



# Town of York

186 York Street  
York, Maine 03909-1314

## BOARD OF SELECTMEN'S MEETING AGENDA

6:00/7:00PM MONDAY, DECEMBER 14, 2015  
YORK LIBRARY

**6:00PM:** Executive Session: Pursuant to MRSA Title 1, Section 405.6.D –  
Upcoming Union Contract Negotiations

### Call to Order

### Opening Ceremonies

#### A. Minutes

1. July 6, 2015 Meeting Minutes

#### B. Chairman's Report

#### C. Manager's Report

#### D. Awards

#### E. Reports

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

#### G. Public Hearings

1. Building Height Amendment
2. Special General Referendum Warrant
3. Proposed Amendments to Traffic Safety Ordinance

#### H. Endorsements

#### I. Old Business

1. Discussion and Possible Action: Preference Votes on Special General Referendum

Town Manager/  
Selectmen  
(207)363-1000

Town Clerk/  
Tax Collector  
(207)363-1003

Finance/  
Treasurer  
(207)363-1004

Code Enforcement  
(207)363-1002

Planning  
(207)363-1007

Assessor  
(207)363-1005

Police Department  
(207)363-1031

Dispatch  
(207)363-2557

York Beach Fire  
Department  
(207)363-1014

York Village Fire  
Department  
(207)363-1015

Public Works  
(207)363-1011

Harbor Master  
(207)363-1000

Senior Center/  
General Assistance  
(207)363-1036

Parks and  
Recreation  
(207)363-1040

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

2. Discussion and Possible Action: Approve Special General Referendum Warrant
3. Discussion: FY17 Plan for Snow Plowing
4. Discussion and Possible Action: Selectmen's Policy – Legal Training
5. Discussion and Possible Action: Agreements with Maine Department of Transportation – York Village Revitalization Design Development Assistance

**J. New Business**

1. Discussion and Possible Action: Possible Amendments to Traffic Safety Ordinance
2. Discussion and Possible Action: Contracting with York Sewer District for Main Street Work – Phase 2

**K. Future Agendas**

**L. Other Business**

**M. Citizens' Forum**

**Adjourn**

**BOARD OF SELECTMEN'S  
MEETING MINUTES  
6:00/7:00PM MONDAY, JULY 6, 2015  
YORK LIBRARY**

**6:00PM** Executive Session: Pursuant to MRSA Title 1, Section 405.6.E – Discussion with Attorney Mary Costigan and Pursuant to MRSA Title 1, Section 405.6.C – Real Estate

**Present:** Chairman Robert E. Palmer, Jr., Vice Chairman Jonathan O. Speers, Torbert Macdonald, Dawn Sevigny Watson, Todd A. Frederick and Town Manager Stephen H. Burns.

Moved by Mr. Speers, seconded by Mr. Macdonald to enter into Executive Session. Without objection, so ordered.

Moved by Mr. Speers, seconded by Mr. Sevigny Watson to exit out of Executive Session. Without objection, so ordered.

**7:00PM:** Regular Meeting

**Present:** Chairman Robert E. Palmer, Jr., Vice Chairman Jonathan O. Speers, Torbert Macdonald, Dawn Sevigny Watson, Todd A. Frederick, Town Manager Stephen H. Burns and members of the press and public.

**Call to Order**

Chairman Robert E. Palmer, Jr. called the meeting to order at 7:00PM

**Opening Ceremonies**

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

Town Manager Stephen H. Burns announced that the TV station overhaul is scheduled to take place during the last week of July/beginning of August. Mr. Burns also addressed all the phone calls and emails regarding the abundance of

seaweed on Long Sands; stating that the Parks department is doing what they can to clean it up, but that each tide will bring it back until the ocean has pulled it out farther. The Town Manager also read a letter from Richard Smith into the record, and reminded citizens about the Special Budget Referendum on Saturday.

**D. Awards**

**1. Bid Award: Parks and Recreation – Walker Mower**

The Parks and Recreation Department received the following two bids for the purchase of a 2015 Walker Mower:

- |  |             |
|--|-------------|
| 1. J.M. Hayden Equipment, LLC – Newfields, NH            | \$12,169.50 |
| 2. Chad Little Outdoor Power Equipment – Scarborough, ME | \$12,374.00 |

Parks and Recreation Director Mike Sullivan recommended the low bidder, J.M. Hayden Equipment, LLC be awarded the bid.

Mr. Macdonald felt that where the bids were so close, the bid should be awarded to a company in Maine.

Moved by Mr. Macdonald to award the bid to Chad Little Outdoor Power Equipment in Scarborough, Maine in the amount of \$12,374.00. No second, motion fails.

Moved by Mr. Frederick, seconded by Mr. Speers to award the bid to J.M. Hayden Equipment in Newfields, NH in the amount of \$12,169.50. Vote 3-2, Mr. Macdonald and Mr. Palmer against, motion passes.

**2. Bid Award: Public Works – Tractor w/Mower Attachment**

The Department of Public Works received the following bids for the purchase of a Roadside Mower:

- |                             |   |
|-----------------------------|---|
| 1. MB Tractor and Equipment | \$102,885                                     |
|                             | + \$10,700 (Flail head) + \$4,400 (saw blade) |
| 2. H.P. Fairfield, LLC      | \$110,807                                     |
| 3. NJPA – Terrain King      | \$125,412                                     |
| 4. Hammond Tractor          | \$140,785                                     |

Director of Public Works Dean Lessard recommended the bid be awarded to MB Tractor and Equipment with the additional cutter head options.

Moved by Mr. Macdonald, seconded by Mr. Speers to award the Roadside Mower bid to MB Tractor and Equipment in the amount of \$117,885. Vote 5-0, motion passes.

3. Bid Award: Village Study Committee – Contract for Schematic Design and Design Development

The Village Study Committee recommends the extension of the Town's contract with The Consultants of Downtown Revitalization Collaborative (TDRC) so they can continue their work on the next phase of work – the Schematic Design/Preliminary Engineering and design Development Phase.

Moved by Mr. Frederick, seconded by Ms. Sevigny Watson to approve the extension of the Town's contract with The Consultants of Downtown Revitalization Collaborative in the amount of \$304,060 so they can continue their work on the Schematic Design/Preliminary Engineering and Design Development Phase of the revitalization of York Village as proposed. Vote 3-2, Mr. Macdonald and Mr. Speers against, motion passes.

4. Bid Award: Public Works – Used Bucket/Sign Truck

The Department of Public Works recommends that the Town purchase a used 2010 International 4300 Sign Truck from Arundel Ford.

Moved by Mr. Speers, seconded by Mr. Frederick to approve the Department of Public Works to purchase the 2010 International 4300 Sign Truck from Arundel Ford in the amount of \$57,900.00. Vote 5-0, motion passes.

5. Bid Award: Propane

Chairman Palmer moved this agenda item to follow a related item further on in the agenda.

**E. Reports**

1. Paul Schumacher, Executive Director for Southern Maine Planning and Development Commission
2. Leslie Hinz, Stormwater Manager – MS4 Update
3. Dean Lessard, Director of Public Works – Route 91 Project Overview
4. "Think Again" – Update on the MTA Toll Plaza

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

Public Comment: Fred Knox  
Helen Rollins  
Emmalynn Bentley  
David Monks  
Cynthia Kinstrom  
Walter Krug  
Bob Reed  
John Paxton  
Ron Nowell

**G. Public Hearings**

1. Possible Road Closure of Ocean Avenue

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing.  
Without objection, so ordered.

Public Comment: Rick Lundborn  
Dave Bridges, Beach Fire Chief  
Bill Burnham, Ellis Park Trustees  
Peggy Fennelly  
Dean Lessard  
Harold Anderson

Moved by Mr. Macdonald, seconded by Mr. Speers to close the Public Hearing.  
Without objection, so ordered.

2. New Business License: Sea Latch Inn

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing.  
Without objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the Public Hearing.  
Without objection, so ordered.

**H. Old Business**

1. Discussion and Possible Action: Long Sands Bathhouse

Moved by Mr. Macdonald, seconded by Mr. Frederick to hold a public hearing on  
July 27<sup>th</sup> for an ordinance change to eliminate front setbacks in the RES-7 zone for  
municipal water-dependent uses. Vote 5-0, motion passes.

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to authorize the Town Manager to instruct the Town Attorney to prepare an offer per discussion in Executive Session to purchase a small piece of private property west of the Long Sands Bathhouse location. Vote 5-0, motion passes.

2. Discussion and Possible Action: Selectmen's Policy Manual – Finalize Section 1 Changes and Section 2 Overview

Chairman Palmer passed over this item due to the hour, it will go on next agenda.

**I. New Business**

1. Discussion and Possible Action: Request to Vacate Portion of Intervale Road and Discussion of Paper Streets in General

Town Tax Assessor Richard Mace recommended the Board not vacate this portion of Intervale Road at this time and to wait until 2017 when the Board will be addressing all paper roads in York.

Moved by Mr. Macdonald, seconded by Mr. Speers to deny the request to vacate a portion of Intervale Road at this time. Vote 5-0, motion passes.

2. Discussion and Possible Action: Kearsarge House – Discussion Regarding Demo/Road Closure, and Parking

With several concerns and questions raised from citizens regarding public safety and scheduling of the road closures, the Board chose to delay this item to gather more information.

3. Discussion and Possible Action: Purchase Propane Tanks

The Board would like this item to be brought back to them after finding our more information regarding funding sources for the purchase of each of the propane tanks, as these purchases were not budgeted for.

The Board chose to delay the Propane Bid award in conjunction with delaying the propane tank purchase.

4. Board and Committee Reappointments

- a. Board of Appeals

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Michael Swant as a Regular Member to the Board of Appeals, with a term expiring June 30, 2018. Vote 5-0, motion passes.

- b. Conservation Commission

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Jeffery Normandin as a Regular Member to the Conservation Commission, with a term expiring June 30, 2018. Vote 5-0, motion passes.

c. Energy Efficiency Steering Committee

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Christopher Ring as a Regular Member to the Energy Efficiency Committee, with a term expiring June 30, 2018. Vote 5-0, motion passes.

d. Historic District Commission

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Kurt Holstrum as a Regular Member to the Historic District Commission, with a term expiring June 30, 2018. Vote 5-0, motion passes.

e. Municipal Social Services Review Board

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Dan Gardoqui as a Regular Member to the Municipal Social Services Review Board, with a term expiring June 30, 2018. Vote 5-0, motion passes.

f. Parks and Recreation Board

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Brenda Knapp as a Regular Member to the Parks and Recreation Board, with a term expiring June 30, 2018. Vote 5-0, motion passes.

g. Sohier Park Committee

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Brenda Knapp as a Regular Member to the Sohier Park Committee, with a term expiring June 30, 2018. Vote 5-0, motion passes.

5. Special Event Permits

- a. TrailFEST
- b. York Hospital's Breast Cancer Walk for Hope
- c. Seacoast Century
- d. 6<sup>th</sup> Annual Ride for Help and Hope

Moved by Mr. Macdonald, seconded by Mr. Frederick to approve the following Special Event Permit Applications subject to all, if any, conditions given by Department Heads: Trailfest on September 26, 2015, York Hospital's Breast Cancer Walk for Hope on July 30, 2015, Seacoast Century on September 26 and 27, 2015 and, Ride for Help and Hope on August 15, 2015. Vote 5-0, motion passes.

J. Future Agendas

K. Other Business

L. Citizens' Forum

Adjourn

Moved by Mr. Macdonald, seconded by Mr. Frederick to adjourn the meeting at 10:35PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery  
Assistant to the Town Manager



**Notice of Public Hearing  
Board of Selectmen  
Monday, December 14, 2015  
7:00 PM  
York Public Library**

The York Board of Selectmen will conduct a Public Hearing regarding a proposed ordinance amendment to be considered at a January 30<sup>th</sup>, 2016 Special General Referendum as follows:

1. Public School Building Height Exception

Printed copies of the text of this amendment (draft document dated November 13, 2015) are available with the Town Clerk at the Town Hall, and digital copies are available on the Town's Web page ([www.yorkmaine.org](http://www.yorkmaine.org)).

# **Proposed Amendment**

to be considered at a

## **January 2016 Special General Referendum**

### Amendment

1. Public School Building Height Exception

**Amendment #1**  
*Public School Building Height Exception*

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

**Article X**

The Town hereby ordains amendment of the **Zoning Ordinance** to allow, by special exception, an increase to the maximum building height permitted for auditoriums, theaters, gymnasiums, or similar facilities at the site of an existing public school building.

**Statement of Fact:** The purpose of this amendment is to allow auditoriums, theaters, gymnasiums, or similar facilities at the site of an existing public school building the possibility to obtain a special exception from the Board of Appeals for a height increase not to exceed 45 feet.

**Amendment:**

Amend section 5.1.5.1 Height Exception letter (b.) by adding number 4 to read as follows:

*4. Auditoriums, theaters, gymnasiums, or similar facilities at the site of existing public school buildings: Building height may be increased to a maximum of 45 feet, provided the applicant demonstrates that the increase in height limit within the base zone is integral to the functional and technical purposes of the building as demonstrated by a Registered Design Professional.*

Recommended by the Planning Board:

Recommended by the Board of Selectmen:



**Notice of Public Hearing  
Town of York - Board of Selectmen  
Monday, December 14, 2015  
7:00 PM  
York Public Library**

The York Board of Selectmen will conduct a Public Hearing on **Monday, December 14, 2015** at **7:00PM** regarding the draft warrant for the proposed **January 2016 Special General Referendum**. Printed copies of the text of the proposed document are available at the Town Clerk's office in Town Hall, and digital copies are available on the Town's Webpage ([www.yorkmaine.org](http://www.yorkmaine.org)).

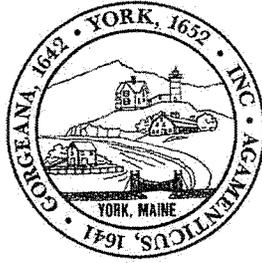


**Notice of Public Hearing  
Town of York - Board of Selectmen  
Monday, December 14, 2015  
7:00 PM  
York Public Library**

The York Board of Selectmen will conduct a Public Hearing on **Monday, December 14, 2015 at 7:00PM** regarding proposed changes to the **Traffic Safety Ordinance** and **Parking Permit Program** regarding increases to violation fees for Parking Passes, Parking Meters and Parking Fines, as well as an amendment with regard to parking in public ways during the winter months, as proposed by the York Police Department.

Any questions or comments will be welcome at the hearing, and written comments may be submitted in advance to the Town Manager's Office.

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



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 11, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: December 14, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: January Special General Referendum	

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** On November 2nd the Board of Selectmen called a Special General Referendum, to be held on January 30, 2016, for the purpose of filling a vacancy on the School Committee. On November 16th the Board voted to post a proposed Zoning Ordinance amendment that would alter maximum building heights for a public hearing, to facilitate inclusion of this amendment at the January referendum.

At this meeting the Board will conduct a public hearing on the proposed ordinance amendment and on the draft warrant. The warrant posted for the hearing includes the proposed ordinance amendment, though the Board may remove this if it so chooses.

**RECOMMENDATION:** I recommend the Board send the proposed building height amendment to the voters for consideration at the January Special General Referendum, take its preference vote on this matter, and send the warrant to the voters for consideration on January 30, 2016.

**PROPOSED MOTION:** Three actions:

1. I move to place the proposed building height amendment on the ballot for the January 2016 Special General Referendum.
2. Take preference votes on the proposed building height amendment.
3. I move to forward to the voters the warrant for the January 30, 2016 Special General Referendum.

Prepared by Stephen H. Burns, Town Manager:

**TOWN OF YORK  
SPECIAL GENERAL REFERENDUM WARRANT  
ARTICLES TO BE ACTED UPON AT THE SPECIAL GENERAL REFERENDUM  
YORK, MAINE                      JANUARY 30, 2016**

TO: Douglas P. Bracy, Constable of the Town of York, Maine

\*\*\*\*\*

Greetings:

Dated at York this 14<sup>th</sup> day of December, Two Thousand Fifteen:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of York, in said County, qualified by law to vote in Town affairs, to meet at the **Robert E. Butler Gymnasium at York High School on Saturday, January 30, 2016** between the hours of 8:00 o'clock in the forenoon and 8:00 o'clock in the evening, then and there to act on Articles One through Two, said Articles being set out below to wit:

**BOARD OF SELECTMEN**

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

\_\_\_\_\_  
Jonathan O. Speers, Vice-Chairman

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

\_\_\_\_\_  
Dawn Sevigny-Watson

\_\_\_\_\_  
Todd A. Frederick

**ONE:** To elect the following:

**One (1) Member Superintending School Committee – Term Expiring May 2016**

**TWO:** The Town hereby ordains amendment of the Zoning Ordinance to allow, by special exception, an increase to the **maximum building height** permitted for auditoriums, theaters, gymnasiums, or similar facilities at the site of an existing public school building.

**Statement of Fact:** The purpose of this amendment is to allow auditoriums, theaters, gymnasiums, or similar facilities at the site of an existing public school building the possibility to obtain a special exception from the Board of Appeals for a height increase not to exceed 45 feet.

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

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

**NOTICE OF INTENT**  
**TO PROCESS ABSENTEE BALLOTS**

**Title 21-A, Section 759**

I certify that pursuant to State of Maine, Title 21-A, Section 759, absentee ballots will be processed commencing at **8:00 A.M.** at the Special General Referendum to be held at the York High School Robert E. Butler Gymnasium on:

**DATE: JANUARY 30, 2016**

Dated at York this 14<sup>th</sup> day of December, Two Thousand Fifteen:

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Robert E. Palmer, Jr., Chairman

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Jonathan O. Speers, Vice-Chairman

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Torbert Macdonald

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Dawn Sevigny-Watson

---

Todd A. Frederick

**BOARD OF SELECTMEN**



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 10, 2015

ACTION

DATE ACTION REQUESTED: December 14, 2015

DISCUSSION ONLY

SUBJECT: Winter Maintenance changes associated with Maine DOT's change to the Urban Compact Boundary.

### DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

#### BACKGROUND:

The Maine Department of Transportation changed the boundary of the Urban Compact on November 1, 2015. The Urban Compact area is the area of higher building density alongside State Roadways. Compact town's which include York are responsible for most of the summer and winter maintenance on State Roads in these areas. The proposed change means that the Town of York is required to take over maintenance responsibilities for US Route 1 from the Intersection of Mountain Road in Cape Neddick south to the Town line with Kittery.

Before the change the Town maintained 272 lanes miles of Town and State Roads in the Urban Compact area. Previously DPW also provide for winter maintenance of the four School parking lots, Library, Town Dock 1 & 2, both Fire Stations, Police Station & Senior Center, Town Hall, Beach Ball field, Parking lot across the street from the Beach Fire Station and a portion of Short Sands parking lot. Under normal circumstances this workload is broken up into 18 plow routes staffed by 12 DPW employees, 3 Parks and Rec employees and 1 contractor. The length of the plow routes is a function of vehicle size (salt capacity) and roadway width. The plow routes that are completed with pick-up trucks range from 2 to 5 miles in length. The plow routes that are completed by our heavy duty plow truck range from 9 to 12 miles in length. I have included with this form a comparison of the DPW plow routes before and after the new changes for your review and information.

The total cost for the maintenance of Town roads is equal to the sum of four of the DPW's budget categories (Tree Care, General Highway, Winter Highway, and Contracted Services); This amount was \$4,973,293 in FY2016. If we divide this cost by the number of lane miles the Town maintains (272) we come up a cost/lane mile of \$18,284. I have included with this form a table that compares this cost with other Towns that would be comparable to the Town of York for your review and information.

The Board of Selectmen awarded the new Heavy Duty Wheeler Plow truck and we expect delivery in February 2016. Maine DOT has agreed to continue to maintain a portion of RTE 1 until DPW takes delivery of the New Plow Truck. The Board of Selectmen has awarded contracts to local private contractors for the winter maintenance of the school parking lots and snow clean-up of York Village and Short Sands village areas. This plan has freed up personnel and equipment that we have reassigned to Route 1. DPW has also hired one seasonal employee to cover a pick up routes to free up personnel and equipment to be reassigned.

RECOMMENDATION: None.

PROPOSED MOTION: N/A

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: Dean Lessard

REVIEWED BY: 

	Unit	Driver	Before (FY15) 14-15 Miles	After (FY16) 15-16 Miles
1	44	P-6	3.3	2.91
2	GMC	P-3	1.97	2.35
3	47	H-8	11.54	11.43
4	46	H-13	12.47	12.47
5	55	H-7	9.31	10.64
6	48	H-12	10.17	10.15
7	GMC	P-?	2.05	2.26
8	51	H-11	9.34	9.34
9	59	H-9	10.37	10.34
10	69	H-16	7.03	6.78
11	43	H-14	12.05	12.68
12	45	H-17	2.05	12.05
13	54	H-30	7.84	2.32
14	Private	H-31	3.93	3.62
15	57	H-15	10.59	11.21
16	54	H-18	1.95	2.94
17*	50	H-10	10.1	7.91
18	41	H-5	Parking Lots	2.86
	<b>Total</b>		<b>126.06</b>	<b>134.26</b>

**COMPARING RELEVANT PUBLIC WORKS INFORMATION WITH SIMILAR MUNICIPALITIES IN MAINE**

MUNICIPALITY	COUNTY	2014 STATE VALUATION	SQUARE MILES	2010 POPULATION	DPW TOTAL BUDGET FY15	TOWN ROAD		COST/POP	MILE/FTE	
						LANE MILES with Rte 1	COST/LANE MILE			
YORK	York	\$ 3,885,750,000	54.67	12,529	\$4,788,364	17	292	\$16,399	\$382	17
SCARBOROUGH	Cumberland	\$ 3,579,450,000	47.61	18,919	\$6,020,087	22	350	\$17,200	\$318	16
SOUTH PORTLAND	Cumberland	\$ 3,537,700,000	11.98	25,002	\$4,039,989				\$162	
WELLS	York	\$ 2,773,550,000	57.55	9,589	\$1,179,588	11	150	\$7,864	\$123	14
FALMOUTH	Cumberland	\$ 2,253,889,200	29.38	11,185	\$1,914,233	11	180	\$10,635	\$171	16
BRUNSWICK	Cumberland	\$ 2,026,250,000	46.73	20,287	\$3,756,201	24	290	\$12,952	\$185	12
SACO	York	\$ 2,001,150,000	38.46	18,482	\$5,566,092	39	250	\$22,264	\$301	6
CAPE ELIZABETH	Cumberland	\$ 1,652,255,600	14.7	9,015	\$1,128,969	9	124	\$9,105	\$125	14



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 11, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: December 14, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Proposed Legal Training Policy	

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** The Board discussed this matter at the November 16th meeting and directed me to prepare a draft Selectmen's Policy to address legal training for board and committee members. The proposed policy is attached. This would be inserted into the Selectmen's Policy Manual in Section 3 (Boards, Committees and Commissions).

As this is a Selectmen's Policy, the Board is free to make changes, enact or discard this proposal as it sees fit.

**RECOMMENDATION:** I recommend the Board enact the proposed Legal Training Policy.

**PROPOSED MOTION:** I move to enact the Selectmen's Policy, Legal Training for Board and Committee Members.

Prepared by Stephen H. Burns, Town Manager:



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**TOWN OF YORK**

**SELECTMEN'S POLICY**

**Legal Training for Board and Committee Members**

Volunteer boards and committees engage in a variety of matters relating to the functions of the municipal governance, all of which occurs within a framework of federal, state and local laws and rules. To minimize the risk of inadvertent errors and to help ensure compliance with laws and rules, the Board of Selectmen shall ensure the following occur:

1. The Town attorney shall provide legal training twice annually on topics deemed relevant at the time. There should be general training in matters such as public records, public meetings, and due process. More specific matters may be addressed as needed.
2. Every attempt shall be made to broadcast the training sessions so they can be streamed and recorded. Recordings shall be made available to anyone needed training.
3. Members, including alternate members, of boards, committees and commissions shall be expected to attend the first training offered by the Town following their initial election or appointment, plus one additional training for each 3 years served. This shall apply to the following:
  - a. Board of Selectmen
  - b. Budget Committee
  - c. Planning Board
  - d. Board of Appeals
  - e. Historic District Commission
  - f. Harbor Board
  - g. Conservation Commission
  - h. Energy Steering Committee
  - i. Cliff Walk Committee
  - j. Bicycle & Pedestrian Committee
4. In the event a member is not able to attend a particular training session in person may stream the training, watch a recording of the training, or attend other equivalent legal training such as that provided by Maine Municipal Association or Southern Maine Planning and Development Commission.



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 3, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: December 7, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Maine DOT Proposal to assist with required Federal and State Regulatory Process for the York Village Improvement Project.	

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** The Town of York has begun the process of requesting that State and Federal transportation funding from Maine DOT and the Federal Highway Administration (FHWA) thru the Kittery Area Comprehensive Transportation Study Committee (KACTS) Metropolitan Planning Organization (MPO) for the construction phase of the York Village Improvement Project. The Town and the York Village Study Committee is also requesting authorization to administer the project locally with the help of our consultants (LAP). The Town of York meets the criteria to be allowed to administer the project and the Maine DOT seems to be inclined to allow us to do it. The major reason we are proposing to administer the project locally is to better engage those who will be served by the project and those who may have a vested interest in the project. The Village Study Committee believes it has a better understanding of local concerns and will be able to work through those issues in a more timely and successful manner.

Municipalities delivering LAP projects with State and Federal funds are required to follow a rigorous federal and state project development process. This process requires a few activities to be done by the Maine DOT. The activities that the Town of York will need Maine DOT to participate in are described in the included Maine DOT Proposal for Design Development Assistance for The York Village Revitalization Project. If the Town doesn't agree to the Maine DOT assistance with these activities we will not be allowed to administer the project and the project will become ineligible for federal funds. The proposed scope of work to be provided by Maine DOT is as follows:

1. Task 1 is the estimate for Maine DOT to review our design and any design exceptions
2. Task 2 is the estimate for the work related to the National Environmental Policy Act (NEPA). NEPA review is required on all projects with a federal action (funding/permits). Maine DOT is responsible for completing the NEPA process when a project has federal funding. Section 106 of the National Historic Preservation Act, Section 4(f) of the Department of Transportation Act, right of way, public meeting, hazardous material review, Section 7 of the Endangered Species Act and federal permitting level must be done before completing NEPA. Maine DOT is responsible for completing the Section 106, Section 4(f) and Section 7 documentation and process when a project has federal funding.
3. Task 3 is the estimate for Maine DOT to assist in providing Right-of-Way (ROW) assistance.

PROJECT HISTORY

- On Monday March 3, 2014 The Town of York, through the York Village Study Committee solicited Statements of Qualifications for planning, design, engineering and project management services for the York Village Masterplan, Design & Construction Documentation in historic York Village, Maine.
- On August 11, 2014 the York Board of Selectmen approved the Village Study Committees recommended phasing proposal for the York Village project and also awarded a contract to The Consultants of Downtown Revitalization Collaborative (TDRC) to complete the planning phase of the project (The Master Plan for York Village).
- On May 18, 2015 at 8:30 The Consultants of Downtown Revitalization Collaborative (TDRC) and the York Village Study Committee presented the York Village Master Plan to the York Board of Selectmen which completed the planning phase of the project.
- On July 6, 2015 the York Board of Selectmen approved the extension of the Town's contract with The Consultants of Downtown Revitalization Collaborative (TDRC) in the amount of \$304,060 for the Schematic Design/Preliminary Engineering and Design Development Phase of the revitalization of York Village.
- On July 21, 2015 the KACTS committee unanimously approved the York Village Improvement project appropriating \$545,000 for the first phase of construction.
- On September 23, 2015 Members of the York Village Study Committee and our consultant's (TDRC) met with representatives of the Maine DOT to discuss the KACTS Approved York Village Project.
- On November 3, 2015 the voters of York approved amending the Town's Comprehensive Plan to incorporate by reference the York Village Master Plan.

**RECOMMENDATION:** The Village Study Committee recommends approving the proposed scope of services and estimated budget for the Maine DOT to assist the Town of York and its consultants with all the federal and state required regulatory processes.

**PROPOSED MOTION:** I move to direct the Town Manager to sign the Municipal-State Agreement with the proposed scope and estimated budget of \$38,000 for the Maine DOT to assist the Town of York and its consultants with all the federal and state regulatory processes.

FISCAL IMPACT: \$38,000

DEPARTMENT LINE ITEM ACCOUNT: 216.0000.8001

BALANCE IN LINE ITEM IF APPROVED: \$106,170.70

PREPARED BY: Dean Lessard

REVIEWED BY: 

**MaineDOT Proposal for Design Development Assistance for  
York Village Revitalization: York Street (Route 1A) at Long Sands Road  
Design Development Phase**

At the request of the Town of York, following is the proposed scope of services and estimated budget for MaineDOT to assist the Town of York and its consultants in the design development process. The purpose of the assistance is to help ensure the Town of York that it will address all required federal and state requirements to allow the project to proceed to project bidding without the need to revisit any potential permitting and other regulatory processes. Upon Town acceptance of this proposal, MaineDOT will generate a Municipal-State Agreement and upon obtaining signatures by both parties, the work described below will begin.

The proposed scope of work to be provided by MaineDOT follows:

1. Task 1: Review traffic data, traffic analyses and the proposed horizontal layout
  - A. MaineDOT will inform the Town and its consultants if any additional data must be obtained or provided to MaineDOT.
  - B. MaineDOT will also notify the Town and its consultants if additional traffic analyses must be conducted.
  - C. MaineDOT will provide comments regarding any traffic concerns with the proposed horizontal alignment, including potential Design Exceptions. MaineDOT will provide information regarding the process and criteria required to obtain Design Exceptions, which must be approved by the MaineDOT Chief Engineer or her designee.
2. Task 2: Assist in complying with National Environmental Policy Act (NEPA), and Historic Preservation Act (Section 106 and Section 4(f)) requirements.
3. Task 3: Assist in providing Preliminary Engineering (PE) and Right-of-Way (ROW) assistance. In order to estimate the cost of obtaining ROW, MaineDOT will require the submittal of cross-sections, limits of impacted work, excavation and fill limits of work and drainage features including drainage outlets to ensure drainage easements are in place where needed. The Right-of-Way cost will be estimated based on this information.

An initial assessment of Task 1 has been completed. Following are additional data and analysis needed to review the proposed traffic improvements:

1. Additional Data and Traffic Analysis Needs
  - A. Provide Level of Service (LOS) evaluations for existing conditions (current triangle configuration) and between the alternatives and the no-build (existing conditions).
  - B. Consider alternatives that would not include left turn lanes.
  - C. We recognize that one of the traffic goals (“improve existing congestion and delay issues currently experienced by vehicular traffic”) may not have as much weight as other stated goals, but the lack of an existing LOS analysis in the report is noticeably void in any alternatives analyses.
  - D. Page 57 of the report states there is a “heavy left turn movement from York Street onto Long Sands Road.” However, the proposed alignment only shows a 7-foot wide shoulder to accommodate the turning traffic. MaineDOT is concerned this will result in traffic back-ups and the potential for rear-end collisions. MaineDOT understands the Town’s desire to improve pedestrian access but this situation should be further evaluated. Note also that a Design Exception may be required.
2. Recommendations
  - A. Provide 22-foot long spaces for parallel parking rather than the 20 feet shown.
  - B. Consider using Rectangular Rapid Flashing Beacons (RRFB) at all pedestrian crossings not located at intersections.
  - C. Ensure all plantings will not interfere with recommended sight distances.
  - D. Identify if and what types of lighting will be provided at the intersections.

- E. Consider utilizing green paint through traffic conflict zones for any proposed bicycle lanes. If or where bicycle lanes are not proposed, consider using “Sharrows” (Share the Road pavement markings) and related bicycle signage, including “Share the Road” and “3-foot rule” signs.
- F. Ensure the Town of York is amenable to snow plowing and other additional maintenance activities that may result from the use of sidewalk bump-outs.

Anticipated Schedule

Assuming prompt submittals of required materials and an expectation there will be no major schedule issues, MaineDOT expects the Design Development assistance effort will take approximately 27 months following Town and MaineDOT signatures of the Municipal-State Agreement. Note that some of the timelines will likely run concurrently:

Task 1: Additional Traffic Data and Analyses	1 month
Task 2: NEPA, Sections 106 & 4(b), assumes proposed ROW included	7 months following PIC
Task 3: PE and ROW	
PE to Preliminary Design Report (PDR)	9 months
PDR to Preliminary Impacts Complete (PIC) - concurrent with NEPA	
ROW (following PIC)	9 months
PE to Bid Advertising	<u>1 month</u>
Total Estimated Time to Bid Advertising	27 months

Proposed Budget

Based on the plans and report provided to date and our preliminary review, MaineDOT expects the Design Development Phase assistance budget should include:

Task 1: Additional Traffic Data and Analyses	\$ 2,000
Task 2: NEPA, Sections 106 & 4(b), assumes proposed ROW included	\$10,000
Task 3: PE and ROW	
PE (to Preliminary Design Report)	\$ 5,000
ROW (to Preliminary Design Report)	\$ 2,000
ROW (Administrative Costs Estimate for budget purposes only) <sup>1</sup>	\$12,500
PE (to Bid Advertising)	<u>\$ 5,000</u>
Total Estimated Cost (Less actual ROW costs)	\$36,500 → Say \$38,000

<sup>1</sup> Administrative costs based on \$2,500 per lot and 5 lots impacted. Cost may vary.

If acceptable to the Town of York, MaineDOT will generate a Municipal-State Agreement based on the scope of work, timelines and budget shown above. Upon obtaining signatures, MaineDOT will establish a Work Plan Identification Number (WIN) to track expenses and a MaineDOT Project Manager will be assigned to coordinate all work. Once a Notification to Proceed is obtained, work will begin.

Please direct all questions to Gerry Audibert, P.E. at MaineDOT via e-mail at [gerry.audibert@maine.gov](mailto:gerry.audibert@maine.gov) or by phone at 624-3315.



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 9, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: December 14, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Traffic Safety Ordinance Amendments	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Attached are the proposed Traffic Safety amendment changes concerning snow emergencies, the penalty fee for meters, overtime, or other violations and to prohibit parking on Long Beach Avenue from 1 am to 4 am.

RECOMMENDATION: I recommend the Board repeal Section 2 Snow Removal and replace with language regarding a snow emergency; prohibit parking on Long Beach Avenue from 1-4 am from May 15 to OCTOBER 15; and to increase the penalty fee from \$50.00 dollars to \$75.00 dollars for meters ,overtime, or other violations that are not paid within 10 days of receiving a parking ticket(tag)

PROPOSED MOTION: I move that the Traffic Safety Ordinance, Section 2:Snow Removal be amended to repeal and replace language regarding a declaration of snow emergency (as attached) I move to amend the Traffic Safety Ordinance Section 14 :Miscellaneous Regulations bullet 5, to prohibit parking on Long Beach Avenue from 1-4 am from May 15 to October 15:I move to amend the Traffic Safety Ordinance Section 18: Violations and Penalties for Parking Tickets "Tags" bullet points 1,2,and7 with the following fee increase \$75.00 dollars ,if paid more than 10 days after the time when such "tag" was attached to the vehicle, but before a Court Summons is issued.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY:

*Captain Charles J. Genardi*

REVIEWED BY:

*[Signature]*



# TOWN OF YORK, MAINE

## Police Department

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

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

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

**Administration**  
(207) 363-1031

**Facsimile**  
(207) 361-6818

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

**Committed**  
**to excellence**

### Memorandum

**Date:** December 09, 2015  
**To:** Town Manager Stephen H. Burns  
**Cc:** Board of Selectmen  
**From:** Captain Charles J Szeniewski *CJS*  
**RE:** Traffic Safety Ordinance Amendments

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The objective of this memorandum is to provide the Board of Selectmen (BOS) with potential changes to the Traffic Safety Ordinance.

The present parking violation fees having recently been amended to \$50.00 for meter, posted infractions, and other violations infractions requires a change in the penalty fee for non-payment within 10 days of issuance of the tag. The proposed \$75.00 fee for the non-payment will be a \$25.00 increase from the present \$50.00 penalty.

The proposed change to the time restricted parking on Long Beach Ave., no parking from 1:00 a.m. to 4:00 a.m., will provide consistency with the Beach Ball Field Road and Ellis Park Short Sands parking area from May 15 to October 15 that presently have the same restriction.

The proposed Snow Emergency ordinance allows a declaration to coincide with an actual inclement weather situation affecting parking and traffic safety, versus the present ordinance not allowing parking when weather is not adversely effecting traffic safety.

# **Proposed Amendments**

to be considered by the

## **Board of Selectmen**

### Amendments

1. Traffic Safety Ordinance

## **Amendment #1** *Traffic Safety Ordinance*

Explanation of Amendment: The purpose of this amendment is to repeal and replace language regarding declaration of snow emergency's to Section 2-Snow Removal; prohibit parking on Long Beach Ave from 1-4 a.m. from May 15 to October 15; and to increase the penalty fee from \$50 to \$75 for meters, overtime, or other violations that are not paid within 10 days of receiving a parking ticket (tag).

Amendment: Amend Section 2 –Snow Removal by amending that section to read as follows:

### **Section 2: Snow Removal**

~~Parking is prohibited on any public way between 12:00 midnight and 6:00 AM from November 1st through April 15th of the following year. The Public Works Director, Chief of Police or their designees as described in Section 12 of this Ordinance may remove any vehicle so found. To facilitate the plowing and removal of snow, the Director of Public Works, the Chief of Police or their designee, may order a no parking ban by declaring a snow emergency. When a snow emergency has been declared, there will be a total parking ban on any and all public ways. Once a snow emergency has been declared, the person declaring the snow emergency shall immediately notify local media that may include but not be limited to radio, newspapers and television outlets advising the public of a parking ban. The police department and all sworn officers are hereby authorized to issue a parking ticket and have any vehicle towed that is found to be in violation. When feasible, officers shall make reasonable efforts to contact the owner to have the vehicle moved prior to towing. Any and all costs for the towing and or garage expense shall be paid by the owner of the vehicle that was removed.~~

Amendment: Amend Section 14 -Miscellaneous Regulations by including Long Beach Avenue in the following section:

### **Section 14: Miscellaneous Regulations**

Vehicles exiting from the TD Banknorth Property, 127 Long Sands Road Map 120/Lot 119) at the intersection of York Street and Long Sands Road shall make a right turn only. (Adopted November 17, 1975)

The Board of Selectmen may establish trolley stops for the purpose of allowing trolley operators to pick-up and discharge passengers. All trolley operators using these stops must maintain an Intrastate Carrier Permit issued by the State of Maine. All Trolley stops shall be listed in Schedule F of this ordinance.

Certain parking spaces in the vicinity of the harbor in York River are restricted to use by vehicles with a Harbor Usage Permit. See Schedule H, Harbor Usage Permit Parking.

Three spaces in the parking lot located at 25 Railroad Avenue (across the street from the York Beach Fire Station), 3 spaces on the easterly side of Railroad Avenue between the York Beach Fire Station and the intersection with Bay Street, and one space directly in front of the York Beach Fire Station shall be reserved for exclusive use of firefighters in the course of their duties for the York Beach Fire Department.

Parking is prohibited between 1:00 AM and 4:00 AM in all parking spaces located along Beach Ball Field Road *and Long Beach Avenue from May 15 to October 15.*

For northbound vehicles exiting County Road, left turns onto Railroad Avenue shall be prohibited during the season when parking meters are enforced, as identified in Schedule E, Parking Meters.

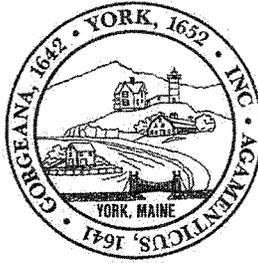
**Amendment:** Amend Section 18: Violations and Penalties for Parking Tickets (“Tags”) bullet points 1, 2 and 7 with the following fee increases:

**Section 18: Violations and Penalties for Parking Tickets (“Tags”)**

Any person violating any of the provisions of this Ordinance shall be punished by a fine of not less than \$15 and not more than \$250 for each offense to be recovered for the use of the Town; provided, however, that persons receiving “tags” for illegal parking may waive all court action and pay to the Chief of Police at the Police Station the applicable penalty set forth herein below in full satisfaction of such violation:

- Meters - The sum of \$50, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of ~~\$50~~ \$75, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued. (~~March 26, 2007~~)
- Overtime - The sum of \$50, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of ~~\$50~~ \$75, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued.

- Hydrant - The sum of \$100, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of \$200, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued.
- Handicap - The sum of \$250.
- Permit Parking - The sum of \$50, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of \$100, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued. (April 27, 2004)
- Horse Drawn Vehicles - The sum of \$50, if paid within 10 days of the time when notice of violation was given or the sum of \$100, if paid more than 10 days after the time when notice of violation was received, but before a Court Summons is issued
- Other Violations - The sum of \$50, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of ~~\$50~~ \$75, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued. (~~May 20, 2002~~).



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 8, 2015

ACTION

DATE ACTION REQUESTED: December 14, 2015

DISCUSSION ONLY

SUBJECT: Main Street Drainage, Sewer and Road Improvement Project.

### DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

The Department of Public Works (DPW) with the help of CLD Engineers has been planning, designing and permitting a drainage, sidewalk and roadway improvement project on Main Street for a number of years. Following the success of the coordinated projects on Church Street and Shore Road this spring the Public Works Department and the York Sewer District (YSD) have agreed to a similar coordinated project on Main Street. The combined project scope includes the installation of a new sewer force main and a new gravity sewer main to the York Sewer District's treatment facility. The project also includes replacing the existing closed drainage system. The existing closed drainage system along Main Street includes drop inlets, catch basins, manholes and pipe outlets at various locations to the east side of Main Street. Most of these structures and pipes are in poor condition and are in need of replacement. The Town of York DPW and the York Sewer District have completed the following efforts over the last few months.

- On Friday September 11, 2015 The Town of York Department of Public Works and the York Sewer District through CLD Engineers solicited bids from 12 preapproved contractors for the construction of the combined project.
- On Friday September 25, 2015 Separate sealed bids were opened in the Town Manager's office by 1:00 PM. No proposals were received for either project.
- On Monday October 19, 2015 The Board of Selectmen awarded a portion of the proposed drainage work to STS construction to be completed in conjunction with the sewer main installation in the amount of \$68,200.
- STS completed the first phase of the sewer main and drainage work around the middle of November.
- On Thursday December 3, 2015 The Sewer Districts Board of Trustees voted to move forward with STS to install the rest of the proposed Main Street sewer main.
- On Monday December 7, 2015 Tim Haskell and Dean Lessard met with Mark Stewart of STS construction. STS agreed to continue working for the York Sewer District and the Town of York to install another portion of our proposed drainage project in conjunction with the sewer main at the same unit prices used for the first part of the project.

RECOMMENDATION: The Department of Public Works recommends that the Town continue to work cooperatively with the York Sewer District to complete the proposed combined project. The DPW recommends awarding another portion of the proposed drainage work to STS construction to be completed in conjunction with the new sewer main installation.

PROPOSED MOTION: To facilitate project coordination with the York Sewer District, I move to award the next phase of the proposed drainage work to STS Construction, through the York Sewer District, to be completed in conjunction with the new sewer main installation using the unit prices in the December 8, 2015 proposal.

FISCAL IMPACT: \$73,500 - \$116,900

DEPARTMENT LINE ITEM ACCOUNT: 100.0303.9616

BALANCE IN LINE ITEM IF APPROVED: \$93,642 - \$50,242

PREPARED BY: Dean Lessard

REVIEWED BY: 

**STUART, TORNO & STUART, INC.**  
**d/b/a S.T.S. CONSTRUCTION**  
**PO BOX 429**  
**LEBANON, ME 04027**  
**207-457-1062**

**Proposal and Contract**

December 8, 2015

York Department of Public Works  
21 Bay Haven Road  
186 York Street  
York, ME 03909

Stuart Torno & Stuart, Inc., hereinafter called the Company, offers to furnish all labor, materials, and equipment required for the performance of the following described work located in **York, Maine**.

**MAIN STREET PROJECT**

**Drainage Work Bay Haven/Main Street Area**

1. 15" HDPE	440 lf	\$72.50	\$31,900.00
2. Drainage Structures	16 vf	\$450.00	\$7,200.00
3. Ledge Excavation by Hoe Ram (Assumes All Ledge)	456 ft	\$50.00	<u>\$22,800.00</u>
	<b>SUBTOTAL</b>		<b>\$61,900.00</b>

**Drainage Work - Main Street STA 6+00 - 10+00**

1. 15" HDPE	400 lf	\$72.50	\$29,000.00
2. Drainage Structures	12 vf	\$450.00	\$5,400.00
3. Ledge Excavation by Hoe Ram (Assumes All Ledge)	412 ft	\$50.00	<u>\$20,600.00</u>
	<b>SUBTOTAL</b>		<b>\$55,000.00</b>

**TOTAL BOTH AREAS      \$116,900.00**

**Exclusions:**

1. Traffic Control by Others
2. Road Reconstruction by Others
3. Pavement by Others

Unless a lump sum price is to be paid for the forgoing work and is clearly so stated it is understood and agreed that the quantities referred to above are estimates only and that payment shall be made at the stated unit prices on the actual quantities of work performed by Stuart, Torno & Stuart, Inc. as determined upon completion of the work.

Payment in full for all work performed hereunder during any month shall be made no later than the tenth day of the month next following. Final and complete payment for all work performed hereunder shall be made no later than thirty (30) days after the completion of such work. Interest at the highest legal rate allowable under

the laws of the jurisdiction in which the contract is executed shall be charged and paid on all unpaid balances from the due date to the date payment is received. If credit conditions become unsatisfactory at any time prior to completion of the work hereunder, The Company shall be furnished adequate security upon request.

Any deviation from the specifications or modifications of the terms of this contract and any extra or incidental work, or reduction in work, shall be set forth in writing and signed by both parties to the making of such change. Any increase or decrease in the contract price resulting from such change shall be included in such writing.

The Company shall provide and pay Workmen's Compensation Insurance covering its employees and Public Liability and Property Damage Insurance protecting itself. It will also assume responsibility for the collection and payment of Social Security and State Unemployment taxes applicable to its employees.

The Company shall be provided with suitable access to the work area. If the work is dependent upon or must be undertaken in conjunction with the work of others, such other work shall be so performed and completed as to permit performance of the work hereunder in a normal uninterrupted single-shift operation.

Unless a time for the performance of the work is specified, the Company shall undertake it in the course of its normal operating schedule. It shall not be liable for any failure to undertake or complete the work for causes beyond its control, including but not limited to fire, flood or other casualty; labor disputes or other disagreements; and accidents or other mishaps, whether affecting this work or other operations in which it is involved, directly or indirectly.

The Company shall not be responsible for, and the Owner agrees to hold it harmless from any liability resulting from, damages to utilities or other facilities or objects buried beneath, or to sidewalks, driveways or other improvements located within its work area or designated areas of access. It is further understood that the Company shall not be responsible for any damage to or deterioration of any of its work, whether completed or in process, resulting from any cause beyond its control, including but not limited to, failure of subgrade or failure or inadequacy of any labor or materials not furnished by the Company, whether or not such failure or inadequacy was or could not have been known at the time the work was undertaken.

If the foregoing meets with your acceptance, kindly sign and return a copy of this proposal. Upon its receipt it is understood that the foregoing will constitute the full complete agreement between us.

This proposal expires thirty (30) days from the date hereof, but may be accepted at any later date at the sole option of Stuart, Torno & Stuart, Inc.

**Stuart, Torno & Stuart, Inc.**

**Accepted**

\_\_\_\_\_

By \_\_\_\_\_

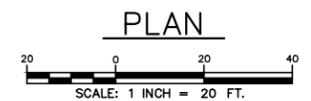
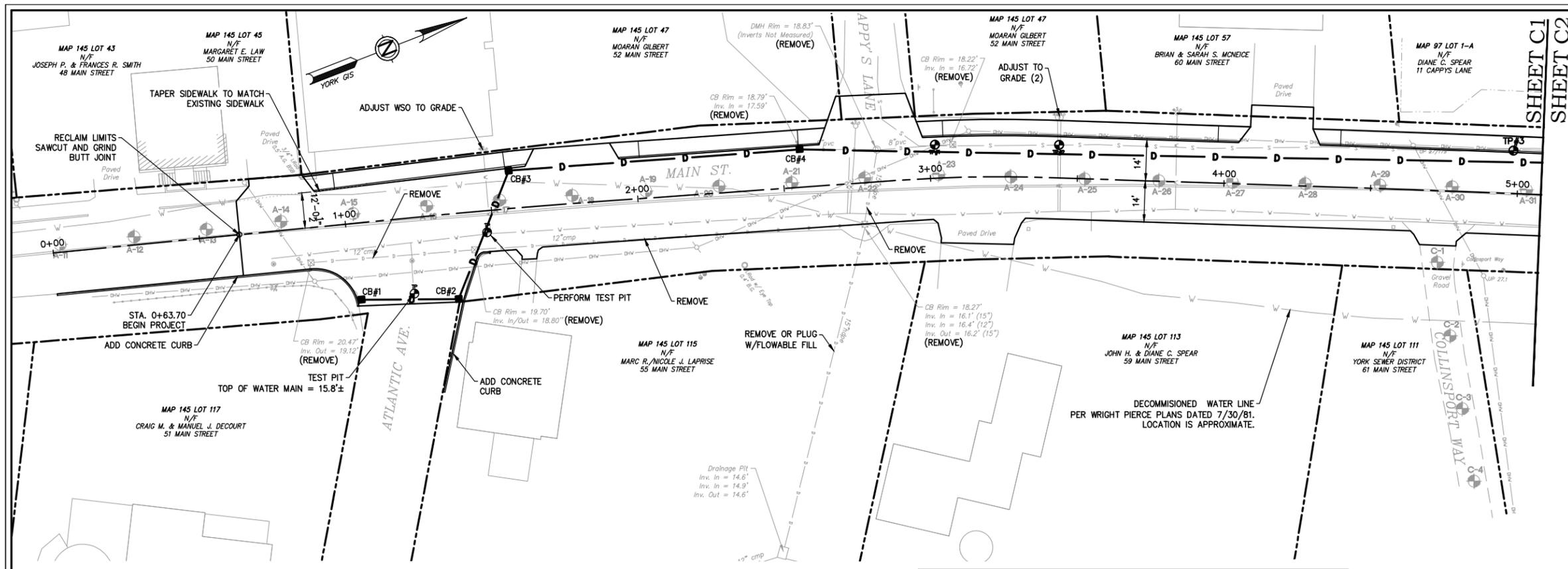
Mark Stuart, President

Name

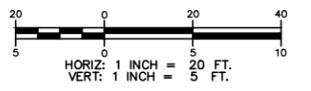
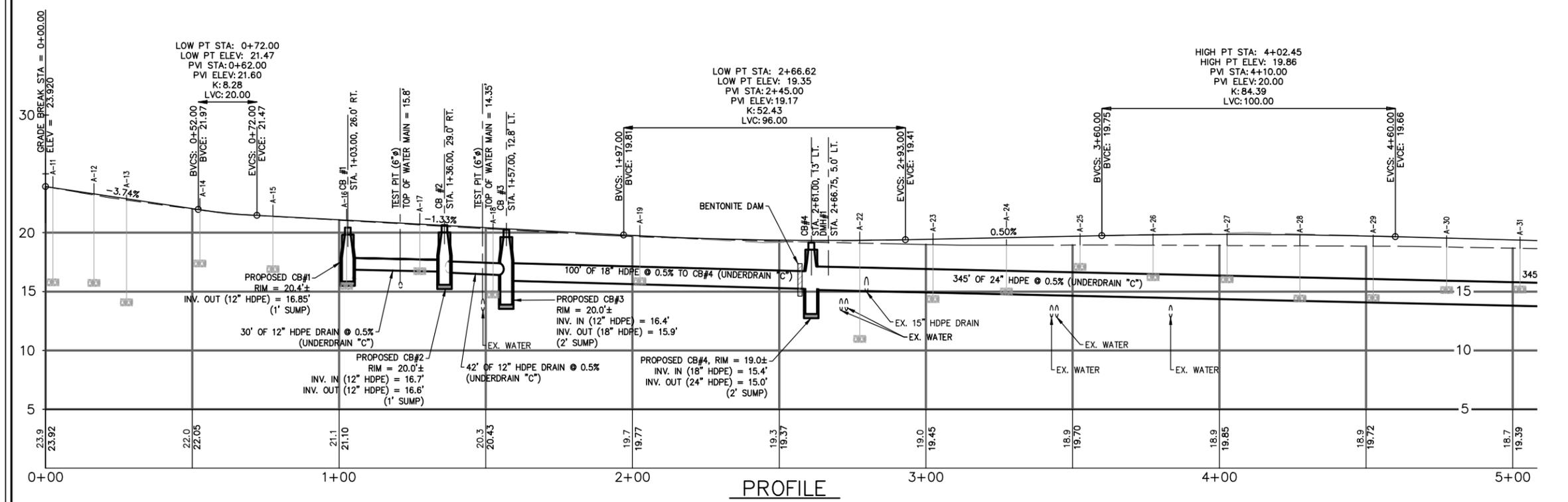
Date: December 8, 2015

Date \_\_\_\_\_

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**NOTE: NO BLASTING OF LEDGE BETWEEN STA. 2+50 AND 6+75, DUE TO CLOSE PROXIMITY OF EXISTING 16" SEWER FORCEMAIN.**



SHEET C1  
SHEET C2

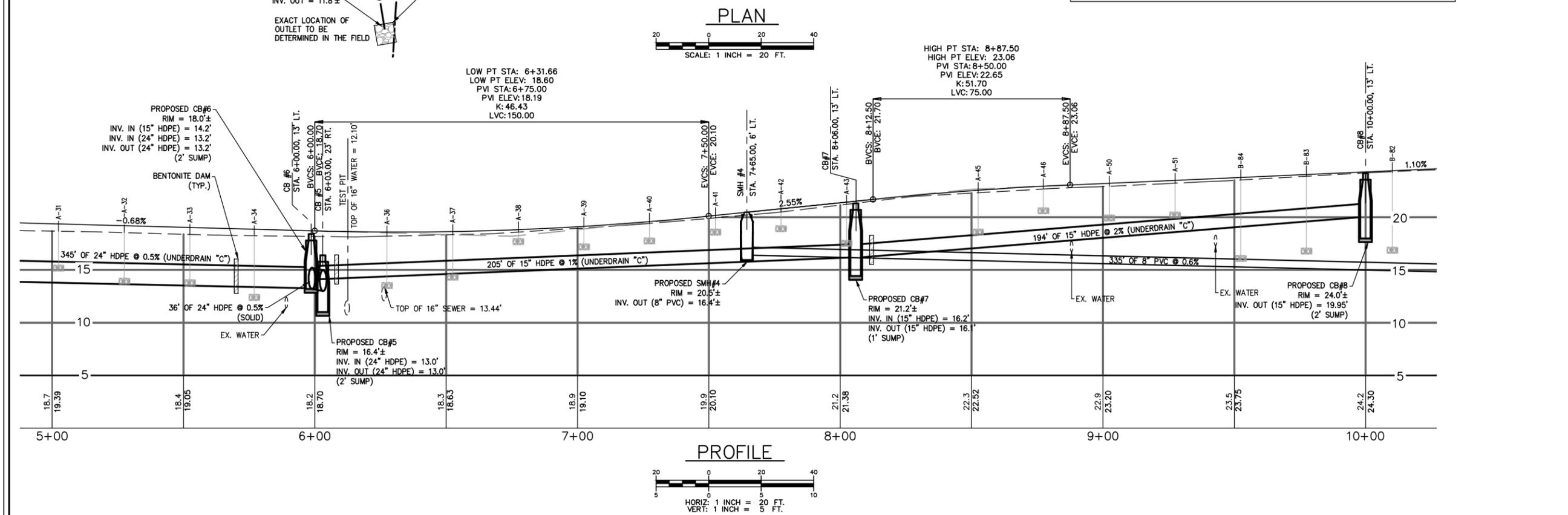
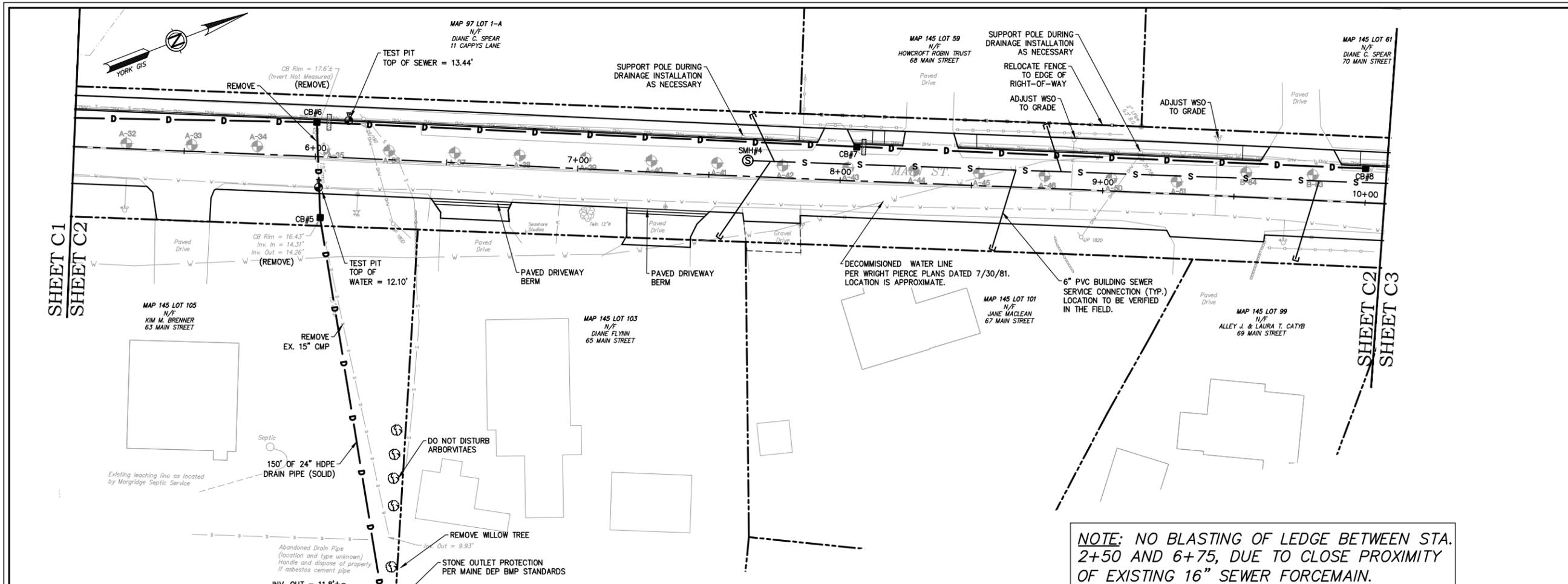


NO.	DATE	REVISION	DESIGNED:	CHECKED:	APPROVED:
			JAD/FSD	RMM/JLF	RL
DRAWN:					
DAD					

CLIENT:  
**YORK PUBLIC WORKS DEPT.**  
186 YORK STREET  
YORK, MAINE 03909  
**YORK SEWER DISTRICT**  
21 BAY HAVEN ROAD  
YORK BEACH, MAINE 03910

**MAIN STREET  
RECONSTRUCTION  
PLAN AND PROFILE**  
MAIN STREET  
YORK, MAINE 03909

SCALE: AS NOTED	JOB NO. 11-0146 15-0163
DATE: SEPT. 2015	DWG. 

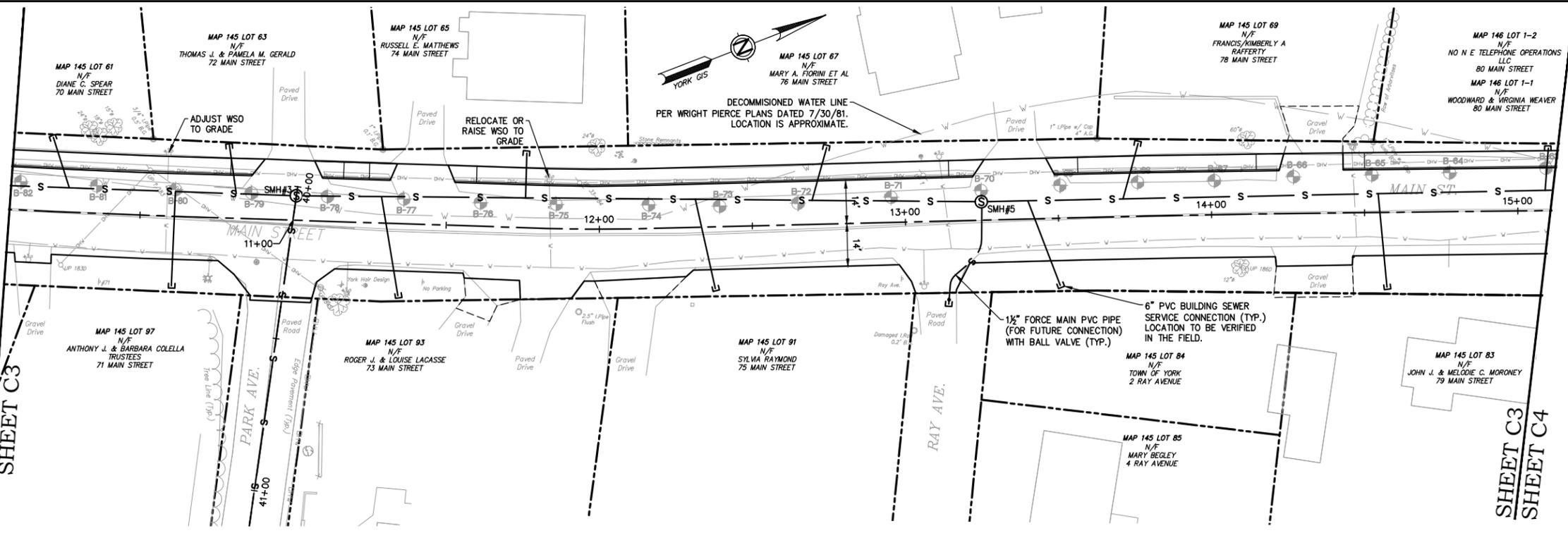


**NOTE: NO BLASTING OF LEDGE BETWEEN STA. 2+50 AND 6+75, DUE TO CLOSE PROXIMITY OF EXISTING 16" SEWER FORCEMAIN.**

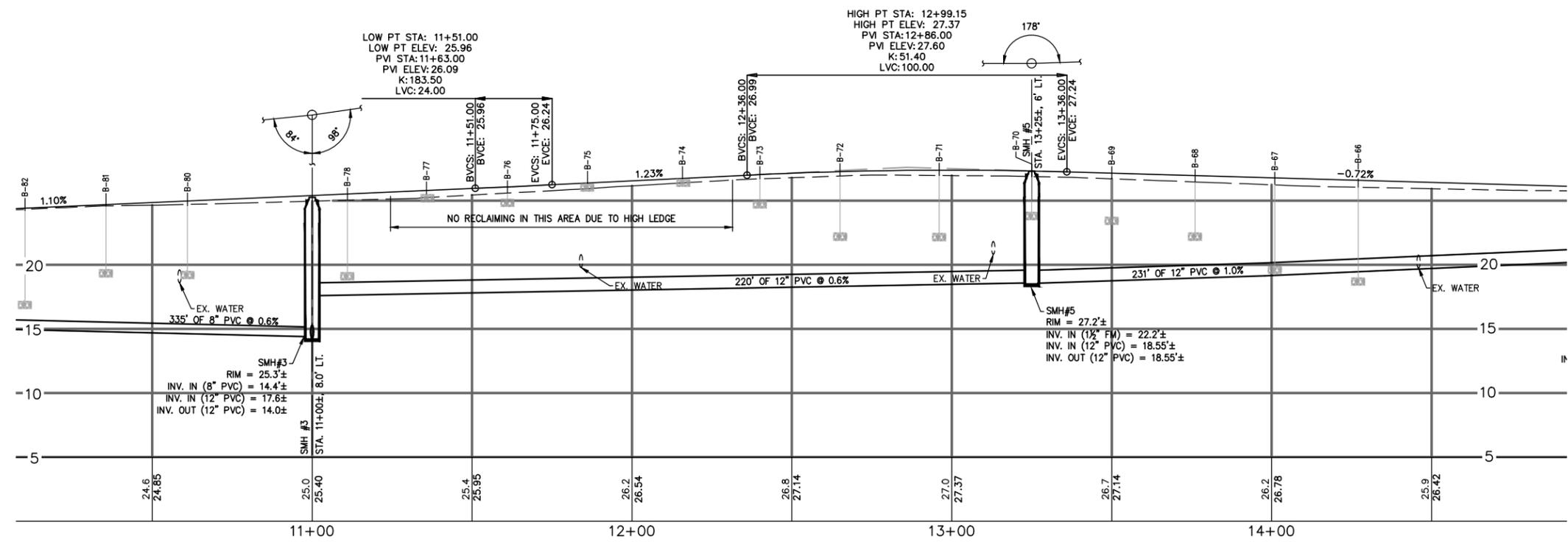
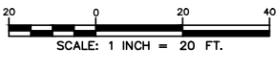
316 U.S. Route 1, Suite D • York, ME 03909 (207) 363-6669 • Fax: (207) 363-2384 cled@engineers.com • www.cledengineers.com Maine • New Hampshire • Vermont	
<b>CLIENT:</b> YORK PUBLIC WORKS DEPT. 186 YORK STREET YORK, MAINE 03909 <b>YORK SEWER DISTRICT</b> 21 BAY HAVEN ROAD YORK BEACH, MAINE 03910	
<b>PROJECT:</b> MAIN STREET RECONSTRUCTION <b>PLAN AND PROFILE</b> MAIN STREET YORK, MAINE 03909	
SCALE: AS NOTED	JOB NO. 11-0146 15-0163
DATE: SEPT. 2015	DWG. <b>C2</b>
NO. DATE REVISION DRAWN: DAD DESIGNED: JAD/FSD CHECKED: RMW/JLF APPROVED: RRL	

SHEET C2  
SHEET C3

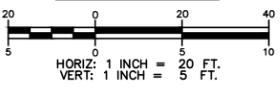
SHEET C3  
SHEET C4



PLAN



PROFILE



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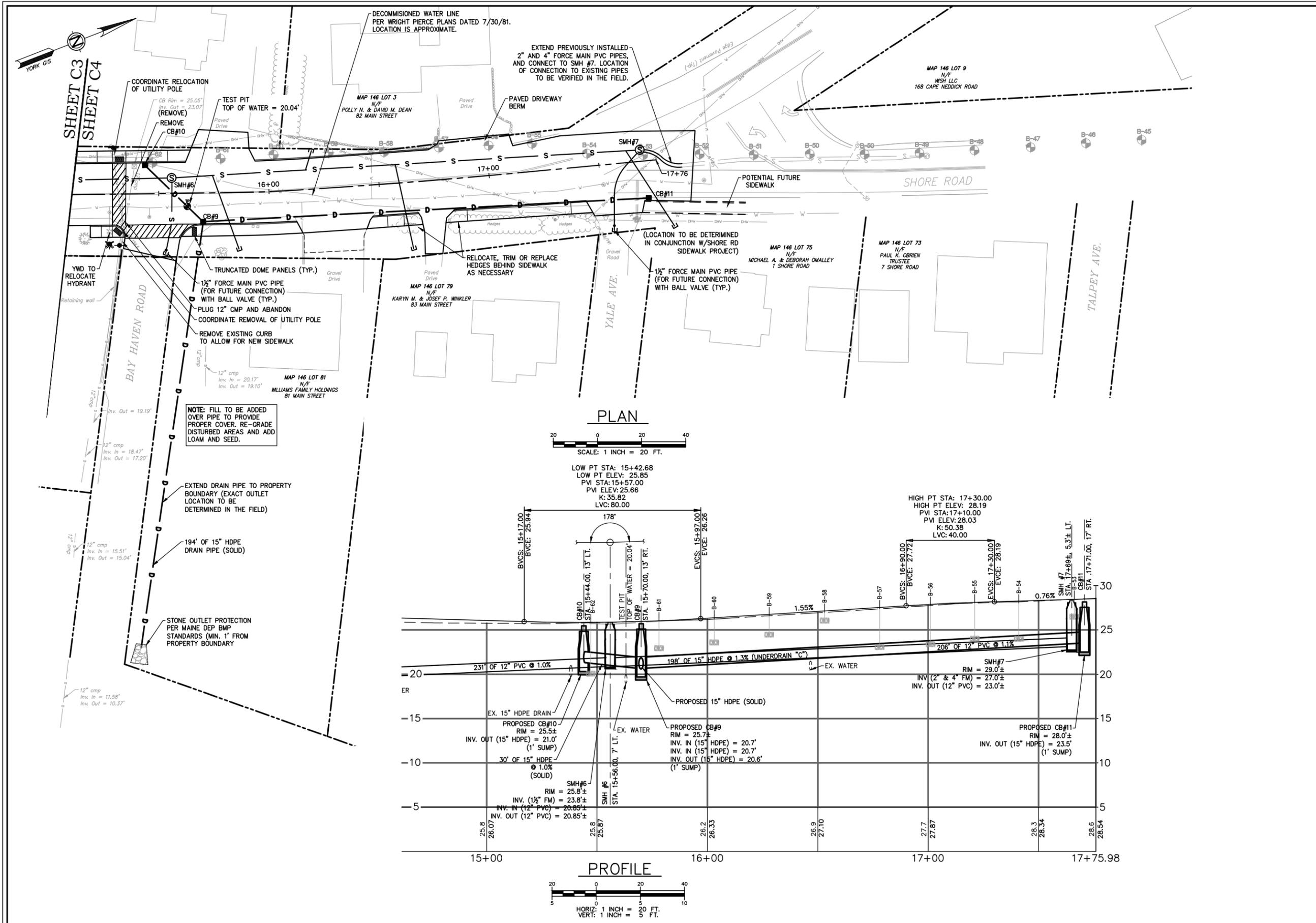
NO.	DATE	REVISION	CHECKED:	APPROVED:
1	7/17/15	EXTENDED 15" HDPE DOWN BAY HAVEN ROAD	RAM/JLF	RRL
		DRAWN:	JAD/FSD	
		DAD		

**CONSULTING ENGINEERS**  
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316 U.S. Route 1, Suite D • York, ME 03909  
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CLIENT:  
**YORK PUBLIC WORKS DEPT.**  
186 YORK STREET  
YORK, MAINE 03909  
**YORK SEWER DISTRICT**  
21 BAY HAVEN ROAD  
YORK BEACH, MAINE 03910

**MAIN STREET  
RECONSTRUCTION  
PLAN AND PROFILE**  
MAIN STREET  
YORK, MAINE 03909

SCALE:	JOB NO.
AS NOTED	11-0146 15-0163
DATE:	DWG.
SEPT. 2015	<b>C3</b>



NO.	DATE	REVISION	CHECKED:	APPROVED:
1	7/17/15	EXTENDED 15\"/>		
	DRAWN:	DESIGNED:	RAM/JLF	RRL
	DAD	JAD/FSD		

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**PROJECT:**  
 MAIN STREET  
 RECONSTRUCTION  
**PLAN AND PROFILE**  
 MAIN STREET  
 YORK, MAINE 03909

SCALE:	JOB NO.
AS NOTED	11-0146 15-0163
DATE:	DWG.
SEPT. 2015	<b>C4</b>