



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
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

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

www.yorkmaine.org

BOARD OF SELECTMEN'S MEETING AGENDA 7:00PM MONDAY, JUNE 23, 2014 YORK LIBRARY

6:30/6:45: Conservation Commission and Parks and Recreation Board Interviews

Call to Order

Opening Ceremonies

A. Minutes

1. April 28, 2014 Meeting Minutes
2. May 6, 2014 Meeting Minutes
3. May 12, 2014 Meeting Minutes
4. June 5, 2014 Meeting Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

1. FY15 Paving Bid
2. Cape Neddick River Water Quality Testing

E. Reports

1. Report from Energy Efficiency Steering Committee Regarding a Possible SEI Grant Opportunity

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 #51

H. Public Hearings

1. New Business License: Sweet Josie's Candy Shoppe

I. Endorsements

Business Licenses:

1. Bruce Larson DBA: Southern Maine Lobster (Victualers); Located at 1021 US Route One
2. Peter Wagner DBA: Camp Eaton (Victualers); Located at 750 York Street
3. Dan Poulin DBA: Fat Tomato Grill (Victualers and Liquor); Located at 241 York Street

J. Old Business

1. Right of First Refusal for the York Land Trust on Land Being Offered by the Kittery Water District

K. New Business

1. Administrative Changes Relating to the New Business Licensing Ordinance
2. Discussion and Possible Action on a Request by the York Village Study Committee to Negotiate for Design Services
3. Appointments to the York Village Study Committee
4. Discussion and Possible Action on a Letter From the York Sewer District Regarding Transferring Ownership of Land
5. Discussion and Possible Action on Requesting the Town Manager Contact the Davis Family Regarding Property Located at 142 York Street
6. Board of Appeals Re-Appointments
7. Assessment Review Board Re-Appointment
8. Energy Efficiency Steering Committee Re-Appointment
9. Harbor Board Re-Appointment
10. Historic District Commission Re-Appointment
11. Municipal Social Services Review Board Re-Appointment
12. Senior Citizens Advisory Board Re-Appointment
13. Shellfish Commission Re-Appointment
14. Sohier Park Committee Re-Appointment
15. Design Review Board Re-Appointment
16. York Housing Authority Re-Appointment
17. Conservation Commission Appointment
18. Parks and Recreation Board Appointment
19. Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit
20. Special Event Permit: YCSA Mount A Challenge Bike Ride
21. Special Event Permit: Zumba with Marianela

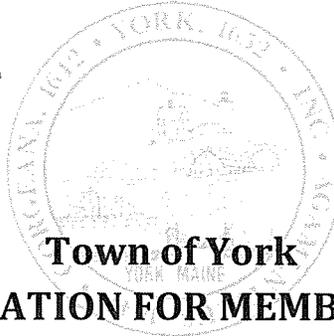
L. Other Business

M. Citizens' Forum

Adjourn

Town Manager's Office 363-1000
 Finance Office 363-1004
 Facsimile 363-1009/363-1019

Community Development 363-1002
 Planning Department 363-1007
 Town Clerk/Tax Collector 363-1003



Town of York
APPLICATION FOR MEMBERSHIP

Town Boards, Committees and Commissions

| PLEASE FILL OUT AND RETURN TO THE TOWN MANAGER'S OFFICE |

Name: Kelly Wilkey Date: 4-9-14

Physical Address: 61 Long Sands Rd.

Mailing Address: Same

Home Telephone: _____ Mobile Telephone: 207-337-0738

Email: kellywilkey@gmail.com State of Residency: Maine

Why do you wish to serve? interest in community VP of Kelleny CC
in prior years.

Why expertise can you provide? grant writing, finance, non-profit experience

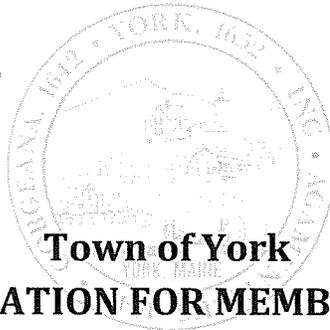
PLEASE CHECK THE BOARD(S), COMMITTEE(S) OR COMMISSION(S) YOU WISH
 TO APPLY TO FOR MEMBERSHIP CONSIDERATION:

<input type="checkbox"/>	Appeals Board	<input type="checkbox"/>	Parks and Recreation Board
<input type="checkbox"/>	Assessment Review Board	<input type="checkbox"/>	Planning Board
<input type="checkbox"/>	Cable TV Regulatory Commission	<input type="checkbox"/>	Senior Citizens Advisory Board
<input checked="" type="checkbox"/>	Conservation Commission	<input type="checkbox"/>	Shellfish Conservation Commission
<input type="checkbox"/>	Energy Efficiency Steering Committee	<input type="checkbox"/>	Sohier Park Committee
<input type="checkbox"/>	Harbor Board	<input type="checkbox"/>	York Harbor Site Design Review Board
<input type="checkbox"/>	Historic District Commission	<input type="checkbox"/>	York Housing Authority
<input type="checkbox"/>	Municipal Social Services Review Board	<input type="checkbox"/>	Other:

BELOW IS FOR OFFICE USE ONLY

Received Date: 4/15/2014 Received By: MMAvery

Interview Date: ___/___/___ Appointment Date: ___/___/___



Town Manager's Office 363-1000
 Finance Office 363-1004
 Facsimile 363-1009/363-1019

Community Development 363-1002
 Planning Department 363-1007
 Town Clerk/Tax Collector 363-1003

APPLICATION FOR MEMBERSHIP

Town Boards, Committees and Commissions

| PLEASE FILL OUT AND RETURN TO THE TOWN MANAGER'S OFFICE |

Name: Timothy Ward

Date: 5/1/14

Physical Address: 55 Indian Trail York, ME 03909

Mailing Address: 55 Indian Trail York, ME 03909

Home Telephone: 207-351-8160 Mobile Telephone: 207-337-5514

Email: t70ward@gmail.com State of Residency: ME

Why do you wish to serve? To become an active member of the York Community as I raise my young children in town. I grew up as an active child in the local summer camps in my home town. I also played sports sponsored by that same town until I was 40 years old. I believe that sports play a key role in the social development of children and they need the right people in charge to make sure certain standards are met to make sure it is all about the kid's and their social development.

Why expertise can you provide? What? expertise I can provide is that I have played baseball through college managed 2 softball teams as well as 3 fantasy football leagues so I am versed at organizing many people with many different ideas. I have a background in IT and use social media to co-ordinate activities and keep people informed.

PLEASE CHECK THE BOARD(S), COMMITTEE(S) OR COMMISSION(S) YOU WISH
TO APPLY TO FOR MEMBERSHIP CONSIDERATION:

<input type="checkbox"/>	Appeals Board	<input checked="" type="checkbox"/>	Parks and Recreation Board
<input type="checkbox"/>	Assessment Review Board	<input type="checkbox"/>	Planning Board
<input type="checkbox"/>	Cable TV Regulatory Commission	<input type="checkbox"/>	Senior Citizens Advisory Board
<input type="checkbox"/>	Conservation Commission	<input type="checkbox"/>	Shellfish Conservation Commission
<input type="checkbox"/>	Energy Efficiency Steering Committee	<input type="checkbox"/>	Sohier Park Committee
<input type="checkbox"/>	Harbor Board	<input type="checkbox"/>	York Harbor Site Design Review Board
<input type="checkbox"/>	Historic District Commission	<input type="checkbox"/>	York Housing Authority
<input type="checkbox"/>	Municipal Social Services Review Board	<input type="checkbox"/>	Other:

BELOW IS FOR OFFICE USE ONLY

Received Date: 5/16/2014 Received By: mmavery

Interview Date: ___/___/___ Appointment Date: ___/___/___

**BOARD OF SELECTMEN'S
MEETING MINUTES
7:00PM MONDAY, APRIL 28, 2014
YORK LIBRARY**

Present: Chairman Ronald Nowell, Vice Chairman Kinley Gregg, Torbert Macdonald, Town Manager Robert G. Yandow, Recorder Melissa M. Avery and members of the press and public.

Call to Order

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

Opening Ceremonies

A. Minutes

1. March 4, 2014 Meeting Minutes
2. March 10, 2014 Meeting Minutes

Moved by Ms. Gregg, seconded by Mr. Macdonald to approve the March 4, 2014 and March 10, 2014 Meeting Minutes. Vote 3-0, motion passes.

B. Chairman's Report

No Chairman's Report.

C. Manager's Report

Town Manager Yandow alerted the public that a typographical error was discovered in the May 17, 2014 Budget Referendum; Article 19 on the Maintenance of Town Grounds and Beaches should read \$629,158 instead of \$631,158. Mr. Yandow reminded citizens that Absentee Ballots are available until May 14th and can be returned at Town Hall no later than May 16th or until 8:00PM at the High School Robert E. Butler Gymnasium on the 17th. Mr. Yandow also noted that the Open School Budget Meeting will be held at the High School on Tuesday May 6, 2014 at 6:30 PM, the School Budget Validation vote on May 17th will be in connection with the results of the Open School Budget Meeting.

D. Awards

1. Electrical Bids for Light Poles in York Beach

The Department of Public Works solicited bids for the electrical work and installation of 26 Holophane utility post top LED street light fixtures and 26 Mel Northerly street light poles with GFCI receptacles. DPW solicited the same local contactors that bid on the previous street light work on Beach Street. The following three bids were received:

1. Moran Electric \$10,300.00
2. Bridges Electric \$14,800.00
3. Woods Electric \$18,253.78

Director of Public Works Dean Lessard recommended awarding the bid to the low bidder, Moran Electric.

Moved by Mr. Macdonald, seconded by Ms. Gregg to award the bid for the electrical services and installation of 26 Holophane utility post top LED street light fixtures and 26 Mel Northerly street light poles with GFCI receptacles in the Short Sand's area of York Beach to Moran Electric in the amount of \$10,300.00. Vote 3-0, Motion passes.

E. Reports

1. Update From York Village Study Committee

Chairman of the Village Study Committee Ron McAllister gave an interim report on the work undertaken by the Village Study Committee since their last update to the Board of Selectmen. The Town was awarded a \$500,000 Municipal Participation Initiative grant from the Maine Department of Transportation in connection with the York Street Drainage and Reconstruction project and in connection with an expansion of the proposed project area to include work in York Village. Based on funds that have already been expended by the Town, MDOT has provided the \$500,000 grant award to the Town in full as compared in incremental reimbursements. These funds are available, with Selectmen approval, for future work done in the expanded project area.

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: None

G. Approval of Warrant #43

Moved by Ms. Gregg, seconded by Mr. Macdonald to approve Warrant #43. Vote 3-0, motion passes.

H. Public Hearings

1. New Business License: Barrell Homestead Kitchen
2. New Business License: Kinetic Kids

Moved by Ms. Gregg, seconded by Mr. Macdonald to open the Public Hearing on New Business Licenses: Barrell Homestead Kitchen and Kinetic Kids. Without objection, so moved.

Public Comment: None

Moved by Ms. Gregg, seconded by Mr. Macdonald to close the Public Hearing. Without objection, so moved.

I. Endorsements

Business Licenses:

1. Michael Specker DBA: The Brixham General Store (Victualers); Located at 435 Cider Hill Road
2. Kathryn Kelley DBA: Coppa Magica Gelato (Victualers); Located at 852 US Route One
3. Kent Kilgore and Randy Small DBA: Fisherman's Dock (Victualers/Liquor); Located at 855 US Route One
4. Joseph Lipton and Chris Crane DBA: Inn on the Blues (Victualers/Liquor/Special Amusement/Hotel/Motel w/Cooking Facilities); Located at 7 Ocean Avenue
5. Mark Anastas DBA: Liquid Dreams Surf Shop (Victualers); Located at 171 Long Beach Avenue
6. Betty Weaver DBA: Lobster in the Rough (Victualers/Liquor/Special Amusement); Located at 1000 US Route One
7. Edward and Deborah Flanagan DBA: Rossi's Italian Bakery (Victualers); Located at 2 Beach Street Suite #1
8. Maine Ice Cream LLC DBA: Village Scoop Ice Cream (Victualers/Special Amusement); Located at 226 York Street

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve the following licenses: Michael Specker DBA: The Brixham General Store for Victualers; Located at 435 Cider Hill Road, Kathryn Kelley DBA: Coppa Magica Gelato for Victualers; Located at 852 US Route One, Kent Kilgore and Randy Small DBA: Fisherman's Dock for Victualers and Liquor; Located at 855 US Route One, Joseph Lipton and Chris Crane DBA: Inn on the Blues for Victualers, Liquor, Special Amusement and Hotel/Motel w/Cooking Facilities; Located at 7 Ocean

Avenue, Mark Anastas DBA: Liquid Dreams Surf Shop for Victualers; Located at 171 Long Beach Avenue, Betty Weaver DBA: Lobster in the Rough for Victualers, Liquor and Special Amusement; Located at 1000 US Route One, Edward and Deborah Flanagan DBA: Rossi's Italian Bakery for Victualers; Located at 2 Beach Street Suite #1, Maine Ice Cream LLC DBA: Village Scoop Ice Cream for Victualers and Special Amusement; Located at 226 York Street, subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 3-0, motion passes.

J. Old Business

1. Discussion and Possible Action on 65 Old Post Road

Chairman Nowell stated that the 65 Old Post Road case went in front of the Board of Appeals and was interpreted to be "untimely" because it was submitted after 30 days from the denial date. Mr. Nowell also stated that the Board of Selectmen received a legal opinion from Town Attorney Mary Costigan giving her opinion that the Public Works Director does not have the right to deny the driveway permit.

Torbert suggested that the Board request that the Town Manager to instruct the Director of Public Works to work with the property owner to come to a compromise and seek other options to resolve the sight distance issue.

Director of Public Works Dean Lessard explained to the Board the he has already told the proposed developer for 65 Old Post Road that they have the option to get a Civil Engineered stamped plan and he will approve the drive way, and that was an option they did not want to explore.

Moved by Mr. Macdonald, seconded by Mr. Nowell to request that the Town Manager instruct the Director of Public Works to engage in a negotiation with the representatives of 65 Old Post Road. Vote 3-0, motion passes.

K. New Business

1. Discussion and Possible Action on Providing Additional Information to the Planning Board Regarding Police Station Connector Road

During preliminary discussions of the Police Station and Connector Road project at the Planning Board, the concept of the Connector Road being constructed, but not opened, was suggested. During the discussion, the possibility of allowing emergency vehicle-only access to the Connector Road was brought up. This concept was mentioned in a letter dated March 13, 2014 from Tom Gorrill, the Town's traffic engineer, to Andrew Johnston. This letter was subsequently included in the Planning Board application. Andrew Johnston advised the Board that additional information will be required by the Planning Board relating to the terminus of the Connector Road. Andrew Previously advised the Planning Board

that the road would not be opened until the traffic study has been completed and reviewed but there was the possibility of use by emergency vehicles. The Town Manager recommended that the Board of Selectmen formally take action on this in order to provide input to the Planning Board.

Moved by Ms. Gregg, seconded by Mr. Nowell to authorize the Town Manager to provide information to the Planning Board indicating that the designed Connector Road will not be opened until all required studies have been completed, and further move that there will be no emergency vehicle use of the Connector Road until the road is opened to the public. Ms. Gregg and Mr. Nowell withdrew the motion and second on the floor.

Moved by Ms. Gregg, seconded by Mr. Nowell to postpone action on this item until the May 12, 2014 regular Selectmen's meeting. Vote 3-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Nowell to authorize the Town Manager to contact the Town Attorney to schedule an Executive Session with the Board of Selectmen. Vote 3-0, motion passes.

2. Discussion and Possible Action on Board of Selectmen Code of Conduct

Moved by Mr. Macdonald, seconded by Mr. Nowell to postpone this item until the May 12, 2014 regular Selectmen's meeting, should there be a full board present. Vote 3-0, motion passes.

3. Appointment of Election Warden for June Primary

Ms. Gregg stated that while she has no objection as to how Mr. Ott conducts the elections, she opposes this motion each year because she questions the propriety of someone conducting the election who actively supports specific candidates in the election.

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint David N. Ott as the Warden for the State of Maine Primary Election to be held on June 10, 2014 and to set the polling hours for said election as 8:00AM until 8:00PM. Vote 2-1, motion passes.

4. Special Event Permit: York Little League Parade

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve the Special Event Permit application for "York Little League Parade" event on Saturday, May 3, 2014 with the attached conditions given by Department Heads. Vote 3-0, motion passes.

5. Special Event Permit: Ampsurf

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve the Special Event Permit application for AmpSurf's "AmpSurf East Coast Learn to Surf Clinic" event on Saturday and Sunday June 21 and 22, 2014, as well as August 9 and 10, 2014 with the attached conditions given by Department Heads. Vote 3-0, motion passes.

L. Other Business

M. Citizens' Forum

Public Comment: Judy Romano

Adjourn

Chairman Nowell adjourned the meeting at 8:50PM.

**BOARD OF SELECTMEN'S
MEETING MINUTES
9:00AM TUESDAY, MAY 6, 2014
YORK PUBLIC LIBRARY**

Present: Chairman Ronald Nowell, Vice Chairman Kinley Gregg, Mary Andrews, Scott Fiorentino, Town Manager Robert G. Yandow and Town Attorney Mary Costigan.

Call to Order

Chairman Nowell 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 Ms. Andrews to enter into Executive Session at 9:04AM. Vote 4-1, Mr. Nowell against, motion passes.

Moved by Ms. Andrews, seconded by Ms. Gregg to exit out of Executive Session at 10:17AM. No objection, so moved.

Adjourn

Chairman Nowell adjourned the meeting at 10:17AM.

**BOARD OF SELECTMEN'S
MEETING MINUTES
7:00PM MONDAY, MAY 12, 2014
YORK LIBRARY**

Present: Chairman Ronald Nowell, Vice-Chairman Kinley Gregg, Scott Fiorentino, Mary Andrews, Torbert Macdonald, Town Manager Robert G. Yandow, Recorder Melissa M. Avery, and members of the press and public.

Call to Order

Chairman Nowell called the meeting to order at 7:00PM

Opening Ceremonies

A. Minutes

1. March 24, 2014 Meeting Minutes
2. March 27, 2014 Meeting Minutes
3. April 24, 2014 Meeting Minutes

Moved by Ms. Gregg, seconded by Ms. Andrews to approve the March 24, 2014, March 27, 2014 and April 24, 2014 Meeting Minutes. Vote 5-0, motion passes.

B. Chairman's Report

Chairman Nowell said that he was surprised to see in the Sentinel News Paper that Short Sands Beach was rated one of the top ten beaches in the United States. Mr. Nowell also stated that he feels Short Sands Beach's condition is the best it has been in in thirty years thanks to Mother Nature. Many people have thanked Mr. Nowell and the rest of the Board for pushing to get Main Street paved. Also Mr. Nowell also questioned the bump-out at the end of Beach Street that he believes was supposed to be cut back last year and hasn't been done yet.

C. Manager's Report

Town Manager Yandow reminded citizens that voting day is Saturday, May 17th at the High School and to pick up your absentee ballot at the Town Hall before Wednesday if you cannot make it to the poles on Election Day. Mr. Yandow

stated that the Selectmen will holding their next regular meeting next week on May 19th, as a result of the Memorial Day holiday.

D. Reports

1. Election Information from Town Clerk

Town Clerk/Tax Collector Mary-Anne Szeniaowski explained to the Board and the public that her office is using new equipment this year that digitally scans ballots to count votes. With this election, each voter has 14 ballots to scan, making York the largest election in the State this year. Ms. Szeniaowski stated that her office has issued 1,300 absentee ballots as of today and that there are 11,000 registered voters in York.

2. Update from "Think Again" Regarding Maine Turnpike Authority

Joan and Marshal Jarvis of the "Thing Again" group stated that though there has been progress there are still problems with the Maine Turnpike Authority. Ms. Jarvis stated that MTA is planning on spending 70 million dollars on a toll plaza using "obsolete equipment" and that the MTA report does not discuss where the employee parking will be or where the access road will be. Ms. Jarvis requested on behalf of "Thing Again" that an agenda item be placed on the May 19, 2014 Selectmen's agenda to request that MTA reopen identifying all sites North of York.

E. 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: Tom Manzi

F. Approval of Warrant #45

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve Warrant #45. Vote 5-0, motion passes.

G. Public Hearings

1. New Business License: The Central Restaurant and Bar
2. New Business License: A Lifestyle Emporium
3. New Business License: Stonestrow

Moved by Mr. Macdonald, seconded by Ms. Gregg to open the Public Hearings on the following New Business Licenses: The Central Restaurant and Bar, A Lifestyles Emporium and Stonestrow at 7:26PM.

Public Comment: None

Moved by Mr. Macdonald, seconded by Ms. Andrews to close the Public Hearings at 7:27PM. Vote 5-0, motion passes.

H. Endorsements

Business Licenses:

1. Wiggly Bridge Distilleries, LLC DBA: Wiggly Bridge Distillery (Victualers, Liquor); Located at 19 Railroad Avenue
2. James James, LLC DBA: GiGi's Italian Food and Drink (Victualers, Liquor, Special Amusement); Located at 2 Beach Street Unit 7A
3. IOTB, LLC DBA: Guac-N-Roll (Victualers, Liquor, Special Amusement); Located at 6 Railroad Avenue
4. Zhiqiang He DBA: Panda and Sakura (Victualers, Liquor); Located at 9 Ocean Avenue
5. IOTB, LLC DBA: STONESTHROW (Victualers, Liquor, Special Amusement, Bed and Breakfast); Located at 123 Long Beach Avenue
6. William H. Burnham DBA: Surfside (Victualers, Liquor); Located at 1 Main Street
7. Agnes and John E. Biagioni DBA: The Candy Corner, Inc. (Victualers); Located at 14 Railroad Avenue
8. The Goldenrod DBA: The Goldenrod (Victualers); Located at 2 Railroad Avenue
9. Maine Ice Cream, LLC DBA: The Ice Cream House (Victualers); Located at 1300 US Route One
10. Martha Danilowicz DBA: Wicked Good Ice Cream (Victualers); Located at 4 Main Street
11. William H. Burnham DBA: York Beach Bowling Alley (Victualers, Coin Operated Amusement, Bowling Alley); Located at 3 Beach Street
12. Sandra Wilson DBA: York Restaurant (Victualers); Located at 3 Railroad Avenue
13. Mainstream Restaurants, LLC DBA: The Central Restaurant and Bar (Victualers, Liquor); Located at 127 Long Sands Road #7

Moved by Mr. Macdonald, seconded by Ms. Gregg to approval the following licenses: James James, LLC DBA: GiGi's Italian Food and Drink (Victualers, Liquor, Special Amusement); Located at 2 Beach Street Unit 7A, IOTB, LLC DBA: Guac-N-Roll (Victualers, Liquor, Special Amusement); Located at 6 Railroad Avenue, Zhiqiang He DBA: Panda and Sakura (Victualers, Liquor); Located at 9 Ocean Avenue, IOTB, LLC DBA: STONESTHROW (Victualers, Liquor, Special Amusement, Bed and Breakfast); Located at 123 Long Beach Avenue, William H. Burnham DBA: Surfside (Victualers, Liquor); Located at 1 Main Street, Agnes

and John E. Biagioni DBA: The Candy Corner, Inc. (Victualers); Located at 14 Railroad Avenue, The Goldenrod DBA: The Goldenrod (Victualers); Located at 2 Railroad Avenue, Maine Ice Cream, LLC DBA: The Ice Cream House (Victualers); Located at 1300 US Route One, Martha Danilowicz DBA: Wicked Good Ice Cream (Victualers); Located at 4 Main Street, William H. Burnham DBA: York Beach Bowling Alley (Victualers, Coin Operated Amusement, Bowling Alley); Located at 3 Beach Street, Sandra Wilson DBA: York Restaurant (Victualers); Located at 3 Railroad Avenue, Mainstream Restaurants, LLC DBA: The Central Restaurant and Bar (Victualers, Liquor); Located at 127 Long Sands Road #7 subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

Mr. Nowell noted that the Board received a Legal Opinion from the Town Attorney Mary Costigan regarding the Wiggly Bridge Distillery Business License Application but have been advised by the Ms. Costigan to not disclose the opinion in the chance that there is any litigation regarding the matter.

Mr. Macdonald stated that he will oppose a motion to approve the Wiggly Bridge Distillery Business License on procedural grounds.

Moved by Ms. Gregg, seconded by Ms. Andrews to approve the Business License for Wiggly Bridge Distilleries LLC, DBA: Wiggly Bridge Distilleries for Victualers and Liquor, located at 19 Railroad Avenue subject to the following conditions: A limit of 1, 60 gallon capacity still and annual submission of financial records, per Code Enforcement Officer's Memo dated 05/05/2014. Vote 3-2, Mr. Nowell and Mr. Macdonald against, motion passes.

I. Awards

1. Introduction of Police Officer and New Sergeant

Police Chief Doug Bracy in produced new Police Officer Jordan Floyd and new Police Sergeant Luke Erninwein to the member of the Board and the public.

J. Unfinished Business

1. Discussion and Possible Action on Providing Additional Information to the Planning Board Regarding Police Station Connector Road

Moved by Ms. Andrews, seconded by Ms. Gregg to take the existing motion from the April 28, 2014 meeting off the table. Vote 5-0, motion passes.

Moved by Ms. Andrews, seconded by Ms. Gregg to amend the motion to add the three words "and approvals received", making the motion read as follows: to authorize the Town Manager to provide information to the Planning Board indicating that the designed Connector Road will not be opened until all required studies have been completed and approvals received. And further

moved that there will be no emergency vehicle use of the connector road until the road is opened to the public. Vote 3-2, Ms. Nowell and Mr. Macdonald against, motion passes.

2. Discussion and Possible Action on Selectmen Code of Conduct

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to defer this item to be discussed at the next meeting when the two new elected Board of Selectmen's members are present. Vote 5-0, motion passes.

3. Discussion and Possible Action Regarding a Driveway Permit at 65 Old Post Road

Town Manager Yandow as instructed by the Board of Selectmen, requested a Legal Opinion from Town Attorney Mary Costigan regarding the liability under various scenarios and is still awaiting her response.

K. New Business

1. Discussion and Possible Action on a Resolution to the Maine Emergency Management Agency

Police Chief Douglas Bracy explained to the Board and the public that Emergency Management Directors across the State are being asked to have their elected officials support the Maine Emergency Agency in their efforts to have the Federal Emergency management Agency change their policy regarding federal disaster assistance for significant ice related storms. FEMA's denial in March of this year to declare a "Federal Disaster" in Maine after a prolonged winter ice storm that occurred between December 21, 2013 and January 1, 2014 was the result of a new interpretation of their Winter Storm Policy. The Town of York has twice received Federal Disaster Assistance for significant icing events in the past ten years; the last one in 2009 allowed the Town to recover some \$303,000 in the costs of labor, equipment, materials and debris removal of damaged trees.

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the resolution by the Board of Selectmen supporting Maine Emergency Management Agency's efforts to request the Federal Emergency Management Agency to amend their policy regarding Federal Disaster Assistance for significant ice related storms. Vote 5-0, motion passes.

2. Discussion and Possible Action on a Parking Agreement with York's Wild Kingdom

Moved by Ms. Andrews, seconded by Mr. Fiorentino to authorize the Town Manager to enter into a parking agreement with York's Wild Kingdom for use of an unimproved parking area owned by the Town of York and located adjacent to the York Wild Kingdom access road. Vote 5-0, motion passes.

3. Discussion and Possible Action on a Request to Vacate Town Rights to a Paper Street Right of Way at 11 Pinecrest Drive

Jorge and Ruth Larenas of 11 Pinecrest Drive formally requested that the Board of Selectmen sign and grant a Consent Agreement eliminating the Town's right-of-way to the paper road contained on their lot. The property is listed in the Extended Deadline of Automatic Vacation of Proposed but Unaccepted Ways, dated September 23, 1997. Mr. and Mrs. Larenas feel that the Town has an obligation to assist them in clearing the title restrictions by eliminating the Town's right to build the road based upon the actions and/or inactions of the CEO and the Planning Board.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to vacate Town rights to a paper street right-of-way at 11 Pinecrest Drive. Ms. Andrews withdrew her motion.

Moved by Ms. Gregg, seconded by Mr. Macdonald to place this item on the May 19th agenda pending legal advice regarding required abutter notification in this matter. Vote 5-0, motion passes.

4. Special Event Permit: Elks Club Yard Sale

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the York Elk's Yard Sale event on Saturday, Sunday and Monday, May 24-26, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

5. Special Event Permit: Four on the Fourth Road Race

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the Parks and Recreation Department's "Four on the Fourth Road Race" event on Friday, July 4, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

6. Special Event Permit: Amidon Dentistry York Days 5K

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the Parks and Recreation Department's "Amidon Dentistry York Days 5K" event on Sunday, July 27, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

7. Special Event Permit: York Days Craft Fair

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the Parks and Recreation Department's "York Days Craft Fair" event

on Saturday and Sunday, August 2 and 3, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

8. Special Event Permit: Christmas in July – Lighting of the Nubble

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the Parks and Recreation Department's "Christmas in July – Lighting of the Nubble" event on Sunday, July 27, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

9. Special Event Permit: Turkey Trot 5K

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the Parks and Recreation Department's "Turkey Trot 5K" event on Saturday, November 29, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

10. Special Event Permit: November Lighting of the Nubble

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the Parks and Recreation Department's "November Lighting of the Nubble" event on Saturday, November 29, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

11. Special Event Permit: Festival of Lights Parade

Moved by Ms. Andrews, seconded by Mr. Macdonald to approve the Special Event Permit for the Parks and Recreation Department's "Festival of Lights Parade" event on Saturday, December 6, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

12. Special Event Permit: York Lion's Annual Fun(d) Raising Auction

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Special Event Permit for the York Lion's "Annual Fun(d) Raising Auction" event on Friday, August 1, 2014, with the attached conditions given by Department Heads. Vote 5-0, motion passes.

L. Other Business

With it being the last meeting in his term as a member of the Board of Selectmen, Mr. Fiorentino thanked the citizens of York for allowing him to represent them on the Board for the past three years.

Ms. Andrews thanked Mr. Fiorentino for his public service.

Ms. Gregg wished Mr. Fiorentino the best of luck in his future endeavors.

M. Citizens' Forum

Public Comment: David Breckman
Nancy Lambert (Email read by Ms. Gregg)

Adjourn

Chairman Nowell adjourned the meeting at 8:45PM.

**BOARD OF SELECTMEN'S
MEETING MINUTES
8:30AM THURSDAY, JUNE 5, 2014
YORK TOWN HALL**

Present: Chairman May Andrews, Vice Chairman Robert E. Palmer Jr., Torbert Macdonald, Jonathan O. Speers and Town Manager Robert G. Yandow.

Call to Order

Chairman Andrews called the meeting to order at 8:32AM.

A. Executive Session

1. Union Contracts; Pursuant to MRSA Title 1, Section 405 (6)(D)

Moved by Mr. Macdonald, seconded by Mr. Speers to enter into Executive Session at 8:32AM. No objection, so moved.

Moved by Mr. Macdonald, seconded by Mr. Speers to exit out of Executive Session at 9:32AM. No objection, so moved.

Adjourn

Chairman Andrews adjourned the meeting at 9:32AM.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 18, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: FY 2015 Paving Bid Award	

TO: BOARD OF SELECTMEN
FROM: Dean Lessard, Director of Public Works
RECOMMENDATION: Award the FY2015 Town paving bid to Libby-Scott, Inc.
PROPOSED MOTION: I move to award the FY2015 paving bid to Libby-Scott, Inc.

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)
-
-

FY 2015 GPCOG Paving 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

DEPARTMENT LINE ITEM ACCOUNT: 100.0303.9606

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: _____

Reviewed By: _____

Robert S. Egan



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 19, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Contract award – Beach Water Quality Modeling	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Community Development Director
RECOMMENDATION: I recommend the Board of Selectmen award the contract for Beach Water Quality Modeling to Dr. Stephen Jones of UNH in an amount not to exceed \$62,839.
PROPOSED MOTION: I move to award the contract for Beach Water Quality Modeling to Dr. Stephen Jones of UNH in an amount not to exceed \$62,839.

Discussion: This project is an effort to move York to a more pro-active means of posting public health advisories at its public beaches when bacteria levels are likely to be high. Linda Scotland and I met with Stephen Jones of UNH, who helped us prepare the scope and budget for a project of this nature. When it proved too large to fund through our MS4 program, Linda brought this concept directly to the Board of Selectmen last winter, and the Board agreed to ask the voters for funding. At the May Budget Referendum the voters approved funding of \$63,000 by a vote of 1,808 to 674.

Linda and I prepared a Request for Proposals shortly after the vote in hopes of getting the extensive field work completed during the current summer season rather than waiting a year. The RFP was published and posted on the Town web page, and was distributed directly to area environmental consultants. Two proposals were received by the deadline on June 16th – one from Dr. Jones and one

from FB Environmental. Both proposals met the requirements of the RFP. The FB Environmental proposal is the less costly of the two, at about \$50,000 versus \$63,000.

Four of us reviewed the proposals and formulated this recommendation, which represents a consensus of the group. The others included Linda Scotland, Mike Sullivan and Leslie Hinz.

While both proposals are adequate, we found that the proposal by Dr. Jones offers several advantages that outweigh the cost differential. Dr. Jones is an exceptional leader in the field of water quality analysis and his credentials are unmatched. In addition to his own expertise he is connected to others in academic and professional circles including folks at UNH and in the University of Maine System that will help support his work, and once engaged in York those people will likely remain available to us as well informed sources with an awareness of our circumstances. There are 2 such connections worth calling out. First, Dr. Jones is currently part of a team engaged in a multi-million dollar study of bacteria pollution at beaches in the Northeast (see description of NSF/EPSCoR project on pages 3 and 30 of his proposal). The overlap of this and other work can only benefit York. Second, I especially value the inclusion of Dr. Safford of UNH, a sociology professor who is working with the blending of science and public policy. With our newfound emphasis in water quality testing and environmental regulation (MS4 and beyond), this aspect of public policy development is becoming increasingly challenging here in York. I'm hoping Dr. Safford's insights will prove useful in this project and beyond as science and public policy merge (or crash into one another).

One other differentiating factor that we found important is that Dr. Jones and his team have 24/7 access to their own lab at UNH. This allows his team a greater degree of flexibility of timing of sample collection and quality control.

One final factor that I find important is that we anticipate approaching the Board of Selectmen in partnership with FB Environmental to apply for a large grant, in excess of \$100,000, for Clean Water Act Section 319 funding for work in the Cape Neddick River watershed. I worry about putting both projects in the hands of a single consultant.

FISCAL IMPACT: \$62,839 will be spent.

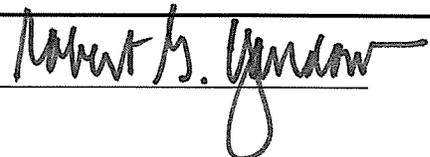
DEPARTMENT LINE ITEM ACCOUNT: Selectmen's Policy Item, funded at \$63,000 by Ballot Question #38 on the May Budget Referendum (copy attached), which passed by a vote of 1,808 to 674.

BALANCE IN LINE ITEM IF APPROVED: \$161 will remain unspent and will be returned to the general fund.

Prepared By: _____



Reviewed By: _____



THIRTY-SEVEN: Shall the Town authorize the Town Treasurer to **waive foreclosure of any tax lien during the 2014 and 2015 calendar years**, said waiver requiring approval of the Board of Selectmen? The Board of Selectmen shall grant said approval only in circumstances where foreclosures would prove injurious to the Town of York, such as, but not limited to, the presence of hazardous waste upon the property, or the presence on the property of one or more substandard structure(s) for which the cost of removal or repair would exceed the value of the property?

Board of Selectmen recommends approval (5-0).

YES 2209

NO 198

THIRTY-EIGHT: Shall the Town raise and appropriate a sum not to exceed **\$63,000** for a one-time **Water Quality Testing** program, and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget?

Statement of Fact: The Board of Selectmen seeks funds to provide for collection of approximately 1,500 water samples upstream from the Town's public beaches and in the Cape Neddick River Watershed. The samples will be tested for the presence of bacteria pollution, and results will help to improve public health postings at beaches and will establish detailed baseline information about water pollution.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval (5-0).

A **YES** vote authorizes the expenditure of **\$63,000**.
A **NO** vote authorizes an appropriation of **\$0**.

YES 1808

NO 674

THIRTY-NINE: Shall the Town authorize the use of **\$163,900** from the Assessor's Overlay Account to mitigate the loss of **Municipal Revenue Sharing for FY2014?**

Statement of Fact: In FY2014 the Town's Municipal Revenue Sharing was reduced by approximately \$166,000 from what was received in FY2013. When the FY2014 tax rate was set the Assessor's Overlay included \$163,900 to partially make up for the loss of revenue sharing. This warrant article requests voter authorization to spend funds that have already been raised by taxation. Approval will not result in any additional appropriation.

Budget Committee recommends approval (6-1).
Board of Selectmen recommends approval (4-1).

A **YES** vote authorizes the expenditure of **\$163,900**.
A **NO** vote does not authorize the expenditure of **\$163,900**.

YES 1833

NO 502

Water Quality & Weather Based Beach Modeling Plan for York, Maine

Proposal submitted to: The Town of York

June 13, 2014

By

Dr. Stephen H. Jones
(proposed) Project Manager
University of New Hampshire
Jackson Estuarine Laboratory
85 Adams Point Rd.
Durham, NH 03824
(603) 862-5124 stephen.jones@unh.edu

Work Plan

PROJECT SCOPE

The Town of York requests proposals to develop a 'site-specific weather based water quality beach model' that will serve the Town as a basis for decision-making regarding beach advisories and closures for the Summer of 2015. A comprehensive and intensive monitoring program is needed to document water quality and environmental conditions under a variety of climatic, environmental and tidal conditions. The project will be informed through regular meetings with Town stakeholders.

Certain terms have been used in the Request for Proposals that require clarification. This project will not involve direct detection of any fecal-borne microbial pathogens. The target analysis is for detection of enterococci concentrations. Even though a small and inconsistent proportion of enterococci may be pathogenic, their detection for this project constitutes an indicator of the presence of fecal pollution and the *potential* presence of microbial pathogens. There are hundreds of fecal-borne bacterial, viral and protozoan pathogens that may be present and it is well beyond the scope or intent of this project to detect any of these. Enterococci are the basis for State of Maine and U.S. Environmental Protection Agency regulations on marine recreational water classification and thus the correct target of bacterial analysis for water samples collected in this project.

If the Town is interested in detection of actual pathogens, Dr. Jones has extensive experience and ongoing research on pathogenic *Vibrio* bacteria, which are currently emerging as public health threats in New England with a low but increasing frequency of wound infections in swimmers caused by these naturally-occurring bacteria. Other resources would be needed to do this work, and that can be discussed at the pre-work plan meeting.

The Final Products will include a comprehensive project report with maps, tables and graphics that will constitute a Town of York Beach Modeling Plan. Recommendations for swimming advisories will be based on these focusing questions:

- What watershed, land use and other spatial data attributes have statistical associations with beach water quality?
- What is the temporal relationship between amounts and intensity of precipitation and runoff on the landscape with beach advisory conditions?

Project findings will build on the substantial amount of previous water quality data and studies on possible types of pollution sources to help prioritize further investigations of sources to enable their elimination.

The proposed Project Manager, Dr. Jones, is also a co-investigator on a large, \$6 million NSF-EPSCoR project that is addressing issues related to Safe Beaches and Shellfish in Maine and New Hampshire. Dr. Jones is the lead microbiologist on this large project and will be seeking study sites for evaluation of new Microbial Source Tracking methods during 2015-16, and York could be chosen depending on the outcome of the monitoring during the 2014 season. Dr. Jones is on the Executive Leadership Team for the EPSCoR project and can garner further watershed/pollution modeling and social science expertise, as well as resources to investigate Vibrio presence, from other interested colleagues on the project to help the Town address this problem.

PROBLEM BEING ADDRESSED

Citizens of the Town of York, Maine are interested in improving water quality at their ocean beaches, clam flats and other tidal water recreational areas. On the basis of findings from several recent studies, the Town is taking action to identify and eliminate actual and potential sources of bacterial pollution that is the cause for the public health risk-based beach advisories and limitations on shellfish harvesting. A comprehensive and intensive monitoring program is needed to document water quality conditions that will lead to investigations of causes of detected pollution. For York's beaches, this water quality monitoring needs to occur during summertime (Memorial Day to Labor Day) because that is the time when people use the beaches. The monitoring program needs to be designed to collect temporally and spatially intensive data on fecal-borne bacterial (enterococci) concentrations to help support decisions by the Town and others to conduct intensive sanitary surveys in priority (polluted) sub-watersheds and along the beaches. As pollution mitigation actions are taken, it is critical to show improvements in water quality, thus, a comprehensive water quality monitoring program will provide the basis for future assessments and build on past monitoring efforts.

There have been several previous studies to help document water pollution incidence and severity that will serve as a partial basis for the design of the proposed 2014 summer season study. The ultimate desired product is a strategy for predicting public health risk conditions that may justify beach advisories. This requires intensive data collection, and expert data analysis and interpretation for integrating the bacterial, water quality and weather data into predictive models for use by the Town and the Healthy Beaches Program to set advisories.

Conducting the proposed study during the Summer of 2014 will be a significant effort and provide a solid basis for developing predictive models. Depending on the weather that occurs, the models may encompass enough conditions to be useful for most future conditions. Previously collected data will be used to expand the types of conditions covered as necessary, i.e., if this upcoming season is unusual in any way.

SAMPLE COLLECTION PLAN

The proposed monitoring program will have the following characteristics:

--Monitoring sites will include existing sites used by the Maine Healthy Beaches (MHB), DMR Shellfish Program and the Town of York Parks and Recreation Dept. and Community Development Dept., with particular emphasis on sites used during 2012-13, as presented in the Cape Neddick River Watershed-Based Management Plan (2013) and as found on the MHB and DMR websites. Additional sites may be added depending on results of initial sampling where enterococci levels are elevated to enable identification of pollution sources.

--Water samples will be analyzed for concentrations of enterococci, the marine recreational water quality standard. Auxiliary water quality measurements (temperature, salinity, dissolved oxygen, pH) will be taken and used, along with precipitation data, to interpret bacterial data. Enterococci concentrations will be determined using the US EPA-approved IDEXX Enterolert approach that is found in Standard Methods. This method is accurate, rapid (24 h) and economical, and could be transferred to Town personnel with minimal training. Dr. Jones' laboratory at the University of New Hampshire's Jackson Estuarine Laboratory is a fully equipped microbiology lab with all necessary sterilizing equipment, incubators, sample storage, positive and negative strains, sample processing and data storage capacity. The benefit of having the contractor run all sample analyses is that any problems will be immediately discernable and rectified to the extent possible, instead of having to wait until results are reported back to the contractor well after sample holding times.

--Different sites will be sampled at varying frequencies, and will include field blanks and duplicates for QA. There are 11 main beach sites at Long Sands, Short Sands, Cape Neddick and York Harbor beaches that will be sampled 5 days per week during the summer sampling period (July-September). Additional sampling will capture some weekends to enable assessment of impacts from heavy beach user presence. There will also be monthly sampling of beach sites throughout a tidal cycle, especially after a polluting rainfall/runoff event to determine recovery time for water pollution.

Other sites previously used by the beach program, along with the full suite of 20 Cape Neddick River sites, will be sampled on a rotating basis each week. The main purpose of this sampling will be to help identify any sources of pollution, building on past study results to focus most effort but also to see if any new or previously-unknown sources exist. The selection of sites will involve discussions with Town staff and residents, some sanitary survey work and continuous evaluation of data gathered through this study.

-Additional sampling will capture significant (runoff-inducing) storm events. This is a challenging task that will require mobilization of multiple personnel when rainfall events occur. Dr. Jones' trained technicians can be mobilized when conditions are predicted to be conducive to significant runoff so

that samples can be collected before, during and following runoff events, and be able to analyze samples within required holding times. Some of these events may occur when contract labs are not open, so having Dr. Jones' staff, expertise and access to a microbiology lab at all times is a distinct advantage. Event sampling will involve water sample collection and condition measurements, and deployment of water temperature and salinity sensors to enable near-continuous (5 minute interval) measurements before, during and following events that will enable more accurate modeling of conditions related to bacterial levels.

-The project team will always be on the lookout for, and will document when present, conditions that may be conducive to fecal-borne pollution of Town of York surface waters. There can be a variety of non-human sources of bacterial pollution, including dogs, raccoons, otters, deer, Canada geese, ducks, cormorants and a variety of other animals. Scat presence or other evidence will be documented. Dr. Jones has a large database of data on non-human sources of bacterial pollution that can help to quantify potential impacts to water quality from these sources.

Volunteers from Town staff and citizen group will be welcome in helping collect samples and inform pollution source investigations. Dr. Jones started the NH Sea Grant Program's Citizen Research Volunteer Program a few years ago and has many other fruitful and enjoyable experiences working with volunteers on a variety of research and monitoring projects.

MODELING PLAN

The most convenient science-based approach for predicting and managing public health risks from bacterial pollution is to use an empirically determined amount of precipitation over a standard time period. Using a generalized precipitation criteria to predict the risk to public health ignores spatial variability in rainfall, the role of multiple runoff pathways in delivering pathogens from the landscape to coastal waters, and the extent to which other water quality parameters also delivered to coastal waters influence bacterial pollution events.

The data from the monitoring program will first be subject to basic analysis that will include comparison of bacterial results to State of Maine beach water criteria, effects of rainfall events (amount of rain, duration, intensity) on bacterial levels, linear regression analysis of bacterial data with measured in situ water quality data, and other informative straightforward analyses to characterize the data and inform more complex modeling. The intensity of sampling will enable determination of times required for pollution to abate to safe levels, and so will also support recommendations for how long a beach should have an advisory after a pollution event.

We will also analyze monitoring results to develop models that will more accurately provide some degree of predictive capacity for conditions requiring beach advisories, and their duration relative to the magnitude of the pollution and post-event dilution and die-off. We will work closely with Dr. Kate Beard and colleagues-students at the University of Maine-Orono to harmonize our modeling approach with theirs to enable putting the results for York into a larger

context for the coast of Maine and to gain expertise from their work to inform our modeling work. Having York data included in the larger study would benefit the Town of York as the intensity of this study is pretty much unprecedented and the modeling researchers are keen to help understand and use the results. We will use lumped parameter hydrologic modeling and statistical models of association (i.e., multiple regression, etc.) that will include LULC data, watershed delivery of pollutants and historical and study-based measured water quality and bacterial data. The results will be a model that provides criteria useful to the Town of York to predict and manage beach pollution advisories to maximize the time and spatial extent of swimming opportunities.

Recommendations for swimming advisories will be based on these focusing questions:

- What watershed, land use and other spatial data attributes have statistical associations with beach water quality?
- What is the temporal relationship between amounts and intensity of precipitation and runoff on the landscape with beach advisory conditions?

Project findings will build on the substantial amount of water quality data and studies on possible types of pollution sources to also help prioritize investigation of sources to enable their elimination.

DRAFT AND FINAL DOCUMENTS

The Final Products will include a comprehensive project report with maps, tables and graphics that will constitute a Town of York Beach Modeling Plan. The expected spatial and temporal differences in impacts to water quality from rainfall/runoff events at the different beaches will be delineated by maps, tables and other graphics, and in the developed models. These products will provide a basis for future application of study results by the Town. The final report will also include a description of what the Town of York would have to do if they wanted to take on their own monitoring program in the future. Costs, logistics, sources of technical support and other factors needed to do this type of work will be delineated. Any presentations made to Town organizations will be made available to staff.

STAFF QUALIFICATIONS & EXPERIENCE

Drs. Steve Jones and Erin Urquart's resumes are attached to this proposal. Dr. Jones has been working on related projects since coming to UNH in 1987. He has been instrumental in developing regionally applicable sampling procedures and Microbial Source Tracking strategies in New Hampshire and Maine, and has trained and passed some of this knowledge on to colleagues including consultants for recent projects in York like FB Environmental. Dr. Jones has headed up many monitoring programs, from the international Gulfwatch

program (for nearly 20 years) and the NH National Coastal Condition Assessment Program to small projects including one very limited study in the Cape Neddick River. His research has focused on the ecology, fate and impacts of a variety of bacterial and viral pathogens and indicator organisms, including the tendency for enterococci to reproduce in nature, which is a complication in tracking enterococci concentration as evidence of the intensity of pollution sources. His current focus on male specific coliphages (viruses of *E. coli*) as indicators of sewage facility effluent, and on pathogenic *Vibrio* bacteria, are critical areas of research that are meeting current needs of public health and beach managers for protecting public health in balance with maintaining healthy local tourism and shellfish industries.

Dr. Urquart is a junior colleague and recent PhD (Johns Hopkins Univ.) recipient who has solid experience in water quality monitoring and model development for marine biotoxins and bacterial pathogens. She has worked with top-notch environmental modelers to evaluate different modeling approaches for predicting the presence and public health significance of bacterial pathogens in coastal waters. She is now part of the EPSCoR project team as one of the environmental modelers, with the intent of pursuing remote sensing strategies for predicting public health concerns in the coastal waters of New England.

We will employ several students and field/laboratory technicians to conduct the sampling, in situ field measurement, sample analysis and data organization tasks. All have been trained in microbiological laboratory analysis and field sampling methods that include taking measurements on site with an array of data sensors, meters and sondes. One employee will be instrumental in training and overseeing other technicians because he has run previous projects on beach monitoring for enterococci and water quality in New Hampshire and Peru.

We will also involve other interested colleagues in this project. The staff who run the System Wide Monitoring Program for the Great Bay National Estuarine Reserve work closely with Dr. Jones on that project and others for deploying sondes and sensors. We will consult with them prior to doing these tasks for this project. Dr. Tom Safford is a sociology professor at UNH and is interested in how stakeholders and the public view science and how it is used for decision-making and policy development. Dr. Safford, along with other social science colleagues at the Univ. of Maine-Orono who are also on the EPSCoR project will be interested in working with the Town staff and citizens to better understand points of view and the decision-making process.

Schedule

There will be an initial Meeting with Town Staff prior to any field sampling. This will include presentation of the proposed Work Plan to the York Community Development Department. The final work plan will be formalized during these meetings and the field sampling will begin thereafter.

TASK	WORK PERIOD	PRODUCT
Initial meeting(s) with Town staff & Community Development Dept.	Late June-early July 2014	Obtain information & determine sampling sites
Facilitate effective dialogue with Town stakeholders	Beginning of project through December 31, 2014	Obtain useful input to help shape project progress
UNH project team final organization	Early July, 2014, following notification of the award and meetings with Town staff	A finalized Work Plan
Sample collection	Early July-end of September, 2014	~1500 water samples and other measurement data from public beaches and Cape Neddick River
Data analysis and modeling	Early July-November, 2014	Water quality & weather based models for determining public health risk conditions and recommendations for advisories
Draft final document presentation	End of October, 2014	Draft final document and input from Community Development Dept
Final report presentation	Last two weeks of December, 2014	Final report

Budget & Justification

Total requested Fees: \$62,839

Personnel	\$30,715
Travel	3,000
Materials/Supplies	12,750
UNH Overhead	16,374

The proposal budget includes \$30,715 for personnel. Salary for Dr. Jones will cover time he will spend as Project Manager on overseeing all work and being the point of contact. He will train all employees in project-specific field sampling and laboratory methods, collaborate with colleagues on the modeling efforts, oversee all data analyses, and will be responsible for project presentations and products. Dr. Erin Urquhart will head up the modeling and data analysis effort and participate in presentations and production of draft and final products. We will employ several students and field/laboratory technicians to conduct the sampling, in situ field measurements, sample analysis and data organization tasks.

We foresee needing \$3000 for travel for the sampling and for interactions with and presentations to Town stakeholders. There is also a need for \$12,750 for the purchase of IDEXX ENTEROLERT quantitrays and sampling/analysis materials.

The overhead is at a rate (38.2%) required by UNH for all externally funded projects. With this we gain UNH administrative support for managing awarded funds and working with the Town of York on contracts and invoicing. The laboratory work will all take place using UNH facilities and thus is supported through this overhead charge.

The PI will provide HOBO, YSI 85, YSI 6600 and Eureka Manta2 data sensors, meters and sondes to take in situ measurements of water conditions.

References

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Resumes

Dr. Stephen Jones
University of New Hampshire

Dr. Erin Urquhart
University of New Hampshire

Stephen H. Jones

Research Associate Professor, Department of Natural Resources & the Environment
Jackson Estuarine Laboratory, University of New Hampshire, Durham, NH 03824
Phone: (603) 862-5124, Fax: (603) 862-1101, Email: Stephen.jones@unh.edu

Education

University of Maine-Orono	B.S., Soil Science	1976
University of Wisconsin-Madison	M.S., Soil Science	1980
University of Wisconsin-Madison	Ph.D., Bacteriology	1983

Professional Positions

2006-present Associate Director, New Hampshire Sea Grant College Program
1993-present Research Associate Professor of Natural Resources and Marine Science,
Department of Natural Resources and the Environment, University of New Hampshire.
2011-present Faculty Fellow in Sustainability Science, University of New Hampshire
2002-2006 Director, University of New Hampshire Center for Marine Biology
1989-1992 Research Assistant Professor of Natural Resources and Marine Science,
Department of Natural Resources, University of New Hampshire.
1987-1989 Research Assistant Professor, Department of Microbiology, UNH.
1986-1987. Research Fellow & Adjunct Professor, Department of Civil Engineering,
Syracuse Univ.

Professional Affiliations

American Society for Microbiology
International Association for Food Protection
Society of Environmental Toxicology and Chemistry-North Atlantic Chapter
Northeast Shellfish Sanitation Association
Interstate Shellfish Sanitation Conference
International Conference for Molluscan Shellfish Safety Organizing Committee
National Shellfisheries Association

Honors

Gulf of Maine Visionary Award (2004)
Gulf of Maine Distinguished Service Award (2008)

Pertinent PEER-REVIEWED Water Quality & Related Publications

Jones, S.H. In press. Microbial Source Tracking to Identify and Manage Sources of Fecal Contamination in Shellfish Growing Waters. , In, Proceedings of the 9th International Conference on Molluscan Shellfish Safety, 17-22 March, 2013, Sydney, Australia.

Sunderland, E.M., A. Amirbahman, N.M. Burgess, J. Dalziel, G. Harding, S.H. Jones, E. Kamai, M.R. Kargas, X. Shi and C.Y. Chen. 2012. Mercury sources and fate in the Gulf of Maine. *Environ. Res.* 119: 27-41.

Ellis, C.N. B.M. Schuster, M.J. Striplin, S.H. Jones, C.A. Whistler and V.S. Cooper. 2012. Influence of seasonality on the genetic diversity of *Vibrio parahaemolyticus* in New Hampshire shellfish waters as determined by multi-locus sequence analysis. *Appl. Environ. Microbiol.*78: 3778-3782.

Jones, S.H. 2011. Microbial Pathogens and Biotoxins: State of the Gulf of Maine Report. Gulf of Maine Council on the Marine Environment. <http://www.gulfmaine.org/stateofthegulf>. 21 pp.

Erin A. Urquhart

NH EPSCoR; New England Sustainability Consortium (NEST)
Department of Molecular, Cellular, and Biomedical Sciences
University of New Hampshire
214 Rudman Hall
Durham, NH 03824

June 2014
Curriculum Vitae

email: erin.urquhart@unh.edu
phone: 805-458-4338

CURRENT EMPLOYMENT

2014- Postdoctoral Researcher, NH EPSCoR-New England Sustainability Consortium (NEST); Department of Molecular, Cellular, and Biomedical Sciences, University of New Hampshire. Durham, NH. Postdoc Advisors: Vaughn Cooper and Steve Jones

PREVIOUS EMPLOYMENT

2009-2014 Graduate Research Assistant/Teaching Assistant, Johns Hopkins University, Baltimore, MD.
2007 Research Assistant, Marine Bio-Toxin Monitoring Program. California Department of Public Health. San Luis Obispo, CA.

EDUCATION

2009-5/2014 Ph.D. Earth and Planetary Sciences, Johns Hopkins University, Baltimore, MD. Dissertation: *Remote Sensing and Modeling of Vibrio Bacteria in the Chesapeake Bay*. Thesis Advisors: Benjamin Zaitchik and Darryn Waugh
2011 M.A. Earth and Planetary Sciences, Johns Hopkins University, Baltimore, MD. Thesis Advisors: Benjamin Zaitchik and Darryn Waugh
2009 M.H.S. Environmental Health, Johns Hopkins School of Public Health, Baltimore, MD. Thesis: *Analysis of Marine Bio-toxins, Climate Change, and Coastal Monitoring Program*. Thesis Advisors: Thaddeus Graczyk and Jacqueline Agnew
2007 B.A. Global Environmental Studies, Sonoma State University, Rohnert Park, CA. Minor: Geography

FIELD EXPERIENCE

2014- Water, handheld spectroradiometer optical sampling, Great Bay, NH.
2011-2012 R/V Kerhin. Water and bacterial collection. Chesapeake Bay, MD.
2009 Insect collection for Lyme disease survey. Baltimore County, MD.

FELLOWSHIPS AND HONORS

- 2014 Best Postdoctoral Poster Presentation Award, Gordon Research Conference, Oceans and Human Health, Biddeford, ME.
- 2013 Student Oral Presentation Competition, MEDGEO/ISPRS 2013 Annual Meeting, Arlington, VA.
- 2012 Outstanding Student Presentation Award, AGU Ocean Sciences Meeting Salt Lake City, UT.
- 2011-2012 Graduate Student Summer Field Work Grant. Earth and Planetary Sciences, Johns Hopkins University.
- 2010 Graduate Student Fellowship/Seed Grant, Global Water Program, Johns Hopkins University

RESEARCH INTERESTS

Water quality monitoring, mapping and modeling • Coastal and aquatic environments • Climate impacts on coastal systems • Environmental health • Risk assessment • Coastal hazards • Empirical model development • Ecological modeling • Geospatial statistics • Operational applications of coastal remote sensing • Marine pathogens, bacteria, and harmful algal blooms

REFEREED PUBLICATIONS

- Urquhart E.A., Guikema S.D., Zaitchik B.F., Haley B.J., Taviani, E., Chen, A., Brown, M.E., Huq, A., Colwell, R.R. Use of Environmental Parameters to Model Pathogenic *Vibrios* in Chesapeake Bay. *Journal of Environmental Informatics (Accepted)*.
- Urquhart, E.A., Zaitchik B.F., Waugh, D.W., Guikema, S.D., Del Castillo, C.E. (2014) Uncertainty in Model Predictions of *Vibrio Vulnificus* Response to Climate Variability and Change: A Chesapeake Bay Case Study. *PLoS ONE*. 9(5): e98256
- Urquhart E.A., Hoffman M.J., Murphy R.R., Zaitchik B.F. (2013) Geospatial Interpolation of MODIS-Derived Salinity and Temperature in the Chesapeake Bay. *Remote Sensing of Environment*. 135: 167-177.
- Urquhart E.A., Hoffman M.J., Zaitchik B.F., Guikema S.D., Geiger E.F. (2012) Remotely Sensed Estimates of Surface Salinity in the Chesapeake Bay: A Statistical Approach. *Remote Sensing of Environment*. 123: 522-531.

CONFERENCE & INVITED PRESENTATIONS

- Urquhart, E.A. et al., (2014) Poster presentation: Remote Sensing and Modeling of *Vibrio* Bacteria in the Chesapeake Bay. GRC 2014: Oceans and Human Health. June 1-5. Biddeford, ME.
- Urquhart, E.A. (2014) Oral presentation: Use of Environmental Predictors to Model Pathogenic *Vibrios* in Chesapeake Bay. 2014 American Meteorological Society. February 2-6. Atlanta, GA.
- Urquhart, E.A. (2013) Invited talk: Use of Remotely Sensed Predictors to Model *Vibrios* in Chesapeake Bay, MD. University of New Hampshire. November 15.
- Urquhart, E.A. et al., (2013) Oral presentation: Remote Sensing of *Vibrio Spp.* Bacteria in Chesapeake Bay Estuary, MD. 2013 Conference of the International Medical Geology

B.M. Schuster, A. Tyzik, R. Donner, S.H. Jones, V.S. Cooper, C.A. Whistler. 2011. Population structure and ecological correlations of an endemic northern temperate population of *Vibrio cholerae* with close relatives to toxigenic isolates. *Appl. Environ. Microbiol.* 77: 7568-7575.

Jones, S., C. Krahforst & G. Harding. 2010. Distribution of mercury and trace metals in shellfish and sediments in the Gulf of Maine, pp. 308-315, *In*, Proceedings of the 7th International Conference on Molluscan Shellfish Safety, Lassus, P. (Ed.) June 14-19, 2009, Nantes, France, Quae Publishing, Versailles, France.

Mahoney J.C., M. J. Gerding, S. H. Jones & C.A. Whistler. 2010. Characterization of the pathogenic potential of environmental *Vibrio parahaemolyticus* compared to clinical strains indicates a role for temperature regulation in virulence. *Appl. Environ. Microbiol.* 76: 7459-7465.

Jones, S., M. Striplin, J. Mahoney, V. Cooper and C. Whistler. 2010. Incidence and abundance of pathogenic *Vibrio* species in the Great Bay Estuary, New Hampshire, pp. 127-134, *In*, Proceedings of the Seventh International Conference on Molluscan Shellfish Safety. Lassus, P. (Ed.). Nantes, France, June 14-19, 2009. Quae Publishing, Versailles, France.

Jones SH. 2009. Microbial Contamination and Shellfish Safety, Ch 1, pp. 3-42, *In* Shellfish Safety and Quality, Shumway, S and G Rodrick (Eds). Woodhead Publishing, Ltd., Cambridge, UK.

Trowbridge PR, SH Jones. 2009. Detecting Water Quality Patterns in New Hampshire's Estuaries Using National Coastal Assessment Probabilistic Monitoring Data. *Environmental Monitoring and Assessment* 150: 129-142.

Evers, D.C., R. P. Mason, N.C. Kamman, C.Y. Chen, A.L. Bogomolni, D.L. Taylor, C.R. Hammerschmidt, S.H. Jones, N.M. Burgess, K.Munney and K.C. Parsons. 2008. An Integrated Mercury Monitoring Program for Temperate Estuarine and Marine Ecosystems on the North American Atlantic Coast. *Ecohealth* 5: 426-441.

Jones SH. 2008. Environmental sources of microbial contaminants in shellfish and their public health significance. *J. Foodservice* 19: 238-244. doi: 10.1111/j.1745-4506.2008.00105.x

Jones, SH, R Roseen, RA Wildey, J Maimes, J Houle, T Ballestero. 2008. Enterococci Populations in Conventional, Manufactured, and LID Stormwater Treatment Systems. 5th Urban Watershed Management Symposium: Pathogens and Indicator Organisms in Stormwater. World Environmental and Water Resources Congress Proceedings, Babcock, RW and R Walton (Eds). May 12-16, 2008, Honolulu, Hawai'i. American Society of Civil Engineers, Reston VA. ISBN-13: 978-0-7844-0976-3.

Recent Pertinent Water Quality Monitoring Projects

2013-16. "Strengthening the scientific basis for decision-making: Advancing sustainability science and knowledge-action capacities in coupled coastal ecosystems: Safe Beaches and Shellfish". \$360,328 of \$3,000,000. NSF/EPSCoR Program. This project focuses both on pathogenic *Vibrio* bacteria that are naturally occurring and emerging as public health threats to swimmers in the Northeast, and on tracking sources of fecal-borne bacteria and viruses using state-of-the art Microbial Source Tracking methods. This research is in collaboration with watershed modeling colleagues who are working on the whole coast of Maine and New Hampshire to characterize temporal and spatial variation and predictability of bacterial contamination of ocean beaches to provide strategies to managers for minimizing advisory frequency and duration.

2000-13. Principal investigator on approximately 60 different Microbial Source Tracking projects in Maine, New Hampshire, Massachusetts, New York, Rhode Island and Scotland. Many project reports are available on-line, or directly from Dr. Jones. The MST projects in Maine include a small project for the Cape Neddick River, and projects at Goose Rocks Beach, Wells, Brunswick, Freeport, Searsmont, and Stockton Springs.

2009-12. Co-PI on multi-million dollar project in the Mallets Bay area of Lake Champlain VT to identify bacterial pollution sources degrading water quality and limiting swimming at local beaches.

2011-13. Tidal river monitoring to document conditions associated with and potentially causing low dissolved oxygen and nutrient enrichment in the Squamscott-Exeter and Piscataqua River systems of New Hampshire.

1996-present. Gulfwatch Program. Project Manager for international toxic chemical monitoring program using blue mussels in the Gulf of Maine in direct collaboration with NOAA Mussel Watch Program.

2000-10, 2015. National Coastal Condition Assessment Program (US EPA). Principal investigator and manager for all field, lab and data management activities for national water, sediment and fish monitoring program in New Hampshire.

1987-present. System Wide Monitoring Program (SWMP: NOAA). Co-PI for national water quality monitoring program in New Hampshire that includes routine fecal-borne bacterial monitoring.

2007-present. Principal investigator for long-term pathogenic *Vibrio* monitoring program in the oysters, water and sediments of New Hampshire and Maine, now (2014) in collaboration with the NH Department of Environmental Services Shellfish Program.

2010-2012. New Hampshire Sea Grant Program. Initiate & manage a new local citizen research and monitoring program now called the Citizen Research Volunteer Program.

Ongoing Research and Monitoring Projects

NSF/EPSCoR Program: *Strengthening the scientific basis for decision-making: Advancing sustainability science and knowledge-action capacities in coupled coastal ecosystems: Safe Beaches and Shellfish*

NOAA Sea Grant: *Reducing the Extent of Permanently Closed Shellfish Growing Areas through Regulatory Modernization: Enteric Virus Contamination and Mitigation Strategies National Estuarine Research Reserve*

NIH/NH-INBRE: *Molecular characterization of the structure and function of aromatic hydrocarbon degrading microbes present in the tidal wetlands of the Great Bay Estuary*

US EPA: *Estuarine Monitoring Activities in Support of the Piscataqua Region Estuaries Partnership*

UNH Agric. Exptl. Station: *Harvest and Post-Harvest Processing Conditions Conducive to Reduced Levels of Pathogenic *Vibrios* in Oysters*

- Association, ISPRS: Advances in Geospatial Technologies for Health II. August 25-29. Arlington, VA.
- Urquhart, E.A. et al., (2013) Oral presentation: Spatial Interpolation of Satellite-derived Temperature and Salinity in the Chesapeake Bay: an Ecological Forecasting Application. ASPRS 2013 Annual Conference. March 24-28. Baltimore, MD.
- Urquhart, E.A. et al., (2012) Oral presentation: Geospatial Interpolation of Remotely Sensed Observations in the Chesapeake Bay: an Ecological Forecasting Application. AGU Fall Meeting. December 3-7. San Francisco, CA.
- Urquhart, E.A. et al., (2012) Poster presentation: Remotely Sensed Estimates of Surface Salinity and Environmental Vibrio in the Chesapeake Bay. Ocean Optics 2012, October 8-11. Glasgow, Scotland.
- Urquhart, E.A. et al., (2012) Oral presentation: Remotely Sensed Estimates of Surface Salinity and Environmental Vibrio in the Chesapeake Bay. Chesapeake Bay Modeling Symposium. May 21-22. Annapolis, MD.
- Urquhart, E.A. et al., (2012) Oral presentation: Remotely Sensed Estimates of Surface Salinity and Environmental Vibrio in the Chesapeake Bay. AGU Ocean Sciences Meeting. February 19-24. Salt Lake City, UT.
- Urquhart, E.A. et al., (2011) Oral presentation: Satellite Remote Sensing of Environmental Vibrio in the Chesapeake Bay. ISPRS: Advances in Geospatial Technologies for Health. September 11-14. Santa Fe, NM.

WORKSHOPS

OSU/NASA Dream Ocean Satellite Image Workshop; Fisheries & Aquaculture (2013) June 4 -5. Newport, OR.

PROFESSIONAL ACTIVITIES

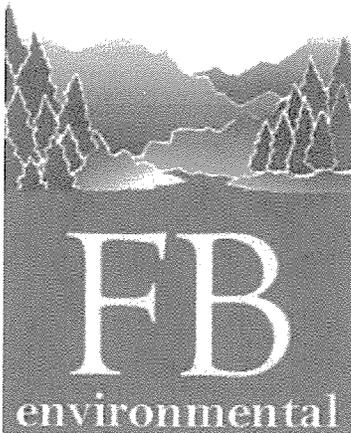
Journal Reviewer: Remote Sensing of Environment, IEEE Geoscience and Remote Sensing Letters

PROFESSIONAL MEMBERSHIP

2010-Present Member, American Geophysical Union
 2012-Present Member, Association for Limnology and Oceanography

PROFESSIONAL COLLABORATIONS

Carlos Del Castillo, NASA Goddard Space Flight Center
 Seth Guikema, Johns Hopkins University
 Chris Brown, Satellite Climate Studies Branch, NOAA
 Rita Colwell, Maryland Pathogen Research Institute/University of Maryland
 Anwar Huq, Maryland Pathogen Research Institute/University of Maryland
 Matt Hoffman, Rochester Institute of Technology
 Bradd Haley, USDA/ Environmental Microbial and Food Safety Lab
 Elisa Taviani, Maryland Pathogen Research Institute/University of Maryland



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Town of York
Attn: Stephen Burns
York Town Hall
186 York Street
York, Maine 03909

June 13, 2014

Dear Mr. Burns,

FB Environmental Associates (FBE) is pleased to submit the attached response to the Town of York's Request for Proposals (RFP) for the Water Quality and Weather-Based Beach Modeling Plan. We have been pleased to be able to work with the Town of York and the Cape Neddick River Association over the last two years, and look forward to continuing this relationship.

FBE is considered a regional leader in implementing high-quality water resource projects. We believe we have outstanding qualifications for this project, and that we have provided a high-value and thoughtful proposal with an optional task (Task 6: Hotspot Investigations) that will allow for important work that provides services above and beyond the approach listed in the RFP. We have extensive experience with modeling for rainfall and bacteria, and we are excited to bring this experience to York to develop an appropriate model that incorporates and evaluates all relevant variables for this essential work.

If awarded the contract, I will serve as the Principal-in-Charge for this project, and will be ultimately responsible for the successful completion of all project tasks. I will be assisted by highly-skilled scientists Emily DiFranco, FBE Project Manager, and Cayce Dalton, FBE Water Quality Specialist. We also have the full participation of an outstanding biostatistician, Kristian Omland of Stantec. We believe that our past work in York, established local presence, high level of technical expertise, and our reasonable labor costs will provide value to the Town to successfully complete the proposed project tasks.

If you have any questions, I can easily be reached on my cell phone at (207) 650-7597, or via email at info@fbenvironmental.com.

Sincerely yours,

Forrest Bell, Principal
FB Environmental Associates

RESPONSE TO RFP

WATER QUALITY AND WEATHER-BASED
BEACH MODELING PLAN

FOR THE
TOWN OF YORK, MAINE

June 13, 2014



FB Environmental Associates
97A Exchange Street, Suite 305
Portland, ME 04101
170 West Road, Suite 6
Portsmouth, NH 03801



Stantec

30 Park Drive
Topsham, ME 04086

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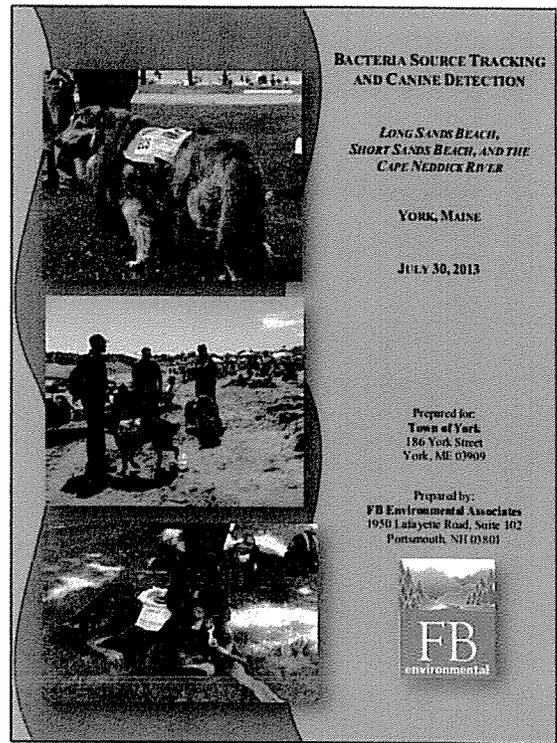
INTRODUCTION

FB Environmental Associates (FBE) was founded by Forrest Bell in 2001 to help public entities conduct comprehensive assessments of waterbodies impacted by nonpoint source pollution (NPS). Since that time, FBE has become a regional leader throughout New England in conducting large-scale and targeted bacteria source tracking and water quality monitoring projects, modeling watershed pollutant loading, developing stakeholder-driven watershed planning projects, implementing these plans through the management of watershed grants, and producing clear and concise technical reports.

We have conducted detailed assessments for more than 950 waterbodies in New England since 2001, including large-scale monitoring projects in southern Maine and Seacoast New Hampshire. Our firm was developed to deliver thorough scientific assessments of fresh and marine waters to assist public sector clients with watershed-wide efforts to restore and protect the quality of surface waters.

We are pleased to present our skills and qualifications to assist the Town of York with the development of a water quality and weather-based beach model. Our combination of technical expertise, on-the-ground field experience in nearby watersheds and in York, and well-documented ability to engage local stakeholders and municipalities make us an ideal candidate to assist the Town of York in addressing water quality problems in the Cape Neddick River and Beach, and Long Sands and Short Sands Beaches. Our offices in nearby Portland and Portsmouth are well located to direct this work, and our staff have worked closely with the Town of York staff and the Cape Neddick River Association in the last two years on these water quality issues.

FBE is pleased to be assisted on this project by the ecological assessment and engineering firm, Stantec Consulting Services, Inc. (Stantec) of Scarborough and Topsham, Maine. Our firms have collaborated on multiple monitoring projects in the local area over the last several years. Between our two firms, we will be providing the Town of York with scientists who frequently work locally, yet have experience working on rivers and estuaries throughout the entire United States and Canada. Our experience working together as a project team has proven to be seamless and successful. Stantec is a firm that has considerable staff resources and frequently provides services for large-scale monitoring and modeling projects.



FB Environmental Associates has been working with the Town of York, Maine since 2013 on water quality and watershed protection measures. This work has included water quality monitoring and targeted bacteria source tracking at Long and Short Sands Beaches, and in the Cape Neddick River watershed.

EXPERIENCE OF THE PROJECT TEAM

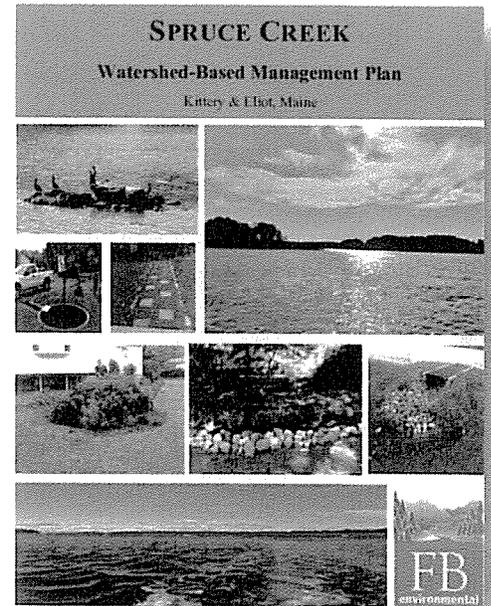
Statement of Qualifications

*FB Environmental Associates: Portsmouth, NH and Portland, ME (207) 221-6699;
info@fbenvironmental.com*

Established in 2001, FB Environmental Associates is a local consulting firm that specializes in directing environmental planning, assessment, monitoring, mapping, and restoration projects for a diverse array of clients. The firm's eleven associates have more than 130 years of combined experience working on land and water resource projects in New England. As FBE is a small business with low overhead, we are able to provide a high-quality professional product at reasonable rates ranging from \$50 to \$105 per hour. FBE is also committed to maintaining close communications with its clients. References have indicated that the firm's greatest asset is the staff's ability to work with great attention to detail to meet the specific needs of project partners and the general public. In 2006, through an evaluation conducted by an independent research firm for the US Government, we were given an overall performance score of 95 (out of 100) by our current and past clients. Our staff professionalism and expertise ranking scored a perfect 100.

FB Environmental has worked with a wide range of clients including the US Environmental Protection Agency, Maine Department of Environmental Protection, New Hampshire Department of Environmental Services, Piscataqua Regional Estuaries Partnership, University of Maine Cooperative Extension, Casco Bay Estuary Partnership, numerous New Hampshire and Maine municipalities including the Town of York, and several nonprofit environmental organizations and trade associations. Specific services include water quality monitoring, water resources modeling and assessment, design and installation of Best Management Practices, riparian habitat assessments, development of Total Maximum Daily Load reports for lakes, rivers and streams, stormwater management, nutrient management, GIS mapping and analysis, data compilation and interpretation, wetland delineation, erosion control, grant writing, and scientific report writing. Our offices are located in Portland, ME and Portsmouth, NH.

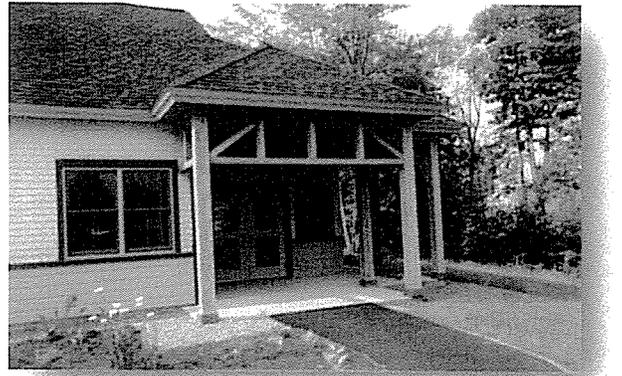
The FBE team is experienced in developing and implementing complex water quality monitoring and modeling projects. We conduct our work in a highly efficient and cost-effective manner and we complete our work on time. We receive high praise for being collaborative and for providing frequent and high quality communication (verbal and written) to our clients. We encourage reviewers to contact our references to discuss their experiences working with us, particularly working effectively with local stakeholders.



FB Environmental Associates has been working with the Town of Kittery, Maine since 2005 to develop and implement the Watershed-Based Management Plan for bacteria-impaired Spruce Creek. This work has included comprehensive water quality monitoring and has led to the successful discovery and remediation of many hotspots.

Stantec – Scarborough and Topsham, ME

Founded in 1954, Stantec provides professional consulting services in environmental sciences, planning, engineering, architecture, landscape architecture, surveying, project management, permitting, and project economics for infrastructure and facilities projects. Continually striving to balance economic, environmental, and social responsibilities, we are recognized as a world-class leader and innovator in the delivery of sustainable solutions. We support public and private sector clients in a diverse range of markets, at every stage, from initial concept and financial feasibility to project completion and beyond.



Stantec has offices in Scarborough and Topsham, ME.

Our services are offered through over 12,000 employees operating out of more than 200 locations in North America. Our environmental team, with scientific expertise in air, water, wildlife, and soil, creates sustainable solutions and addresses regulatory permitting and compliance for our clients. Our involvement on projects can extend from developing initial project concepts and regulatory approvals to complete site decommissioning and reclamation.

Stantec's Environmental Services practice offers full-service natural resource consulting services, specializing in a wide variety of biological evaluations, resource impact assessments, regulatory compliance, and permitting for a variety of projects ranging from small site developments to large energy projects. Our clients range from major energy and utility companies to state and federal regulatory and resource agencies.

Stantec's New England Environmental Services Group includes certified wetland scientists, certified wildlife biologists, certified ecologists, restoration engineers, and GIS/CAD specialists who have established effective relationships with state and federal regulatory agencies. Our professionals specialize in planning, permitting, wetland science, wildlife biology, terrestrial and aquatic ecology, fisheries, botany, habitat restoration, geomorphology, erosion control, forestry, geology, soil science, aerial photo interpretation, Geographic Information System (GIS) analysis, and statistical programming. Our team of full-time field scientists and regulatory experts is the largest in New England.

Stantec's offices in Scarborough and Topsham, Maine are staffed with approximately 45 experienced wetland scientists, wildlife biologists, and project managers who have established effective relationships with state and federal regulatory agencies. Our professionals specialize in planning and permitting; wetland science; wildlife biology; terrestrial and aquatic ecology; avian, raptor, and bat ecology; fisheries; botany; habitat restoration; geomorphology; erosion control; forestry; geology; soil science; aerial photo interpretation; Geographic Information System (GIS) analysis, and statistical data analysis. In addition to our Scarborough and Topsham locations, our offices in Vermont and New Hampshire and Boston, Massachusetts, are available to provide necessary project support. The unmatched depth of our staff allows Stantec to conduct required surveys and prepare permit applications efficiently and, more importantly, on-time, and on-budget.

Specific Experience Relating to the York Beach Monitoring and Modeling RFP

- A. **Experience with Collection and Assessment of Water Quality Data to Determine and Manage Surface Water Pollutants:** FBE staff annually conducts multiple large and small-scale water quality monitoring projects throughout New Hampshire and Maine (Table 1). We have the staff and equipment necessary to coordinate this type of comprehensive sampling project. FBE staff has analyzed water quality data for lakes, rivers, streams, estuaries, and marine waters for more than 950 waterbodies in New England. We are experienced working with simple and complex datasets and understand how these data relate to stream processes. We work for several municipalities and watershed groups to help them decipher what their data indicate in relation to water quality and the need for treatment and protection.
- B. **Experience with Identifying Sources of Bacterial Pollution to Waterbodies:** FBE has become a regional leader in developing and implementing large-scale and targeted bacteria source tracking projects to identify sources of bacteria to waterbodies. We've worked with multiple municipalities in coastal Maine to successfully identify specific sources of bacteria to marine waters and estuaries that have the potential to cause closures in shellfish growing areas and beaches (Table 1).
- C. **Experience with Developing Weather-Based Models to Assess Water Pollution Problems:** FBE and Stantec staff have experience with a variety of weather-based models aimed at overcoming the long-standing limitation of posting a beach based on yesterday's bacteria test. In addition to our experience, our project partners are nationally recognized for their work in biostatistics and environmental modeling.
- a. From 2008 to 2011, FBE conducted a major bacteria modeling effort for the New Hampshire Department of Environmental Services Beach Program. This effort included creating a rainfall-based bacteria predictive model for New Castle Beach, Pirates Cove Beach, Sawyer Beach, and State Beach along the New Hampshire seacoast. At three beaches (all but New Castle), we found that 0.2 inches of rain in the previous 24 hours predicted a high likelihood of bacteria levels which exceeded the state water quality standard, and less than 0.2 inches showed a high likelihood that beach water quality met bacteria standards. The analysis was conducted using receiver operating characteristics (ROC) and area under curve (AUC) methods.
 - b. In 2011, FBE conducted a case study comparing weather, currents, and other real-time data to bacterial water quality at Willard Beach in South Portland, Maine. We used the EPA-developed modeling software Virtual Beach, which has been adopted extensively in the Great Lakes region and has been tested at seven marine beaches around the country. We examined parameters including 12-hour, 24-hour, and 48-hour prior rainfall, tidal stage, and a suite of other real-time weather and water parameters. Results from our case study showed that Virtual Beach was capable of predicting bacteria concentrations slightly better than the Maine Healthy Beaches method of using the previous day's bacterial results at Willard Beach. We presented our results to the South Portland Stormwater Program, along with a detailed analysis of the pros and cons of the Virtual Beach software. Ultimately, the software complexity was seen to outweigh the improvement in bacterial prediction. FBE stays informed on Virtual Beach software, which is under continual development by the US EPA.

- c. In 2009, FBE modeled the effect of rainfall on bacterial exceedences throughout the state of New Hampshire (tens of thousands of water samples at 382 bacteria-impaired waterbodies) for the US EPA. The analysis identified which bacteria exceedences were associated with wet weather, and collectively this data set aided the EPA and New Hampshire Department of Environmental Services in assessing the source of bacteria at each waterbody. The results of this effort were published in an EPA-approved report for the State of New Hampshire.
- d. In 2012, FBE conducted a similar analysis of the effect of rainfall on water quality at 102 bacteria impaired waterbodies for the US EPA, in collaboration with the Connecticut Department of Energy and Environmental Protection. The analysis was incorporated into an EPA-approved report for the State of Connecticut.
- e. FBE has extensive experience using a variety of source-identification models relating to water quality pollution and bacteria, including models such as MapShed, the Lake Loading Response Model, and CommunityViz. These models have been used to predict both current water quality conditions and trends into the future under various management scenarios.
- f. Stantec's modelers and statisticians have broad experience with model selection and parameter estimation, which are central to the task of developing a predictive model. Too simple a model yields imprecise predictions, but too complex a model yields inaccurate ones. From modeling population dynamics to modeling clinical data, we are practiced with using AIC and other model selection techniques to select the best predictive model. We have worked under the hood of some software that, like Virtual Beach, has been released by federal agencies for applications.

Based on these experiences, we are well aware of the strengths and limitations of various models in all phases of data collection, model development, and day-to-day usage. We have found that one of our unique strengths as a firm is our ability to complete the technical phase of modeling with practical and understandable presentations to municipal boards, state and municipal staff, lake and river associations, regulators, and the general public. Repeatedly, we have seen that this final phase of the modeling process is absolutely essential to moving beyond the numbers and towards effective environmental policy.

- D. Experience in Leading and Facilitating Strong Public Participation Processes for Similar Projects:** FBE works collaboratively with agencies, municipalities, watershed groups, and landowners to encourage strong public participation for nearly all of our projects. Our experience has shown that working to change behavior of watershed landowners and land users takes considerable time and effort. Our firm focuses on the area where "science meets civics" and we are passionate about educating decision makers and citizens on the scientific research that require behavior and regulatory change. We will fully engage the Town of York and the Cape Neddick River Association in all aspects of this project and will embrace the opportunity to present our results to all project stakeholders.
- E. Ability to Complete the Work within Required Schedules and Budget:** FBE will coordinate in a clear and professional manner with the Town of York staff and Cape Neddick River Association on behalf of the project, and will provide all reports, data and information on schedule, and within the project budget.

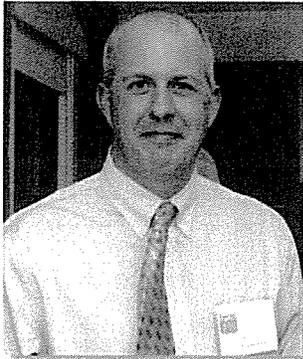
Table 1. Completed and Ongoing Monitoring and Modeling Projects Managed by FB Environmental, 2008-2014.

Client	Water Quality Problem	Waterbody Name	Year	Type	Project Mgr.
<i>Town of Kittery, ME</i>	<i>Shellfish closures</i>	<i>Spruce Creek</i>	2008-14	<i>Monitoring</i>	<i>E. DiFranco</i>
	<i>Bacteria impairment</i>	<i>Fort Foster Beach</i>	2012-14	<i>Modeling</i>	
	<i>Beach closures</i>			<i>Source tracking</i>	
<i>Town of Kennebunkport, ME</i>	<i>Bacteria impairment</i> <i>Beach closures</i>	<i>Goose Rocks Beach</i>	2008-2009	<i>Monitoring</i> <i>Modeling</i> <i>Source tracking</i>	<i>F. Bell</i>
<i>Town of Ogunquit, ME</i>	<i>Bacteria impairment</i> <i>Beach closures</i>	<i>Ogunquit River</i> <i>Ogunquit Beach</i>	2012-14	<i>Monitoring</i> <i>Modeling</i> <i>Source tracking</i>	<i>E. DiFranco</i>
<i>Town of York, ME</i>	<i>Bacteria impairment</i> <i>Beach closures</i>	<i>Cape Neddick River</i> <i>Long and Short Sands Beaches</i>	2013	<i>Monitoring</i> <i>Source tracking</i>	<i>E. DiFranco</i>
<i>Town of Waldoboro, ME</i>	<i>Shellfish closures</i>	<i>Medomak River</i>	2014	<i>Source tracking</i>	<i>E. DiFranco</i>
<i>City of Portland, ME</i>	<i>Bacteria impairment</i>	<i>Capisc Brook</i>	2012	<i>Source tracking</i>	<i>E. DiFranco, C. Dalton</i>
<i>Cumberland County SWCD</i>	<i>Impairment - multiple pollutants</i>	<i>Long Creek</i>	2009-14	<i>Monitoring</i> <i>Modeling</i>	<i>C. Dalton, J. Deeds</i>
<i>Town of Durham, NH</i>	<i>Bacteria impairment</i>	<i>Oyster River, College Brook</i>	2013	<i>Source tracking</i>	<i>E. DiFranco</i>
<i>City of Portsmouth, NH</i>	<i>Bacteria impairment</i>	<i>City-wide</i>	2013	<i>Source tracking</i>	<i>E. DiFranco</i>
<i>Town of North Hampton, NH</i>	<i>Bacteria impairment</i> <i>Beach closures</i>	<i>Little River</i>	2009-14	<i>Monitoring</i> <i>Modeling</i> <i>Source tracking</i>	<i>E. DiFranco, C. Dalton</i>
<i>Town of Rye, NH</i>	<i>Bacteria impairment</i> <i>Beach closures</i>	<i>Parson's Creek</i>	2009-2014	<i>Monitoring</i> <i>Modeling</i> <i>Source tracking</i>	<i>E. DiFranco, C. Dalton</i>
<i>City of Laconia, NH</i>	<i>Bacteria impairment</i> <i>Beach closures</i>	<i>Weirs Beach</i> <i>Oppechee Park Beach</i>	2013-14	<i>Source tracking</i>	<i>E. DiFranco</i>
<i>Town of Exeter, NH</i>	<i>Bacteria impairment</i>	<i>Wheelwright Creek</i>	2012-13	<i>Source tracking</i>	<i>E. DiFranco</i>
<i>Southwest Region Planning Commission</i>	<i>Nutrient impairment</i>	<i>Lake Warren</i>	2013-14	<i>Modeling</i>	<i>E. DiFranco</i>
<i>Cumberland County SWCD</i>	<i>Bacteria impairment</i>	<i>Scarborough, ME</i>	2010-11	<i>Stream Monitoring</i>	<i>C. Dalton</i>
<i>Sheepscoot Valley Conservation Assoc.</i>	<i>Bacteria impairment</i>	<i>Dyer River</i>	2010-11	<i>Source Tracking</i> <i>Modeling</i>	<i>J. Jespersen</i>
<i>Southern Aroostook SWCD</i>	<i>Bacteria impairment</i>	<i>Pearce Brook</i>	2009-10	<i>Modeling</i>	<i>J. Jespersen</i>
<i>US EPA</i>	<i>Bacteria impairment</i>	<i>Statewide in Connecticut and New Hampshire</i>	2010-11	<i>Effect of precipitation on bacteria levels</i>	<i>E. DiFranco, C. Dalton</i>
<i>NH DES Beach Program</i>	<i>Bacteria impairment</i>	<i>Rye, North Hampton, Hampton, and New Castle, NH</i>	2008-11	<i>Modeling</i> <i>Source Tracking</i>	<i>C. Dalton</i>

PROJECT TEAM (KEY STAFF)

The Town of York can expect that the work on this monitoring and modeling project will be completed by highly qualified scientists and planners from FB Environmental Associates with assistance from Stantec. Emily DiFranco will act as the lead project manager and will be an active participant on all project tasks. Forrest Bell will serve as Principal-in-Charge for the project, will attend several meetings, and will ensure the proper staff and subcontractor resources are available to provide the Town of York with tools needed to complete the project. Cayce Dalton will serve as a task manager for the modeling task, working closely with our local biostatistics expert, Kristian Omland, ensuring that the modeling work is carefully calibrated, and is providing optimum output related to effort.

Forrest Bell, FB Environmental, Owner and Principal Scientist



Forrest is the founder and owner of FB Environmental. In this capacity, he oversees all projects and operations of FB Environmental. Forrest is a regional leader in managing watershed restoration and assessment projects. He has directed more than 150 successful environmental planning, assessment, monitoring and restoration projects since 1991 for clients including federal and state natural resource agencies, municipalities, and non-profit organizations. Forrest founded FB Environmental in 2001 while assisting the Maine DEP with lake water quality assessments and TMDL report preparation for impaired lakes in Maine, and has since developed a consulting business that includes ten highly qualified staff persons. Forrest is a skilled presenter and facilitator, embracing the challenge of explaining and promoting effective water quality protection in New England communities. Forrest received his BS in Geography from the University of Southern Maine and completed his Master's coursework at the University of New Hampshire in the Natural Resources Management program.

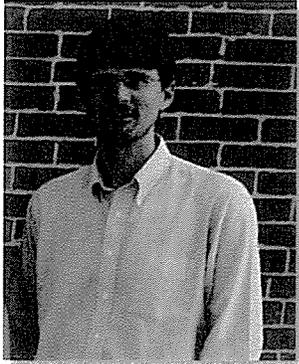
Emily DiFranco, FB Environmental, Project Manager and Water Quality Specialist



Emily will be managing this project out of our Portsmouth, NH office. Emily joined FB Environmental in July. Since joining the FBE team, she has successfully managed and conducted over 20 water quality monitoring and bacteria source tracking projects. Emily has become a local expert in identifying sources of bacteria to waterbodies and has spoken about her experiences at many professional conferences and workshops. She received a B.S. in Geography from McGill University in Montreal, Quebec, in 2001, and an M.S. in Natural Resources with a focus on Water Resources from the University of New Hampshire in 2009. While at the University of New Hampshire, she worked as a research assistant for the Water Quality Analysis Laboratory, designed and implemented separate projects assessing nitrogen cycling in the Lamprey River watershed and on-the-ground and surface water hydrology of the New Boston Air Force Station. Emily has worked for a local watershed group implementing Best Management Practices on public and private properties to reduce pollutant loading throughout New England, built fish ponds in the Peace Corps in Zambia, and worked with the Nature Conservancy on Catalina Island in the AmeriCorps. As a Project Manager/Water Quality Specialist at FBE, Emily

conducts water quality monitoring for lakes, rivers, streams, and estuaries, analyzes water quality data, writes technical reports including statewide planning and regulatory documents, assists municipalities with the implementation and completion of their water quality grants, and leads multi-state watershed-based planning efforts.

Cayce Dalton, FB Environmental, Modeling and Water Quality Specialist



Cayce will be providing support on the modeling task. Cayce joined FB Environmental in 2008, having received a B.S. in environmental science with a minor in economics from the College of William and Mary, after working for seven years in the environmental sciences. His experience at FB Environmental includes numerous monitoring, data analysis, and modeling efforts focusing beach water quality. He conducted bacterial loading models for seven coastal beaches for the New Hampshire Department of Environmental Services Beach Program from 2008 to 2011. He analyzed the effect of rainfall on bacterial levels for hundreds of water bodies for the US EPA in the states of New Hampshire and Connecticut, and he conducted a case study of a weather-based, bacteria predictive model for Willard Beach in South Portland, Maine. In positions with the Maine Conservation Corps, Wells National Estuarine Research Reserve, and the Town of York, he worked closely with volunteers and citizens in an effort that used genetic fingerprinting to track sources of bacterial pollution, measured salt marsh eutrophication using a suite of mapping and biological parameters, enforced municipal environmental ordinances, and conducted outreach and education on a wide variety of environmental issues. At FB Environmental, he conducts GIS mapping, water pollutant modeling, pollutant load reductions, monitoring, and technical writing.

Kristian Omland, Ph.D., Biostatistician, Stantec



Dr. Omland is a quantitative biologist and Stantec's National Technical Leader for Methods & Statistics. He will be providing assistance with model development and calibration, and will be providing an overall evaluation of the statistical model developed in this project. He has worked as a statistical consultant since 2005 and was an academic ecologist prior to that. Project work has included classical statistical analysis, mixed effects modeling, tailored maximum likelihood model fitting, simulation modeling, management of and queries from large databases comprising numerous tables and millions of records, and statistical programming in R. Dr. Omland has particular expertise in model selection in the context of multiple regression and other model classes, which will be called for in developing a predictive model for exposure risk at beaches. He was coauthor of a 2004 review article on model selection (Johnson & Omland, 2004, Model selection in ecology and evolution, *Trends in Ecology & Evolution* 19:101), which continues to be cited over 200 times each year.

PROJECT UNDERSTANDING AND SCOPE OF WORK

We believe that the following tasks are important to the successful development of a weather-based water quality assessment model for the Town of York. We understand that we will be working collaboratively with the Town of York, the Cape Neddick River Association, and other local stakeholders throughout this process. The tasks below outline our technical approach for completing the components of the project. If selected under the RFP process, FBE will work with the Town of York to conduct water quality monitoring, with the primary goal of developing a site-specific weather based water quality model to predict beach closures at local beaches. We have budgeted \$49,945 for the Scope of Work to include the following tasks, with an additional \$9,621 for an optional task (see budget detail on pages 14 and 15):

Scope of Work

TASK 1: Project Coordination

FB Environmental will provide project management activities as specified in this proposal. This will include tracking project tasks and ensuring completion of tasks within budget. As indicated above, Emily DiFranco will serve as project manager and primary point of contact for this project.

TASK 2: Meeting Attendance

FB Environmental will organize and attend an initial project kickoff meeting with town staff and stakeholders to select monitoring sites and to finalize the work plan. FBE will attend various check-in meetings with municipal staff, and if appropriate, the Select Board, throughout the project duration. A final meeting will be held at the end of the project to ensure transfer of information and deliverables. We will maintain an ongoing public dialogue throughout the project with all stakeholders, including town staff and boards and the public.

TASK 3: Sample Collection

FB Environmental will conduct water quality monitoring in the Cape Neddick River watershed and beach, Long Sands Beach, and Short Sands Beach from July-September 2014. Highly trained FBE scientists will collect and process up to 1,500 water quality samples from these sites over the course of the project. Samples will be collected five days a week, and analyzed for enterococci using protocols and sites from Maine Healthy Beaches (MHB), along with additional existing freshwater sampling locations in the Cape Neddick River. We will carefully review and select additional sites in the Department of Marine Resources (DMR) Shellfish Program, Town of York Parks and Recreation Department, and Community Development Department, those cited in the Cape Neddick River Watershed-Based Management Plan (2013), and as found on the MHB and DMR websites. Sampling throughout the project period will span a range of tide and weather conditions. In addition to enterococci levels, we will collect field measurements for salinity, water temperature, estimate bird counts, and estimate swimmer counts at the time the water sample is collected. We will also analyze the water for turbidity using a handheld meter, either on site or upon return to the lab or staging area. We will obtain antecedent rainfall, air temperature, and relative humidity data from a local weather station. Bacteria data and all

other parameters collected will be used to build the model to assess water quality as described in Task 4: Modeling.

TASK 4: Modeling and Statistical Analysis

FB Environmental will use data collected in Task 3 to develop the best possible rainfall-based model to estimate pathogen levels at the Town of York's beaches. It is assumed in the RFP that rain and the resulting runoff causes poor water quality at the beaches, and it is the consultant's responsibility to determine through sampling and data analysis how much rain warrants a beach posting or closure. Good science, however, requires that we state plainly that the weather and water quality data must and will be objectively analyzed without assuming any pre-determined outcome or relationship. To best protect public health and safety, the data must speak for themselves.

If rainfall is able to adequately predict poor water quality at the beaches, we will discover and describe that relationship in a concise and direct manner that allows the Town of York to develop a rule for posting or closing the beach, and a science-based timeframe for removing that posting. If the best available model is found to not adequately protect health and safety, we will analyze practical alternatives to improve the timeliness, accuracy, and economy of the beach posting program.

To develop the best possible weather-based water quality model, we will compare the rate of false positives (i.e., posting the beach when water quality is in fact acceptable) to true positives (correctly posting the beach) over a full range of rainfall cutoff values for each beach sampling location. This approach, called "receiver operating characteristics" is a statistical measure widely used and respected in health-related modeling. This approach will result in a clear and direct rainfall amount cutoff value which is protective of public health, provided one exists. The resulting model can be used quickly and easily by anyone with basic training in maintaining and reading a rain gauge. We will test 12-hour, 24-hour and 48-hour prior rainfall values, and consider other time frames if necessary. Likewise, we will test the duration of the beach posting or closing using the same false positives to true positives ratio based on two, four, or six tidal cycles. Testing odd numbers of tidal cycles (1, 3, etc.) would require additional water quality monitoring on an approximately twelve hour basis. We can modify the sampling plan to incorporate these additional tidal cycles, if it is a high priority for the Town.

We believe it is wise for the Town of York to understand and prepare for the possibility that rainfall alone does not predict beach water quality to an acceptable level protective of health and safety. In an extensive 2010 study¹, US EPA found that antecedent rainfall was tied for seventh place along with water temperature in its ability to predict real-time water quality at seven marine beaches around the nation, including one in New Hampshire. Ahead of rainfall were turbidity, salinity, UV absorbance characteristics, bird counts, chlorophyll, and relative humidity. This study evaluated the free EPA-developed software called Virtual Beach, which FBE tested in a case study for Willard Beach, in South Portland.

¹ Zepp, R. G., Cyterski, M., Parmar, R., Wolfe, K., White, E.M., and Molina, M. 2010. Predictive Modeling at Beaches Volume 2: Predictive Tools for Beach Notification. EPA-600-R-10-176. EPA National Exposure Research Laboratory, Washington, D.C.

In our case study at Willard Beach, we found that water temperature, salinity, offshore wind direction, and offshore current speed were useful in addition to 24-hour antecedent rainfall. The best fit model for Willard Beach was moderately more accurate than the existing posting methods used by Maine Healthy Beaches.

In light of this experience, we propose that additional parameters of turbidity, salinity, estimated bird counts, estimated swimmer counts, and relative humidity be collected along with enterococci counts. All these parameters may be easily and economically incorporated into a real-time beach water quality model by the Town of York in the future. We do not recommend sampling for UV absorbance, chlorophyll, or offshore currents, because these would be highly impractical to analyze in real-time by the town, and would create an overly complex model.

Since the statistical analysis proposed is a widely accepted standardized calculation, the time to prepare data and run the analysis is a relatively small portion of the overall proposed budget. If the data prove that rainfall amounts are not closely related to water quality, then it will have water quality management implications. It is possible that leaking pipes, pet waste, or other factors more correlated to weekend or seasonal population swings (not rainfall) are causing at least some of the water quality exceedences at the beaches. We look forward to providing the Town of York with valuable insight into the relationship between weather and beach water quality through the modeling portion of this project.

TASK 5: Reporting

FB Environmental will prepare a draft and final report outlining all work completed throughout the project, including an assessment of water quality data collected and modeling outcomes and its benefits for use in the field. The final product will include the full model prepared in a “user-friendly” format with detailed instructions for use by town staff. The model itself will be simple enough to evaluate without a computer. For instance, a table to make the determination about beach closures based solely on precipitation data may look like this:

Rain amount in past 24 hours	Rain amount in past 48 hours	Closure?
< 0.2 inch	< 0.1 inches	All beaches open
0.2 – 0.3 inches	0.1 - 0.2 inch	Post Cape Neddick Beach
0.3 – 0.4 inches	0.2 – 0.3 inches	Post Cape Neddick Beach and Short Sands

OPTIONAL TASK 6: Hotspot Investigation and Bacteria Source Tracking

As our proposed budget is below the amount approved by the Town of York, and because we feel that the ultimate purpose is to investigate the contributing bacteria sources, FB Environmental senior staff (Forrest Bell and Emily DiFranco) propose an optional task to conduct detailed follow-up investigations for up to ten hotspots identified through meetings with town staff and from the results of initial monitoring data collected in July 2014. Forrest and Emily have more than 25 years of combined experience tracking bacteria issues at the land/water interface. This optional task would provide detailed mapping, further sampling, and on-the-ground analysis to identify sources of bacteria at these hotspots to

advance the ultimate goal of guiding current and future remediation efforts. If necessary, FBE will utilize canine handler teams from Environmental Canine Services to help identify areas where human-specific bacteria are a suspected problem.

Deliverables and Project Schedule

FBE will provide the following deliverables to the Town of York to help complete this project. The project schedule is presented in Table 2. Major deliverables are noted on the schedule.

- ✓ Task 1: Project coordination (*ongoing until December 31, 2014*)
- ✓ Task 2: Meeting attendance (*June and December 2014 and additionally, as needed*)
- ✓ Task 3: Draft monitoring report (*November 1, 2014*)
- ✓ Task 4: Draft modeling report and model (*November 1, 2014*)
- ✓ Task 5: Final monitoring/modeling report and model (*December 31, 2014*)
- ✓ Optional Task 6: Hotspot investigation and bacteria source tracking report (*December 31, 2014*)

Table 2. Proposed Project Schedule and Major Deliverable Due Dates

<i>Task</i>	2014						
	June	Jul	Aug	Sep	Oct	Nov	Dec
Task 1: <i>Project Coordination</i>							
TASK 2: <i>Meeting Attendance</i>	Kickoff meeting						Final Meeting
TASK 3: <i>Sample Collection</i>							
TASK 4: <i>Modeling</i>							
TASK 5: <i>Reporting</i>						Draft model and reports	Final model and reports
OPTIONAL TASK 6: <i>Bacteria Source Tracking</i>							

Proposed Budget**Table 3. Proposed Project Budget**

<i>Task</i>	<i>Staff Hours/ Mileage</i>	<i>Hourly Rate</i>	<i>Cost</i>
<i>Tasks 1 and 2: Project Coordination and Meeting Attendance</i>			
Forrest Bell, Principal and Senior Scientist	12	105	\$1,260
Emily DiFranco, Project Manager	30	75	\$2,250
Travel @ \$0.55/mi	180 mi.	0.55	\$99
<i>Subtotal – Tasks 1 and 2</i>			\$3,609
<i>TASK 3: Water Quality Monitoring</i>			
Emily DiFranco, Project Manager	58	75	\$4,350
Logan Cline, Project Scientist	65	56	\$3,640
Sabrina Vivian, Project Assistant	465	20	\$9,300
Sample Analysis (up to 1500 samples)			\$17,000
Turbidity Meter			\$900
Travel @ \$0.55/mi	4050 mi.	0.55	\$2,228
<i>Subtotal - Task 3</i>			\$37,418
<i>TASK 4: Modeling</i>			
Emily DiFranco, Project Manager	10	75	\$750
Cayce Dalton	48	70	\$3,360
Kristian Omland - Biostatistician - <i>Stantec</i>	20	128	\$2,560
<i>Subtotal - Task 4</i>			\$6,670
<i>TASK 5: Reporting</i>			
Emily DiFranco, Project Manager	24	75	\$1,800
Logan Cline, Project Scientist	8	56	\$448
<i>Subtotal - Task 5</i>			\$2,248
<i>Project Total</i>			\$49,945

As outlined in Table 3 above, the project budget will not exceed \$49,945 for the Scope of Work outlined in the RFP. However, as described in the Scope of Work above, we propose the addition of an optional task to further identify sources of bacteria to York's beaches. This optional task will not exceed \$9,621, bringing the overall project budget to \$59,566 (Table 4).

Table 4. Proposed Project Budget for Optional Task 6

<i>Task</i>	<i>Staff Hours/ Mileage</i>	<i>Hourly Rate</i>	<i>Cost</i>
<i>OPTIONAL TASK 6: Hotspot Investigation</i>			
Forrest Bell, Principal and Senior Scientist	50	105	\$5,250
Emily DiFranco, Project Manager	50	75	\$3,750
Sample Analysis			\$500
Travel @ \$0.55/mi	220 mi.	0.55	\$121
<i>Subtotal - Task 5</i>			\$9,621
		<i>Original Project Total</i>	\$49,945
		<i>Project Total with Optional Task</i>	\$59,566

REFERENCES

Jessa Kellogg, Shoreland Resource Officer

Town of Kittery, Maine

(860) 420-9039

Email: jkellogg@kitteryme.org

Wendy Garland, Watershed Assistance Section

Maine Department of Environmental Protection

(207) 615-2451

Email: wendy.garland@maine.gov

Jennie Bridge, Water Quality Branch

US Environmental Protection Agency, New England, Region 1

(617) 918-1685

Email: bridge.jennie@epa.gov

REPRESENTATIVE PROJECTS

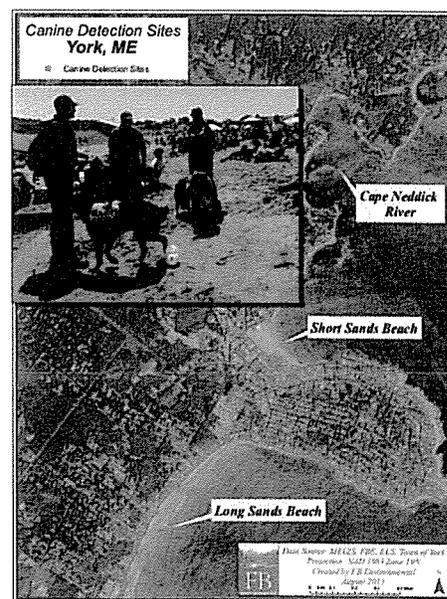
FB Environmental Representative Projects

FB Environmental Associates has extensive water quality monitoring, bacteria source tracking, pollutant modeling, and watershed management experience. We have provided references for recent monitoring and assessment projects we have conducted. Our contacts are people who are vital to managing water resources in New England and represent several disciplines. We strongly encourage reviewers to contact our references and to engage in lengthy discussions regarding our work.

Maine and New Hampshire Seacoast Bacteria Sampling

FB Environmental has been working for multiple municipalities in coastal Maine and New Hampshire for many years to address bacteria impairments and subsequent shellfish and beach closures. We specifically focus efforts on areas where there are high-use summer recreation areas. We currently assist (or have recently assisted) the following communities with bacteria sampling and analysis work:

- York, Maine
- Kittery, Maine
- Ogunquit, Maine
- Kennebunkport, Maine
- Portland, Maine
- South Portland, Maine
- Old Orchard Beach, Maine
- Waldoboro, Maine
- Portsmouth, New Hampshire
- Durham, New Hampshire
- Exeter, New Hampshire
- Laconia, New Hampshire
- North Hampton, New Hampshire
- Rye, New Hampshire



Canine Scent Tracking to Address Bacteria NPS Impairments

FB Environmental frequently works to assess and implement 319 projects in bacteria-impaired waterbodies in New England and felt that the process for locating sources was often time-consuming and costly. Since 2012, we have worked with Environmental Canine Services to bring their EPA-approved method to New England. The result of our work has been successful and rapid tracking of human-specific fecal bacteria sources in more than eleven communities with chronic bacteria impairment and beach posting issues, including the Town of York. An additional benefit of these projects has been the outstanding regional and national press coverage resulting in heightened awareness of NPS issues.

Virtual Beach Modeling

In 2011, FBE conducted a case study comparing weather, currents, and other real-time data to bacterial water quality at Willard Beach in South Portland, Maine. We used the EPA-developed modeling

software Virtual Beach, which has been adopted extensively by beach managers in the Great Lakes areas and has been tested at seven marine beaches around the country. We examined parameters including 12-hour, 24-hour, and 48-hour prior rainfall, tidal stage, and a suite of other real-time weather and water parameters. Results from our case study showed that Virtual Beach was capable of predicting bacteria concentrations moderately better than the Maine Healthy Beaches method of using the previous day's bacterial results at Willard Beach. FBE presented and discussed the model results, along with our analysis of the Virtual Beach software and available data, with the City of South Portland and Maine Health Beaches. FBE continues to monitor the evolving Virtual Beach software and its implementation around the country.

Maine Statewide Stream Monitoring and Assessment

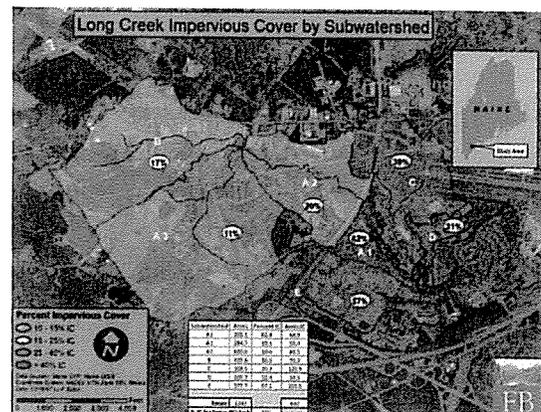
FB Environmental has been contracted since 2005 to conduct a variety of annual assessments for dozens of small impaired streams in Maine for the State's nonpoint source Total Maximum Daily Load (TMDL) Program. Project tasks generally include sampling for bacteria and other parameters, watershed mapping, water quality monitoring, rapid geomorphic and habitat assessments using EPA protocols, impervious cover and land use analysis, hydrologic modeling, TMDL technical report writing, and facilitation of stakeholder outreach. Through our project efforts we have gained a strong working knowledge of stream dynamics in varying settings.



Long Creek Watershed-Based Plan and Comprehensive Water Quality Monitoring– City of South Portland, Maine

Contact: Fred Dillon, Stormwater Coordinator (207) 321-9437

FB Environmental Associates received a **special recognition award from the US EPA** for our efforts on this highly publicized project. The Long Creek watershed in southern Maine had been studied extensively over the past several years and is listed by the Maine DEP as an urban impaired stream. FBE was hired in the fall of 2007 to develop a detailed strategy to mitigate the potential for non-point source pollution from impervious surfaces and other sources in the Long Creek watershed. In addition to developing a comprehensive list of practical approaches to stormwater management, the project team summarized existing data; developed a technical advisory committee to provide guidance on prioritizing watershed improvements; and worked with watershed stakeholders through a project facilitator to promote involvement and a sense of local ownership. The end product of these efforts was the development of a watershed management plan that incorporates a highly technical yet community-driven and pragmatic approach to watershed restoration. FB Environmental (led by Jeremy Deeds) continues to work for the Long

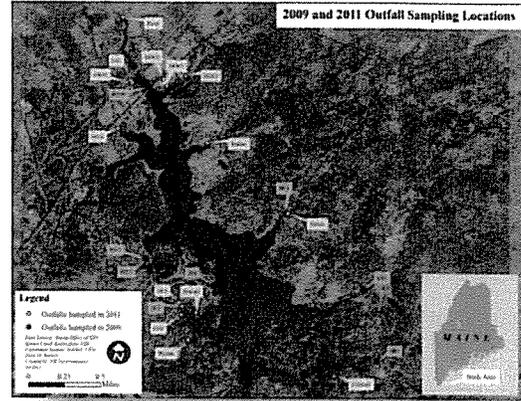


Creek Watershed Management District to provide comprehensive water quality monitoring services.

Spruce Creek Watershed-Based Management Plan, Grant Implementation, and Water Quality Monitoring

Contact: Jessa Kellogg, Kittery Shoreland Zone Officer (207) 439-0333

FB Environmental Associates has been assisting the Town of Kittery, the Spruce Creek Association and their partners for the last seven years to assess and restore this impaired estuarine waterbody. In 2005, FBE worked to develop a Watershed-Based Management Plan for the Spruce Creek watershed through activities including holding a series of stakeholder meetings to identify priorities for the watershed, the analysis of existing water quality data, and the creation of engineering designs and cost estimates for addressing high priority pollutant sites identified in a thorough watershed analysis.



This plan has resulted in the funding of implementation measures in the watershed through a series of 319 grants including the installation of vegetated buffers and rain gardens, replacement of septic systems and assisting with Low Impact Development (LID) demonstration projects on the highly traveled Route 1 Corridor. FBE continues to assist the Town of Kittery and the Spruce Creek Association with the implementation of these grants. Wright-Pierce also assisted the Town of Kittery and the Spruce Creek Association with their grant by completing a stormwater retrofit survey of the Spruce Creek watershed. Many of the projects identified and designed in this survey were used to satisfy requirements of the grant.

FBE has also provided water quality monitoring project design and implementation to the Town of Kittery and the Spruce Creek Association since 2008. These projects have included annual extensive monitoring programs as well as small and large scale bacteria source tracking projects using sophisticated water quality monitoring equipment. FBE also assists Kittery with grant writing, fundraising efforts, and GIS mapping.

Goodall Brook Assessment Project

Contact: Wendy Garland, ME DEP (207) 615-2451

From 2004 through 2014, FB Environmental Associates assisted the York County Soil and Water Conservation District and the Town of Sanford under several Maine DEP 319 grant awards. Assessment work included preliminary storm drain network assessments (2004), watershed, impervious surface analyses (2005), Northern Great Works River watershed survey (2006), and the Goodall Brook neighborhood source assessment and hotspot survey (2008). Throughout these projects, FBE worked with York County SWCD to provide stakeholder outreach to the Town of Sanford, the Bauneg Beg Lake Association, Great Works River Watershed Coalition and the watershed citizens. FB Environmental is currently working with Goodall Brook stakeholders on a Watershed Based Management Plan, to be completed in 2014.

Stantec Representative Projects

Town of York Police Station Project

Stantec performed wetland delineations and function-value assessments for a proposed police station and associated access road in the Town of York. Stantec conducted a mitigation site search, including field assessments of potential mitigation sites, and prepared a Wetland Compensation Plan to mitigate for the proposed wetland and vernal pool buffer impacts at the project site. Stantec attended meetings with regulatory agencies and project engineers to discuss the project, permitting, and proposed mitigation plan. Stantec prepared applications and received a Tier 2 Natural Resource Protection Act permit and U.S. Army Corps of Engineers Category 2 permit on behalf of the client. Upon receipt of permits, Stantec also assisted the Town with development of a wetland, vernal pool buffer, and stormwater buffer restoration plan after unpermitted impacts were discovered at the site.



Vaccine-related Research Programs

For the National Institute of Allergy and Infectious Diseases, Division of Microbiology and Infectious Diseases (DMID), Dr. Omland has consulted on various vaccine-related research programs. Working under the auspices of Mergus Analytics, LLC, Dr. Omland performed a major overhaul of the algorithm used in data reduction for the anthrax lethal toxin neutralization bioassay (TNA) and provided an R program that implemented that algorithm. While with Stantec, Dr. Omland has contributed substantially to DMID's briefing package related to qualifying a primate model for tularemia studies. His particular work entailed modeling physiological data collected by telemetry to determine the onset of disease symptoms.

Wind Energy Development

Dr. Omland has performed a number of study design and data analysis tasks for multiple wind energy developers. The United States Fish and Wildlife Service (FWS) and the U.S. Geological Service (USGS) have both released R programs to be used by wind operators or their consultants to model collision risk for eagles and to estimate total mortality for bats and birds. Dr. Omland has run those programs as intended by the agencies on behalf of our clients and has worked with the source code adapting the programs to particular project needs.

APPENDIX A: KEY PROJECT STAFF RESUMES



FORREST BELL

Principal / Senior Scientist

Forrest is the founder and owner of FB Environmental. Forrest is a regional leader in managing watershed restoration and assessment projects. In over 23 years of experience, he has directed more than 150 successful environmental planning, assessment, monitoring and restoration projects for clients including federal and state natural resource agencies, municipalities, and non-profit organizations. Forrest founded FB Environmental in 2001 while assisting the State of Maine with lake water quality assessments for impaired lakes and has since developed a consulting business that includes ten highly qualified environmental scientists and environmental planners. Additional highlights include:

Technical Expertise:

- Statewide Document Preparation
- Lake, River, and Stream Assessment and Restoration
- Section 319 Grant Writing, Management & Implementation
- Public Facilitation & Training

- Proven record of success working for clients such as US Environmental Protection Agency, US Army Corps of Engineers, Vermont Department of Environmental Conservation, Maine Department of Environmental Protection, New Hampshire Department of Environmental Services, Rhode Island Department of Environmental Management, Piscataqua Regional Estuaries Partnership, Spruce Creek Association, Friends of Casco Bay, the Casco Bay Estuary Partnership, New England land trusts, and dozens of municipalities in Maine and New Hampshire.
- Worked face-to-face with more than 3,000 landowners (including many agricultural producers) to develop conservation strategies for their properties to help improve water quality and to promote land protection.
- Advise nonprofit organizations, government, municipalities, and professional associations regarding compliance with environmental programs and laws.
- Delivered more than 100 formal presentations at numerous national, state, regional, and local water resource and land management conferences.
- Between 1995 and 2012, secured over \$7,000,000 in environmental project funds for several organizations to help improve and protect water resources.

PROFESSIONAL EXPERIENCE

Principal / Senior Scientist, FB Environmental Associates, Portland, ME & Portsmouth, NH (2001-Present) As principal owner, responsible for all aspects of operation of an environmental consulting firm focusing on watershed assessment and restoration, habitat assessment, GIS mapping, land use planning, land protection, technical writing and research, and project management. Frequent presenter at state and national conferences.

US Environmental Protection Agency Region 1 BPA (2008-2013). Principal scientist and manager for a five-year, 1.6 million dollar contract focusing on TMDL assessments of impaired waterbodies in all six New England states. Tasks include technical writing, river and stream mapping, impervious surface analysis of watersheds, pollutant load modeling, and water quality monitoring for multiple parameters.

Acton-Wakefield Watersheds Alliance (2008-present). Principal project manager for a multi-year detailed lake assessment and watershed management plan completed in 2008 for the Upper Salmon Falls Headwater Lakes located on the Maine/New Hampshire border. Directed data analysis, modeling, stakeholder outreach, and build out analysis tasks. Currently working with the local municipalities on LID and stormwater control ordinances and received the 2012 US Water Prize for our outstanding collaboration in the Salmon Falls River.

City of South Portland, Maine. (2008-present) Project manager for the development of the US EPA merit award-winning Long Creek Watershed Management Plan. Project tasks included developing a detailed stormwater retrofit inventory including detailed cost estimates, developing a long-term monitoring plan, and leading a large technical advisory committee. FB Environmental partnered with Woodard & Curran on this high profile project.

Maine Department of Environmental Protection (2000-2007). Various locations throughout Maine. Contractor for a 6-year, \$900,000 study of nutrient-impaired Maine lakes for the Total Maximum Daily Load program for 36 impaired Maine lakes. Lead scientist and manager responsible for all aspects of project management and administration, water quality monitoring, land use analysis and GIS mapping, technical writing, data analysis, developing loading models, drafting nutrient management recommendations, and facilitating a comprehensive public participation process.

Casco Bay Estuary Partnership, Presumpscot River Drainage Basin (2003-2006). Co-managed a regional watershed management planning and assessment project for the Presumpscot River Watershed. Accomplishments include the authoring of an (successfully) EPA funded \$740,000 Targeted Watershed Initiative grant proposal and designing a comprehensive monitoring plan for the river including the establishment of quality assurance guidelines and the installation of continuous monitoring devices.

York County Soil and Water Conservation District, Great Works River Watershed North Berwick and Sanford ME (2003-2007). Directed a multi-year project to conduct a high intensity field survey and stream corridor analysis, mapped the municipal stormwater system, conducted a detailed impervious surface analysis using digital orthoquad photos, and authored a comprehensive watershed management for the numerous project partners.

EDUCATION

M.S. coursework completed, Natural Resource Administration & Management, University of New Hampshire (1999–2002)

B.A. Geography & Land Use Planning, University of Southern Maine (1986–1991)

Recent Presentations:

- 2014 – Maine Waters Conference – Bacteria Source Tracking using Canine Detection
- 2014 – New England Interstate Pollution Control Conference – Bacteria Source Tracking
- 2013 – University of New Hampshire - Province Lake Modeling and Future Build Out
- 2012 New Hampshire Waters Conference – Bacteria Source Tracking in Kittery ME and Seacoast NH
- 2012 New Hampshire Drinking Water Conference – Enacting LID Ordinances in Maine and NH
- 2012 Rhode Island Watershed Based Plan Final Presentation – Bristol and Barrington, RI
- 2012 Wolfeboro, NH: Lake Wentworth Watershed Based Plan and Buildout Analysis



EMILY DIFRANCO

Project Manager/Water Quality Specialist

Emily joined FB Environmental in July 2010. She received a B.S. in Geography from McGill University in Montreal, Quebec, in 2001 and an M.S. in Natural Resources with a focus on Water Resources from the University of New Hampshire in 2009. While at the University of New Hampshire, she worked as a research assistant for the Water Quality Analysis Laboratory and designed and implemented separate projects on the ground and surface water hydrology of the New Boston Air Force Station and on nitrogen cycling in the Lamprey River Watershed. Emily has also worked for a local watershed group implementing Best Management Practices on public and private properties to reduce sediment and phosphorus loads to lakes in Maine and New Hampshire, built fish ponds with the Peace Corps in Zambia, and worked with the Nature Conservancy on Catalina Island in the AmeriCorps. As a Project Manager/Water Quality Specialist at FBE, Emily designs and implements water quality monitoring programs for lakes, rivers, streams, and estuaries, analyzes water quality data, writes technical reports including statewide regulatory documents, assists municipalities with the implementation and completion of their water quality grants, and leads bi-state watershed-based planning efforts.

Technical Expertise:

- Bacteria Source Tracking Design
- Water Quality Monitoring Design
- Statewide Documents
- Watershed Planning
- TMDL Writing
- BMP Design and Implementation

PROFESSIONAL EXPERIENCE

Project Manager/Water Quality Specialist, FB Environmental Associates, Portsmouth, NH (July 2010 – Present)

Select Projects: Monitoring Design and Implementation

Bacteria Source Tracking in Kittery, ME Phase II and III (2011-present). Designed and implemented a phased, multi-year water quality monitoring project to identify sources of bacteria to Spruce Creek. Methods include water quality sampling of stormwater outfalls and tributaries, bracket sampling, watershed delineation, land use assessment, and canine detection.

Canine Source Tracking in Southern ME and Seacoast NH (2012-2014). Organized canine detection for human sources of bacteria in over a dozen New England communities. Designed and implemented bacteria sampling plans for all communities and provided summary reports. Developed and facilitated a bacteria source tracking workshop highlighting multiple methods for over 70 attendees.

Bacteria Source Tracking in North Hampton, NH (2011-present). Designed and implemented a phased, multi-year water quality monitoring project to identify sources of bacteria to Little River. Methods included water quality sampling, bracket sampling, watershed delineation, land use assessment, and microbial source tracking.

Water Quality Monitor (2010-Present). Conducted full suite of water quality monitoring for lakes, streams, tidal estuaries, and beaches throughout Maine; trained volunteers to assist with sample collection; conducted data analysis and interpretation.

Select Projects: Watershed Planning and Implementation

Rhode Island Watershed-Based Plans (2010-2012). Facilitated the development of two pilot bi-state watershed-based plans in Rhode Island in collaboration with Rhode Island Department of Environmental Management and the US EPA. Tasks included an in-depth water quality analysis, municipal ordinance and

permit compliance review, creation of multiple watershed maps using GIS, the development of stakeholder-driven action plans, and the organization and facilitation of multiple stakeholder meetings throughout the planning process.

Spruce Creek Watershed Improvement Project Phases I -III (2010-present). Provided technical assistance to the Town of Kittery for two phases of a 319-grant obtained from ME DEP. Tasks included attendance at Steering Committee meetings, design and implementation of residential and commercial BMPs, organization of and presentation at public education and outreach events, calculation of pollutant load reduction in response to BMPs, and the preparation of all deliverables and final reports to the state.

Select Projects: TMDL Writing

Connecticut's Statewide Impervious Cover (IC) TMDL (2012-present). Prepared 15 separate watershed-specific summaries for 20 urban impaired waterbodies throughout Connecticut. Summaries included description of watershed including amount of IC and other land uses, review of existing watershed plans, and review of existing permit compliance reports for all watershed towns. Coordinated directly with CT DEEP and US EPA to organize the transfer of materials and scope of documents.

Connecticut's Statewide Bacteria TMDL (2011-2012). Prepared 80 separate watershed-specific summaries for over 150 impaired waterbodies. Summaries included description of watersheds including land use, review of existing bacteria data, review of existing watershed plans, and review of existing permit compliance reports for all watershed towns. Coordinated directly with CT DEEP and EPA to organize the transfer of materials and scope of documents.

Rhode Island's Statewide Bacteria TMDL (2010-2011). Prepared 59 separate watershed-specific summaries for over 100 impaired waterbodies. Summaries included description of watersheds including land use, review of existing bacteria data, review of existing watershed plans, and review of existing permit compliance reports for all watershed towns. Coordinated directly with RIDEM and EPA to organize the transfer of materials and scope of documents. Presented at regional stakeholder meetings.

Contributing Author- Vermont's Statewide Bacteria TMDL (2010-2011). Assisted with the development of a Bacteria TMDL Report that addresses biological impairments in 20 bacteria impaired streams in Vermont. Tasks included: water quality data analysis and the development of watershed-specific summaries.

EDUCATION

M.S. Natural Resources: Water Resources, University of New Hampshire, Durham, NH (2007 - 2009)

B.S. Geography, McGill University, Montreal, Quebec (1997 – 2001)

Recent Presentations:

Presentation Topic: Bacteria Source Tracking in New England

- *Speaker: New England Interstate Water Pollution Control Commission (2013 and 2014)*
- *Speaker: New Hampshire Waters Conference (2013)*
- *Speaker: Maine Beaches Conference (2013)*
- *Speaker: Maine Water Conference (2013)*
- *Organizer and Speaker: Bacteria Source Tracking Workshop (2012)*



CAYCE DALTON

Project Manager / Water Quality Specialist

Cayce joined FB Environmental in 2008, after working for seven years in the environmental science and enforcement field. He earned a B.S. in environmental science and a minor in economics from the College of William and Mary. His experience at FB Environmental has focused extensively on bacteria pollution and modeling. He conducted bacterial loading models for seven coastal beaches for the New Hampshire Department of Environmental Services Beach Program from 2008 to 2011. He analyzed the effect of rainfall on bacterial levels for hundreds of water bodies for the US EPA in the states of New Hampshire and Connecticut, and he conducted a case study of a weather-based, bacteria predictive model for Willard Beach in South Portland, Maine. As data manager for the Wells National Estuarine Research Reserve, he collected extensive water quality monitoring and weather data using on-site and remote equipment. In positions with the Maine Conservation Corps and the Town of York, he worked closely with volunteers and citizens in an effort that used genetic fingerprinting to track sources of bacterial pollution, measured salt marsh eutrophication using a suite of mapping and biological parameters, enforced municipal environmental ordinances, and conducted outreach and education on a wide variety of environmental issues. At FB Environmental, he conducts GIS mapping, water pollutant modeling, pollution load reduction, monitoring, and technical writing.

Technical Expertise:

- Water Quality Modeling
- Water Quality and Weather Monitoring
- Municipal Environmental Policy
- Bacteria Source Tracking
- Watershed Planning
- Technical Writing and Presentation

PROFESSIONAL EXPERIENCE

Project Manager and Water Quality Specialist, Portland, ME (March 2008 – Present)

Select Projects Involving Bacteria and Weather Monitoring and Modeling:

Bacteria Modeling Project, New Hampshire Coastal Beaches (2008-2011). Conducted modeling using AVGWLF software to assess bacteria pollution sources, and receiver operating characteristics (ROC) statistics to show relationship between rainfall and beach postings, for NH DES Beach Program. Presented results at EPA National Beaches Conference, Huntington Beach, California.

Bacteria Source Tracking in North Hampton, NH (2011-2013). Building on work completed for the NH DES Beach Program, initiated and supported bacteria tracking efforts including bacteria sampling, weather analysis, bracket sampling, and land use assessment to protect marine swimming beaches.

Lake Loading Response Model, multiple New England lakes, 2011-14. Modeled nutrient pollution in Kezar Lake (Maine), Conway Lake (NH), Province Lake (NH), Lake Wentworth (NH), and provided technical support for modeling in Lake Warren (NH) and Ossipee Lake (NH). Estimated pollution sources and lake health under current and natural conditions, and future buildout scenarios.

Maine Nonpoint Source Modeling Project, State of Maine (2012-2013). Monitored streams for nutrient pollution, and conducted MapShed pollution source modeling, and did GIS analysis with field verification on streams throughout Maine for the Maine DEP, with US EPA oversight. Identified quantitative differences between naturally impaired and human-polluted streams.

Long Creek Monitoring, Project Manager, South Portland, ME (2010-2011). Managed extensive water quality monitoring for the Long Creek Watershed Management District, including continuous dissolved oxygen and temperature via sondes; nutrient, hydrocarbon, and metals via grab samples, and flow via water level

Numerous Wind Projects in Maine, New Hampshire, West Virginia, Indiana, and Washington
Statistical analysis of post-construction monitoring data for estimation of bat and bird mortality.

Various Wind Projects in New England
SCADA analysis for compliance with study plans and estimation of bat and bird mortality.

Numerous Wind Projects in Maine, Ohio, and Utah
Applied USFWS model to integrate Golden Eagle observations and estimate risk of collisions with wind turbines.

WEBT (Wind Energy Bat Action Team)
Statistical analysis of bat acoustic activity relative to environmental conditions to inform curtailment plans.

Ecological Monitoring and Restoration

Plains All American Pipeline, LP
Provided statistical expertise for study design and analysis for vegetation restoration after pipeline repairs and re-routing; application of equivalence testing consistent with recent EPA guidance.

Hydrologic Modeling

Sarasota County Wet Pond Discharge Study
Estimated Weibull distribution model based on gage height data.

Population Modeling

Vermont Cooperative Fish & Wildlife Research Unit*, Batten Kill, Vermont
Population management modeling for brown and brook trout in the Batten Kill, Vermont. Stage-structure transition matrix models. Evaluated hypotheses for brown trout decline and made recommendations based on simulations of scenarios to reverse the decline.

University of Connecticut (PhD Dissertation research)*
Population management modeling (Population Viability Analysis) for Puritan tiger beetle, listed as Threatened under the U.S. Endangered Species Act. Metapopulation model of population dynamics within patches and movement among habitat patches. Published in Species conservation and management, which accompanied release of RAMAS Metapop 4.0.

Biotic Surveys and Studies

TransCanada Hydro Northeast
Revised tiger beetle study plan related to three Connecticut River projects up for relicensing.

Response to RFP: York Beach Monitoring and Modeling

Town of Charlotte, Vermont
Assisted with electrofishing to survey stonecat population and remove fish from project enclosure.

Vermont Fish and Wildlife Department
Consultation*, Vermont
Conducted annual population monitoring and recovery planning for two imperiled species.

Vermont Cooperative Fish & Wildlife Research Unit*
Electrofishing trout population studies, forage fish community studies, and merganser predation studies in support of population management modeling for brown and brook trout in the Batten Kill, Vermont.

University of Connecticut*
Co-PI on faunal inventory of Connecticut River Valley sandplains insects.

University of Connecticut (PhD Dissertation research)*
Habitat studies and mark-recapture studies of survival and movement for Puritan tiger beetle, listed as Threatened under the U.S. Endangered Species Act.

University of Vermont (Master's Thesis research)*
Behavioral and physiological studies of red-spotted newts and redback salamanders.

Hawkwatch International*
Raptor migration counter, Bridger Range, Montana. Counted over 2,500 Golden Eagles and a variety of other migrating raptors. Published results of analysis of Golden Eagle dispersion in The Condor.

PUBLICATIONS and PRESENTATIONS

Non-inferiority testing: Answering the right question in ecological restoration (with P. P. Molloy). *Poster presented at the International Congress of Conservation Biology, Baltimore, 2013.*

RNA: The reportable value from a streamlined data reduction algorithm for the anthrax lethal toxin neutralization assay (with B. D. Meade). *Poster presentation at the United States Pharmacopeial Convention Science & Standards Symposium, Seattle, Washington, 2011.*

A more versatile view of similarity for systems where the relative potency approach is too restrictive (with B. D. Meade, J. D. Callahan, K. H. Clement, N. A. Niemuth, and T. L. Rudge). *Oral presentation at the 3rd Annual United States Pharmacopeia Bioassay Workshop, Rockville, Maryland, 2010.*

James, C. V. et al. Putting women's health care disparities on the map: examining racial and ethnic disparities at the state level. *Kaiser Family Foundation, Menlo Park, CA, 2009.*

Omland, K. S., A. Brys, D. Lansky, K. Clement, F. Lynn and the Participating Laboratories. Interlaboratory Comparison of the Anthrax Lethal Toxin Neutralization Assay used to Assess Functional Antibodies in Multiple Species. *Clinical and Vaccine Immunology 15:946-953, 2008.*

ZuWallack, Randal S., and Kristian S. Omland. A dual frame estimator of blue crab harvest. *Oral presentation at 100th Annual Meeting of the National Shellfisheries Association, Providence, RI, April, 2008.*

Duran, D. et al. Persons Tested for HIV – United States, 2006. *CDC Morbidity and Mortality Weekly Report (MMWR) 57(31): 845-849, 2008.*

Interlaboratory Experiment. *Oral presentation at DMID Meeting on Anthrax Toxin Neutralization Assay Meeting, Bethesda, Maryland, 2007.*

"The Ecological Detective" investigates a declining trout population on Vermont's Batten Kill (with D. L. Parrish). *Oral presentation at Ecological Soc. Am. Ann. Mtg. Montréal, Québec, 2005.*

Correlation between mercury concentrations in brook trout and two species of avian fish predators in northern New England (primary authors were undergraduates R. Balouskus and J. O'Riley). *Poster presented at the symposium "New Currents in Conserving Freshwater Biodiversity" New York, New York, 2005.*

Johnson, J. B., and K. S. Omland. Model selection in ecology and evolution. *Trends in Ecology & Evolution 19:101-108, 2004.*

Trombulak, S. C., K. S. Omland, J. A. Robinson, J. J. Lusk, T. L. Fleischner, G. Brown, and M. Domroese. Principles of conservation biology: Recommended guidelines for conservation literacy from the Education Committee of the Society for Conservation Biology. *Conservation Biology 18:1180-1190, 2004.*

data loggers.

Salmon Falls River Monitoring, South Berwick, ME (Project Manager 2010-2012, Scientist 2008-09). In-stream nutrient and oxygen monitoring to meet Maine DEP and NH DES regulatory data requirements for five wastewater treatment plants in ME and NH.

Connecticut Statewide Bacteria Total Maximum Daily Load (2011-2012). Analyzed the effect of rainfall on thousands of bacteria water samples at over 100 water bodies. This analysis supported pollution source identification, and was published in an EPA-approved report by the Connecticut Department of Energy and Environmental Protection.

New Hampshire Statewide Bacteria Total Maximum Daily Load (2009). Analyzed the effect of rainfall on thousands of bacteria water samples at over 300 water bodies. This analysis supported pollution source identification, and was published in an EPA-approved report by the NH Department of Environmental Services.

Stream and Coastal Monitoring, Casco Bay Estuary Project (2010-2013). Coordinated with municipalities, watershed management districts, State of Maine, school groups, and non-profits to deploy data sondes and other water quality monitoring equipment in the Casco Bay area.

Previous Employment

Shoreland Resource Officer, Town of York, Maine (2007-2008). Environmental policy and enforcement at municipal level, emphasis on Shoreland Zoning and water quality. Education of municipal officials, citizens, and developers regarding complex, interlocking statutes, rules, and ordinances. Collaboration with various federal and state environmental agencies.

Research and Education Associate, Wells National Estuarine Research Reserve, Maine (2003-2007). Project manager and editor of comprehensive Site Profile of the Reserve. Project manager for a CICEET-funded synthesis of water quality data and eutrophication throughout the North Atlantic Region of the National Estuarine Research Reserve System. Coordinator of the System Wide Monitoring Program, involving year round water and weather monitoring at the Wells NERR.

Research Assistant / Volunteer Coordinator, Maine Sea Grant / Maine Conservation Corps (2001-2003). On the project entitled Microbial Source Tracking in Two Southern Maine Watersheds, managed *E. coli* water sampling program, trained and coordinated volunteers for Maine Sea Grant. Tested rivers and estuaries for bacterial contamination. Presented data to colleagues and general public.

EDUCATION

B.S. Environmental Science with minor in Economics, College of William and Mary, Williamsburg, VA.

Kristian Omland ^{PHD}

Senior Scientist/Senior Biostatistician



Dr. Omland is a quantitative biologist with 13 years of professional experience in population modeling, statistical data modeling, and graphical data presentation. Projects have ranged from classical statistical analysis to tailored maximum likelihood model fitting and simulation modeling. Project areas included metapopulation modeling for the Puritan tiger beetle, a US Federally listed threatened species; quantitative fisheries analysis; statistical aspects of biological assays for biopharmaceutical and ecotoxicological studies; and statistical analysis of public health data. Dr. Omland is an expert R programmer and is facile with a wide variety of database management and data analysis software in both the Windows and Linux operating systems.

PROFESSIONAL EXPERIENCE

- Stantec Consulting. July 2012-present. Senior Scientist/Senior Biostatistician.
- Mergus Analytics, LLC. 2009-2012. Owner; Consulted on Biology/Statistics.
- Macro International, Inc. 2007-2009. Biostatistician.
- Precision Bioassay. 2005-2007. Consultant.
- University of Vermont. 2002-2005. Post-doctoral Research Associate.
- St. Michael's College. 2005. Adjunct Faculty, Biology.
- University of Vermont. 2003-2004. Instructor, Ecology.
- Union College. 2001-2002. Visiting Assistant Professor, Biology.

EDUCATION

PhD, Ecology, University of Connecticut
Storrs, Connecticut, 2001

MS, Biology, University of Vermont,
Burlington, Vermont, 1996

BA, Philosophy, Williams College,
Williamstown, Massachusetts, 1991

REGISTRATIONS

Certified Senior Ecologist,
Ecological Society of America

PROJECT EXPERIENCE

Statistical Data Analysis

British Petroleum

Analyzed fisheries data from NOAA-SEAMAP and Louisiana Department of Wildlife and Fisheries in support of expert witness testimony related to settlement following the Deepwater Horizon oil spill.

National Institute of Allergy and Infectious Diseases,
Division of Microbiology and Infectious Diseases

Consulted on various vaccine-related research programs sponsored by the Office of Biodefense Research: major overhaul and programming for data reduction algorithm for anthrax lethal toxin neutralization bioassay, design and statistical analysis of ELISA validation, data analysis for tularemia animal model qualification studies, reviewer of work by other contractors.

U.S. Department of the Interior, Bureau of Ocean
Energy Management

Analyzed data from off-shore and land-based bat detectors to assess potential for bat interactions with off-shore wind facilities.

Omland, K. S. Puritan tiger beetle (*Cicindela puritana*) on the Connecticut River: Habitat management and translocation alternatives. Pages 137-149 in H. R. Akçakaya et al., eds. *Species conservation and management: Case studies*. Oxford University Press, New York, 2004.

A Model Selection Approach to Understanding Decline of a Brown Trout Population (with D. L. Parrish). *Oral presentation at Am. Fisheries Society Ann. Mtg. Quebec City, Quebec, 2003.*

Imperilment of the Puritan tiger beetle: Demography on a dynamic riverscape. *Invited oral presentation at Symposium on Invertebrate Conservation in New England Turners Falls, Massachusetts, 2003.*

Insect dominated sand communities of the Connecticut River Valley (D. Wagner presenter). *Invited oral presentation at Symposium on Invertebrate Conservation in New England Turners Falls, Massachusetts, 2003.*

Making the most of a sparse data situation: Model selection and parameter estimation from count data. *Poster presented at the Ecological Soc. Am. Ann. Mtg. Tucson, Arizona, 2002.*

Omland, K. S. Larval habitat and reintroduction site selection for *Cicindela puritana* in Connecticut. *Northeastern Naturalist* 9:433-450, 2002.

Combining census and demographic data to assess the viability of an imperiled tiger beetle. *Oral presentation at Soc. Cons. Biol. Ann. Mtg. Hilo, Hawaii, 2001.*

Measuring interpatch movement in a closed metapopulation of an imperiled insect. *Oral presentation at Ecological Soc. Am. Ann. Mtg. Madison, Wisconsin, 2001.*

Turchin, P., and K. S. Omland. Quantitative Analysis of Insect Movement. Pages 463-502 in C. B. Huffaker, and A. P. Gutierrez, eds. *Ecological entomology*, 2nd ed. Wiley, New York, 1999.

Omland, K. S. Orientation based on ambient directional information by red-spotted newts (*Notophthalmus viridescens*). *Behaviour* 135:757-775, 1998.

Omland, K. S., and S. W. Hoffman. Seasonal, diel, and spatial dispersion patterns of Golden Eagle Autumn migration in southwestern Montana. *Condor* 98:633-636, 1996.



PUBLIC HEARING NOTICE

June 23, 2014

7:00PM

York Public Library

The Selectmen will hold a Public Hearing on June 23, 2014 regarding a New Business License Application for the following:

- Jose and Kathleen Perez DBA: Sweet Josie's Candy Shoppe (Victualers); Located at 7 Railroad Avenue



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 17, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Business License Applications (3)	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Approve all Business License Applications (3)
PROPOSED MOTION: I move to approve the following licenses: <ol style="list-style-type: none">1. Bruce Larson DBA: Southern Maine Lobster for Victualers; Located at 1021 US Route One2. Peter Wagner DBA: Camp Eaton for Victualers; Located at 750 York Street3. Dan Poulin DBA: Fat Tomato Grill for Victualers and Liquor; Located at 241 York Street <p><i>... subject to taxes, fees and inspections being current and compliant with the usual noise stipulations</i></p>

Discussion: The following Business Licenses will not be released until I have received Fire Department sign offs: Southern Maine Lobster and Fat Tomato Grill

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared By: Melinda Murray

Reviewed By: Robert B. Gannon



TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION

Business Name Southern Maine Lobster Co.

Business Location 1021 US Route One York, ME 03909

Telephone Number 207-451-7845

OWNER'S Name and Mailing Address Bruce Larson 10 Eban Dr. Cape Neddick, ME 03909

APPLICANT'S Name and Mailing Address

Is applicant same operator as prior year? [X] Yes [] No

INSPECTION DATA (Office Use Only) table with columns DEPARTMENT, DATE, INITIALS. Rows include Zoning/Land Use, Building Structural, Electrical, Plumbing, Fire, Tax Collector.

APPLICATION FEE IS \$50.00 PLUS \$25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: 0030A0030
License Year: 2014
No. Of Seats:
No. Of Parking Spaces:
New License (One Time \$30 Fee): YES [] NO [X]
License Renewal: YES [X] NO []
Bed and Breakfast License: # of Rooms N/A
Hotel/Motel with Cooking Facilities: # of Rooms N/A
Is Your Establishment Closed for More Than 120 Consecutive Days? YES [] NO [X]

REQUESTING THE FOLLOWING LICENSES:
[X] \$25.00 Victualers
\$25.00 Liquor
\$25.00 Special Amusement
\$25.00 Bottle Club
\$25.00 Theater
\$25.00 Dance Hall
Coin-OP Amusement (\$75 each or \$250 for 3 or more)
Nature of Entertainment (If Applicable):
Bed and Breakfast (\$10 Per Room): Total
Hotel/Motel with Cooking Facilities (\$25 Per Every 10 Rooms): Total

Have you ever been convicted of a Felony? YES (Please Explain) NO [X]

I certify the above statements are true and understand false statements may be cause to revoke a license.
Date 6/5/14 Applicant's Signature [Signature]

- Please Read and Initial the Following Statements:
[X] I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
[X] I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
[X] I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
[X] I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
[X] I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [Signature] Business Manager Signature (If Applicable)

Date Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. \$75.00 RECEIPT NO. #1340 RECEIPT DATE 6/12/14 MI PM MM MS MRA

Melissa M. Avery

From: Mary-Anne Szeniaewski
Sent: Tuesday, June 17, 2014 12:57 PM
To: Melissa M. Avery
Subject: RE: Business License: Southern Maine Lobster

current

Mary-Anne Szeniaewski
Town Clerk/Tax Collector
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniaewski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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From: Melissa M. Avery
Sent: Tuesday, June 17, 2014 12:56 PM
To: Mary-Anne Szeniaewski
Subject: FW: Business License: Southern Maine Lobster

When you get a second could you verify that Southern Maine Lobster is current on their taxes? Thank you!!

Melissa M. Avery
Assistant to the Town Manager

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

Please consider the environment before printing this email.

From: Melissa M. Avery
Sent: Thursday, June 12, 2014 3:46 PM
To: Mary-Anne Szeniaewski; Dave Bridges
Subject: Business License: Southern Maine Lobster

Attached is the Business License Application for Southern Maine Lobster, located at 1021 US Route One (0030A0030).

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION



Business Name Camp Eaton
 Business Location 750 York Street
York Harbor, ME 03911
 Telephone Number (207) 363-3424

OWNER'S Name and Mailing Address Peter Wagner
PO Box 626
York Harbor, ME 03911

APPLICANT'S Name and Mailing Address Peter Wagner / Matthew Woodman
PO Box 626
York Harbor, ME 03911

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use	5/9/2014	KAWM
Building Structural		
Electrical		
Plumbing		
Fire	5/9/2014	Appar
Tax Collector	4/22/2014	Szenicwoski

APPLICATION FEE IS \$50.00 PLUS \$25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: <u>40-61</u> License Year: <u>2014</u> No. Of Seats: <u>0</u> No. Of Parking Spaces: <u>0</u> New License (One Time \$30 Fee): YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> License Renewal: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Bed and Breakfast License: # of Rooms <u>N/A</u> Hotel/Motel with Cooking Facilities: # of Rooms <u>N/A</u> Is Your Establishment Closed for More Than 120 Consecutive Days? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	REQUESTING THE FOLLOWING LICENSES: <input checked="" type="checkbox"/> \$25.00 Victualers <input type="checkbox"/> \$25.00 Liquor <input type="checkbox"/> \$25.00 Special Amusement <input type="checkbox"/> \$25.00 Bottle Club <input type="checkbox"/> \$25.00 Theater <input type="checkbox"/> \$25.00 Dance Hall <input type="checkbox"/> Coin-OP Amusement (\$75 each or \$250 for 3 or more) Nature of Entertainment (If Applicable): _____ <input type="checkbox"/> Bed and Breakfast (\$10 Per Room): Total _____ <input type="checkbox"/> Hotel/Motel with Cooking Facilities (\$25 Per Every 10 Rooms): Total _____
---	---

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO

I certify the above statements are true and understand false statements may be cause to revoke a license.

Date 4/18/14

Applicant's Signature Matthew W. Woodman

Please Read and Initial the Following Statements:

- I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
- I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
- I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
- I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
- I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature Peter T. Wagner

Business Manager Signature (If Applicable) _____

Date _____

Town Manager for the Board of Selectmen _____

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. \$75.00 RECEIPT NO. #19911 RECEIPT DATE 4/22/14 MI PM MM MS

mma

Melissa M. Avery

From: Mary-Anne Szeniaewski
Sent: Tuesday, April 22, 2014 3:14 PM
To: Melissa M. Avery
Subject: RE: Business License: Camp Eaton

current

Mary-Anne Szeniaewski
Town Clerk/Tax Collector
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniaewski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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From: Melissa M. Avery
Sent: Tuesday, April 22, 2014 3:12 PM
To: Mary-Anne Szeniaewski; David K. Bridges; David Apgar
Subject: Business License: Camp Eaton

Attached is a Business License Application for Camp Eaton, located at 750 York Street (0040-0061).

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

Please consider the environment before printing this email.

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Melissa M. Avery

From: David Apgar
Sent: Friday, May 09, 2014 12:17 PM
To: Melissa M. Avery
Subject: Inspection Completed - Camp Eaton

Hi Missy,

A fire inspection has been completed at Camp Eaton. Please proceed with their license renewal.

Thank you,

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

Issues: None

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact town@yorkmaine.org. This footnote also confirms that this email message has been checked for the presence of computer viruses.

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION



Business Name FAT TOMATO GRILL
 Business Location 241 YORK STREET
 Telephone Number 207-363-5233

OWNER'S Name and Mailing Address DAN POUVIN
PO BOX 701
YORK, ME 03909

APPLICANT'S Name and Mailing Address SAME AS ABOVE

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use	16 JUNE 14	K/P/DM
Building Structural		
Electrical		
Plumbing		
Fire		
Tax Collector		

APPLICATION FEE IS \$50.00 PLUS \$25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: <u>0050-0031</u> License Year: <u>2014</u> No. Of Seats: <u>20</u> No. Of Parking Spaces: <u>7</u> New License (One Time \$30 Fee): YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> License Renewal: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Bed and Breakfast License: # of Rooms <u>N/A</u> Hotel/Motel with Cooking Facilities: # of Rooms <u>N/A</u> Is Your Establishment Closed for More Than 120 Consecutive Days? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	REQUESTING THE FOLLOWING LICENSES: <input checked="" type="checkbox"/> \$25.00 Victualers <input checked="" type="checkbox"/> \$25.00 Liquor <input type="checkbox"/> \$25.00 Special Amusement <input type="checkbox"/> \$25.00 Bottle Club <input type="checkbox"/> \$25.00 Theater <input type="checkbox"/> \$25.00 Dance Hall <input type="checkbox"/> Coin-OP Amusement (\$75 each or \$250 for 3 or more) Nature of Entertainment (If Applicable): _____ <input type="checkbox"/> Bed and Breakfast (\$10 Per Room): Total _____ <input type="checkbox"/> Hotel/Motel with Cooking Facilities (\$25 Per Every 10 Rooms): Total _____
--	---

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO

I certify the above statements are true and understand false statements may be cause to revoke a license.

Date 5-15-14

Applicant's Signature [Signature]

Please Read and Initial the Following Statements:

- I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
- I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
- I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
- I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
- I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [Signature]

Business Manager Signature (If Applicable) _____

Date _____

Town Manager for the Board of Selectmen _____

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. _____ RECEIPT NO. _____ RECEIPT DATE _____ MI PM MM MS

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER: _____ CLASS: _____

DEPOSIT DATE _____

AMT. DEPOSITED: _____ BY: _____

CK/MO/CASH: _____

PRESENT LICENSE EXPIRES 6-28-14

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

RESTAURANT (Class I,II,III,IV)

HOTEL-OPTINONAL FOOD (Class I-A)

CLASS A LOUNGE (Class X)

CLUB (Class V)

TAVERN (Class IV)

RESTAURANT/LOUNGE (Class XI)

HOTEL (Class I,II,III,IV)

CLUB-ON PREMISE CATERING (Class I)

GOLF CLUB (Class I,II,III,IV)

OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>DAN POUIN</u> DOB: <u>1-8-63</u>		2. Business Name (D/B/A) <u>FAT TOMATO GRILL</u>	
DOB: _____		<u>241 YORK STREET</u>	
DOB: _____		Location (Street Address) <u>YORK ME 03909</u>	
Address <u>PO Box 701</u>		City/Town _____	State _____ Zip Code _____
City/Town <u>York</u> State <u>ME</u> Zip Code <u>03909</u>		Mailing Address <u>PO Box 701</u>	
City/Town <u>York</u> State <u>ME</u> Zip Code <u>03909</u>		City/Town <u>York</u> State <u>ME</u> Zip Code <u>03909</u>	City/Town _____ State _____ Zip Code _____
Telephone Number _____	Fax Number _____	Business Telephone Number <u>207-363-5333</u>	Fax Number <u>N/A</u>
Federal I.D. # <u>44-01-0907282</u>		Seller Certificate # <u>1150822</u>	

3. If premises is a hotel, indicate number of rooms available for transient guests: N/A

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 170,670 LIQUOR \$ 3500.00

5. Is applicant a corporation, limited liability company or limited partnership? YES NO

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES NO

7. If manager is to be employed, give name: _____

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: 241 York St, York, ME 03909

10. Is/are applicant(s) citizens of the United States? YES NO
11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
DAN POWW	1-8-63	POWOW, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state)

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
 Offense: _____ Location: _____
 Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
 Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: ARTHUR BERGIN
241 YOUNG ST. YOUNG, ME 03909

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) FAT TOMATO GRILL -
Small CAFE - 20 SEATS

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
 YES NO Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mile + Which of the above is nearest? CHURCH

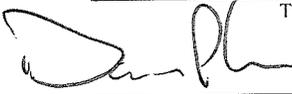
20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: YOUNG, ME on MAY 21 ST, 20 14
Town/City, State Date


 Signature of Applicant or Corporate Officer(s)
DAN POWW
 Print Name

Please sign in blue ink

 Signature of Applicant or Corporate Officer(s)

 Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____

Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: YORK, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A §4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A §4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all license requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



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
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

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

www.yorkmaine.org

TO: Board of Selectmen

FROM: Kathryn Newell *K. Newell*
Code Enforcement Officer

DATE: June 17, 2014

RE: LICENSE INSPECTIONS AND RECOMMENDATIONS

Based on my review, I recommend the following position on the licenses to be heard on June 23, 2014.

ENDORSEMENTS

Peter T. Wagner
DBA: Camp Eaton
Vicualers

Map/Lot: 0040-0061

Peter T. Wagner & Matthew Woodman
P.O. Box 626
York Harbor, ME 03911

FACILITY	Camp Store
ZONE	BUS - 2
USE	Conforming, Existing
RECOMMENDATION	Approval

Dan Poulin
DBA: Fat Tomato Grill
Victualers/Liquor

Map/Lot: 0050-0031

Dan Poulin
P.O. Box 701
York, ME 03909

FACILITY	Restaurant - 20 Seats
ZONE	GEN - 3
USE	Conforming, Existing
RECOMMENDATION	Approval

Bruce Larson
DBA: Southern Maine Lobster
Victualers

Map/Lot: 0030A0030

Bruce Larson
1021 US Route 1
York, ME 03909

FACILITY	Take Out
ZONE	RT 1 - 4
USE	Conforming, Existing
RECOMMENDATION	Approval



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 20, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Right of First Refusal by York Land Trust on Kittery Water District Land	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to notify the Kittery Water District that the Town of York is transferring its right of first refusal on land at 100 Mill Lane to the York Land Trust.

Discussion: On June 9, 2014 the Board of Selectmen discussed a letter from the Kittery Land Trust offering the Town of York the right of first refusal on land at 100 Mill Lane that the KWD intends to dispose of. The Board suggested that the right of first refusal be transferred to the York Land Trust however it was unknown if the YLT was interested in the property. Please see attached email from the York Land Trust expressing their interest in accepting the right of first refusal on the land.

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

Prepared By: Robert G. Yandow Reviewed By: _____

Robert G. Yadow

From: Doreen MacGillis <dmacgillis@yorklandtrust.org>
Sent: Monday, June 16, 2014 2:37 PM
To: BOARDOFSELECTMEN@YORKMAINE.ORG
Cc: Robert G. Yadow
Subject: Right of first refusal

Dear Board of Selectmen,

On behalf of York Land Trust, I would like to express our strong interest in having a Right of First Refusal (ROFR) on a 60-acre parcel of land at 100 Mill Lane in York, owned by Kittery Water District. If the Town of York is not interested in purchasing the land and has the right to assign its Right of First Refusal on the property to York Land Trust, we would gladly accept the ROFR.

Thank you,

Doreen MacGillis

Doreen MacGillis
Executive Director
York Land Trust
P.O. Box 1241
York Harbor, ME 03911
dmacgillis@yorklandtrust.org
207-363-7400



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Administrative changes relating to the new Business Licensing Ordinance	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Community Development Director
RECOMMENDATION: I recommend the Board adopt a new business licensing application form and repeal the following 2 Selectmen's Policies: <i>Off-Premise Catering License Policy</i> and <i>License Application Policy</i> .
PROPOSED MOTION: I recommend 2 motions: I move to adopt the new application form relating to the Business Licensing Ordinance as proposed by staff. I move to repeal the <i>Off-Premise Catering License Policy</i> and the <i>License Application Policy</i> .

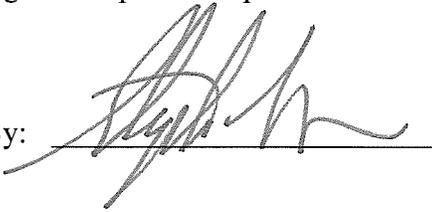
Discussion: The voters approved a new Business Licensing Ordinance on May 17th. This new ordinance takes the place of 5 separate ordinances and two Selectmen's policies.

Regarding the **application form**, the new Ordinance directs the Board of Selectmen to adopt an application form and accompanying instructions. *A copy is attached.* The old form doesn't align with the new licenses, fees have changed, and so forth. Missy Avery did a great job preparing a new application form that matches the new standards. This needs to be adopted by the Board. The Board will be responsible for making any changes to this form as the need arises in the future.

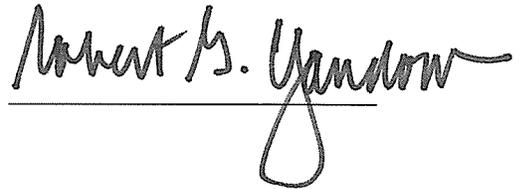
Regarding the **Selectmen's Policies**, the two identified above are no longer needed. *Copies are attached.* These were quick-fixes to problems with the old codes and are no longer needed. Both were factored into the new Ordinance when it was drafted.

- Regarding off-premises catering, this is addressed in the new Ordinance in Section 4.3.2. The Town Manager is solely responsible for issuance of these licenses, and must provide copies of any approvals granted to the Board of Selectmen.
- Regarding the other policy, administrative review is required for each license application, assigned to specific departments based on the nature of the regulated activity.

Prepared By:



Reviewed By:



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: _____

Street Address: _____

Business Owner: _____ Business Manager: _____

Mailing Address: _____ Mailing Address: _____

Phone Number: _____ Phone Number: _____

E-mail Address: _____ E-mail Address: _____

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

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

Please indicate which Licenses or Local Approvals you seek:

Lodging:

___ Bed and Breakfast License (C/F)

___ Innkeeper License (C/F)

Number of Rooms: ___

Food and Beverage:

___ Food Service License (C/F)

___ Liquor License (F/P)

___ Bottle Club License (F/P)

Number of Seats: ___

Entertainment:

___ Special Amusement License (F/P)

___ Dance Hall License (F/P)

___ Bowling Alley License (F)

___ Coin-Operated Amusement License (P)

___ Bingo, Beano and Games of Chance

Miscellaneous:

___ Transient Seller's License

___ Flea Market License

___ Junkyard, Auto Graveyard/Recycling License

___ Other: _____

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

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

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

Provide the following information about any relevant State licenses:

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

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

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

Business Owner: _____ Have you ever been convicted of a Felony? YES / NO
Signature

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

FOR OFFICE USE ONLY

FEES		Amount	Map – Lot: _____ - _____	
Application and First License (\$60)			Processed By:	
Subsequent Licenses (\$30 each)			Received Date:	
New License Fee (\$50)			Amount Received: \$	
License Amendment (\$25)			Check # _____ or Cash <input type="checkbox"/>	
Other: _____			LICENSE #: _____ - _____	
TOTAL DUE		\$		
Department Approvals		Date of Approval		Special Conditions (Attached if Necessary)
Code Enforcement	___ N/A			YES NO
Fire	___ N/A			YES NO
Police	___ N/A			YES NO
Tax Collector	___ N/A			YES NO
Board of Selectmen _____ <i>Town Manager for the Board of Selectmen</i>			_____ <i>Date</i>	YES NO

Selectmen's Policy on the Approval of Off-Premises Catering Licenses
Approved 6/28/99

The Town Manager or Designee may approve requests for Off Premises Catering Licenses if the following conditions are met.

1. The request conforms with all State laws regarding Off-Premises Catering.
2. The event must be held at a site previously approved by the Board of Selectmen for the sale and consumption of alcohol or the site is in a location where the sale and consumption of alcohol is permitted by Town Zoning regulations.
3. The Code Enforcement Officer must review all applications to certify that the use is permitted under one of the two conditions described in #2 above.
4. The Selectmen shall receive a copy of the application in their "boxes" as soon as it is received by the Manager.

LICENSE APPLICATION POLICY

After license and permit applications are properly filled out by the applicant, and before they are put on the Selectmen's Agenda, the applications are to be forwarded to the Code Enforcement Officer for compliance with applicable ordinances and state regulations, and signed by the Code Enforcement Officer that they are in compliance with sewer and/or septic systems, parking and safety.

Adopted at Selectmen's Meeting March 18, 1995 Vote: 5-0-0.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 19, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Request From the York Village Study Committee to Negotiate Design and Development Services	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to authorize the York Village Study Committee to negotiate a fee 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 fee.

Discussion: The York village Study Committee previously advised the Board of Selectmen about the Request for Qualifications (RFQ) 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. As you will note on page 4 of the attached Progress Report #5, the committee is “requesting authorization from the Board of Selectmen to negotiate a fee with The Downtown Revitalization Collaborative to design and develop the York Village Master Plan.”

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

Prepared By: Robert M. Gardner

Reviewed By: _____

York Village Study Committee:
Progress Report #5
20 June 2014

Introduction

This report is intended to update the Board of Selectmen on progress made since the VSC filed its 26 March 2014 report. The last few months have been focused largely on executing the Request for Qualifications (RFQ) process described in our last report. Identifying a firm to assist the VSC in its design work helps move us beyond planning and into project development. A detailed description of the project development process as it applies to York Village is included in *Appendix A*.

Our Process: the RFQ

The RFQ is a popular method for soliciting and selecting firms to provide professional services. It is distinct from traditional bidding processes where the selection of a firm is based primarily on price. It is also distinct from the Request for Proposals (RFP) process in which price can come to overwhelm other considerations. Price is important to us, but we feel that the qualifications of possible firms had to be sorted out before we are ready to talk about proposal development. The track records of firms that might apply to do this work are paramount to us. We do not want to solicit proposals from multiple firms because we want to be able to choose the best firm based first and foremost on their qualifications.

We believe that the RFQ process is the best way to identify the firm most qualified to undertake the complex work envisioned by the committee. The execution of the committee's visioning work will require 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 as well.

The RFQ published on the Town website and made available to the BOS in March was explicit about what the winning team would have to consider:

complete street design, signage (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.

The document also clearly stated that the successful firm might be required to:

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

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.

Given the complexity of the work, the VSC was pleased that six well known multi-disciplinary firms responded to the RFQ. An evaluation form was prepared for the committee's use to help compare these firms. A copy of this form is included in the Appendices to this report (*See Appendix B*). This tool gave the committee a way to compare each of the lengthy responses received. Each firm's cover letter, understanding of the work to be done, experience with similar projects, the quality of their staff, their reliance on subcontractors, the location of their office and project manager, their quality of references and any record of professional misconducts was asked for and assessed. Two firms were eliminated from consideration following that assessment.

The four remaining firms were then invited to meet with the VSC in 60 to 75 minute interviews. The firms were asked to make presentations introducing us to: their team, their process, their experiences, their firm's philosophy, their capacity regarding public involvement, any particular challenges that their team identified, and their ideas about financing the project (beyond municipal funds). These points as well as overall assessments were identified in a second evaluation form developed by the VSC. A copy of this form is included in the Appendices to this report (*See Appendix C*). This process led us to see that one firm was superior. The conclusion of this report contains the VSC's recommendation for Board action.

Anticipated Scope of Services

It was clearly stated in the RFQ that the selected consultant team would be expected to build on the progress made over the last three years. The VSC will continue to play a leadership role in seeing this project to completion and will be involved in all aspects of community engagement. The consultant team is expected to work in partnership with the VSC toward those ends.

With that said, the project has now reached a stage requiring technical assistance from a planning, urban design, and engineering team that is beyond the expertise of the Village Study Committee. The specific work products expected from the consultants were identified in the RFQ:

- An Initial Feasibility Assessment of the three intersection designs in regard to turning radii, traffic flow and safety.
- A Conceptual plan of proposed improvements suitable for presentation at public meetings.
- This Conceptual Plan should include: landscape treatments such as street trees, sidewalks, location of lighting fixtures, overhead utility relocation possibilities, (with underground utility placement fully explored), bike markings, any other proposed public spaces, etc.

- It should include not only the central intersection, but also the area of York Street and Long Sands Road that are encompassed by the 2-5 minute village radii. Final limits of improvements will have to be determined, but will not exceed the limits of the areas defined by these radii.
- An assessment of on-street parking spaces and off-street publicly accessible spaces, including any loss of existing parking resulting from the proposed design, and the total maximum number of parking spaces available at conclusion of the project.
- Preliminary design plans and anticipation of construction costs.
- Final Design Plans for construction.
- Attendance at some regular Village Study Committee Meetings.
- Attendance at multiple Public Meetings

This is the general charge we would like to confirm and flesh out with the selected firm. We do not know exactly what costs the firm may propose for this work. Cost will depend on several factors, including the number of public meetings deemed necessary and the hourly rate of those team members attending the meetings. The only way we can determine the cost at this point is to sit down with the principals and hammer out these issues.

Our Recommendation

The firm rated above all others is The Downtown Revitalization Collaborative (TDRC) of Portland. TDRC impressed the committee in several ways. Before their presentation even began, the five members of the team who came to the interview had created a positive energy which lasted to the very end of the meeting. They were confident, outgoing, collegial and well informed. By their ability to build rapport and create a partnership with the committee, they modeled how they would likely act in community meetings. TDRC brings a wide range of disciplines and a well integrated team; the whole package from landscape architecture to geo-engineering. The committee was impressed by the commitment of their principal and proposed project manager, Denis Lachman. It is important to the VSC that they also have completed similar projects in Rockland, Camden, Thomaston, Waldoboro and Portland.

TDRC was the only firm to have an Economist, Rodney Lynch, on their team. The role he will play in helping to secure funding for the project was very encouraging. "Municipal funding should be your last resort," he said during the interview. The team's presentation was impressive in technological terms and their PowerPoint presentation was dynamic, dramatic and imaginative. Their emphasis on the centrality of public meetings with varied stakeholder groups impressed the committee, too. They were clearly familiar with the committee's history and work to date. They'd studied our three scenarios and were well acquainted with the challenges we and they will face in implementing any sort of changes on the ground. They were understanding of historic preservation issues and had a grasp of the way the village has changed over the centuries. TDRC is our first (and only) choice.

Our Request

The Village Study committee requests authorization from the Board of Selectmen to negotiate a fee with The Downtown Revitalization Collaborative to design and develop the York Village Master Plan. The VSC would then return to the Board of Selectmen with a recommended design fee and possible funding sources.

After negotiating the detailed scope of services in light of the project development process (see *Appendix A*), the cost schedule and the timetable for completion of the design phase, the VSC will return to the BOS with a request to offer a contract to the firm under specific and detailed negotiated terms. In the event that we are unable to reach a satisfactory agreement with TDRC, the VSC will return to the BOS to discuss how best to go forward. Ideally, the next appearance before the Board to present this proposal will occur as early as July 7, 2014.

Conclusion

As noted in the March report, no commitment of funds has been proposed at this point (beyond website development, the engineering base study being conducted by LinePro and other minor expenses). No further commitments will be made without the explicit consent of the Board of Selectmen.

Appendices

Appendix A. Proposed Project Development Process — York Village Master Plan

Appendix B. RFQ Evaluation Sheet #1 — Used to eliminate the less qualified firms

Appendix C. RFQ Evaluation Sheet #2 — Used to identify the most qualified firm

The Village Study Committee:

Stu Dawson
Antonia DeSoto
Gloria Gustafson
Joel LeFever
Ron McAllister
Dylan Smith
Peter Smith
Scott Stevens
Lew Stowe
Dean Lessard

*Appendix A. Proposed Project Development Process —
York Village Master Plan*

Appendix B. RFQ Evaluation Sheet #1

	<i>Max Score</i>	<i>Carr Lynch</i>	<i>Fay Spofford</i>	<i>(TDRC)</i>	<i>Mitchell</i>	<i>Oak Point</i>	<i>Sebago</i>
Cover Letter. Does the letter suggest that the consultant knows the Town of York? Is it coherent and professional?	10						
Understanding of the Work to be Done. Did the consultant demonstrate understanding of the services required according to the Scope of Work?	20						
Experience with Similar Projects. Did the consultant demonstrate that they have successfully performed similar types of municipal work in the past 10 years?	20						
Quality of the Staff. Did the consultant demonstrate that they have a quality staff that can provide the services required in the Scope of Work?	20						
Use of Sub-consultants. Maximum points should be awarded to consultants who use two or fewer sub-consultants and to those whose consultants have been successful on similar municipal projects.	10						
Location of Office and Manager. Maximum points should be awarded to Consultants whose office location suggests that they will be accessible and readily available for meetings held in town?	10						
Quality of References. Are the references detailed and convincing? Do they come from places similar to York and undertaking work similar to the Scope of Work?	10						
Misconduct Points. Maximum negative points should be given to Consultants who have citations or notices of violations to their local office and proposed employees?	-25						
Total (Maximum = 100)							

Appendix C RFQ Evaluation Sheet #2

	<i>Max Score</i>	<i>Fay Spofford</i>	<i>Mitchell</i>	<i>TDRC</i>	<i>Carr Lynch</i>
Introduction. Are you happy with who is on the team as well as the roles each would play?	10				
Their Process. Do you understand the process they will use in executing the work?	10				
Experiences. Are you satisfied that the team has worked successfully together on similar projects?	10				
Their Philosophy. Is the firm in sync with the VSC when it comes to project scope and historic circumstance?	10				
Public Involvement. Are you satisfied that they can handle the extent of public involvement and communication this project requires?	10				
Challenges. Are they prepared for conducting and implementing the project?	10				
Financing. Are they capable of helping the VSC to secure outside financing for the project?	10				
Overall. Evaluate your general impression of the firm and your enthusiasm about working with them?	10				
TOTAL	80				



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 19, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Appointment to York Village Study Committee	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to appoint Christine Hartwell to the York Village Study Committee.

Discussion: Ron McAllister, Chair of the York Village Study Committee has requested that Christine Hartwell be added to the committee. Christine has volunteered her time creating and updating the committee's website and Mr. McAllister would like to have her appointed as a member.

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

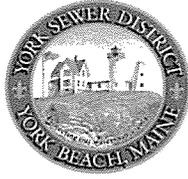
Date Submitted: June 20, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Letter From York Sewer District Regarding Main Street Drainage Easements	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION:

Discussion: Attached you will find a letter from the York Sewer District addressed to the former Chairman. The topic of the letter is the long-standing issue of an easement from the Sewer District in order to complete the drainage portion of the Main Street paving project. In the letter, the YSD Superintendent states the Board of Trustees voted to offer the lot in question to the Town subject to a retained easement for their outfall pipe. The YSD would like to meet with the Selectmen to discuss the Main Street draining project and their offer to donate the necessary land to the Town.

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

Prepared By: Robert G. Yandow Reviewed By: _____



YORK SEWER DISTRICT

P.O. BOX 1039

YORK BEACH, MAINE 03910

FAX 207-363-6701

BOARD OF TRUSTEES:

ROBERT HOYT, CHAIRMAN

WALTER KYLLONEN, VICE CHAIRMAN

WAYNE McINTIRE, TREASURER

FREDERICK BOARDMAN, CLERK

DALE HILBOURNE, TRUSTEE

ADMINISTRATION OFFICE

21 BAY HAVEN ROAD

207-363-4232

TREATMENT PLANT OPERATIONS

106 MAIN STREET

207-363-5896

Ronald Nowell, Chairman
Board of Selectmen
Robert Yandow, Town Manager
Town of York
186 York Street
York, Me 03909

April 29, 2014

Re: Main Street Drainage Project Easements

Gentlemen:

As you know, the District was presented with an easement document (on March 25 2014) to allow a pipe to be installed on District Property off Bay Haven Road. It is our understanding that this easement was approved to be placed on the Town Warrant on March 24, 2014 for the May vote. Several months ago the District approached the Town and asked if the Town would have any objection to owning the property out right, subject to an easement for our existing outfall pipe (shown on the attached plan). The District never received a response to this request and was surprised to be issued the attached easement document.

Prior to this event the District sent a memo, to Dean Lessard the Public Works Director, with a few concerns and comments regarding the project on March 10, 2014. We never received comment until an offer was received, in an e-mail from Mr. Lessard on April 17 2014, to meet with the authorized members of the Board of Trustees. Quite some time before this, I had an opportunity to speak with Mr. Yandow, and expressed that the Board would like to meet with the Town to discuss some issues they had regarding the project. Mr. Yandow offered a very reasonable suggestion, which was to hold a work shop session with the Board of Selectmen, to just discuss this project with the Trustees, instead of separate meetings that would have to be communicated back to each board anyway. I presented this option to the Board of Trustees, who also felt this would be the best approach. I'd mentioned this recommendation to Mr. Lessard but

was never provided with any comment until after receiving his e-mail of April 17 2014. I have attached the e-mail exchange for your information.

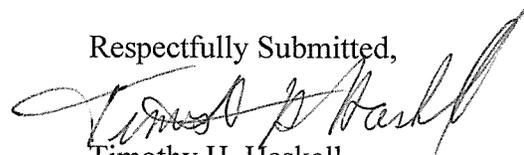
On April 22, 2014 Mr. Lessard indicated the urgency to move forward with the environmental permits which he claimed he couldn't do without the proper easements in place and offered to meet with the Board members and the Town's engineering consultant to discuss the easement. I told him I'd bring his request to the Board for their consideration.

On April 24, 2014 the Board of Trustees voted to offer the lot shown on the attached plan plan to the Town, subject to an easement for our existing outfall pipe, also shown on the plan. The District will also approve a temporary construction easement to allow work to proceed. Mr. Lessard has been informed of this decision, however we have received no comment as yet.

The Board of Trustees would like to formally request to meet with the Board of Selectmen in a work shop session to discuss various issues with regard to the Main Street Drainage Project and to receive a formal response to our offer to donate the required property to the Town for the project to proceed.

Please let me know if you have any questions.

Respectfully Submitted,



Timothy H. Haskell
Superintendent

Cc: Board of Trustees
Encls.

After recording return to:
Durwood W. Parkinson, Esq.
Bergen & Parkinson, LLC
62 Portland Road, Suite 25
Kennebunk, ME 04043

Space Above This Line For Recording

EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that the **York Sewer District** of 13 Bayhaven Road in York Beach, York County, Maine (“Grantor”), for consideration paid, hereby grants to the **INHABITANTS OF THE TOWN OF YORK**, a municipal corporation with an address of 186 York Street, York, Maine 03909, an easement for the installation, maintenance, repair, and replacement of a storm drain system, and related improvements including but not limited to pipes to and from the same, and utilization of the same for the collection and flowage of water. The area burdened by this easement is a portion of Grantor’s property described in a deed dated April 6, 1971 and recorded with the York County Registry of Deeds in Book 1901, Page 214, and is located as depicted on the attached Exhibit A. The Grantee herein shall have the right to enter upon land of the Grantors for the purposes of installation, maintenance, repair, or replacement of said storm drain system and related improvements. Grantee shall be responsible for the maintenance, repair and replacement as it deems necessary of the storm drain system and related improvements. Grantors agree not be build any permanent improvements of any type in over the storm drain system and any related pipes or improvements. This easement is for the benefit of the adjacent and nearby public roads and public rights of way and for the drainage of water from the same and from other lands, and includes the right for discharge and flowage of water whatsoever in nature and amount.

IN WITNESS WHEREOF, the York Sewer District Board of Trustees, has caused this instrument to be executed as of this ____ day of _____, 2014

By:
Print Name:
Print Title:

Witness:
Print Name:

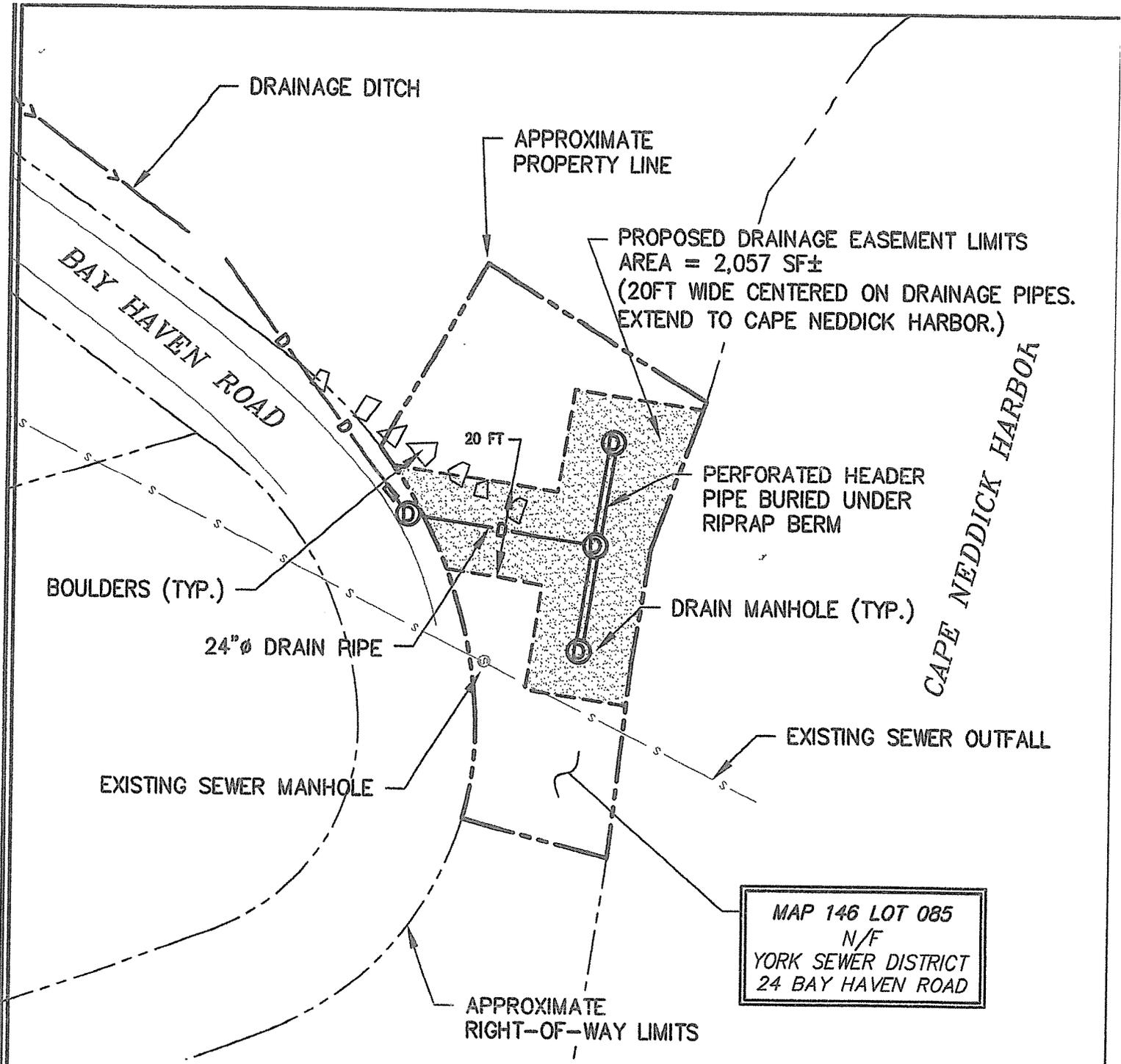
Date: _____

State Of _____
County Of _____

Personally appeared the above-named York Sewer District Board of Trustees, who are the legal owners of the property known as 24 Bay Haven Road and acknowledges the foregoing instrument to be their free act and deed in said capacity

Before me,

Notary Public
Print Name:
My Commission expires:



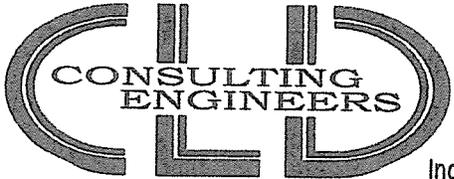
NOTE: PROPERTY AND RIGHT-OF-WAY LINES SHALL BE CONSIDERED APPROXIMATE. THIS EASEMENT EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY.

JOB NO.
11-0146

SCALE:
1"=30'

DATE:
11/13

DWG.
E5



316 U.S. Route 1, Suite D • York, ME 03909
 (207) 363-0669 • Fax: (207) 363-2384
 cld@cldengineers.com • www.cldengineers.com
 Maine • New Hampshire • Vermont

MAIN STREET
RECONSTRUCTION
YORK, MAINE

PROPOSED DRAINAGE
EASEMENT EXHIBIT
TAX MAP 146 LOT 85

Subject: Re: Main Street Project – Drainage easement

From: timothy haskell (h2sking@yahoo.com)

To: dlessard@yorkmaine.org; thaskell@yorksewerdistric.org;

Cc: jlf@cldengineers.com; RyanmM@cldengineers.com;

Date: Thursday, April 24, 2014 6:43 PM

Dean:

I brought your information and request to the Board. They voted to grant the Town a temporary construction easement to do the work with the provision that the Town take ownership of the lot with an easement for our outfall line that is shown on CLD's plan. I'm available to discuss this next week if necessary.

I'll formalize this by sending the offer to Rob and the Board of Selectmen next week. The Board will also pursue the work shop meeting with the Board of Selectmen.

The Board also asked if you had any answers to the other items covered in the memo sent to you in early March.

Tim

On Tuesday, April 22, 2014 2:04 PM, Dean Lessard <dlessard@yorkmaine.org> wrote:
Thanks. I've changed the misspelled email address.

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

Follow us!

Facebook: www.facebook.com/YorkMainePublicWorks

From: timothy haskell [mailto:h2sking@yahoo.com]
Sent: Tuesday, April 22, 2014 1:36 PM
To: Dean Lessard; thaskell@yorksewerdistric.org
Cc: JoAnn Fryer; Ryan M. McCarthy
Subject: Re: Main Street Project - Drainage easement

Dean:

I'll present your request to the Board at the next meeting. They may take no action since the chair is out of town right now.

I'll let you know what they decide.

Could you also change my other e-mail address so that district is spelled correctly? It keeps getting bounced back when I reply.

Thanks.

Tim

On Tuesday, April 22, 2014 12:23 PM, Dean Lessard <dlessard@yorkmaine.org> wrote:

Hey Tim

I don't have a say in the agenda for the board of selectmen nor do I have much direct communication with them so I don't know what their preferences are. At this time the DPW is working with CLD engineers to secure the required easements so that we can apply for the environmental permits.

The permits cannot be submitted until the town has the easements to do the work. I propose that

JoAnn & I meet with you and the two members of your board that have been authorized to meet with the Town to discuss the easement so that the Main Street Project can continue to move forward. At the same time your board can open a dialogue with the Town Manager and the Board of Selectmen about the Sewer District's proposal concerning the land at 24 Bay Haven. Let me know if this option will work.

Thanks
Dean

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

Follow us!

Facebook: www.facebook.com/YorkMainePublicWorks

From: timothy haskell [<mailto:h2sking@yahoo.com>]

Sent: Tuesday, April 22, 2014 11:39 AM

To: Dean Lessard; thaskell@yorksewerdristric.org

Cc: JoAnn Fryer; Ryan M. McCarthy

Subject: Re: Main Street Project - Drainage easement

Dean:

As I mentioned to you, some time ago Rob had indicated a work shop session with the Board of Selectmen might be the best approach. Since then I have mentioned this to my board and they agreed that this would be the best approach and that was the direction we thought the Town had planned on taking. Is this no longer the case?

Tim

On Thursday, April 17, 2014 2:01 PM, Dean Lessard <dlessard@yorkmaine.org> wrote:

Tim

I would like to schedule a meeting with you and the two members of the Board that have been authorized to meet with the Town concerning the Main Street project. I spoke with JoAnne Fryer and she said that she and Ryan are available most of next week. The only exceptions are Tuesday and Wednesday morning. If a time next week doesn't work for you please let me know.

Thank you
Dean

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

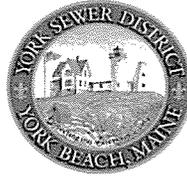
E-Mail: dlessard@yorkmaine.org

Online: <http://www.yorkmaine.org/>

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YORK SEWER DISTRICT

P.O. BOX 1039

YORK BEACH, MAINE 03910

FAX 207-363-6701

BOARD OF TRUSTEES:

ROBERT HOYT, CHAIRMAN

WALTER KYLLONEN, VICE CHAIRMAN

WAYNE McINTIRE, TREASURER

FREDERICK BOARDMAN, CLERK

DALE HILBOURNE, TRUSTEE

ADMINISTRATION OFFICE

21 BAY HAVEN ROAD

207-363-4232

TREATMENT PLANT OPERATIONS

106 MAIN STREET

207-363-5896

MEMORANDUM

TO: Dean Lessard, Director of Public Works

FROM: Timothy H. Haskell, Superintendent

DATE: March 11, 2014

RE: Review Comments on Main Street Reconstruction Project

After reviewing CLD's most recent submission, the District only has a few minor comments to add.

1. The submission indicates that some fill and modification of the drainage channel near the Flynn property will be necessary but no information was provided. Once designs have progressed further we would like to provide comment on this item.
2. At the public meeting the District called to discuss the project, the Town indicated that they would be holding a public hearing as the project progressed. Is there a time frame expected as to when this meeting would be held?
3. During the course of reviewing the project, the District asked the Town if they would consider ownership of the Bay Haven Road easement area if the Board elected to donate the property to the Town. We have not received a response and the Board is still wondering if this is an option the Town would consider.
4. The Board requests an opportunity to meet with Town representatives to discuss the project and see if there are ways the District can assist with moving the project forward. Two members of the Board have been authorized to meet whenever it is convenient for the Town. Please let us know when this may be able to be arranged.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 20, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Negotiations Regarding the Davis Property at 142 York Street	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move 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.

Discussion: On May 17, 2014 York voters were presented with a non-binding referendum regarding the Davis property at 142 York Street. The Davis family had offered the property to the Town of York for a selling price of \$5.5M and the Board of Selectmen placed the advisory article on the budget referendum to get feedback from the voters. The voters were asked if they supported a possible negotiation process for the potential purchase of approximately 97 acres for \$5.5M. The language on the article indicated that “A YES vote means you support purchasing the Davis property” and “A NO vote means you do not support purchasing the Davis property”. Results of the voting on May 17, 2014 revealed that 1777 people voted YES and 931 people voted NO.

At this point a decision should be made as to whether any further action on the Town’s part is warranted and if there should be a possible negotiation of the asking price.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By:

Robert B. Gaudin

Reviewed By: _____

FIFTY-ONE: Shall the Town raise and appropriate a sum not to exceed \$44,000 for Bond Financing Costs, and furthermore, shall the Board of Selectman adopt this line item of the Town Budget, as proposed by the Budget Committee?

Statement of Fact: The issuance of bonds carries with it legal and financial review costs of approximately \$44,000. With multiple proposed bondable projects it is not feasible to spread this cost over the various articles given that approval of all articles is not guaranteed and there would not be sufficient funds to cover these costs. If the funds are not needed they would revert to the general fund balance.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval (5-0).

A **YES** vote will authorize an expenditure of \$44,000.
A **NO** vote authorizes an appropriation of \$0.

YES 1777

NO 618

NON-BINDING REFERNDUM

Do the voters support a possible negotiation process for the potential purchase of approximately 97 acres of land at 142 York Street known as the "Davis property" for \$5.5 million dollars (\$5,500,000)?

Statement of Fact: The Davis property has been offered to the Town of York for \$5,500,000. The Town Assessor has attached a value of \$4,350,000 to \$7,900,000 (after subtracting projected infrastructure, utility and access costs) based on the potential for 71 building lots which is what current ordinances would allow. The Town commissioned an independent appraisal from Amidon Appraisal Company of Portland and that appraisal reveals a market value of \$1,380,000 based on market demand for 51 lots over a 10 year period. This analysis factors in development costs, time value of money and profit for a developer.

A **YES** vote means you support purchasing the Davis property
A **NO** vote means you do not support purchasing the Davis property

YES 931

NO 1532

MAY 17, 2014



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Board of Appeals Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Britton Garon as an Alternate Member, and Robert Lascelles as a Regular Member to the Board of Appeals.
PROPOSED MOTION: I move to appoint Britton Garon as an Alternate Member, and Robert Lascelles as a Regular Member to the Board of Appeals, with terms 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 B. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Assessment Review Board Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Leon Moulton as a Regular Member to the Assessment Review Board.
PROPOSED MOTION: I move to appoint Leon Moulton as a Regular Member to the Assessment 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 M. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

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Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Energy Efficiency Steering Committee Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Stephen Kosacz as a Regular Member to the Energy Efficiency Steering Committee.
PROPOSED MOTION: I move to appoint Stephen Kosacz as a Regular Member to the Energy Efficiency Steering Committee, 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. Gannon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

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Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Harbor Board Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Matthew Donnell as a Regular Member to the Harbor Board.
PROPOSED MOTION: I move to appoint Matthew Donnell as a Regular Member to the Harbor 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:

Melinda M. Avery

Reviewed By:

Robert S. Gannon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Historic District Commission Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Kent White as a Regular Member to the Historic District Commission.
PROPOSED MOTION: I move to appoint Kent White as a Regular Member to the Historic District Commission, 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 S. Gannon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Municipal Social Services Review Board Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Connie Hanley as a Regular Member to the Municipal Social Services Review Board.
PROPOSED MOTION: I move to appoint Connie Hanley 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 M. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Senior Citizens' Advisory Board Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Bruce Rennie as a Regular Member to the Senior Citizens' Advisory Board.
PROPOSED MOTION: I move to appoint Bruce Rennie as a Regular Member to the Senior Citizens' Advisory 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 S. Gannon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Shellfish Commission Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Stanley Zajeckowski as a Regular Member to the Shellfish Commission.
PROPOSED MOTION: I move to appoint Stanley Zajeckowski as a Regular Member to the Shellfish Commission, 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 S. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

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Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Sohier Park Committee Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-appoint Brian Ross as a Regular Member to the Sohier Park Committee.
PROPOSED MOTION: I move to appoint Brian Ross as a Regular Member to the Sohier Park Committee, 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 B. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

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Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: York Harbor Site Design Review Board Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Joseph Dominguez as a Regular Member to the York Harbor Site Design Review Board.
PROPOSED MOTION: I move to appoint Joseph Domingez as a Regular Member to the York Harbor Site Design 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 B. Gannon



AGENDA ITEM NUMBER: _____

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Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: York Housing Authority Re-Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Re-Appoint Patricia Murray and Robin Cogger as Regular Members to the York Housing Authority.
PROPOSED MOTION: I move to appoint Patricia Murray and Robin Cogger as Regular Members to the York Housing Authority, with terms 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 S. Gaudin*



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 20, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Conservation Commission Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Appoint Kelly Wilsey as a Regular Member to the Conservation Commission.
PROPOSED MOTION: I move to appoint Kelly Wilsey as a Regular Member of the Conservation Commission, with a term expiring June 30, 2017.

Discussion: The Board of Selectmen will have held an interview with Ms. Wilsey before this meeting on June 23, 2014. The Conservation Commission's current members are as follows: Robert Tilley (2015), Pricilla Cookson (2016), Michael Modern (2016), and Jeffery Normandin (2015).

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

Prepared By:

Melissa M. Avery

Reviewed By:

Robert S. Gandon



AGENDA ITEM NUMBER: _____

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Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Parks and Recreation Board Appointment	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Appoint Timothy Ward as a Regular Member to the Parks and Recreation Board.
PROPOSED MOTION: I move to appoint Timothy Ward as a Regular Member of the Parks and Recreation Board, with a term expiring June 30, 2017.

Discussion: The Board of Selectmen will have held an interview with Mr. Ward before this meeting on June 23, 2014. The Parks and Recreation Board current members are as follows: Ron McAllister (2016), Nancy O'Connor Stolberg (2016), Michael Modern (2016), and Brenda Knapp (2015).

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

Prepared By:

Melissa M. Avery

Reviewed By:

Robert B. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the Special Event Permit application for the Graystone Builders Annual Beach Bonfire Benefit
PROPOSED MOTION: I move to approve the Special Event Permit for the Graystone Builders Annual Beach Bonfire Benefit event on Saturday, August 30, 2014 with the attached conditions given by Department Heads

Discussion: All appropriate departments have been notified and given approval, see attached.

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

Prepared By:

Melissa M. Avery

Reviewed By:

Robert B. Gandon



Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: June 3, 2014

Name of Event: Graystone Builders Annual Beach Bonfire Benefit

Type of Event: Bonfire benefit

Organization Name: York Food Pantry Phone #: 207-351-1928

Organization Address: 38 Woodbridge Rd City York State: ME Zip: 03909

Applicant Name: Walter Woods
Graystone Builders of Maine Phone #: 207-752-0062

Applicant Address: 74 US Rt. 1 Suttell City: York State: ME Zip: 03909

Contact Name for Day of Event: Walter Woods Contact Phone # 207-752-0062

Date of Event: Aug. 30, 2014 Day of Week: Saturday

Starting Time: 5:00 pm Ending Time: 10:00 pm

Assembly Area: Long Sands Beach - Bath house area

Dispersal Area: Same

Event Route: N/A

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)

400

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

1 band - set up on beach, several trucks w/ supplies

Describe how group is organized and supervised to insure order: Many volunteers on site, volunteer firemen on site w/ truck, clean-up equipment on site

Purpose of the Event: Fundraising for York Food Pantry

The above information is true to the best of my knowledge and belief.

Signature of Applicant: [Signature]

For Town Use Only

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 06-05-2014</u>
Public Works	<u>Lessard 06-03-2014</u>
Parks/Recreation	<u>Sullivan 06-04-2014</u>
Village Fire	<u>Apgar 06-04-2014</u>
York Beach Fire	<u>Bridges 06-03-2014</u>
Code Enforcement	<u>Burns 06-08-2014</u>
York Ambulance	<u>Prince 06-04-2014</u>

Special Conditions:

Police: Must comply with YBFD requirements and not obstruct traffic flow on Long Beach Avenue

Any Questions: Lieutenant Charlie Szeniaowski (207) 363-1031

Beach Fire: Will need to pay for firefighter coverage and follow Beach Ordinance standards.

Any Questions: Fire Chief Dave Bridges (207)363-1014

Code Enforcement: Must comply with the Beach Ordinance standards for fires on the beach.

Any Questions: Steve Burns (207) 363-1007

Town Manager

Date

Melissa M. Avery

From: David K. Bridges
Sent: Sunday, June 08, 2014 8:38 PM
To: Melissa M. Avery
Cc: David K. Bridges
Subject: Events

ESA surf - no problem with this

NE Tour de Cure - the paperwork doesn't say where they go after Main St. Route 1 or Shore rd? I believe they should have signs at the intersections of these narrow winding roads to warn motorists of the possibly of cyclists in roadway.

Walter Woods Bonfire- he will need to pay for firefighter coverage just as last year. He will need to follow the ordinance for Bonfires on the Beach.

I think you need to correct the event for Village Elementary School because they are NOT getting approval for a bonfire just gas grills on the beach.

Sent from my iPhone. Dave

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Melissa M. Avery

From: Charles J. Szeniewski
Sent: Thursday, June 05, 2014 10:46 AM
To: Melissa M. Avery; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan
Subject: RE: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Must comply with YBFD requirements and not obstruct traffic flow on Long Beach avenue.

From: Melissa M. Avery
Sent: Tuesday, June 03, 2014 4:03 PM
To: Charles J. Szeniewski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan
Subject: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Attached is the Special Event Permit Application for Graystone Builders Annual Beach Bonfire Benefit to be held on August 30, 2014.

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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Melissa M. Avery

From: Stephen H. Burns
Sent: Wednesday, June 04, 2014 10:19 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Missy,

I have no code issues with this event, provided someone is looking after the overall compliance with the Beach Ordinance standards for fires on the beaches.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Tuesday, June 3, 2014 4:03 PM
To: Charles J. Szeniawski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan
Subject: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Attached is the Special Event Permit Application for Graystone Builders Annual Beach Bonfire Benefit to be held on August 30, 2014.

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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Melissa M. Avery

From: Ellen Prince <ellenprince@gmail.com>
Sent: Tuesday, June 03, 2014 4:09 PM
To: Melissa M. Avery
Cc: Charles J. Szeniaowski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Michael J. Sullivan
Subject: Re: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

OK with York Ambulance. I will let the crew know of the event, unless there's a preference for us to be present on standby.

Ellen

*Ellen Prince
Asst. Chief
York Ambulance Association, Inc.
15 Salisbury Ave.
P.O. Box 238
York, ME 03909-0238
Phone: 207-363-4403
Fax: 207-363-2041*

On Tue, Jun 3, 2014 at 4:03 PM, Melissa M. Avery <mmavery@yorkmaine.org> wrote:

Attached is the Special Event Permit Application for Graystone Builders Annual Beach Bonfire Benefit to be held on August 30, 2014.

Thank you!

Missy

Melissa M. Avery

Assistant to the Town Manager

Town of York, Maine

186 York Street, York, ME 03909

Phone: (207) 363-1000 - Fax: (207) 363-1019

Melissa M. Avery

From: David Apgar
Sent: Wednesday, June 04, 2014 5:38 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Village Fire approval.

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

From: Melissa M. Avery
Sent: Tuesday, June 03, 2014 4:03 PM
To: Charles J. Szeniewski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan
Subject: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Attached is the Special Event Permit Application for Graystone Builders Annual Beach Bonfire Benefit to be held on August 30, 2014.

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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Melissa M. Avery

From: Dean Lessard
Sent: Tuesday, June 03, 2014 4:37 PM
To: Melissa M. Avery
Subject: RE: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Hi Missy

I have reviewed the attached special event permit. DPW doesn't anticipate any issues with this event. DPW recommends approval.

Thanks
Dean

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

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From: Melissa M. Avery

Sent: Tuesday, June 03, 2014 4:03 PM

To: Charles J. Szeniawski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan

Subject: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Attached is the Special Event Permit Application for Graystone Builders Annual Beach Bonfire Benefit to be held on August 30, 2014.

Thank you!
Missy

Melissa M. Avery

Assistant to the Town Manager

Town of York, Maine

186 York Street, York, ME 03909

Phone: (207) 363-1000 - Fax: (207) 363-1019

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Melissa M. Avery

From: Michael J. Sullivan
Sent: Wednesday, June 04, 2014 9:21 AM
To: Melissa M. Avery; Charles J. Szeniawski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: RE: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Parks and Recreation has no issues with this event.

*Michael J. Sullivan, Director
Parks and Recreation*

*Town of York, Maine
186 York Street
York, Maine 03909
(207) 363-1040
msullivan@yorkmaine.org*

From: Melissa M. Avery
Sent: Tuesday, June 03, 2014 4:03 PM
To: Charles J. Szeniawski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan
Subject: Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

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Missy

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Assistant to the Town Manager

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186 York Street, York, ME 03909
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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit: YCSA Mount A Challenge Bike Ride	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the Special Event Permit application for the YCSA Mount A Challenge Bike Ride event on Saturday, September 27, 2014.
PROPOSED MOTION: I move to approve the Special Event Permit for the YCSA Mount A Challenge Bike Ride event on Saturday, September 27, 2014 with the attached conditions given by Department Heads

Discussion: All appropriate departments have been notified and given approval, see attached.

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

Prepared By:

Melissa M. Avery

Reviewed By:

Robert M. Gendron



Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 5/16/14

Name of Event: YCSA MOUNT A CHALLENGE BIKE RIDE

Type of Event: BIKE RIDE

Organization Name: YORK COMMUNITY SERVICES Phone #: 207 251 1151

Organization Address: 45 WOODBRIDGE RD City: YORK State: ME Zip: 03909

Applicant Name: ROGER POISSON Phone #: 207 251 1151

Applicant Address: 615 SHORE RD. City: CAPE MIDDICK State: ME Zip: 03909

Contact Name for Day of Event: ROGER POISSON Contact Phone #: 207 251 1151

Date of Event: SEPT 27 2014 Day of Week: SAT

Starting Time: 10:30 AM Ending Time: 1 PM

Assembly Area: COURTHOUSE PARKING LOT CHASEY POND RD

Dispersal Area: SAME AS START (ASSEMBLY)

Event Route: PLEASE SEE ENCLOSED MAP

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)
150

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

WATER/SNACK TABLES/ROUTING SIGNS/ BICYCLES

Describe how group is organized and supervised to insure order: FORMATION STARTS

AT COURTHOUSE PARKING LOT AT 10:30 - NOT A TIME

Purpose of the Event: RAISE FUNDS FOR NEEDY EVENT

The above information is true to the best of my knowledge and belief.

Signature of Applicant: 

YCSA MOUNT A CHALLENGE BIKE RIDE

BIKE RIDE ROUTE

Section 1

Leave the York County Courthouse parking area heading NORTH for approximately 3.8 miles

Section 2

Turn RIGHT on to Mountain Road going EAST for approximately 500 feet.
Turn LEFT onto Greenleaf Parsons Road

Section 3

Follow Greenleaf Parsons Road for 1 mile and turn RIGHT on to Clay Hill Road

Section 4

Follow Clay Hill Road for approximately .25 miles

Section 5

Turn Left on to Josiah Norton Road and go approximately 2.3 miles

Section 6

Take RIGHT on to Berwick Road for approximately .02 miles

Section 7

Take RIGHT on to North Village Road for approximately 2.7 miles

Section 8

Take RIGHT on to Clay Hill Road for approximately 1.5 miles

Section 9

Take RIGHT on to Mountain Road to BASE of Mount A Summit Road / 2.4 miles

Section 10

At Base of Mount A Summit Road make a "U" Turn and follow Mountain Road / 4.2 Miles

Section 11

Continue on to Chases Pond Road heading SOUTH for 3.5 miles returning to the York County Court House Parking Area

FINISH

**Total Bike Ride approximately 21.56 miles

Rec'd 5/23/2014

For Town Use Only

Reviewed by:

<u>Department</u>	<u>Initials</u>	
Police Department	<u>Szeniawski</u>	<u>06-11-2014</u>
Public Works	<u>Lessard</u>	<u>06-11-2014</u>
Parks/Recreation	<u>Sullivan</u>	<u>06-12-2014</u>
Village Fire	<u>Apgar</u>	<u>05-20-2014</u>
York Beach Fire	<u>Bridges</u>	<u>06-11-2014</u>
Code Enforcement	<u>Burns</u>	<u>05-16-2014</u>
York Ambulance	<u>Prince</u>	<u>06-11-2014</u>

Special Conditions:

Police: Will need 2 (two) Detail Officers intersection control. A safety and security plan will be put in place.

Any Questions: Lieutenant Charlie Szeniaowski (207) 363-1031

Beach Fire: The road edged on many of these roads are eroded and very rough for bicycle traffic. State law requires all motorists give three feet to cyclists using the roadways; giving three feet on these roads would put vehicular traffic driving in the on-coming traffic lane. Warning sign would be very educational to any vehicular traffic.

Any Questions: Fire Chief Dave Bridges (207)363-1014

York Ambulance: Dedicated ambulance should be present.

Any Questions: Ellen Prince (207) 363-4403

Town Manager

Date

Melissa M. Avery

From: Charles J. Szeniawski
Sent: Wednesday, June 11, 2014 2:49 PM
To: Melissa M. Avery; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Cc: Owen T. Davis
Subject: RE: Special Event Approval

This route is the correct one we reviewed with them they will need two detail officers for intersection traffic control .. A safety and security plan will be developed and put in place

From: Melissa M. Avery
Sent: Wednesday, June 11, 2014 2:05 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Cc: Owen T. Davis
Subject: Special Event Approval

Good Afternoon!

I have attached the most recent version of YCSA's *Mount A Challenge Bike Ride Special Event Permit Application*. Would you all mind re-submitting your approvals/conditions on this one? I just want to make sure everyone has the most up to date application, there were quite a few versions from them and I was to clear up any confusion.

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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Melissa M. Avery

From: David K. Bridges
Sent: Wednesday, June 11, 2014 7:07 PM
To: Melissa M. Avery
Cc: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David Appgar; Owen T. Davis
Subject: Re: Special Event Approval

My comments are the same for this event as it has been for others using these or similar roads in town. The road edged on many of these roads are eroded and very rough for bicycle traffic. State law requires ALL motorists give 3 feet to cyclists using the roadways. Giving 3 feet on these roads puts vehicular traffic driving in the on-coming traffic lane. If the edged are dangerous for cyclist travel then they will already be 2-3 feet from the edge of the travel lane, this puts traffic even further into the on- coming traffic lane. With no warning and excessive speed these events are going to have an incident sooner or later and the more we sanction the sooner it will be. Having the police monitoring the intersections will definitely help. Warning sign would be very educational to any vehicular traffic in those areas. Dave

Sent from my iPhone. Dave

On Jun 11, 2014, at 2:04 PM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

Good Afternoon!

I have attached the most recent version of YCSA's *Mount A Challenge Bike Ride* Special Event Permit Application. Would you all mind re-submitting your approvals/conditions on this one? I just want to make sure everyone has the most up to date application, there were quite a few versions from them and I was to clear up any confusion.

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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<Mount A Challenge Bike Ride FINAL APP.pdf>

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Melissa M. Avery

From: Stephen H. Burns
Sent: Friday, May 16, 2014 1:21 PM
To: Melissa M. Avery
Subject: RE: Special Event Permit: YCSA Mount A Challenge Bike Ride

Missy,

I have no code enforcement issues with this event.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Friday, May 16, 2014 1:10 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: YCSA Mount A Challenge Bike Ride

Attached is the Special Event Permit Application for the YCSA Mount A Challenge Bike Ride. Please let me know when you've had a chance to review.

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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Melissa M. Avery

From: Dean Lessard
Sent: Friday, May 16, 2014 1:20 PM
To: Melissa M. Avery
Subject: RE: Special Event Permit: YCSA Mount A Challenge Bike Ride

Hi Missy

I have reviewed the attached Special event permit. DPW doesn't anticipate any issues with this event. DPW recommends approval.

Thanks
Dean

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

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From: Melissa M. Avery
Sent: Friday, May 16, 2014 1:10 PM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: YCSA Mount A Challenge Bike Ride

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Thank you!
Missy

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Melissa M. Avery

From: David Apgar
Sent: Tuesday, May 20, 2014 5:49 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: YCSA Mount A Challenge Bike Ride

Village Fire approval.

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

From: Melissa M. Avery
Sent: Friday, May 16, 2014 1:09 PM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: YCSA Mount A Challenge Bike Ride

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Phone: (207) 363-1000 - Fax: (207) 363-1019

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Melissa M. Avery

From: Robin Kerr
Sent: Saturday, April 19, 2014 8:34 AM
To: Melissa M. Avery
Cc: Michael J. Sullivan
Subject: FW: Mt. A special use request

Hi there- I'm not sure if this has been approved by Selectmen/ town departments yet or not, but below is my response to Roger Poisson.

Please let me know if there are any questions. I can address them upon my return the week of the 28th.

Thank you!
Robin

Robin L. Kerr
Conservation Coordinator
186 York Street
York, ME 03909
207.361.1102
www.agamenticus.org

From: Robin Kerr
Sent: Saturday, April 19, 2014 8:29 AM
To: 'yorkxray@aol.com'
Subject: RE: Mt. A special use request

Hi there Roger-

I am following up from the recent Mt. A Steering Committee meeting and the discussion regarding the York Community Services Assoc.'s proposed bike race on Sept. 27th.

This sounds like a neat event for a really nice cause & I am happy to work with you to make sure all goes well at the mountain. Furthermore, Mike Sullivan, Director of Park & Rec. offered to absorb our additional costs associated with your event, so there is no group use fee this year.

There is a concern about parking. Autumn is our busiest time of year. That -coupled with a nice day and hawk migration, I'm betting the summit parking will be extremely limited. You may want to think about some kind of shuttle or at the very least inform family/guests of participants that they should expect to have to park at the base and hike up for the festivities after the ride.

It would also be a good idea to inform folks that we have a Carry In/Carry Out trash policy and that there are only portable toilet restroom facilities.

I would like to meet with you prior to review the designated group use area as well.

I am away this week, but happy to chat more upon my return the week of the 28th.

Thanks so much & Happy Easter!
Robin

Melissa M. Avery

From: Michael J. Sullivan
Sent: Thursday, June 12, 2014 9:09 AM
To: Melissa M. Avery; Charles J. Szeniawski; Dean Lessard; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Cc: Owen T. Davis
Subject: RE: Special Event Approval

Parks and Recreation has no issues with this event

*Michael J. Sullivan, Director
Parks and Recreation*

*Town of York, Maine
186 York Street
York, Maine 03909
(207) 363-1040
msullivan@yorkmaine.org*

From: Melissa M. Avery
Sent: Wednesday, June 11, 2014 2:05 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Cc: Owen T. Davis
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Thank you!
Missy

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Phone: (207) 363-1000 - Fax: (207) 363-1019

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Melissa M. Avery

From: Dean Lessard
Sent: Wednesday, June 11, 2014 2:53 PM
To: Melissa M. Avery
Subject: RE: Special Event Approval

Hi Missy

I have reviewed the attached special event permit. DPW doesn't anticipate any issues with this event. DPW recommends approval.

Thanks
Dean

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

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From: Melissa M. Avery

Sent: Wednesday, June 11, 2014 2:05 PM

To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar

Cc: Owen T. Davis

Subject: Special Event Approval

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Missy

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Assistant to the Town Manager

Town of York, Maine

186 York Street, York, ME 03909

Phone: (207) 363-1000 - Fax: (207) 363-1019

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Melissa M. Avery

From: Ellen Prince <ellenprince@gmail.com>
Sent: Wednesday, June 11, 2014 2:11 PM
To: Melissa M. Avery
Cc: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; David K. Bridges; David Appar; Owen T. Davis
Subject: Re: Special Event Approval

When Roger Poisson called me several weeks ago he understood that a dedicated ambulance should be present and that he would need to pay \$80/hour for it. He was fine with this.

Ellen

*Ellen Prince
Asst. Chief
York Ambulance Association, Inc.
15 Salisbury Ave.
P.O. Box 238
York, ME 03909-0238
Phone: 207-363-4403
Fax: 207-363-2041*

On Wed, Jun 11, 2014 at 2:04 PM, Melissa M. Avery <mmavery@yorkmaine.org> wrote:

Good Afternoon!

I have attached the most recent version of YCSA's *Mount A Challenge Bike Ride* Special Event Permit Application. Would you all mind re-submitting your approvals/conditions on this one? I just want to make sure everyone has the most up to date application, there were quite a few versions from them and I was to clear up any confusion.

Thank you!

Missy

Melissa M. Avery

Assistant to the Town Manager

Melissa M. Avery

From: David Apgar
Sent: Wednesday, June 11, 2014 4:05 PM
To: Melissa M. Avery
Subject: RE: Special Event Approval

Village Fire approval.

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

From: Melissa M. Avery
Sent: Wednesday, June 11, 2014 2:04 PM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Cc: Owen T. Davis
Subject: Special Event Approval

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Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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Melissa M. Avery

From: Stephen H. Burns
Sent: Wednesday, June 11, 2014 3:08 PM
To: Melissa M. Avery
Subject: RE: Special Event Approval

Missy,

I have no code concerns with this event.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Wednesday, June 11, 2014 2:05 PM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Cc: Owen T. Davis
Subject: Special Event Approval

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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 16, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: June 23, 2014	
Regular <u>X</u> Work Session <u> </u>	
Subject: Special Event Permit: Zumba with Marianela	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the Special Event Permit application for Zumba with Marianela
PROPOSED MOTION: I move to approve the Special Event Permit for the Zumba with Marianela event on Sunday, July 27, 2014 with the attached conditions given by Department Heads

Discussion: All appropriate departments have been notified and given approval, see attached.

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

Prepared By: Melinda M. Avery

Reviewed By: Robert B. Gandon



Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 6/12/14

Name of Event: Zumba with Marianela/VLD Fitness

Type of Event: Zumba Fitness Class

Organization Name: VLD Fitness Phone #: 603-812-6690

Organization Address: 259 Hanover St. City: Manchester State: NH Zip: 03103

Applicant Name: Marianela Ramirez Phone #: 603-812-6690

Applicant Address: 15 Iron Horse Dr #D-110 City: Bedford State: NH Zip: 03110

Contact Name for Day of Event: Marianela Ramirez Contact Phone #: 603-812-6690

Date of Event: July 27, 2014* Day of Week: Sunday

Starting Time: 6:30 pm Ending Time: 7:30 pm

Assembly Area: Long Sands Beach

Dispersal Area: _____

Event Route: N/A

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)

100

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

See attached

Describe how group is organized and supervised to insure order: _____

See attached

Purpose of the Event: Charity Event

The above information is true to the best of my knowledge and belief.

Signature of Applicant: _____

*Alternative date August 10, 2014 at 5:30 pm if July 27th is not available.

For Town Use Only

Reviewed by:

Department

Initials

Police Department	<u>Szeniawski</u>	<u>06-13-2014</u>
Public Works	<u>Lessard</u>	<u>06-17-2014</u>
Parks/Recreation	<u>Sullivan</u>	<u>06-13-2014</u>
Village Fire	<u>Apgar</u>	<u>06-13-2014</u>
York Beach Fire	<u>Bridges</u>	<u>06-17-2014</u>
Code Enforcement	<u>Burns</u>	<u>06-14-2014</u>
York Ambulance	<u>Prince</u>	<u>06-13-2014</u>

Special Conditions:

Police: Will have to pay meters. _____

Any Questions: Lieutenant Charlie Szeniewski (207) 363-1031 _____

Code Enforcement: Zoning Ordinance does not allow commercial events on the beach, must be a charity event to be OK from a Code Enforcement perspective. _____

Any Questions: Steve Burns (207) 363-1007 _____

Town Manager

Date



Zumba® with Marianela/VLD Fitness Special Event Permit Application Addendum Town of York, Maine

Description of Event:

- The event will take place at low tide to ensure the most available sand area for the event.
- Individuals will be asked to arrive 30 minutes prior to the event to register and complete a release waiver.
- Members of the VLD Fitness Team will be present to organize the registration and direct individuals to the designated event area and to supervise the event and ensure order.
- The Zumba® Fitness Event will last one hour.
- Individuals typically disperse immediately after the event or within 30 minutes.
- The event will consist of approximately 100 people working out at Zumba® Fitness to music played through a small sound system powered by a battery.
- The speakers for the sound system will be positioned towards the water.
- The music will only be played during the one hour event, not during the 30 minutes prior to or after the event.

Melissa M. Avery

From: Charles J. Szeniewski
Sent: Monday, June 16, 2014 4:18 PM
To: Melissa M. Avery
Cc: Owen T. Davis
Subject: RE: Special Event Permit: Zumba with Marianela

I see it says charity but not what charity .The event it self should not effect us they will have pay meters .

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Melissa M. Avery"
Date: 06/16/2014 15:47 (GMT-05:00)
To: "Charles J. Szeniewski" , "David K. Bridges"
Subject: FW: Special Event Permit: Zumba with Marianela

Are you guys all set with this Special Event Permit?

Missy

Melissa M. Avery
Assistant to the Town Manager

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

Please consider the environment before printing this email.

From: Melissa M. Avery
Sent: Friday, June 13, 2014 8:21 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; Dave Bridges; Dave Apgar
Subject: Special Event Permit: Zumba with Marianela

Attached is the Special Event Permit Application for VLD Fitness' "Zumba with Marianela" to be held on July 27, 2014 at Long Sands Beach.

Please let me know when you have had a chance to review,
Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

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

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Melissa M. Avery

From: Stephen H. Burns
Sent: Friday, June 13, 2014 8:56 AM
To: Melissa M. Avery; Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Ellen Prince; David K. Bridges; David Apgar
Subject: RE: Special Event Permit: Zumba with Marianela

Missy,

My only concern here is that it's not clear what the charity is. The Zoning Ordinance doesn't allow commercial events on the beach, and the application form says it's a charity event but doesn't elaborate. If that can be clarified then I'm OK with this event from a code enforcement perspective.

Thanks.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Friday, June 13, 2014 8:21 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
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Melissa M. Avery

From: Michael J. Sullivan
Sent: Friday, June 13, 2014 9:25 AM
To: Melissa M. Avery; Charles J. Szeniaowski; Dean Lessard; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: RE: Special Event Permit: Zumba with Marianela

Hey Missy,

I assume the charity event is to raise money. Are they charging participants? Do they intend to sell anything? My only concern is commercial activity. Charity event could be a small donation to a good cause after someone else made a lot of money. Not saying it is just like to know the details.

*Michael J. Sullivan, Director
Parks and Recreation*

*Town of York, Main
186 York Street
York, Maine 03909
(207) 363-1040
msullivan@yorkmaine.org*

From: Melissa M. Avery
Sent: Friday, June 13, 2014 8:21 AM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: Zumba with Marianela

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Thank you!
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Assistant to the Town Manager

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Melissa M. Avery

From: Dean Lessard
Sent: Friday, June 13, 2014 9:44 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: Zumba with Marianela

Hi Missy

I have reviewed the attached special event permit. DPW doesn't anticipate any issues with this event. DPW recommends approval.

Thanks
Dean

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

Follow us!

Facebook: www.facebook.com/YorkMainePublicWorks

From: Melissa M. Avery

Sent: Friday, June 13, 2014 8:21 AM

To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar

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Melissa M. Avery

From: David Apgar
Sent: Saturday, June 14, 2014 7:57 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: Zumba with Marianela

Village Fire approval if everyone's concerns are validated.

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

From: Melissa M. Avery
Sent: Friday, June 13, 2014 8:21 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
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Assistant to the Town Manager

Town of York, Maine<<http://www.yorkmaine.org/>>
186 York Street, York, ME 03909
Phone: (207) 363-1000 - Fax: (207) 363-1019

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Melissa M. Avery

From: Ellen Prince <ellenprince@gmail.com>
Sent: Friday, June 13, 2014 8:32 AM
To: Melissa M. Avery
Cc: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; David K. Bridges; David Apgar
Subject: Re: Special Event Permit: Zumba with Marianela

Fine with York Ambulance.

*Ellen Prince
Asst. Chief
York Ambulance Association, Inc.
15 Salisbury Ave.
P.O. Box 238
York, ME 03909-0238
Phone: 207-363-4403
Fax: 207-363-2041*

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Town of York, Maine

186 York Street, York, ME 03909

Phone: (207) 363-1000 - Fax: (207) 363-1019

Melissa M. Avery

From: David K. Bridges
Sent: Monday, June 16, 2014 7:53 PM
To: Melissa M. Avery; Charles J. Szeniaowski
Cc: David K. Bridges
Subject: RE: Special Event Permit: Zumba with Marianela

I don't have anything from a safety viewpoint but just wonder about the use of the town property for profit. Once a year ok every week or month maybe a problem. Dave

From: Melissa M. Avery
Sent: Monday, June 16, 2014 3:48 PM
To: Charles J. Szeniaowski; David K. Bridges
Subject: FW: Special Event Permit: Zumba with Marianela

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