Contractor shall be responsible for covering all utility irons just prior to application and uncovering after aggregate is spread.

4.2 Seasonal and Weather Limitations

The asphalt-rubber shall not be applied when weather conditions are unfavorable to obtaining a uniform spread. Construction shall proceed only when the atmospheric temperature is at least 10°C, (50°F), and rising. No water shall be present on the road surface. SAM's shall not be applied after September 15 as a final surface..

4.3 Asphalt-Rubber Application

The asphalt-rubber mixture shall be applied at a temperature of 170° to 205°C, (338°F to 400°F), at a rate of 1.89 to 2.9 liters per square meter, (0.50 to 0.65 gallons per square yard). Exact application rate to be determined by the aggregate gradation, traffic volume and pavement condition.

Longitudinal joints shall be reasonably true to line and parallel to centerline. Where any construction joint occurs, the edges shall be broomed back and blended so there are no gaps and the elevations are the same, and free from ridges and depressions. Longitudinal joints shall be overlapped from 10.2 to 15.2 centimeters, (4 to 6 inches).

During application, adequate provision shall be made to prevent marring and discoloration of adjacent pavements, structures, vehicles, foliage or personal property.

4.4 Aggregate Application

The application of aggregate shall follow as close as possible behind the application of the hot asphalt-rubber which shall not be spread further in advance of the aggregate spread that can be

immediately covered. Construction equipment or other vehicles shall not drive on the uncovered asphalt-rubber. The hot-precoated aggregate shall be spread uniformly by a self-propelled spreader at a rate of spread directed by the Agency, generally between 30 to 40 pounds per square yard. Any deficient areas shall be covered with additional material.

4.5 Rolling

A minimum of three (3) rollers shall be used for aggregate embedment into the hot asphalt-rubber. At least two (2) of the rollers must be pneumatic-tired and one must be steel-wheel. Rolling shall commence immediately following spread of aggregate. There shall be at least three coverages by the pneumatic-tired roller to embed the aggregate particles firmly into the asphalt-rubber. Coverage shall be as many passes as are necessary to cover the entire width being spread with a pass being one movement of a roller in either direction. Additional coverage of the steel-wheel roller will follow. .

4.6 Sweeping

When the maximum amount of aggregate has been embedded into the asphalt-rubber and the pavement has cooled, all loose material shall be swept or otherwise removed. This will be done at a time and in a manner, which will not displace any embedded aggregate or damage the asphalt-rubber. The material removed by sweeping shall be disposed of offsite. Pre sweeping or post sweeping at a later date is the responsibility of the owner unless bid as a separate bid item.

5.0 METHOD OF MEASUREMENT AND BASIS OF PAYMENT

5.1 SAM OR SAMI

Stress Absorbing Membrane or Stress Absorbing Membrane Interlayer will be measured by the square yard and shall be the actual number of square yards applied. Price per square yard shall be full compensation for all labor, materials and equipment required completing the work in accordance with these specifications.

5.2 Other Work

Measurement of and payment for other work such as patching, leveling, sweeping and crack sealing shall be bid as separate item(s).

PRICE ADJUSTMENT

A fluctuating price will be required for this bid to allow for price adjustments based on the period price of asphalt cement by the Mass. Highway Department. The price adjustment will be based on the variance in price for the asphalt cement component only from the Base Price to the Period Price. Posted price for this bid will be \$_____ per ton of asphalt cement.

20% Asphalt Rubber Surface Treatment:

Current Price minus Base Price divide by 235 (Gal. Asphalt in ton) x .8 (Asphalt minus rubber content) x .60 Gal. / SY (application rate) = Adjustment per square yard.

BID FORM

BASE BID: 20% Asphalt Rubber Surface Treatment applied to town prepared roadways in accordance with the attached specifications.

Price per Square Yard \$ _____

OPTION # 1: Contractor shall provide Pre and Post sweeping of the roadways.

Price per Square Yard \$ _____

OPTION # 2: Contractor shall provide all necessary crack sealing to the roadways prior to the Surface Treatment.

Price per Square Yard \$ _____

Bidder: _____ Phone: _____

Address: _____ Fax: _____

Signature: _____

Printed Name & Title: _____

Date: _____

REFERENCE LIST
ASPHALT-RUBBER SURFACE TREATMENT
WITH AGGREGATE COVER

STRESS ABSORBING MEMBRANE - SAM
STRESS ABSORBING MEMBRANE INTERLAYER - SAMI

Please list six similar projects that have been completed.

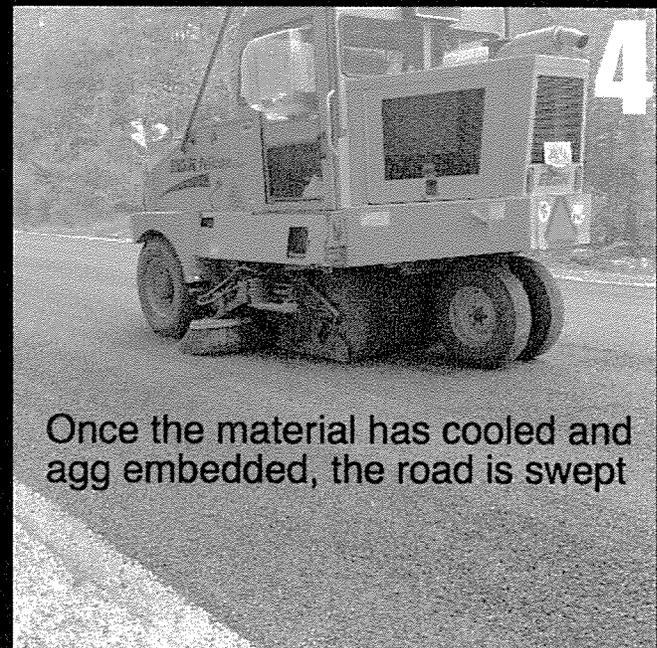
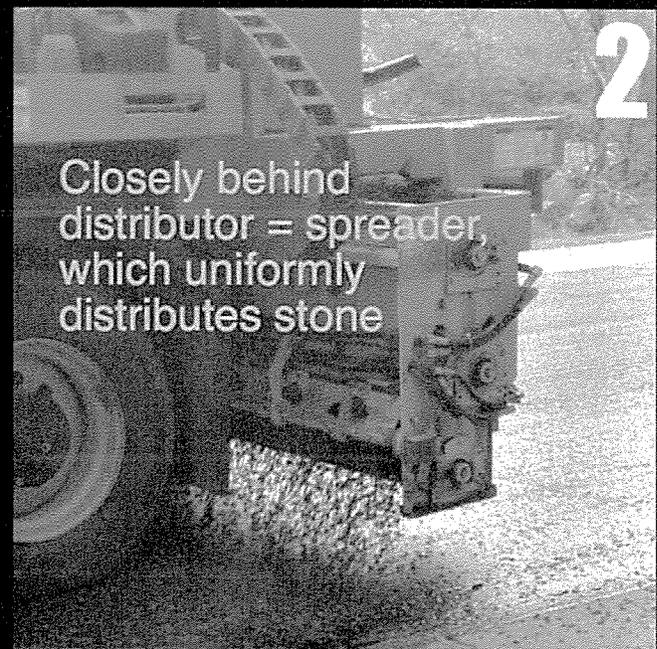
Owner:
Address:
City,State,Zip:
Contact:
Phone:
Contract Amount:



All States Materials Group®



Asphalt Rubber (20%) Chip Seal (SAM) Example: RIDOT (Foster, RI Segment): 5/2014





AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 6, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <u> X </u> Work Session	
Subject: Solicitation of Bids for Police Station and Connector Road Projects	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to authorize SMRT to gather all necessary information and to complete any plans necessary to prepare the police station and connector road projects for a competitive bid process and, further, to prepare all bid documents required for the competitive bid process.

Discussion:

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow

Reviewed By: _____



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

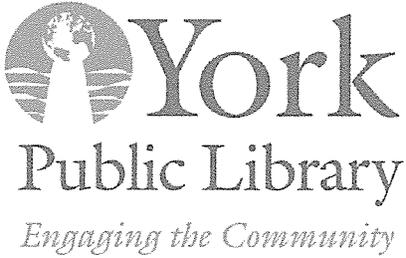
Date Submitted: August 8, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Memorandum of Understanding with the York Public Library	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION: Approve Memorandum of Understanding
PROPOSED MOTION: I move to approve the operational Memorandum of Understanding between the Town of York and the York Public Library dated August 11, 2014.

Discussion: For many years there has been discussion about updating the Town's original agreement with the York Public Library, as outlined in a document entitled *Library Financing and Construction* dated February 23, 2000. Recently Town staff met with representatives of the York Public Library on two occasions to discuss a new agreement. As a result of these meetings, a Memorandum of Understanding has been developed and is attached. The MOU essentially incorporates what is current practice with more clearly defined responsibilities moving forward.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____



August 7, 2014

Mary Andrews, Chairperson
Board of Selectmen
Town of York
186 York Street
York, ME. 03909

Dear Ms. Andrews:

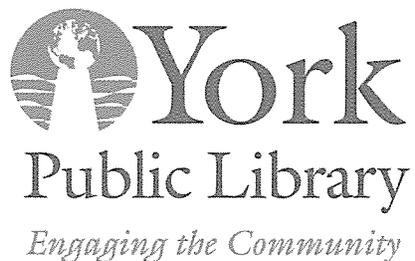
As you know, the Town and the Library have been working together without an operational agreement for several years. In the past few weeks, we have had meetings with Robert Yandow, Town Manager, Dean Lessard, Director of Public Works and Mike Sullivan, Director of Parks and Recreation to discuss issues related to the use and maintenance of Library property. Please see the attached *Memorandum of Understanding*. This is a result of our joint meetings. We believe it outlines the mutually agreed upon points we discussed.

The Board of Trustees of the York Public Library Association respectfully requests that the Board of Selectmen adopt this *Memorandum of Understanding* as presented in the attached document.

Please let me know if you have any questions.

Respectfully submitted,

M. Bernadine Speers
York Library Association President

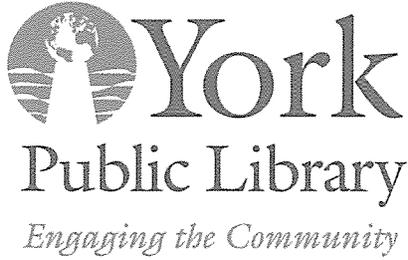


***Town of York-York Public Library
Memorandum of Understanding
August 11, 2014***

This document shall serve as a joint operational ten-year renewable agreement between the Town of York (Town) and the York Public Library Association (Library). The initial joint agreement shall be for a ten year period and shall be subject to renewal by both parties. Pursuant to an agreement by the Town and the York Public Library dated June 11, 2001 and recorded in the York County Registry of Deeds at Book 10761, page 88, the Library shall convey all of the Library property to the Town upon dissolution of the Library or abandonment of the property by the Library.

This agreement supersedes the "Library Financing and Construction" agreement (letter of intent) signed by the Town and Library, dated February 22, 2000.

1. *Ownership by Library* – The Library building, building contents (except for the Selectmen's desk and television recording equipment in the Community Room), parking lot, and grounds are under sole ownership of the Library.
2. *Use of Meeting Rooms* – The Town shall have priority reservations for meeting rooms for certain evenings. The Town shall also have use of meeting rooms within the Library at other times subject to availability. The Library staff shall handle all room reservations.
3. *Parking Spaces* – All parking at the Library shall be administered jointly by the Library and the Town. The Library shall have exclusive use of thirty-two (32) parking spaces, to be specifically designated as such and located in close proximity to the entrance of the facility. The remaining seventy (70) spaces shall be available for use by the Town as municipal parking.
4. *Regulations* – The Town and Library shall jointly establish and enforce regulations for the use of driveways and parking spaces at the Library. Enforcement of any ordinances shall be the responsibility of the Town.
5. *Snow Removal* – The Town shall be responsible for snow removal services for all driveways, parking spaces and sidewalks. Snow will be stored on Library property within a clearly defined area along Long Sands Road. After the snow melts, the Town shall be responsible for cleaning up any snow related debris. In extreme situations, snow may also be stored in the area beyond the outside sidewalk edge of the lower parking lot.
6. *Parking Lot Maintenance* – The Town shall sweep the driveways and parking lot as needed on a schedule similar to municipal lots. The Town shall re-paint striping in the parking lot as needed. The Town shall empty trash containers located in the library parking lot on a schedule consistent with public parks.



7. *Pavement* – The Town and Library shall jointly establish a pavement maintenance schedule to include crack repair, seal-coating, and repaving as needed. The Library will contribute 31% of the cost for said pavement maintenance. This proration is based on the distribution of parking spaces for municipal and Library use.
8. *Landscaping* – The Town Parks and Recreation Department shall be responsible for maintaining the Library grounds, to include mowing and landscape maintenance. The Library shall be responsible for the cost of any additional plantings or landscape materials. Landscape planning will be done by the Town's head gardener.
9. *Pond Maintenance* – Under guidance of the York Land Trust, the Town and Library will work together to maintain proper functioning of the Library detention pond, which was designed to improve the quality of Stormwater runoff from Long Sands Road and the Library parking lot.

This agreement is duly executed by the parties thereto:

M. Bernadine Speers
President, York Public Library Association

Date

Mary Andrews
Chair, York Board of Selectmen

Date

Robert E. Palmer Jr.
Vice Chair, York Board of Selectmen

Date

Ronald Nowell
Member, York Board of Selectmen

Date

Torbert Macdonald
Member, York Board of Selectmen

Date

Jonathan O. Speers
Member, York Board of Selectmen

Date



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

Code
Enforcement/
Planning
(207)363-1002
(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/
Harbor Master
(207)363-1010

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

Grant House
(207)351-1204

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

www.york.maine.org

February 23, 2000

Charles T. Lawton, Pres.
York Public Library Association
172 York Street
York, Maine 03909

Re: Library Financing and Construction

Dear Mr. Lawton:

This document will act as a letter of intent to set forth the essential points of the agreement between the Town of York ("Town") and the York Public Library Association ("Library") regarding the funding, acquisition, and use of a certain parcel of real property situated on Long Sands Road in the Town of York comprising all of Lot 111A and portions of 111 and 111C as shown on the Town of York Tax Map 50, now subject to a Purchase and Sale Agreement by and between the Library and S. Thompson Viele and Nancy E. Viele ("Sellers"), and on which the Library intends to construct and operate a new library facility. By my signature below, and by yours in acceptance hereof, we indicate our agreement to and acceptance of the obligations set forth in this letter ("Agreement") as well as our commitment to the arrangements and performance of the terms described herein. This Agreement shall serve as a good faith commitment by both parties to proceed with all transactions described herein or contemplated hereby.

1. **Ownership by Library.** Either before or after taking title to the above described parcel, Library agrees to structure its ownership of said parcel so as to ensure that if Library is ever dissolved, or abandons the Library at this location, then title to all of the above-described land, together with improvements and unencumbered contents of the building will pass to the Town. Library agrees to work with Town to re-title the property and/or execute any documents deemed necessary to enforce this condition.
2. **Financing.** Town will seek approval from the voters at the next regularly scheduled Town Meeting to provide \$1.3 million of financing to Library for the construction of the new library facility, to be made available to the Library upon a demonstration satisfactory to the Selectmen that financing is adequate to complete construction of the project as proposed.
3. **Plan Review Authority.** Library shall allow Town to review the development plans for the library facility. The Library shall provide Town with copies of all plans reflecting Library's proposed development plan for the facility as soon as is practicable.
4. **Use Agreement.** Prior to completion of construction, Town and Library will enter into a separate contractual arrangement granting to Town certain rights of usage and

management authority with respect to certain portions of the library facility. In addition to other rights which may be set forth in this contract, these rights shall at a minimum include the following:

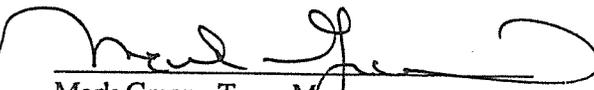
A. All parking for the new library shall be operated and regulated by the Town for municipal parking purpose, provided however, the Library shall at all times be entitled to the free and exclusive use of not less than forty (40) parking spaces to be located in close proximity to the entrance of the facility.

B. Town shall have the priority use of a meeting room having seating for not less than forty (40) people and the right to permanently locate desks, public access equipment and other furniture/equipment necessary for the conduct of public meetings. Additionally, the room so designated for this purpose shall be capable of being expanded to accommodate at least one hundred forty (140) people. This additional capacity shall be available through a first come, first served reservation system administered by the library.

The Board of Selectmen understand that this letter of intent is only valid if funding for the Library is approved by Town Voters. Please indicate your acceptance of this Agreement and commitment to the performance requirements set forth herein by signing both copies of this letter and returning one to our attention and retaining the other for your files.

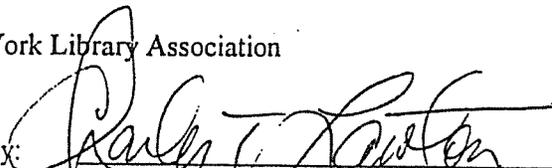
Sincerely,

Town of York

By: 
Mark Green, Town Manager

Seen, Agreed to and Accepted this 29 day of February, 2000.

York Library Association

By: 
Charles T. Lawton
President, Duly Authorized

BERGEN & PARKINSON, LLC
Attorneys at Law

-038

Christian L. Barner
Barbara I. Belik
Bruce W. Bergen
Milda A. Castner
C. Wesley Crowell
Susan Bernstein Driscoll
Stefan L. Jouret
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Earle J. Patterson
Of Counsel

February 4, 2002

Mr. Mark Green Town Manager
Town of York
186 York Street
PO Box 9
York, ME 03909-1314

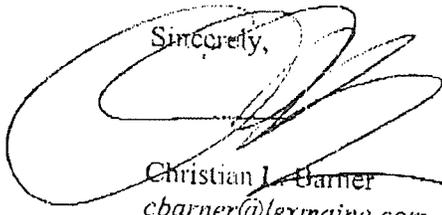
RE: Recorded Agreement/York Public Library

Dear Mark:

Enclosed for safekeeping is an original Agreement between the York Public Library Association and the Inhabitants of the Town of York. This Agreement has been recorded at the York County Registry of Deeds in Book 10761, Page 088.

If you have any questions or concerns, please feel free to give me a call.

Sincerely,


Christian L. Barner
cbarner@lexmaine.com

CLB/jd
Enclosure

980061.018 Orig. Ajani Transmittal

AGREEMENT

Agreement made the 11 day of June, 2001 by and between the York Public Library Association, hereinafter called the "LIBRARY" and The Inhabitants Of The Town of York, hereinafter called the "TOWN".

WITNESSETH

WHEREAS, the LIBRARY and the TOWN have worked in a cooperative fashion since 1915 to provide free public library services to the TOWN; and

WHEREAS, the LIBRARY has acquired land under a certain deed dated March 31, 2000 and recorded in the York County Registry of Deeds in Book 9957, Page 147, hereinafter called the "PROPERTY" and has undertaken a construction project to provide a new public library, community meeting rooms and a municipal off-street parking area on the PROPERTY; and

WHEREAS, the TOWN has approved the expenditure of 1.3 million dollars as the municipal contribution towards the construction of this project; and

WHEREAS, both parties desire to confirm that the PROPERTY is to be used and maintained in perpetuity for library and other municipal purposes only;

NOW, THEREFORE, for good and valuable consideration and in consideration of the mutual promises and covenants contained herein and in an effort to maintain the spirit of public/private cooperation embodied in the long history between the TOWN and the LIBRARY, it is agreed as follows:

1. In the event of the voluntary or involuntary dissolution of the LIBRARY or the LIBRARY abandons the PROPERTY or defaults on any financial obligation to which the PROPERTY is pledged as security, then in any such event, the LIBRARY shall convey to the TOWN all of the LIBRARY'S right, title and interest in and to the PROPERTY together with any buildings, improvements constructed thereon, and unencumbered contents to the extent permitted by law.

2. The TOWN agrees, in the event of such occurrences, to accept conveyance of the PROPERTY subject to approval by the voters of the Town of York.

Witness [Signature]
Witness mark Green

By: [Signature]
Barry Maddix
Dated: 6/14, 2001

By: [Signature]
Michelle Moody
Dated: 6/14, 2001

STATE OF MAINE
YORK, ss.

June 6, 2001

Then personally appeared the above named Charles T. Lawton, President of the York Public Library Association and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said York Public Library Association.

Before me,
Pauline A. Smith, Notary Public
State of Maine
MY COMMISSION EXPIRES 9/11/04

[Signature]
Notary Public

STATE OF MAINE
YORK, ss.

June 15, 2001

Then personally appeared the above named Michael V. Palumbo, Chairman of the Board of Selectmen of the Town of York and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Board of Selectmen of the Town of York.

Before me,
Rosemarie Avery
Notary
State of Maine
Commission Exp: 9-16-03

[Signature]
Attorney-at-Law/Notary Public
My commission expires:

RECEIVED YORK S.S.
2001 JUL -2 P 2: 57

ATTEST: [Signature]



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 6, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Election for MMA Executive Committee and Vice President	

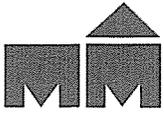
TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move that the Board of Selectmen cast ballots for Cynthia Mehnert, Laurie Smith and Patricia Sutherland for the Maine Municipal Association Executive Committee and a ballot for Stephan Bunker for MMA Vice-President.

Discussion: See attached information.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow

Reviewed By: _____



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Chris Lockwood, MMA Executive Director

DATE: July 8, 2014

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 15, 2014 by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2015 to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was July 7. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “*Write-in Candidates*” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers **or** a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 15. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Peter Nielsen.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Friday, August 15, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held **Wednesday, October 1, at 1:45 p.m., at the Augusta Civic Center**. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon and Annual Business Meeting and officially take office on January 1, 2015.

If you have any questions on the Election Process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

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

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Stephan Bunker, Selectman, Town of Farmington

DIRECTORS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

Cynthia Mehnert, Councilor, Town of Orono

Laurie Smith, Town Manager, Town of Kennebunkport

Patricia Sutherland, Chair of Selectboard, Town of Chapman

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

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

Date: _____

Municipality: _____

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

Print Name: _____

Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

Return To:

*MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358 or 626-5947
Email: tchavarie@memun.org*

**MAINE MUNICIPAL ASSOCIATION
EXECUTIVE COMMITTEE**

**BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2015**

MMA VICE PRESIDENT (1-Year Term)

STEPHAN BUNKER

- 45 +years in public sector @ federal/military, state, county, municipal & school district levels
- Retired, State Service, Maine Dept. of Public Safety & E911 Bureau (25 years)
- Selectman, Town of Farmington, (20 + yrs); Chair (2009-March 2013); re-elected March 2014)
- Maine Municipal Association Executive Committee, Member (2007 – March 2013);
MMA Vice President 2012; MMA President (January – March 2013)
- Maine Municipal Association Strategic & Finance Committee (2008 – March 2013)
- Maine Municipal Association Property & Casualty Pool Board of Directors, Member (2007 – March 2013)
- Maine Municipal Association Workers Compensation Fund Board of Trustees, Member (2007 – March 2013)
- Member, Franklin County Elected Officials Association
- Past Member, Franklin County Budget Committee (8 + years)
- Past Member, Citizen's Budget Committee, (10 yrs) 5 as Chairman
- Past Member, SAD#9/SAD#58 School Consolidation Planning Committee
- Current member, Farmington Fire & Rescue Department (35 + years)
- Past President, Franklin County Firefighters Association
- Governor Appointee, Maine Fire Protection Services Commission (6 + yrs)
- At Large Appointee, DOL Commission for the Deaf, Late Deafened & Hard of Hearing(6+ years)
- Municipal Government Rep., Maine E911 Advisory Council (first year)
- Governor Appointee, Maine Fire Protection Services Commission (6+ years)
- Adjunct Instructor – Maine Fire Training & Education, SMCC (25 yrs)
- Active duty, US Army Military Police Specialist, K-9s (3 yrs)
- US Coast Guard Reserves, Environmental protection & maritime casualty investigations, retired as Lt. Commander (23 yrs)
- Former Emergency Medical Technician-Basic (10 years)
- Police Officer, Town of Farmington PD (1972-74) full time
- Staff, Maine Criminal Justice Academy – Waterville (4 years)
- Juvenile Crisis Counselor, SAD # 9 Farmington (2 years)
- Emergency Dispatch/Corrections Supervisor, Franklin County (3 years)
- Executive Director, Maine Sheriffs Association, (3 years)
- Masters in Adult Education, University of Maine, Orono (1977)
- Bachelors of Science in Criminal Justice, minor in Sociology, University of Maine, Orono (1974)
- Associate Degree, Law Enforcement Technology, Southern Maine Technical College (1972)

MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

CYNTHIA MEHNERT

- Council Member, Town of Orono (2008 – Present) (Council Chair, April 2014)
- Chair of Community Development Committee (2009 – present)
- Town Liaison, Orono Village Association (2009 – present)
- Chair, Finance Committee (2008 – 2009)

CYNTHIA MEHNERT (*continued*)

- Special Appointment to Intergovernmental Committee for coordinating Local Government/University operational relations;
- Special Appointment to redevelopment committee for Katahdin property located in downtown Orono
- Interviewed, evaluated and selected new Town Manager
- Budget review and implementation
- Ordinance review and adoption
- Strategic planning for Town's future
- Managing Partner, Hawkes & Mehnert, LLA, Bangor (1991 – 2001; 2005 – Present)
- Hadlock Law Office, Framingham, MA (2002 – 2005)
- Linda Gifford Law Office, Augusta, ME (1990 – 1991)
- Sanborn, Moreshead, Schade & Gifford, Augusta, ME (1989 – 1990)
- Rosen, Crosson, McGlynn & Resnek, Boston, MA (1985 – 1989)
- Board of Bar Overseers Grievance Committee (2012-2015)
- Chief of Staff for US Senatorial Campaign
- Chairperson, Board of the Maine Women's Lobby
- Special Counsel to the Legal Services for the Elderly
- Candidate for State Representative – District 19
- Katahdin Counsel Recognition Award, 2012, 2013
- Recognition Award, Volunteer Lawyers Project of the Maine State Bar Association for Pro Bono Legal Service
- Very high rating for legal and ethical standards by peer evaluation for Martindale & Hubbell
- Bar Admission - Federal District Court for the District of Maine
- Bar Admission - Federal District Court for the District of Massachusetts
- Suffolk Law School, Boston MA (1983 – 1986)
- BA Major in Government, Colby College, Waterville ME (1979 – 1983); Captain, Women's Varsity Soccer Team; Team member, Women's Varsity Ice Hockey Team

LAURIE SMITH

- Town Manager, Town of Kennebunkport (2014 – present)
- Maine Municipal Association Executive Committee, Member (2012 – present)
- Maine Municipal Association Strategic & Finance Committee (2012 – present); Chair (2014)
- Maine Municipal Association Property & Casualty Pool Board of Directors, Member (2012 – present)
- Maine Municipal Association Workers Compensation Fund Board of Trustees, Member (2012 – present)
- Town Manager, Town of Wiscasset (2010 – 2014)
- Assistant Manager/Community Relations/Finance Director, City of Auburn (2005– 2010)
- Interim City Manager, City of Auburn (2007 –2008)
- Acting Finance Director, City of Auburn (2004 – 2005)
- Town Manager, Town of Boothbay Harbor (1994-1999)
- Town Manager, Town of Oxford (1991-1994)
- Town Manager, Town of Boothbay (1988-1989)
- Maine Town & City Management Association, Member (1989-present); Board member (2000-2005); President (2003-2004)
- Paralegal, various law firms in Portland, Maine (1986 – 1988)
- University of Maine, Orono, Public Administration, B.A. (1986)
- Continuing education and professional development through University of Maine, Maine Municipal Association, Maine Town & City Management Association, Maine Local Roads Center and International City Management Association (1988 – 2008)

PATRICIA SUTHERLAND

- Member, Chapman Selectboard, re-elected in 2014 for fourth 3-year term. Currently serving third year as board chair.
- Former member, Chapman planning board, for 20 years. Served as chair.
- Former member, Maine School Administrative District #1 Board of Directors, 1976 -1983; elected chair.
- Elected as member of Maine House of Representatives, Maine State Legislature, 123rd and 124th Legislature. Served on education committee first term and selected as House chair on education committee for second term.
- Senior administrator at Northern Maine Community College; retired after 20 years as director of development & college relations. Member of national board of community college development professionals, chaired the New England region. Served as presenter at numerous regional and national conferences.
- Former high school English teacher
- Member of Executive Board, Northern Maine Development Commission, since 1990. Served as chair in 1995-1997. Chaired the Northern Maine Empowerment Council.
- Member, Local Workforce Investment Board for Aroostook and Washington counties.
- Member, Board of Directors, United Way of Aroostook
- Member, Presque Isle Kiwanis Club
- Member, Leaders Encouraging Aroostook Development (LEAD) since inception in 1986. Served as coordinator/secretary to the board from 1986-2004.
- Native, Town of Chapman
- Graduate of Saint Joseph's College, Standish; Bachelor of Arts in English



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 8, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Municipal Social Services Review Board Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to appoint Karen Gilroy as a Regular Member to the Municipal Social Services Review Board, with a term expiring June 30, 2017.

Discussion:

FISCAL IMPACT: N/A
DEPARTMENT LINE ITEM ACCOUNT: N/A
BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared By:

Melissa M. Avery

Reviewed By:

Robert H. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 8, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Energy Efficiency Steering Committee Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to appoint Rozanna Patane as an Alternate Member to the Energy Efficiency Steering Committee, with a term expiring June 30, 2016.

Discussion:

FISCAL IMPACT: N/A
DEPARTMENT LINE ITEM ACCOUNT: N/A
BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared By:

Melissa M. Avery

Reviewed By:

Robert B. Gandon



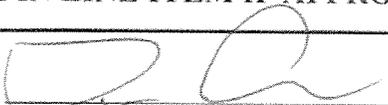
AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 28, 2014	Type of Action:
Date Action Requested: August 11, 2014	<input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	<input type="checkbox"/> Other: _____
Subject: Business Directional Sign for Just Write Card & Gift – 127 Long Sands Plaza – Unit #4.	
TO: BOARD OF SELECTMEN	
FROM: Dean Lessard, Director of Public Works	
RECOMMENDATION: Approve OBDS sign requests for Just Write Card & Gift.	
PROPOSED MOTION: I move to approve the single sided business directional signs requested for the intersection of Long Beach Avenue at Long Sands Road and Route 1 (Southbound) at Old Post Road for Just Write Card & Gift.	

Discussion: Kerry Flynn of Just Write Card & Gift has requested approval of two single sided business directional signs. One sign would be located on existing posts that has vacant space. The other would be on a new post. Please see the attached photos of requested locations.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: 

Reviewed By: _____



Rec'd 6/30/14

TOWN OF YORK

APPLICATION FOR OFFICIAL BUSINESS DIRECTIONAL SIGN

Business Name: Just Write Card + Gift

Mailing Address: 127 Long Sands Plaza, Unit 4 York 03909

Contact Person: Kerry Flynn

Email Address: info@justwritecardandgift.com Phone Number: 207 363-0300

Location of Requested Sign(s)- Please be specific
Requested Location 1: CORNER OF ~~Long Sands~~ ^{Long Beach} and ~~York Street~~ ^{New Post there Long Beach Ave} heading south (in front of Sunrise Motel)

Requested Location 2: Ave 1 sign on right before light at corner of ~~York Street~~ ^{South} and ~~York Street~~ ^{Old Post Rd}

Information as it will appear on Each Sign:

Sign 1: JUST WRITE CARD & GIFT ^{→ 1 mi.}

Sign 2: JUST WRITE CARD + GIFT ^{← 1.5 mi.}

Initial Fee (\$30) per Sign: 60 Annual Fee (\$10) per sign

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

Business Directional Sign Specifications:

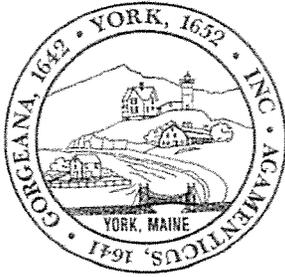
Each sign must be 10" high & 42" wide and made of Durable Composite Material (No wood or plywood). The background must be white, the lettering black, and the back of the sign Dark Green. The lettering must be a minimum of 4" high. Each business is allowed a maximum of 2 business directional signs.

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

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

Approved by: [Signature] Date: 7/11/14
Director of Public Works

Approved by: _____ Date: _____
Town Manager



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

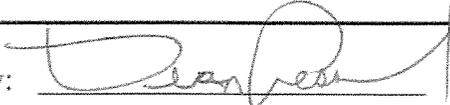
Date Submitted: July 25, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Business Directional Sign for The Grandview Hotel – 800 York Street.	
TO: BOARD OF SELECTMEN	
FROM: Dean Lessard, Director of Public Works	
RECOMMENDATION: Approve OBDS sign requests for The Grandview Hotel.	
PROPOSED MOTION: I move to approve the single sided business directional signs requested for the intersection of Route 1 at Old Post Road northbound & Ridge Road at Long Sands Road Southbound for The Grandview Hotel.	

Discussion: Michael Wilson of The Grandview Hotel has requested approval of two single sided business directional signs. One sign would be located on existing posts that has vacant space. The other would be on a new post. Please see the attached photos of requested locations.

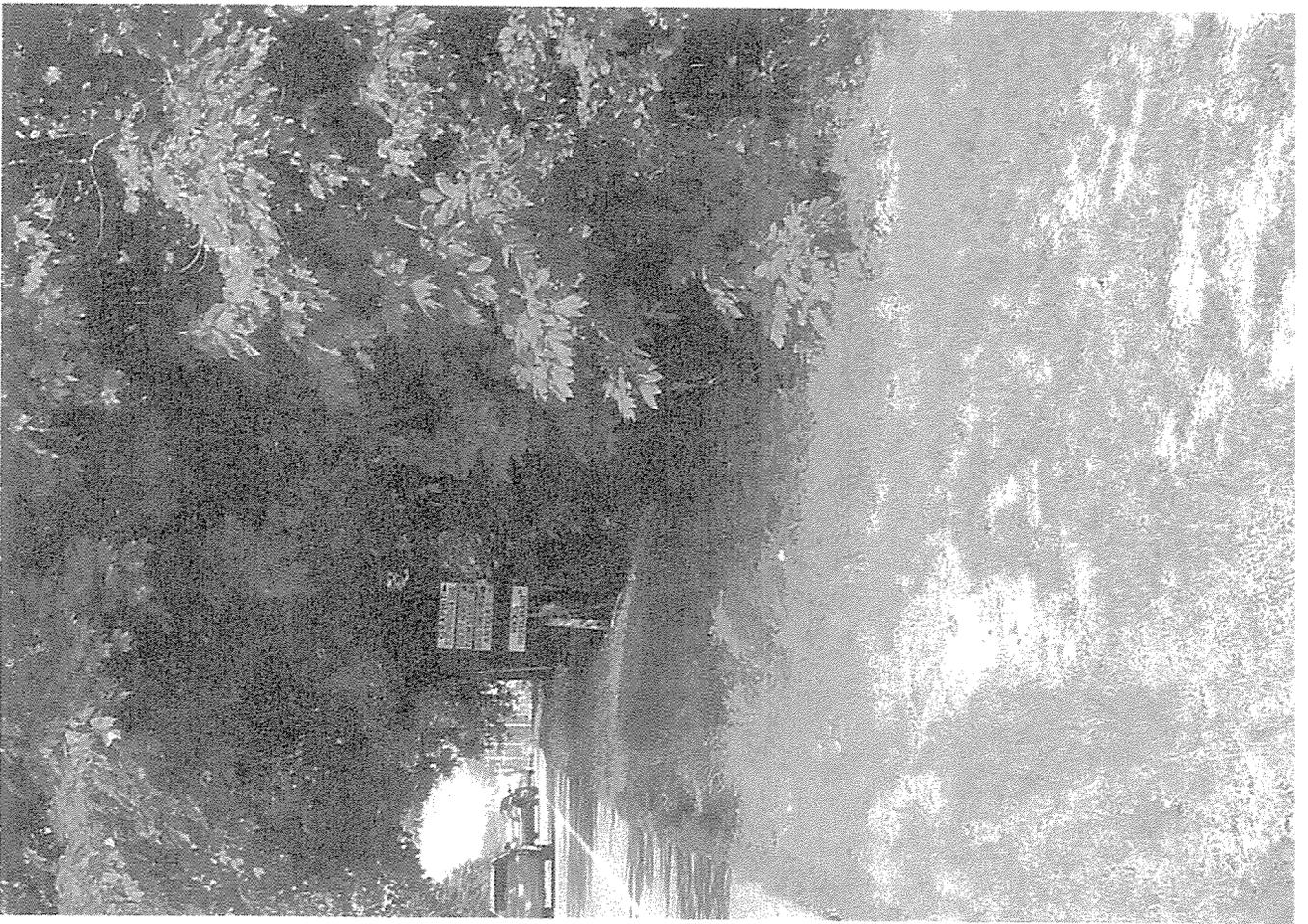
FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: 

Reviewed By: _____



Reid 6/23/14

TOWN OF YORK

APPLICATION FOR OFFICIAL BUSINESS DIRECTIONAL SIGN

Business Name: GRANDVIEW
Mailing Address: (PO Box 120) 800 York St
Contact Person: MICHAEL WILSON
Email Address: vlh767@yahoo.com Phone Number 1-207-363-3238

Location of Requested Sign(s)- Please be specific

Requested Location 1: Rt And Old Post
Requested Location 2: LONG SANDS AND Ridge Road

Information as it will appear on Each Sign:

Sign 1: GRANDVIEW + Long Sands Rd. →
Sign 2: ← GRANDVIEW + Long Sands Rd.

Initial Fee (\$30) per Sign: Michael Wilson Annual Fee (\$10) per sign

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

Business Directional Sign Specifications:

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

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

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

Approved by: [Signature] Date: 7/11/14
Director of Public Works

Approved by: _____ Date: _____
Town Manager



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: August 7, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: August 11, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Redemption Request: Tax Map 0030, Lot 0042-D – 16 Pine Street	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery
RECOMMENDATION:
PROPOSED MOTION: I move to approve the redemption of Tax Map 0030, Lot 0042-D; 16 Pine Street, as requested, subject to the attached conditions being met and that all deed restrictions are in place and all taxes, interest and administrative costs are paid in full by no later than October 10, 2014

Discussion: Please see attached Memo for details.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By:

Melissa M. Avery

Reviewed By:

Robert S. Ganson

July 14, 2014

Town of York
186 York St.
York, ME 03909

Dear Sirs:

We are writing to request the forgiveness of foreclosure on property located at 16 Pine St., York.

Due to the change in address for us from a PO Box to our physical address, we did not receive an invoice(s) or notice of the foreclosure until we were told that the Code Enforcement officer was looking to contact us via my brother Gary Woods of Shoreline Builders, in York. Once we were informed of this, we went to the office of the Code Inspector and were informed that the property had been foreclosed on due to non-payment of 2012-2013 taxes.

We are asking that the property be returned to us upon full payment of any taxes, liens or fines that have been assessed. We would never have allowed this to go un-paid had we known. This property was purchased by our parents with funds from our grandfather who was a long term York property owner. Our entire family lives in York, we hope to someday be able to build on the property for the future of our children and grandchildren.

We thank you for your time and consideration of this matter.

Sincerely,




Edward and Lori Woods

494 Back Rd.
Shapleigh, ME 04076
Tel. 207-490-1565
Cell: 207-432-6803



TO: Board of Selectmen
FROM: Melissa M. Avery
DATE: August 7, 2014
RE: Tax Foreclosure Redemption: Map 0030-Lot 0042-D; 16 Pine Street

Edward and Lori Woods, former property owners of property identified as Tax Map 0030, Lot 0042-D, located at 16 Pine Street in York, Maine, request to redeem this property for which the Town has a tax lien for Fiscal Years 2012, 2013 and 2014. The Town foreclosed on this property as of January 18, 2013 for non-payment of the FY2012 tax lien.

We are recommending to the Selectmen, that Edward and Lori Woods be allowed to redeem this property providing the following conditions are met:

Condition #1 – Edward and Lori Woods pay all current taxes, interest and lien costs owed, which totals \$730.03 as of October 10, 2014.

Condition #2 – Edward and Lori Woods pay Town Administrative costs involved with the processing of the foreclosure disposition, a total of \$200.00. This amount covers the cost of issuing a Quit Claim Deed and the administrative costs in processing this redemption.

Condition #3 – Edward and Lori Woods shall pay in full, to the Town of York, all current taxes, interest, administrative costs and lien costs, which total **\$930.03** by no later than **October 10, 2014**.

Condition #4 - Edward and Lori Woods agree to a deed restriction on the parcel before transferring the property back to them – the deed restriction would prohibit any wetland fill on this lot, per Community Development Director's Memo dated 8/7/2014.

Parcel Information

Map-Lot

0030-0042-D

Owner(s)

Edward and Lori Woods

Party Requesting Redemption

Edward and Lori Woods

Size of Lot

.09 Acre

Assessed Value

\$18,000

Description of Foreclosure Action

The Town has filed a tax lien on this property for the Fiscal Years 2012, 2013 and 2014. The FY12 lien matured and was foreclosed on January 18, 2013.

Taxes Owed

The total amount of taxes, interest and lien costs owed is \$730.03 as of October 10, 2014; which breaks down as follows:

FY2012	\$261.21
FY2013	\$229.58
FY2014	\$239.24

Taxes for Fiscal Year 2015 will be supplemented upon redemption of the above taxes.

Summary

Detail

Notes

Payment Plan

Access

- Tax Map # 0030 0042 D
- Linked to Tax Map # 0030 0042 D

- YORK TOWN OF
- Linked to YORK TOWN OF

Parcels Linked to Tax Map # 0030 0042 D

Filters

Year Active A/R Hide zero balance

Sub System

Late Charges

As of Date Display Keep Setting

Daily Interest Amount \$0.11

Year id	Sub System	Bill Number	Billed	Interest	Fee	Paid	Balance Due	Late Charges	Total Due	Up To 1st Due	Bar Code
2014	Tax Title	RE10165	\$236.77				\$236.77	\$2.47	\$239.24	\$239.24	513526
2013	Tax Title	RE10163	\$216.32				\$216.32	\$13.26	\$229.58	\$229.58	510202
2012	Tax Title	RE10186	\$226.30		\$9.11		\$235.41	\$25.80	\$261.21	\$261.21	287700
2011	Tax Title	RE10310	\$221.26	\$15.60	\$8.75	\$245.61	\$0.00	\$0.00	\$0.00		170833

			\$900.65	\$15.60	\$17.86	\$245.61	\$688.50	\$41.53	\$730.03		
--	--	--	----------	---------	---------	----------	----------	---------	----------	--	--

Refresh

Search

MEMO



TO: Robert Yandow, Town Manager
FROM: Stephen H. Burns, Community Development Director
DATE: August 7, 2014
RE: Redemption Request - 16 Pine Street

The owners seek to redeem the lot at 16 Pine Street. If the Board of Selectmen decides to pursue this request, I recommend the Town place a deed restriction on the parcel before transferring it back to the former owners - the deed restriction should prohibit any wetland fill on this lot.

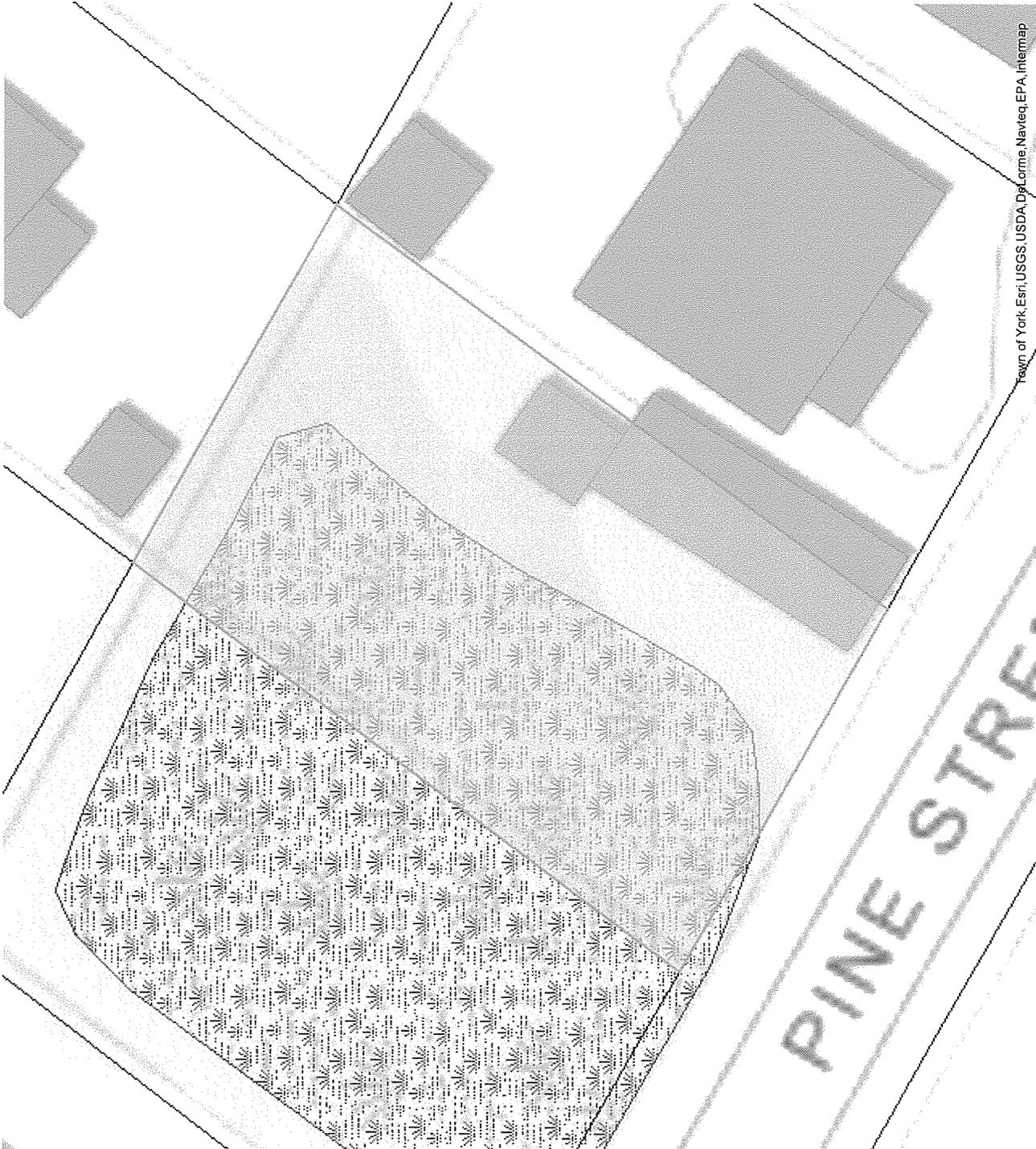
The lot is 100% wetland (other than a bit of historic fill), and the lot is 100% within the 100-year floodplain. When I reviewed the property file for this lot I found a substantial record of activity dating back to the 1999 - 2006 era. Michael Cuomo conducted a wetland assessment, dated October 25, 1999. Michael Livingston, PE, evaluated a proposal to build a single-family home, and released his drainage study dated February 15, 2001. These were submitted as part of an application to the Shoreland/Inland Wetland Permit Review Committee, which on March 6, 2002, denied the application for a single family home and associated improvements. Subsequent to this there was a Board of Appeals case and then a court case (Woods, Woods & Trant v. Town of York, AP-02-043). The upshot of all this is that the lot was found to be unbuildable.



GIS Map Print

Subject Property Data

Parcel ID: 0030-0042-D
Assessing ID: 136-059
Owner Name: YORK TOWN OF
Co-Owner:
Property Location: 16 PINE STREET
Owner Addr: 186 YORK STREET
Owner CSZ: YORK, ME 03909
Area (Acres): 0.09
Land Value: \$18,000.00
Building Value: \$0.00
Total Value: \$18,000.00
Book/Page: 1/ 1



Town of York, Esri, USGS, USDA, DeLorme, Navteq, EPA, Intermap