



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

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www.yorkmaine.org

BOARD OF SELECTMEN'S MEETING AGENDA 6:00/7:00PM MONDAY, APRIL 14, 2014 YORK LIBRARY

6:00: Work Session with Runyon Kersteen Ouellette, Town Auditors

Call to Order

Opening Ceremonies

A. Minutes

1. February 10, 2014 Meeting Minutes
2. February 24, 2014 Meeting Minutes
3. February 28, 2014 Meeting Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

E. Reports

F. Citizens' Forum – The Citizens' Forum is open to any member of the audience for comments on 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 #41

H. Public Hearings

1. New Business License: NoLita
2. Local Liquor Option Special General Referendum Warrant

I. Endorsements

Business Licenses:

1. Raymond Ramsey DBA: Anchorage Inn (Victualers, Liquor, Special Amusement, Hotel/Motel with Cooking Facilities); Located at 265 Long Beach Avenue
2. Liberty North DBA: Candleshop Inn (Bed and Breakfast); Located at 44 Freeman Street
3. Neddick Place LLC DBA: Neddick Place/Countryview (Bed and Breakfast, Hotel/Motel with Cooking Facilities); Located at 1521 US Route One
4. Don and Erika Seydler DBA: Long Sands General Store (Victualers); Located at 121 Long Beach Avenue
5. Mojo's BBQ Shacks LLC DBA: NoLita (Victualers, Liquor); Located at 647 US Route One
6. Janet B. Stone DBA: Oceanside Store, Inc. (Victualers); Located at 179 Long Beach Avenue
7. Jonathan King and Jim Stott DBA; Stonewall Kitchen (Victualers, Liquor); Located at 2 Stonewall Lane
8. 150 US Route One LLC DBA: The York River House (Victualers, Liquor); Located at 150 US Route One
9. Diana Hickey DBA: Windbreaker Restaurant (Victualers); Located at 243 Long Beach Avenue
10. York Golf and Tennis DBA: York Golf and Tennis Club (Victualers, Liquor, Special Amusement); Located at 62 Organug Road

J. Old Business

K. New Business

1. Discussion and Possible Action on a Request for Sewer Extension on Main Street
2. Discussion and Possible Action on Deed Restrictions for the Bog Road Athletic Field Project
3. Purchase and Sale Agreement for 6 Forestor's Circuit
4. Discussion and Possible Action on an MDOT MPI Grant Opportunity on Route 1A
5. Discussion and Possible Action on Driveway Permit at 65 Old Post Road
6. Status of Municipal Building Committee
7. Bernstein Shur Waiver
8. Planning Board Appointment
9. Appointment of Election Clerks
10. Approve School Budget Town Meeting Warrant
11. Discussion and Possible Action on Previously Approved Pole Location Permit for Pole #26 on Main Street
12. Discussion and Possible Action on Re-Paving Route 1-A into York Beach from North
13. Property Redemption: 3 Cappys Lane
14. Property Redemption: 151 Mountain Road
15. Pole Location Permit: US Route One

16. Special Event Permit: York Village Fire Department's Annual Firemen's Field Day
17. Special Event Permit: The York Harbor Reading Room Annual Fireworks
18. Special Event Permit: Masonic Youth Charities Motorcycle Run
19. License for Incorporated Civic Organization: Museums of Old York

L. Other Business

M. Citizens' Forum

Adjourn

**BOARD OF SELECTMEN'S
MEETING MINUTES
7:00PM MONDAY, FEBRUARY 10, 2014
YORK LIBRARY**

Present: Chairman Ronald Nowell, Vice Chairman Kinley Gregg, Mary Andrews, Scott Fiorentino, 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

None

B. Chairman's Report

Chairman Nowell stated that he received a copy of the recent Kennebunk, "Goose Rocks Beach" court decision. With reference to the "Shore Path" Mr. Nowell feels that the Goose Rocks Beach case is a real word of warning for the Town of York about its beaches and that the Town needs to address the ownership issues of our beaches. Mr. Nowell also mentioned that a drainage easement regarding Penstock Road that has been brought forth to the Town is being reviewed by the Town Attorney and will be addressed a future Selectmen's meeting.

C. Manager's Report

Town Manager Robert G. Yandow reminded citizens registered to receive notifications, that the Code Red Emergency Notification System will be conducting a test of their system on February 11, 2014 at 10:00AM. Mr. Yandow also announced that there will be a meeting on February 14th at 8:30AM with Steve Landry of the Maine Department of Transportation and the Board of Selectmen regarding the speed limit on Route One. Mr. Yandow gave a Police Station Project update: The Police Station Project has been reviewed by the third party reviewers and is scheduled for sketch review with the Planning Board on

February 20, 2014. Town Manager Yandow also reminded citizens that nomination papers for the May 2014 Special General Referendum can be pulled in the Town Clerk's office starting Friday, February 21, 2014 for the following elected office vacancies: 2 (two) three year terms for the Board of Selectmen, 2 (two) three year terms for the Budget Committee, 1 (one) three year term and 1 (one) two year term for the School Committee, 1 (one) five year term as a York Water District Trustee, 1 (one) five year and 1 (one) two year term as York Sewer District Trustees, and 1 (one) three year term as the Town Moderator. Mr. Yandow let the citizens know that in the March billing from Time Warner Cable there will be a notice about an upcoming bill adjustment that will be going to their subscribers in town.

D. Awards

None

E. Reports

1. Review of Paper Streets Procedure

Town Assessor Richard Mace explained that in Maine, communities have the opportunity to retain an interest in "paper streets" if they take certain actions by the deadline of September 2017. The Town of York will need to decide about retaining interests in paper streets in 54 subdivisions or any of 356 other plans that were all listed in documents approved by the Board of Selectmen in September of 1997. With there being over 400 plans to be located and analyzed in order to make recommendations to the Board, Mr. Mace and Community Development Director Stephen H. Burns suggest the best way to approach this project is to try to complete reviews of 40 plans per quarter, giving some leeway time if any issues arise. Mr. Mace and Mr. Burns asked for, and received the Board's support in having staff in the Community Development, Assessing and Public Works departments assess each of the papers streets identified in the 1997 extension of deadline documents for their potential value to the community.

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 #32

Moved by Ms. Gregg, seconded by Mr. Fiorentino to approve Warrant #32. Vote 5-0, motion passes.

H. Public Hearings

None

I. Endorsements

Business Licenses:

1. Kevin Tacy DBA: Foster's Downeast Clambake for Victualers, Liquor and Special Amusement; Located at 5 Axholme Road
2. Qing Wen Wang DBA: Greenleaves Chinese Restaurant for Victualers and Liquor; Located at 647 US Route One
3. The Golden Rod DBA: Lobster Cove for Victualers, Liquor and Special Amusement; Located at 756 York Street

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the following licenses: Kevin Tacy DBA: Foster's Downeast Clambake for Victualers, Liquor and Special Amusement; Located at 5 Axholme Road, Qing Wen Wang DBA: Greenleaves Chinese Restaurant for Victualers and Liquor; Located at 647 US Route One, The Golden Rod DBA: Lobster Cove for Victualers, Liquor and Special Amusement; Located at 756 York Street subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

J. Old Business

None

K. New Business

1. Request for Sewer Extension from York Sewer District

Town Planner Christine Grimando did a consistency review of the Request for Sewer Extension for 42 to 50 Main Street and she recommended the Board of Selectmen approve the request and provide written assurances.

Moved by Mr. Macdonald, seconded by Ms. Gregg to provide written assurances to the York Sewer District that the proposed sewer extension from 42 to 50 Main Street is consistent with adopted municipal plans and ordinances regulating land use, and further that the lots served are in conformity with adopted municipal plans and ordinances regulating land use. Vote 5-0, motion passes.

Chairman Nowell took New Business Item 6 out of order.

2. "6. Discussion and Possible Action Regarding the Process for a Town Manager Recruitment"

Director of Human Resources Liam Gallagher discussed with the Board, the possibilities for commencing the search for a new Town Manager given current Town Manager Robert G. Yandow's intent to retire October 3, 2014. He stated that the search process can be either administered internally, by the Board of Selectmen with support from the Human Resources Director, or externally, by a qualified search firm. Should the Board wish to contract with a third party, Mr. Gallagher stated that they first need to determine the selections process for such a firm, for example would they require a formal RFP process.

The Board requested the documentation from the firms Mr. Gallagher reached out to regarding their proposals for a Town Manager search.

3. "2. Discussion Possible Action on Transfer Station Permit Application"

On June 20, 2012 the Department of Public Works received a letter from Eric Hamlin of the Maine Department of Environmental Protection, stating that the Town's operations at its Recycling and Composting Facility on Witchtrot Road has exceeded the Maine DEP Permit by Rule (S-003607-CB-B-P). The Department of Environmental Protection requested that the Town of York work to come into compliance with the State's applicable Solid Waste Transfer Station Regulations (06-096 CMR 400 and 402). With the help of CLD Consulting Engineers, the Public Works Department worked on the items that were required to be submitted to Maine DEP as part of the permit. At this time, the Town's permit is ready to submit to Maine DEP and the Director of Public Works Dean Lessard recommends the Board of Selectmen approve the Department of Public Works to submit the application for a Solid Waste Transfer Station Permit.

Moved by Mr. Macdonald, seconded by Ms. Gregg to authorize the Town Manager to sign the Maine DEP's application for a Solid Waste Transfer Station Permit for York's Recycling and Composting Facility on Witchtrot Road. Vote 5-0, motion passes.

4. "3. Discussion and Possible Action on Acceptance of SHIP Grant Agreement for Public Access Improvements Along the York River"

On May 22, 2010 the York voters approved Warrant #48 appropriating the sum of \$150,000 for the Pathway Route to 103 Causeway from the Fisherman's Walk. This project involved constructing a new path and pedestrian connection to the causeway, Wiggly Bridget and Steedman Woods under the new Route 103 Bridge. With the help of CLD Engineers, the Department of Public Works submitted a letter of intent to apply for State funding through a Small Harbor Improvements Program (SHIP) grant program. On January 29, 2014 the Town was informed by the Maine Department of Transportation that the application for Small Harbor Improvements had been approved for design and/or construction in 2014. Director of Public Works Dean Lessard recommended that

the board accept the Maine DOT Small Harbors Improvement Program Grant to improve safety and public access to Fisherman's Walk.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to authorize the Town Manager to sign the Small Harbors Improvement Program agreement with Maine DOT in order to secure \$150,000 in State funds for the Department of Public Work's proposed Fisherman's Walk pathway improvements. Vote 4-1, Ms. Gregg against, motion passes.

5. "4. Discussion and Possible Action on Including the Purchase of the Hodgin Parking Lot in the FY15 Capital Plan"

The Board of Selectmen has had a number of discussions regarding the possible purchase of the Hodgin parking lot, located at 190 York Street. During the last meeting it was requested that staff develop a sketch of a driveway/entryway into the lot from the access road behind Town Hall, also known as Parish Lane. Based on a sketch design by Director of Public Works Dean Lessard, the estimate to construct the entryway/driveway is \$5,000 - \$10,000.

Robert Palmer, owner of the adjacent parking lot, has indicated that he will provide an easement across the corner of his lot to facilitate the driveway providing it does not encroach on his parking lot and affect the number of available parking spaces. The Town will also need an easement from the First Parish Church for the driveway.

Mr. Macdonald expressed concern over the purpose of the parking lot being Town owned. He feels that as an adjunct to off street parking, to which there has been no official study, would be considered "the cart before the horse". As parking to a possibly expanded Town Hall, he feels that would be much more practical.

Chairman Nowell asked that the next meeting agenda hold an action item on what direction the Board would like to head in regarding negotiating with the Hodgin heirs.

6. "5. Discussion and Possible Action on Engagement Letter with Bernstein Shur

Mr. Fiorentino asked that the Chair, when signing the agreement add "As a result of a vote by the Board of Selectmen". The Chair agreed.

Moved by Mr. Macdonald, seconded by Ms. Gregg to authorize the Chairman to sign the Engagement Letter with Bernstein Shur. Vote 5-0, motion passes.

7. Application for License Incorporated Civic Organization: Old York Historical Society

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the Application for License for Incorporated Civic Organization for Old York Historical Society's Hard Cider Tasting, Public Educational Program on Friday, February 21, 2014. Vote 5-0, motion passes.

8. Special Event Permit: Seacoast Safari

Moved by Ms. Macdonald, seconded by Mr. Fiorentino to approve the Special Event Permit application for the Cystic Fibrosis Foundation's Cycle for Life – Seacoast Safari event on Saturday and Sunday, July 19th and 20th, 2014. Vote 5-0, motion passes.

L. Other Business

M. Citizens' Forum

Public Comment: None

Adjourn

Chairman Nowell adjourned the meeting at 8:47PM.

**BOARD OF SELECTMEN'S
MEETING MINUTES
7:00PM MONDAY, FEBRUARY 24, 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 Ronald Nowell called the meeting to order at 7:02PM.

Opening Ceremonies

A. Minutes

None

B. Chairman's Report

Chairman Ronald Nowell mentioned that this week is the anniversary of the death of Gerald A. Door, a veteran helicopter pilot in Vietnam in 1967.

Mr. Nowell also asked that the Town Manager state in his report when Route 1A will be paved.

C. Manager's Report

Town Manager Robert G. Yandow responded to Mr. Nowell's question regarding 1A, stating that the Main Street project requires a drainage easement from the Sewer District that they are still waiting on which has delayed the starting of the project.

Mr. Yandow reminded citizens that nomination papers for the May 2014 Special General Referendum are available in the Town Clerk's Office to run for the following positions: Board of Selectmen, Budget Committee, School Committee, Water District Trustees, Sewer District Trustees and Town Moderator. Those nomination papers are due back to the Town Clerk by April 2, 2014.

Mr. Yandow also mentioned the Time Warner Cable will be adjusting their rates and will potentially merge with Comcast. At this time, we are not sure what direct impact the merge would have on Time Warner subscribers in the town of York.

Police Station project went in front of the Planning Board for a sketch review on Thursday, February 20, 2014. Andrew Johnston from SMRT, Inc. will be gathering additional information and submitting a formal application to the Planning Board and will be scheduling televised meetings.

Both the Town of Kennebunk and the State of Maine have filed motions for reconsideration with regard to the Goose Rocks Beach case. Town Attorney Mary Costigan will be meeting with the Board prior to their regularly scheduled meeting on Monday, March 10th to discuss what impacts that case has on the Town of York.

D. Awards

1. Bid for Washer/Extractor for York Beach Fire Department

The York Beach Fire Department went out of bid for a Milnor 35 pound washer/extractor with base, for the cleaning of firefighter gear. The York Beach Fire Department received the following bids:

- | | |
|-----------------------------------|------------|
| 1. Harrison Shrader Enterprises | \$6,232.50 |
| 2. Industrial Protection Services | \$6,325.00 |

The York Beach Fire Department recommends awarding the bid to Harrison Shrader Enterprises.

Moved by Mr. Macdonald, seconded by Ms. Andrews to award the bid for a washer/extractor for the York Beach Fire Department to Harrison Shrader Enterprises in the amount of \$6,232.50. Vote 5-0, motion passes.

E. Reports

None

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: Neil Mahoney

Ron McAllister
Helen Rollins
Charles Stacy

G. Approval of Warrant #34

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve Warrant #34.
Vote 5-0, motion passes.

H. Public Hearings

1. Proposed Ordinance Amendments to be considered at the May 2014 Special General Referendum:

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to open the Public Hearing on the Proposed Ordinance Amendments to be considered at the May 2014 Special General Referendum. No objection, so moved.

1. Allow Additional Uses in the Northern Portion of the Route One-2 Zone
Public Comment: John Gregg

2. Harbor Ordinance and Zoning Ordinance Amendments
Public Comment: Charles Stacy

3. Amend Standards for Commercial Functions on Residential Lots
Public Comment: Helen Rollins
John Gregg

4. Alter Membership Requirements for the Board of Design Review
Public Comment: None

5. Change the Definition of Leash in the Animal Control Ordinance
Public Comment: Robin Rubin
David Tibbetts
Gary Cameron
Cindy Collins

6. Business Licensing Ordinances
Public Comment: None

7. Massage Therapist Licensing
Public Comment: None

8. Repeal the Property Tax Relief for Low Income Circuit Breaker Program Ordinance
Public Comment: None

Moved by Mr. Macdonald, seconded by Ms. Gregg to close the Public Hearing. Vote 5-0, motion passes.

I. Endorsements

None

J. Old Business

None

K. New Business

1. Discussion and Possible Action on Moving the Proposed Ordinance Amendments to a Second Public Hearing on March 24, 2014:
 1. Allow Additional Uses in the Northern Portion of the Route One-2 Zone
 2. Harbor Ordinance and Zoning Ordinance Amendments
 3. Amend Standards for Commercial Functions on Residential Lots
 4. Alter Membership Requirements for the Board of Design Review
 5. Change the Definition of Leash in the Animal Control Ordinance
 6. Business Licensing Ordinances
 7. Massage Therapist Licensing
 8. Repeal the Property Tax Relief for Low Income Circuit Breaker Program Ordinance

Ms. Gregg stated that she would be in objection of a motion moving the proposed ordinance amendments together as a group, rather than individually.

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the moving of the proposed ordinance amendments (#1, 2, 3, 4, 5, 6 and 8, omitting #7) to a second Public Hearing on March 24, 2014. Vote 4-1, Ms. Gregg against, motion passes.

2. Discussion and Possible Action on Placing the Potential Sale of the Hodgkin Parking Lot on the May Referendum and/or Negotiating with the Hodgkin Family

Ms. Andrews stated that in her discussion with the Hodgkin heirs, they told her that they would be willing to drop the selling price to \$300,000 with the stipulation that the Town pay the closing costs.

Moved by Ms. Andrews, seconded by Mr. Nowell to put the purchase of the Hodgkin Parking Lot on the Capital Improvement Plan, for \$300,000 with the caveat that the Town will pay the closing costs. Vote 2-3, Ms. Gregg, Mr. Macdonald and Mr. Fiorentino against, motion fails.

Town Manager Yandow noted that in discussing of cost for this item should also include the costs that will be incurred to build a road, of which has been determined to be in the neighborhood of an additional \$10,000.

Mr. Macdonald stated that he feels the purchase of the Hodgkin parking lot would only make sense if the Town were to be guaranteed to be able to expand Town Hall at its current location on the First Parish Church's property.

3. Discussion and Possible Action on Ownership of Beaches in the Town of York

Ms. Andrews voiced her concerns of the Board of Selectmen being governed by news papers articles and television cameras before the Board has had a chance to discuss issues together as a group.

Mr. Nowell stated that in his interviews and comments with the media regarding the ownership of the York beaches, he was simply exercising his rights with the first amendment of the United States Constitution. He stated that he put this item on the agenda only for discussion with the Board to see what direction they would like to go with it.

Mr. Macdonald suggested that the Board, discuss the issue on March 10, 2014 in Executive Session when the Town Attorney Mary Costigan will be present to discuss other issues.

Mr. Nowell called for a brief adjournment.

4. Discussion and Possible Action on Approval of Funding for Third Party Reviewers for Police Station Project

In a written communication with the Planning Board dated January 30, 2014 Lee Jay Feldman and Steve Bradstreet, the third party reviewers of the Police Station project, addressed a number of issues related to the sketch plan review on February 20, 2014. One of the issues addressed concerns funding for the payment of the third party review (outsourced technical assistance). According to the written communication, an amount of \$19,690 is required from the Town in order to compensate Mr. Feldman and Mr. Bradstreet for the outsourced technical assistance; the written communication indicated that "this project cannot proceed until that commitment has been made".

BOARD DISCUSSION

Moved by Ms. Andrews, seconded by Mr. Fiorentino to commit the amount of \$19,690 to be paid to the third party reviewers of the Police Station Project for outsourced technical assistance.

Moved by Ms. Gregg, seconded by Mr. Fiorentino to amend the motion to read: I move to commit the amount of \$19,690 to be paid out of Police Station Project Funds to the third party reviewers of the Police Station Project for outsourced technical assistance. Vote 3-2, motion passes.

Moved by Ms. Gregg, seconded by Mr. Fiorentino to commit the amount of \$19,690 to be paid out of the Police Station Project Funds to the third party reviewers of the Police Station Project for outsourced technical assistance. Vote 3-2, motion passes.

5. Discussion and Possible Action on the Drainage Easement at Short Sands Park and Williams A. Burnham Property

On October 3, 2013 the Board of Selectmen held a work session with the Ellis Park Trustees concerning the ownership of Penstock Road. At the end of the meeting it was determined that legal documents would be drawn up, which would document how the disputed ownership would be resolved. On February 5, 2014 Dennis Carrillo, attorney for Ellis Park and William Burnham, emailed the Town Attorney handling the matter, Durward Parkinson, a series of documents relating to the potential abandonment of Penstock Road and easements between the Town of York, William Burnham and Ellis Park Trustees.

Durward Parkinson has scheduled a conference call with Director of Public Works, Dean Lessard and Dennis Carrillo to discuss the documents and to ensure that the Town's interests are adequately represented in the final documents – This conference call is scheduled for Tuesday, February 25, 2014 at 10:00AM.

Mr. Fiorentino suggested that Mr. Nowell recuses himself on actions concerning the Drainage Easement with the Short Sands Park because he seems to be personally close with the owner of that property, Mr. Burnham and seems at times to be an advocate for them.

Moved by Mr. Fiorentino, seconded by Ms. Andrews to delay any action on the drainage easement at Short Sands Park and William A. Burnham's property until the lawyers have had their scheduled meeting to discuss the issue. Vote 5-0, motion passes.

6. Discussion and Possible Action on Release of Bond for Sparhawk Subdivision

All but \$40,000 of a guarantee between Turner Porter (Sparhawk Realty, LLC) and the Town of York was released in 2008. John Treat, who at the time performed inspections for the Town, recommended \$40,000 be retained to cover the outstanding items, all of which have been addressed in a letter from Mike Livingston titled, "Harbor Side Drive, York, Maine, February 2014".

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to authorize the release of the remaining \$40,000 of the original \$570,000 performance bond for Sparhawk subdivision because the improvements it was meant to guarantee have been completed in accordance with the approved plan. Vote 5-0, motion passes.

7. Property Redemption: 337 Long Sands Road, Unit 16

Moved by Ms. Gregg, seconded by Ms. Andrews to approve the redemption of Tax Map 0038-0015-0016; located at 337 Long Sands Road, Unit 16, as requested, subject to the attached conditions being met and that all taxes interest and administrative costs are paid in full by no later than April 25, 2014. Vote 5-0, motion passes.

8. Special Event Permit: Light the Night

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve the Special Event Permit application for the Leukemia and Lymphoma Society's "Light the Night Walk" on Saturday, September 24, 2014. Vote 5-0, motion passes.

L. Other Business

Ms. Andrews said that she received complaints about Town Employees parking in front of the Town Hall, making access to the Town Hall difficult for some citizens. Ms. Andrews also stated that she received comments from the public that it is too bad that the restaurant going in where Bosns' Landing was has to be under such a time crunch to meet a deadline from the Code Enforcement Office while other projects have several years to finish.

M. Citizens' Forum

Public Comment: Keith Bishop

Adjourn

Chairman Nowell adjourned the meeting at 10:30PM.

**BOARD OF SELECTMEN'S
MEETING MINUTES
8:30AM FRIDAY, FEBRUARY 28, 2014
YORK LIBRARY**

Present: Chairman Ronald Nowell, Vice Chairman Kinley Gregg, Mary Andrews, Torbert Macdonald, Town Manager Robert G. Yandow, State Traffic Engineer Steve Landry and members of the press and public.

Call to Order

Chairman Ronald Nowell called the meeting to order at 8:46AM.

A. New Business

1. Discussion with Maine Department of Transportation Regarding Possible Speed Limit Reduction on Route 1

State Traffic Engineer for the State of Maine Steve Landry came to this meeting to discuss with the Board of Selectmen the process for a possible speed limit change on Route One here in York. Mr. Landry explained that there is no difference in process to lower/increase the speed limit on a State road. After a formal request to review the speed limit has been received by the State, they will conduct an engineering study that involves 9 standard criteria. The State then will determine and post what they feel to be the proper speed limit for the studied area.

Public Comment: Betty Weaver

Adjourn

Chairman Nowell adjourned the meeting at 9:32AM.



PUBLIC HEARING NOTICE

April 14, 2014

7:00PM

York Public Library

The Selectmen will hold a Public Hearing on April 14, 2014 regarding a New Business License Application for the following:

- Mojo's BBA Shacks, LLC DBA: NoLita (Victualers/Liquor);
Located at 647 US Route One

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



Business Name No Lita
 Business Location 647 US Route 1, Unit 5 + 5A
York, Me 03909
 Telephone Number 207-745-1537
207-451-7132

OWNER'S Name and Mailing Address Maj's BBQ Sharks LLC
95 Brewery Ln, Unit 1
Portsmouth NH 03801

APPLICANT'S Name and Mailing Address Aaron Jones
95 Brewery Ln, Unit 1
Portsmouth, NH 03801

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
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: <u>91-8-W</u> License Year: <u>2014</u> No. Of Seats: <u>80</u> No. Of Parking Spaces: _____ New License (One Time \$30 Fee): <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO License Renewal: YES <input type="checkbox"/> <input checked="" type="checkbox"/> NO 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"/> <input checked="" type="checkbox"/> NO	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 _____
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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.

3/17/14
Date

Aaron Jones
Applicant's 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 Aaron Jones

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. \$130.00 RECEIPT NO. # _____ RECEIPT DATE 3/17/14 MI PM MM MS

mm



TOWN OF YORK, MAINE PUBLIC HEARING NOTICE

April 14, 2014

7:00 PM

York Library

The York Board of Selectmen will hold a Public Hearing
on April 14, 2014 regarding:

- May 2014 Local Liquor Option Special General Referendum Warrant



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 10, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Business License Applications (10)	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION: Approve all Business License Applications (10)
PROPOSED MOTION: I move to approve the following licenses: <ol style="list-style-type: none">1. Raymond Ramsey DBA: Anchorage Inn (Victualers, Liquor, Special Amusement, Hotel/Motel with Cooking Facilities); Located at 265 Long Beach Avenue2. Liberty North DBA: Candleshop Inn (Bed and Breakfast); Located at 44 Freeman Street3. Neddick Place LLC DBA: Neddick Place/Countryview (Bed and Breakfast, Hotel/Motel with Cooking Facilities); Located at 1521 US Route One4. Don and Erika Seydler DBA: Long Sands General Store (Victualers); Located at 121 Long Beach Avenue5. Mojo's BBQ Shacks LLC DBA: NoLita (Victualers, Liquor); Located at 647 US Route One6. Janet B. Stone DBA: Oceanside Store, Inc. (Victualers); Located at 179 Long Beach Avenue7. Jonathan King and Jim Stott DBA; Stonewall Kitchen (Victualers, Liquor); Located at 2 Stonewall Lane8. 150 US Route One LLC DBA: The York River House (Victualers, Liquor); Located at 150 US Route One9. Diana Hickey DBA: Windbreaker Restaurant (Victualers); Located at 243 Long Beach Avenue10. York Golf and Tennis DBA: York Golf and Tennis Club (Victualers, Liquor, Special Amusement); Located at 62 Organug Road

... subject to taxes, fees and inspections being current and compliant with the usual noise stipulations

Discussion: The following Business Licenses will not be released until I have received Fire Department sign offs: Oceanside Store, The York River House, NoLita, Neddick Place, Candleshop Inn and Anchorage Inn. Also, please note the Code "Approval with Conditions" for The York River House and NoLita.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared By:

Melissa A. Treef

Reviewed By:

Robert S. Gandon



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
Code Enforcement Officer

DATE: April 9, 2014

RE: **LICENSE INSPECTIONS AND RECOMMENDATIONS**

Based on my review, I recommend the following position on the licenses to be heard on April 14, 2014 .

ENDORSEMENTS

Raymond Ramsey

DBA: Anchorage Inn

Map/Lot: 0036-0096

Victualers; Liquor; Special Amusement;
Hotel/Motel with Cooking Facilities

Raymond Ramsey

P.O. Box 1329

York Beach, ME 03910

FACILITY

Restaurant/Cafe; Function Room;
Motel/Hotel - 48/170/5 Rooms

ZONE

RES - 7

USE

Conforming, Existing

RECOMMENDATION

Approval

Liberty North

DBA: Candleshop Inn

Map/Lot: 0023-0053

Bed and Breakfast

Barbara Sheff

40 Homestead Street

Waban, MA 02468

FACILITY

Bed & Breakfast - 10 Rooms

ZONE

RES - 6

USE

Conforming, Existing

RECOMMENDATION

Approval

Don & Erika Seydler
DBA: Long Sands General Store
Victualers

Map/Lot: 0031-0098

Don & Erika Seydler
P.O. Box 809
York Beach, ME 03910

FACILITY	Convenience Store
ZONE	RES - 7
USE	Conforming, Existing
RECOMMENDATION	Approval

Neddick Place LLC
DBA: Neddick Place/Country View
Hotel/Motel; Bed & Breakfast

Map/Lot: 0010-0008-0000

John & Michelle Cirrone
9 Robin Lane
Pepperell, MA 01463

FACILITY	Hotel/Motel; Bed & Breakfast - 5 Rooms
ZONE	RT 1 - 6
USE	Conforming, Existing
RECOMMENDATION	Approval

Mojo's BBQ Shacks, LLC
DBA: NoLita
Victualer/Liquor

Map/Lot: 0091-0008-W

Aaron Jones
95 Brewery Lane, Unit 1
Portsmouth, NH 03801

FACILITY	Restaurant - 80
ZONE	RT 1 - 3
USE	Conforming, Existing
RECOMMENDATION	Approval With Conditions

Janet Stone
DBA: Oceanside Store, Inc.
Victualers

Map/Lot: 0033-0152

Janet Stone
P.O. Box 1087
York Beach, ME 03910

FACILITY	Convenience Store
ZONE	RES - 7
USE	Conforming, Existing
RECOMMENDATION	Approval

Johnathan King & James Stott
DBA: Stonewall Kitchen
Victualers/Liquor

Map/Lot: 0042-0009-A

Johnathan King & James Stott
2 Stonewall Lane
York, ME 03909

FACILITY	Restaurant/Cooking School - 38/22
ZONE	RT 1 - 3
USE	Conforming, Existing
RECOMMENDATION	Approval

150 US Route One, LLC
DBA: The York River House, Inc.
Victualers/Liquor

Map/Lot: 0073-0014-A

150 US Route One, LLC
P.O. Box 216
New Durham, NH 03855

FACILITY	Restaurant - 247
ZONE	RT 1 - 2
USE	Conforming, New
RECOMMENDATION	Approval With Conditions

Diana Hickey
DBA: Windbreaker
Victualers

Map/Lot: 0033-0034

Diana Hickey
P.O. Box 572
York Harbor, ME 03911

FACILITY	Restaurant - 80
ZONE	RES - 7
USE	Conforming, Existing
RECOMMENDATION	Approval

York Golf and Tennis
DBA: York Golf and Tennis Club
Victualers/Liquor/Special Amusement

Map/Lot: 0061-0017

Gregg Lindsay, General Manager
62 Organug Road
York, ME 03909

FACILITY	Restaurant - 125
ZONE	RES - 1B
USE	Conforming, Existing
RECOMMENDATION	Approval

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



Business Name Anchorage Inn
 Business Location 265 Long Beach Ave.
York Beach, Me 03910
 Telephone Number 207-363-5112

OWNER'S Name and Mailing Address Raymond Ramsey
PO Box 1329
York Beach, ME 03910

APPLICANT'S Name and Mailing Address Sam

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use		
Building Structural		
Electrical	25 MARCH 14	K. Alwin
Plumbing		
Fire		
Tax Collector	3/27/2014	Szenkewski

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>3696</u> License Year: <u>2014</u> No. Of Seats: <u>48 Seat Cafe 170 Function Room</u> No. Of Parking Spaces: <u>700</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 _____ Hotel/Motel with Cooking Facilities: # of Rooms <u>5</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 checked="" 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 checked="" type="checkbox"/> Hotel/Motel with Cooking Facilities (\$25 Per Every 10 Rooms): Total <u>\$25</u>
--	---

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.

3/12/14
Date

Raymond Ramsey
Applicant's 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 Raymond A Ramsey

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. \$150.00 RECEIPT NO. #9882 RECEIPT DATE 3/27/14 MI PM MM MS
MMH

**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 5/11/14

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.) RAYMOND A RAMSEY DOB: 8/14/52			2. Business Name (D/B/A) ANCHORAGE INN OF YORK, INC		
DOB:					
DOB:			Location (Street Address) 265 LONG BEACH AVE		
Address SURF POINT ROAD			City/Town YORK BEACH	State ME	Zip Code 03910
PO BOX 1329			Mailing Address PO BOX 1329		
City/Town YORK BEACH	State ME	Zip Code 03910	City/Town YORK BEACH	State ME	Zip Code 03910
Telephone Number 207-363-5112		Fax Number 207-363-6753		Business Telephone Number 207-363-5112	
				Fax Number 207-363-6753	
Federal I.D. # 01-0368442			Seller Certificate # 5470		

3. If premises is a hotel, indicate number of rooms available for transient guests: 202

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

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: N/A

Requested inspection date: _____ Business hours: _____

9. Business records are located at: SURF POINT ROAD

10. Is/are applicants(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
RAYMOND A RAMSEY	8/14/52	ROCHESTER, NH

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

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: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) ANCHORAGE INN, INDOOR POOL, OUTDOOR POOL, ATRIUM, CONFERENCE ROOMS, OCEAN SUITES POOL AREA, CONCIERGE ROOM

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? TWO MILES Which of the above is nearest? SCHOOL

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: York Beach, Me. on March 12, 20 14
Town/City, State Date

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: _____, 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, c589, §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, c45, 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, c730, §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 pub-

Melissa M. Avery

From: Mary-Anne Szeniaawski
Sent: Thursday, March 27, 2014 3:41 PM
To: Melissa M. Avery
Subject: RE: Business License: Anchorage

Current

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

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From: Melissa M. Avery
Sent: Thursday, March 27, 2014 3:10 PM
To: Mary-Anne Szeniaawski; David K. Bridges; David Apgar
Subject: Business License: Anchorage

Attached is the Business License Application for the Anchorage, located at 265 Long Beach Avenue (0036-0096).

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



Business Name Liberty North dba Candleshop Inn
 Business Location 44 Erdeman St.
York Beach ME 03910
 Telephone Number 337-3227
207

OWNER'S Name and Mailing Address Barbara Sheff
40 Homestead St.
Waban, MA 02468

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		
Building Structural		
Electrical		
Plumbing		
Fire		
Tax Collector	2/14/2014	Szeniewski

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>0023-0053</u> License Year: <u>2014</u> No. Of Seats: _____ No. Of Parking Spaces: _____ 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>10</u> Hotel/Motel with Cooking Facilities: # of Rooms _____ Is Your Establishment Closed for More Than 120 Consecutive Days? YES <input type="checkbox"/> NO <input type="checkbox"/>	REQUESTING THE FOLLOWING LICENSES: <input 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 checked="" type="checkbox"/> Bed and Breakfast (\$10 Per Room): Total <u>\$100</u> <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 2/14/14

Applicant's Signature Barbara Sheff

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 Barbara Sheff

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. \$100.00 RECEIPT NO. #3170 RECEIPT DATE 2/13/14 MI PM MM MS
mm

Melissa M. Avery

From: Mary-Anne Szeniaawski
Sent: Friday, February 14, 2014 3:04 PM
To: Melissa M. Avery
Subject: RE: Business License: Candleshop Inn

Current

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

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From: Melissa M. Avery
Sent: Thursday, February 13, 2014 2:40 PM
To: Mary-Anne Szeniaawski; David K. Bridges; David Apgar
Subject: Business License: Candleshop Inn

Attached is the Business License application for Candleshop Inn, located at 44 Freeman Street (0023-0053).

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



Business Name Neddick Place /Countryview
 Business Location 1521 US RT 1
CARE NEDDICK ME
 Telephone Number 508-450-4468

OWNER'S Name and Mailing Address Neddick Place LLC
John Ciorone
205 High Street Dunstable MA 01827

APPLICANT'S Name and Mailing Address John Ciorone
205 High Street
Dunstable MA 01827

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use	7 APRIL 14	[Signature]
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>0010-0008</u> License Year: <u>2014</u> No. Of Seats: _____ No. Of Parking Spaces: _____ 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>5</u> Hotel/Motel with Cooking Facilities: # of Rooms <u>5</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 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): <u>5</u> Bed and Breakfast (\$10 Per Room): Total <u>\$50</u> <u>5</u> Hotel/Motel with Cooking Facilities (\$25 Per Every 10 Rooms): Total <u>\$125</u>
---	---

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.

3-24-14
Date

[Signature]
Applicant's 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. \$175.00 RECEIPT NO. #1051 RECEIPT DATE 3/25/14 MI PM MM MS

[Signature]

Melissa M. Avery

From: Mary-Anne Szeniaowski
Sent: Tuesday, March 25, 2014 1:45 PM
To: Melissa M. Avery
Subject: RE: Neddick Place

current

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

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From: Melissa M. Avery
Sent: Tuesday, March 25, 2014 1:04 PM
To: Mary-Anne Szeniaowski; David K. Bridges
Subject: Neddick Place

Attached is the Business License Application for Neddick Place, located at 1521 US Route One (0010-0008).

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



Business Name Lane Sands General Store
 Business Location 121 Lane Sands Hgway
York ME 03909
 Telephone Number 207 363 5383

OWNER'S Name and Mailing Address Don & Erika Segaller
PO Box 209
York Beach ME 03910

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		
Building Structural		
Electrical	<u>4/12-1/11</u>	<u>AKH</u>
Plumbing		
Fire	<u>3/17/2014</u>	<u>Bridges</u>
Tax Collector	<u>3/17/2014</u>	<u>Szenawski</u>

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: 0031-0098
 License Year: 2014
 No. Of Seats: _____
 No. Of Parking Spaces: 0
 New License (One Time \$30 Fee): YES NO
 License Renewal: YES 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

REQUESTING THE FOLLOWING LICENSES:

\$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

I certify the above statements are true and understand false statements may be cause to revoke a license.
3-10-14 Date [Signature] Applicant's 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. \$75.00 RECEIPT NO. #8823 RECEIPT DATE 3/14/14 MI PM MM MS

mmk

Melissa M. Avery

From: Mary-Anne Szeniaewski
Sent: Monday, March 17, 2014 9:27 AM
To: Melissa M. Avery
Subject: RE: Business License: Long Sands General Store

Current with taxes

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: Monday, March 17, 2014 8:37 AM
To: Mary-Anne Szeniaewski; David K. Bridges; David Apgar
Subject: Business License: Long Sands General Store

Attached is the Business License Application for the Long Sands General Store, located at 121 Long Beach Avenue (0031-0098).

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: Monday, March 17, 2014 11:22 AM
To: Melissa M. Avery
Cc: David K. Bridges
Subject: Re: Business License: Long Sands General Store

Yes you can grant their license.

Sent from my iPhone. Dave

On Mar 17, 2014, at 8:36 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

Attached is the Business License Application for the Long Sands General Store, located at 121 Long Beach Avenue (0031-0098).

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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<Long Sands General Store.pdf>

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



Business Name No Lita
 Business Location 147 US Route 1, Unit 5 + 5A
York, Me 03909
 Telephone Number 203-765-1537
207-451-7132

OWNER'S Name and Mailing Address Moj's BBQ Shacks LLC
95 Brewery Ln, Unit 1
Portsmouth NH 03801

APPLICANT'S Name and Mailing Address Aaron Jones
95 Brewery Ln, Unit 1
Portsmouth, NH 03801

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use		(See att memo) 4/18/14 H/1/14
Building Structural		
Electrical		
Plumbing		
Fire		
Tax Collector	4/10/2014	

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: 91-8-W
 License Year: 2014
 No. Of Seats: 80
 No. Of Parking Spaces: _____
 New License (One Time \$30 Fee): YES NO
 License Renewal: YES 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

REQUESTING THE FOLLOWING LICENSES:
 \$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

I certify the above statements are true and understand false statements may be cause to revoke a license.
3/17/14 Date Aaron Jones Applicant's 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 Aaron Jones 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. \$130.00 RECEIPT NO. #4285 RECEIPT DATE 3/17/14 MI PM MM MS
mm



Town of York

186 York Street
York, Maine 03909-1314

MEMO

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

CC: Community Development Staff

FROM: Amber L. Harrison, CEO

DATE: April 8, 2014

RE: 647 US Route 1, unit 5 & 5a (Map 91 Lot 8-W)

The purpose of this memo is to evaluate the status of current permits, licenses and permitted uses at 647 US Route 1, unit 5 & 5a (M91 L8-W). Likewise, I wish to detail any remedial action necessary to attain compliance or conditions to be placed upon the approval of certain permits and/or licenses.

On April 1st, 2014, a Use permit was issued to Mojo's BBQ! Shacks L.L.C., D.B.A. NoLita D.B.A. The proposed use is for an Italian restaurant/lounge of roughly 1800 square feet total and to be located in Unit 5 and 5A at Meadowbrook Plaza. No building permit was issued as only plumbing and electrical work was needed. A State Electrical permit has been pulled by a Maine licensed Master Electrician. A plumbing permit will be pulled by a Maine licensed plumber for the kitchen remodel. On April 7th, 2014, a Victualers/Liquor license inspection occurred in conjunction with the local Fire Inspector. Suppression system hardware will need to be installed (i.e. new fire extinguishers, push-bar doors, etc.), prior to occupancy. Upon the completion and passing of the State Electrical and plumbing inspections, and installation of the aforementioned fire suppression hardware, NoLita's will be eligible for occupancy. To ensure the timeliness of all permits and licenses, it is my recommendation to the Board of Selectmen that NoLita's Victualers/Liquor license be approved with the condition that it becomes effective upon satisfactory sign-off during the final inspections. The final inspection walk-thru will be performed by the CEO in conjunction with the local Fire Chief. If you have any other concerns or questions please contact the Code Enforcement Office at 363-1002.

Amber L. Harrison, CEO

**Department of Public Safety
Division**



Liquor Licensing & Inspection

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.

<u>BUREAU USE ONLY</u>
License No. Assigned:
Class:
Deposit Date:
Amt. Deposited:

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> 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.) Aaron Jones DOB: 7/15/72	2. Business Name (D/B/A) Mojos BBQ Shacks, LLC D/B/A NoLita
DOB:	DOB:
DOB:	Location (Street Address) 647 US Route 1, Unit 5+5A
Address 579 Sagemore Ave, #86	City/Town York State ME Zip Code 03909
	Mailing Address 95 Brewery Ln, Unit 2
City/Town Portsmouth State NH Zip Code 03801	City/Town Portsmouth State NH Zip Code 03801
Telephone Number 603-765-1537 Fax Number	Business Telephone Number don't have yet (use 603-436-6656) Fax Number
Federal I.D. # 26-1600716	Seller Certificate #

3. If premises are a hotel, indicate number of rooms available for transient guests: NA
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,if YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: Braudon Artz
8. If business is NEW or under new ownership, indicate starting date: 5/1/14
Requested inspection date: 4/14/14 Business hours: 11am - 1am
9. Business records are located at: 95 Brewery Ln, Unit 2, Portsmouth, NH 03801
10. Is/are applicants(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
Aaron Jones	11/15/12	Portsmouth, NH
Brandon Artz	4/3/82	Troy, OH

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

Jones - Portsmouth, NH
 Artz - Troy, OH Tipp City, OH

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: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) restaurant-lounge

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
 YES NO Applied for: 311314

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? 2 miles 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: Portsmouth NH on March 14, 2014
Town/City, State Date

Aaron Jones Please sign in blue ink
 Signature of Applicant or Corporate Officer(s) Signature of Applicant or Corporate Officer(s)

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: _____, 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 herby 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.
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.
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. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, 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, c730, §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.
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. 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.

STATE OF MAINE
 Liquor Licensing & Inspection Unit
 164 State House Station
 Augusta, Maine 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: Mojo's BBQ Stacks LLC
 Business D/B/A Name: NoLita
2. Date of Incorporation: 12/19/2007
3. State in which you are incorporated: New Hampshire
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: Applied for
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Aaron Jones	579 Sagamore Ave, Portsmouth, NH	11/15/72	100	Manager
	79 Old Dennett Rd, Kittery, ME			
	812 Portsmouth Ave, Greenland, NH			
	2021 Lafayette Rd, Portsmouth, NH			

6. What is the amount of authorized stock? NA Outstanding Stock? NA
7. Is any principal officer of the corporation a law enforcement official? () YES (X) NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (X) NO.
9. If yes, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ City/Town On: _____ Date

 Signature of Duly Authorized Officer Date: 3/14/14
 Aaron Jones
 Print Name of Duly Authorized Officer

Melissa M. Avery

From: Mary-Anne Szeniaewski
Sent: Thursday, April 10, 2014 9:29 AM
To: Melissa M. Avery
Subject: RE: NEW Business License: NoLita

Correct, nothing owed on new business

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: Thursday, April 10, 2014 8:08 AM
To: Mary-Anne Szeniaewski; David Apgar
Subject: FW: NEW Business License: NoLita

Good Morning,

Dave, have you done an inspection at NoLita in Meadowbrook Plaza?

Mary-Anne, I assume where it is a new business, there is nothing owed to you, correct?

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.

From: Melissa M. Avery
Sent: Monday, March 17, 2014 10:32 AM
To: Mary-Anne Szeniaewski; David Apgar
Subject: NEW Business License: NoLita

Attached is a NEW Business License Application for NoLita, located at 647 US Route One, Unit 5 and 5A (0091-0008-W).

Thank you!
Missy

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



Business Name OCEANSIDE STORE INC.
 Business Location 179 LONG BEACH AVE.

Telephone Number 207-963-7947 SEASONAL

OWNER'S Name and Mailing Address 860-465-7949-CELL
JANET B. STONE
P.O. BOX 1087
YORK BEACH, ME 03910

APPLICANT'S Name and Mailing Address SAME

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use		
Building Structural		
Electrical		
Plumbing		
Fire		
Tax Collector	3/27/2014	Szonawski

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>0033-0152</u> License Year: <u>2014</u> No. Of Seats: <u>0</u> No. Of Parking Spaces: _____ 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 3/24/14 Applicant's Signature Janet B. Stone

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 Janet B. Stone 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. #757 RECEIPT DATE 3/27/14 MI PM MM MS
 mma

Melissa M. Avery

From: Mary-Anne Szeniaewski
Sent: Thursday, March 27, 2014 3:42 PM
To: Melissa M. Avery
Subject: RE: Business Licnese: Oceanside Store

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: Thursday, March 27, 2014 3:11 PM
To: Mary-Anne Szeniaewski; David K. Bridges
Subject: Business Licnese: Oceanside Store

Attached is the Business License for the Oceanside Store, located at 179 Long Beach Avenue (0033-0152).

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



Business Name Stonewall Kitchen
 Business Location 2 Stonewall Ln
York
 Telephone Number 207-351-2713

OWNER'S Name and Mailing Address Jonathan King / Jim Stott
Same

APPLICANT'S Name and Mailing Address Same

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use		
Building Structural		
Electrical		
Plumbing		
Fire	3/24/2014	Apger
Tax Collector	3/7/2014	Szeniewski

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>48/21</u> License Year: <u>2014</u> No. Of Seats: <u>See attached. 60 seats</u> No. Of Parking Spaces: _____ 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 3/5/14 Applicant's Signature Jonathan King

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 Jonathan King 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. \$100.00 RECEIPT NO. 120801 RECEIPT DATE 3/6/14 MI PM MM MS
MMMA

**Department of Public Safety
Division**



Liquor Licensing & Inspection

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.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES 6/17/14

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|---|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> 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.)			2. Business Name (D/B/A)		
Jonathan King DOB: 3/13/65			Stonewall Kitchen, LLC		
Jim Stott DOB: 7/25/53			Same		
DOB:			Location (Street Address)		
Address			Same		
2 Stonewall La.			City/Town State Zip Code		
City/Town State Zip Code			Mailing Address		
York ME 03909			City/Town State Zip Code		
Telephone Number Fax Number			Business Telephone Number Fax Number		
207-351-2713 207-351-2715			Same		
Federal I.D. #			Seller Certificate #		
010544070					

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ See attached LIQUOR \$ See attached
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: Cafe - Liz Fabale, Cooking School Mgr. - Kate Limber
8. If business is NEW or under new ownership, indicate starting date: _____
- Requested inspection date: _____ Business hours: _____
9. Business records are located at: 2 Stonewall La., York, ME 03909
10. Is/are applicants(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
Jonathan King	3/3/65	Woburn, MA.
Jim Stott	7/25/53	Methuen, MA.

Residence address on all of the above for previous 5 years (Limit answer to city & state)
York, ME 03902

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 this is renewal

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) See attached

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 mi. Which of the above is nearest? Church, school

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: Bank Financing

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: York Me. on Feb 28th, 20 14
Town/City, State Date

Please sign in blue ink

x Jonathan King
Signature of Applicant or Corporate Officer(s)
Jonathan King

Signature of Applicant or Corporate Officer(s)

PREMISE DIAGRAM

See attached

2013

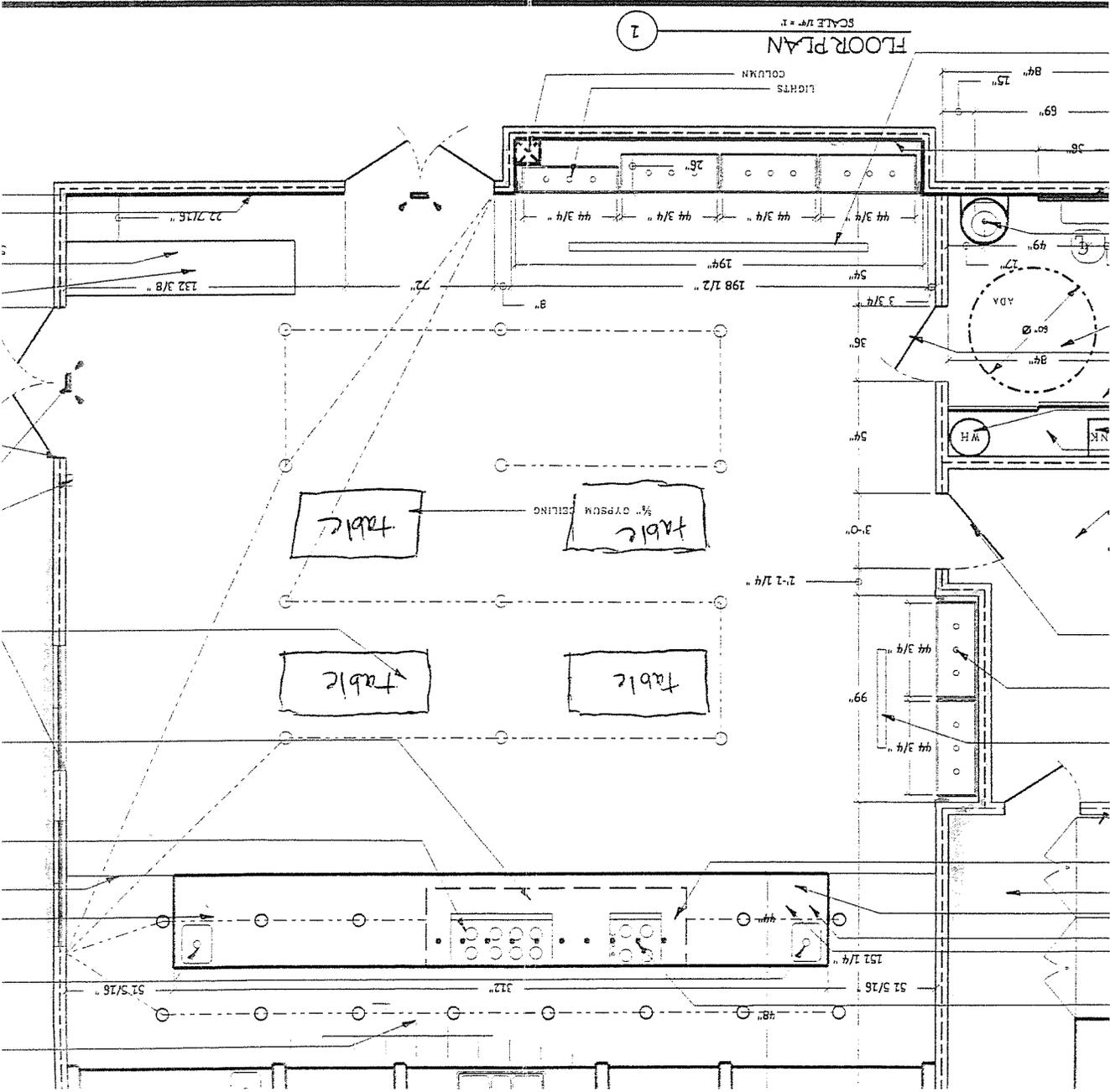
Food Sales: \$1,625,724

Liquor Sales: \$51,884

FLOOR PLAN

SCALE 1/4" = 1'

1



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
Liquor Licensing & Inspection Unit
 164 State House Station
 Augusta, Maine 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: Stonewall Kitchen, LLC
 Business D/B/A Name: Stonewall Kitchen
2. Date of Incorporation: 1993
3. State in which you are incorporated: Maine
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Jonathan King	2 Stonewall Ln, York, ME	3-3-65	100%	President
Jim Stott	2 Stonewall Ln, York, ME	7-25-53	100%	Principle

6. What is the amount of authorized stock? _____ Outstanding Stock? _____
7. Is any principal officer of the corporation a law enforcement official? () YES () NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES () NO.
9. If yes, please complete the following: Name: _____
 Date of Conviction: _____ Offense: _____
 Location: _____ Disposition: _____
 Dated at: _____ City/Town On: _____ Date

x Jonathan King Date: 3/5/14
 Signature of Duly Authorized Officer
Jonathan King
 Print Name of Duly Authorized Officer

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: _____, 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, c589, §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, c45, 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, c730, §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 licensure 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. 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.

Melissa M. Avery

From: David Apgar
Sent: Monday, March 24, 2014 8:20 PM
To: Melissa M. Avery
Subject: Inspection Completed - Stonewall Kitchen

Follow Up Flag: Follow up
Flag Status: Completed

Hi Missy,

I have completed a fire inspection at Stonewall Kitchen. Please proceed with their license renewal .

Thank you,

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

Issues: none

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Melissa M. Avery

From: Mary-Anne Szeniaowski
Sent: Friday, March 07, 2014 10:21 AM
To: Melissa M. Avery
Subject: RE: Business License: Stonewall Kitchen

Current

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

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From: Melissa M. Avery
Sent: Friday, March 07, 2014 9:40 AM
To: Mary-Anne Szeniaowski; David K. Bridges; David Apgar
Subject: Business License: Stonewall Kitchen

Attached is the Business License Application for Stonewall Kitchen, located at 2 Stonewall Lane (0048-0021).

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



Business Name The York River House Inc.
 Business Location 150 U.S. Rt 1 York Me
 Telephone Number 603 817 8625

OWNER'S Name and Mailing Address 150 U.S. Route One Wk.
P.O. Box 216
New Durham NH 03855

APPLICANT'S Name and Mailing Address Kenneth West
216 Goodwin Rd
York, Me 03903

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use		
Building Structural		
Electrical		
Plumbing		
Fire		
Tax Collector	<u>2/24/2014</u>	<u>Szenawski</u>

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>0073-0014-A</u> License Year: <u>2014</u> No. Of Seats: <u>277</u> No. Of Parking Spaces: _____ New License (One Time \$30 Fee): YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> License Renewal: YES <input type="checkbox"/> NO <input checked="" 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.

2/12/14
Date

[Signature]
Applicant's 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 MRS Chapter 3811 through 3814

AMT. RECD. 130.00 RECEIPT NO. #11601 RECEIPT DATE 2/24/14 MI PM MM MS

[Signature]



Town of York

186 York Street
York, Maine 03909-1314

MEMO

TO: Board of Selectmen
CC: Community Development Staff
FROM: Amber L. Harrison, CEO
DATE: April 1, 2014
RE: 150 US Route 1 (Map 73 Lot 14-A)

The purpose of this memo is to evaluate the status of current permits, licenses and permitted uses at 150 US Route 1 (M73 L14-A). Likewise, I wish to detail any remedial action necessary to attain compliance or conditions to be placed upon the approval of certain permits and/or licenses.

On February 11, 2014 a building permit was issued to Tom Hammer Construction LLC for the interior and exterior remodel of the former Bosn's Landing (now to be referred to as The York River House). Structural engineering inspections and reports have been provided by Civil Consultants. A State Electrical permit has been pulled by a Maine licensed Master Electrician. Confirmation from the State Fire Marshall's Office has been received regarding Life Safety standards, i.e. sprinkler and fire alarm systems. A separate plumbing permit has been issued to a Maine licensed plumber and two plumbing inspections have been completed satisfactorily. Framing and Insulation inspections have been completed satisfactorily as has the preliminary chimney inspection. A Victualers/Liquor License inspection occurred on Monday, March 31st. At that time there was no expansion to the seating requested on the Business License Application (247 seats). ADA compliant parking spots and a ramp will be inspected during the final inspection. The submitted site plan includes the required parking amounts and sizing (84 spots for patrons; 15 spots for employees). The final inspection of The York River House will include a review of the plumbing, chimney and all remaining work. Upon the completion and passing of the final inspection, The York River House will be eligible for occupancy.

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

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



Town of York

186 York Street
York, Maine 03909-1314

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

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(207)363-1007

Assessor
(207)363-1005

Police Department
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(207)363-2557

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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 ensure the timeliness of all permits and licenses, it is my recommendation to the Board of Selectmen that The York River House's Victualers/Liquor license be approved with the condition that it becomes effective upon satisfactory sign-off during the final inspection. The final inspection walk-thru will be performed by the CEO in conjunction with the local Fire Chief. If you have any other concerns or questions please contact the Code Enforcement Office at 363-1002.

Amber L. Harrison

Code Enforcement Officer

**Department of Public Safety
Division**

Liquor Licensing & Inspection



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.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> 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>The York River House Inc</u> DOB:	2. Business Name (D/B/A) <u>The York River House</u>		
DOB:			
DOB:	Location (Street Address) <u>150 U.S. Route One</u>		
Address <u>150 U.S. Route One</u>	City/Town <u>York</u>	State <u>Me</u>	Zip Code <u>03907</u>
	Mailing Address <u>P.O. 216</u>		
City/Town <u>York</u>	State <u>Me</u>	Zip Code <u>03909</u>	City/Town <u>New Durham</u>
			State <u>NH</u>
			Zip Code <u>03855</u>
Telephone Number <u>603-701-2020</u>	Fax Number	Business Telephone Number <u>603-701-2020</u>	Fax Number
Federal I.D. # <u>46-4627259</u>	Seller Certificate #		

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
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: 4/26/14
Requested inspection date: _____ Business hours: 11:00 - 10:00
9. Business records are located at: 69 Rt 11 New Durham NH, and 150 U.S. Route 1 York Me
10. Is/are applicants(s) citizens of the United States? YES NO

STATE OF MAINE
Liquor Licensing & Inspection Unit
 164 State House Station
 Augusta, Maine 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: The York River House Inc.
 Business D/B/A Name: The York River House
2. Date of Incorporation: 1/16/2014
3. State in which you are incorporated: Maine
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Kenneth West	216 Goodwin Rd. Ellet, Me	9/17/65	50	President
Jeffrey Feeney	James Pond Rd. Northwood N.H.	10/17/63	50	Vice president

6. What is the amount of authorized stock? 1000 Shares Outstanding Stock? 200 Shares 100 each
7. Is any principal officer of the corporation a law enforcement official? () YES (X) NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (X) NO.
9. If yes, please complete the following: Name: _____
 Date of Conviction: _____ Offense: _____
 Location: _____ Disposition: _____
 Dated at: _____ City/Town _____ On: _____ Date _____

Signature of Duly Authorized Officer:  Date: 2/24/14
 Print Name of Duly Authorized Officer: Kenneth West

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
Kenneth P West	9/17/65	Manchester N.H.
Jeffery S Fenerty	10/17/63	Exeter N.H.

Residence address on all of the above for previous 5 years (Limit answer to city & state)
Eliot, Me - Ken West
Northwood, NH - Jeff Fenerty

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 Fenwest Inc. North Berwick, Me.

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Family Restaurant

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 miles Which of the above, is nearest? School

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: Centron Bank, S.B.A.

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: York, Me on 2/13, 2014

Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Print Name

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: _____, 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 licensure 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. 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.

PREMISE DIAGRAM

Melissa M. Avery

From: Mary-Anne Szeniaewski
Sent: Monday, February 24, 2014 3:16 PM
To: Melissa M. Avery
Subject: RE: New Business License: The York River House

Since it's new, nothing owed me.

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: Monday, February 24, 2014 1:07 PM
To: Mary-Anne Szeniaewski; David K. Bridges; David Apgar
Subject: New Business License: The York River House

Attached is the Business License Application for a new business; The York River House, located at 150 US Route One (0073-0014-A). They are scheduled to open the end of April.

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



Business Name WINDBREAKER RESTAURANT
 Business Location 243 LONG BEACH AVE
YORK BEACH, ME 03910
 Telephone Number 207-363-3807

OWNER'S Name and Mailing Address DIANA HICKEY
PO BOX 572
YORK HARBOR, ME
03911

APPLICANT'S Name and Mailing Address Diana Hickey
PO BOX 572
YORK HARBOR, ME

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use		
Building Structural		
Electrical		
Plumbing	26 MARCH 14	K. Aronson
Fire	3/17/2014	Bridges
Tax Collector	3/17/2014	Szeniaowski

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: 33/34
 License Year: 2014
 No. Of Seats: 80
 No. Of Parking Spaces: 60

New License (One Time \$30 Fee): YES NO

License Renewal: YES NO

Bed and Breakfast License: # of Rooms 0

Hotel/Motel with Cooking Facilities: # of Rooms 0

Is Your Establishment Closed for More Than 120 Consecutive Days? YES NO

REQUESTING THE FOLLOWING LICENSES:

\$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

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

3/12/2014
 Date

Diana Hickey
 Applicant's 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 Diana Hickey

Business Manager Signature (If Applicable) _____

 Date

 Town Manager for the Board of Selectmen

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

AMT. RECD. \$75.00 RECEIPT NO. #551 RECEIPT DATE 3/14/14 MI PM MM MS

mma

Melissa M. Avery

From: Mary-Anne Szeniaawski
Sent: Monday, March 17, 2014 9:26 AM
To: Melissa M. Avery
Subject: RE: Business License: Windbreaker Restaurant

Current

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

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From: Melissa M. Avery
Sent: Monday, March 17, 2014 8:35 AM
To: Mary-Anne Szeniaawski; David K. Bridges; David Apgar
Subject: Business License: Windbreaker Restaurant

Attached is the Business License Application for the Windbreaker Restaurant, located at 243 Long Beach Avenue (0033-0034).

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: Monday, March 17, 2014 11:23 AM
To: Melissa M. Avery
Cc: David K. Bridges
Subject: Re: Business License: Windbreaker Restaurant

Yes you can grant their license.

Sent from my iPhone. Dave

On Mar 17, 2014, at 8:35 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

Attached is the Business License Application for the Windbreaker Restaurant, located at 243 Long Beach Avenue (0033-0034).

Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

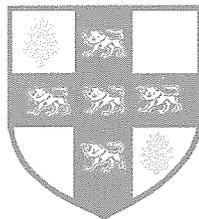
Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000 - Fax: (207) 363-1019

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YORK GOLF AND TENNIS CLUB

62 ORGANUG ROAD
YORK, ME 03909-1307
TEL. 207-363-0130
FAX 207-363-0132

York Town Hall
186 York St
York, Maine 03909

March 17, 2014

To Whom It May Concern:

Please be advised that there has been a change of management at York Golf and Tennis Club. The new manager's name is Gregg Lindsay. The ownership and governance of the club remain the same.

Thank you,

A handwritten signature in black ink, appearing to read "Gregg Lindsay". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gregg Lindsay
Club Manager
York Golf and Tennis

**Department of Public Safety
Division**

Liquor Licensing & Inspection



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.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES 4/21/14

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|---|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input checked="" type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> 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.)	2. Business Name (D/B/A)		
DOB:	York Golf & Tennis Club		
DOB:			
DOB:	Location (Street Address)		
Address	62 Organug Road		
	City/Town	State	Zip Code
	York	ME	03909
City/Town	Mailing Address		
	State	Zip Code	
	ME	03902	
Telephone Number	Fax Number	Business Telephone Number	Fax Number
		207 363-0130	363-0132
Federal I.D. #	Seller Certificate #		
	13361		

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 282,000 LIQUOR \$ 132,000
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: Gregg Lindsay
8. If business is NEW or under new ownership, indicate starting date: _____
- Requested inspection date: _____ Business hours: _____
9. Business records are located at: Club House Business Office
10. Is/are applicants(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
Gregg Lindsay	3-17-72	Boston, MA

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

44 Winsor Lane Topsfield, MA 01983

17 Beacon St Beverly, MA 01915

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: _____
York Country Club / York Golf and Tennis Club

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Private Golf and Tennis Club - Clubhouse / Deck / Patio

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? 1900' Which of the above is nearest? School

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: York, Maine on 2-12-14, 20 14
Town/City, State Date

Signature of Applicant or Corporate Officer(s)
Gregg Lindsay

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)
Gregg Lindsay

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: _____, 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, c730, §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 licensure 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. 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.

STATE OF MAINE
Liquor Licensing & Inspection Unit
 164 State House Station
 Augusta, Maine 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: York Golf and Tennis Club

Business D/B/A Name: _____

2. Date of Incorporation: 4-26-43

3. State in which you are incorporated: Maine

4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Dean Hawkins	4 Cedar Hill Meadow, York			President
Gregory Villa	33 Candlewood Dr, York ME			V. President
Mark Foster				
Carla Robinson	4 Stevenson Rd, Kittery, ME			Treasurer
Fran Phillips	140 Buttrick Rd, York ME			Secretary

6. What is the amount of authorized stock? — Outstanding Stock? _____

7. Is any principal officer of the corporation a law enforcement official? () YES () NO

8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES () NO.

9. If yes, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ City/Town On: _____ Date

Y Douglas Hawkins Date: 3/7/14
 Signature of Duly Authorized Officer

Y Douglas Hawkins
 Print Name of Duly Authorized Officer

STATE OF MAINE
Liquor Licensing & Inspection Unit
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CLUB APPLICANTS

1. Exact Club Name: York Golf and Tennis Club

2. Title, name, birth date and telephone number of each principal officer of the club:

Title	Name	Birth Date	Telephone #
President	Doug Hawkins	4-13-58	363 0130
Vice President	Gregory Villa		363 0170
Treasurer	Carle Robinson		
Secretary	Fran Phillips	6-9-54	363 0130

3. Date Club was incorporated: 4-26-43

4. Purpose of Club: () Social () Recreational () Patriotic () Fraternal

5. Date regular meetings are held: Second Tuesday of each Month

6. Date of election of Club Officers: August

7. Date elected officers are installed: September

8. Total Membership: 700 Annual Dues: 1,500,000 Payable When: April 1

9. Does the Club cater to the public or to groups of non-members on the premises? () YES () NO

10. Excluding salaries, will any person other than the Club, receive any of the financial profits from the sale of liquor?

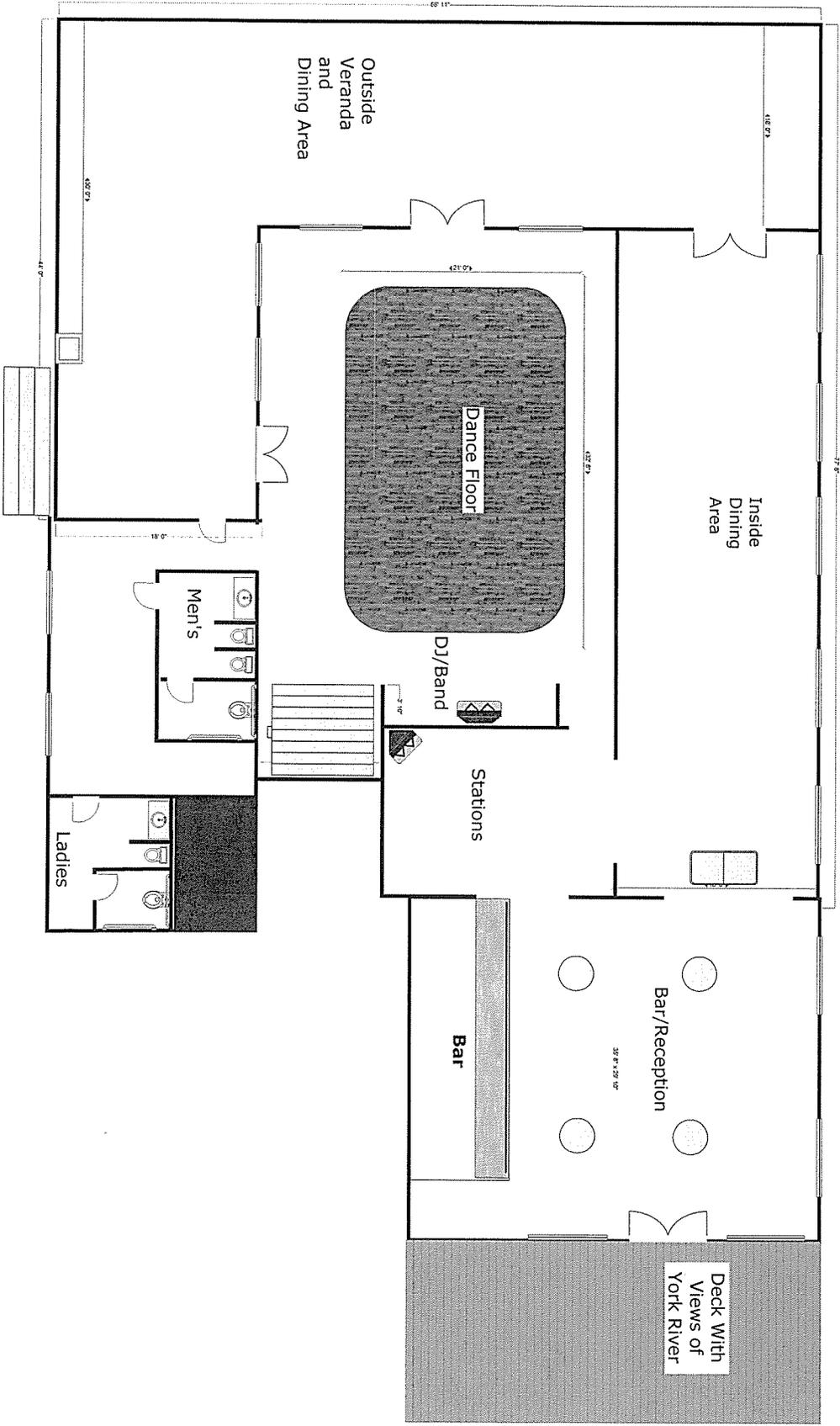
() YES () NO

11. If a manager or steward is employed, complete the following:

Name: Gregory Lindsay Date of Birth: 3-17-72

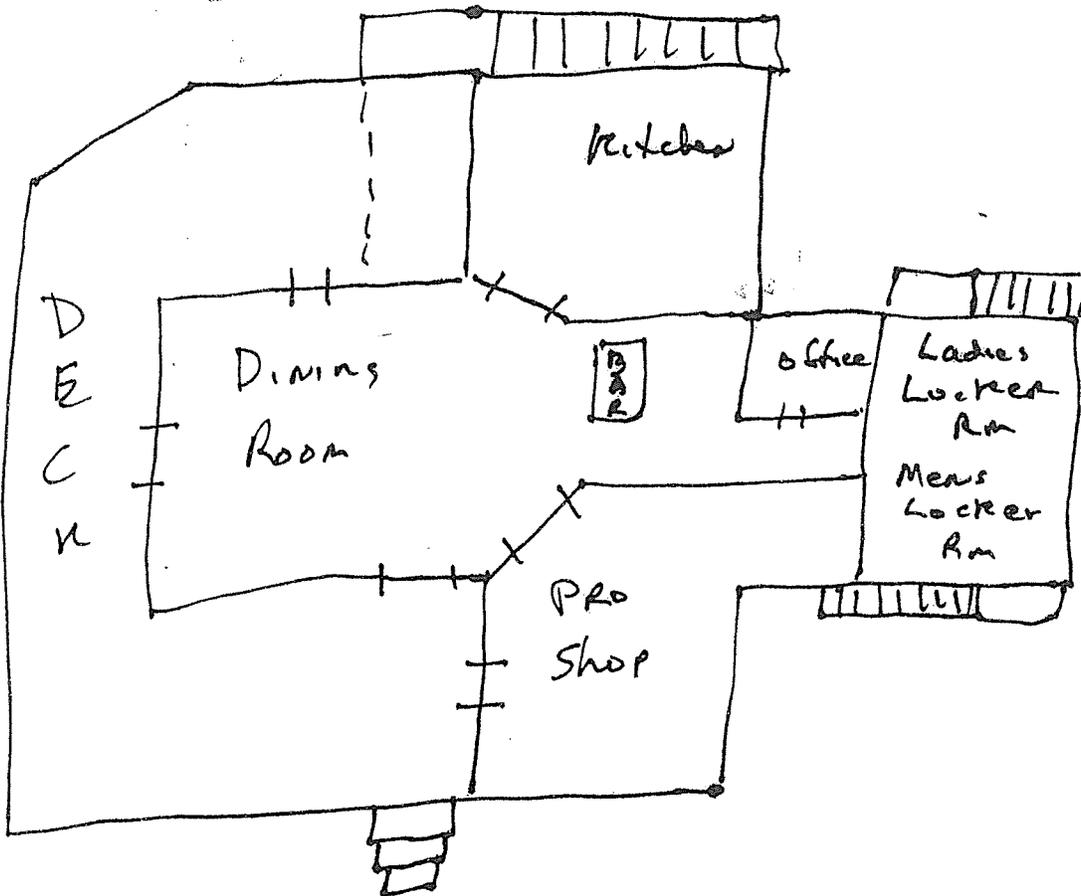
Doug Hawkins President
Signature and Title of Club Officer

Douglas Hawkins President
Print Name and Title of Club Officer



PREMISE DIAGRAM

CLUBHOUSE



Melissa M. Avery

From: Mary-Anne Szeniaowski
Sent: Monday, March 24, 2014 8:22 AM
To: Melissa M. Avery
Subject: RE: Business License: York Golf and Tennis Club

Current

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

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From: Melissa M. Avery
Sent: Wednesday, March 19, 2014 3:58 PM
To: Mary-Anne Szeniaowski; David Apgar; David K. Bridges
Subject: Business License: York Golf and Tennis Club

Attached is the Business License Application for York Golf and Tennis Club, located at 62 Organug Road (0061-0017).

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 Apgar
Sent: Friday, April 04, 2014 5:05 PM
To: Melissa M. Avery
Subject: Inspection Completed - York Golf & Tennis

Hi Missy,

I have completed a fire inspection at the York Golf and Tennis Club. Please proceed with their license renewal .

Thank you,

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

Issues: All Emergency lights and extinguishing systems are due for inspection at the end of April. These inspections will be scheduled this week to be completed by April 22. I will revisit at the club at that time. There is no reason to hold their renewal process up.

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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 8, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Sewer Extension – Main Street	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Community Development Director
RECOMMENDATION: I recommend the Board make the necessary assurances to the York Sewer District to accommodate this sewer extension.
PROPOSED MOTION: I move to provide written assurances to the York Sewer District for the extension 58 and 60 Main Street.

Discussion: See attached memo to the Town Manager dated April 8, 2014.

Prepared By: _____

Reviewed By: _____



MEMO

TO: Rob Yandow, Town Manager
FROM: Stephen H. Burns, Community Development Director
DATE: April 8, 2014
RE: Sewer Extension – 58 and 60 Main Street.

SHB

In reference to the York Sewer District's March 25th request to review the proposed sewer extension to serve a single-family dwelling and a duplex located at 58 and 60 Main Street in York Beach, the Town is required to respond in writing to provide the necessary statutory assurances that the proposed sewer extension and the property served are in full compliance with York plans and ordinances. I find this proposed sewer extension fully complies and recommend the Board provide the requisite assurances to the York Sewer District.

Per MRSA Title 38 §1252.7(A), the Town is required to certify within 45 days that the properties served and the sewer extension itself are in compliance with the Town's land use regulations and plans. The statute reads as follows:

A sewer district may not construct any sewer extension unless it acquires from the municipal officers or the designee of the municipal officers of any municipality through which the sewer extension will pass written assurance that:

- (1) *Any development, lot or unit intended to be served by the sewer extension is in conformity with any adopted municipal plans and ordinances regulating land use; and*
- (2) *The sewer extension is consistent with adopted municipal plans and ordinances regulating land use.*

Compliance of Properties To Be Served

With regard to the Comprehensive Plan, the homes are in Future Land Use Area #3 – an area predominantly comprised of single-family homes. There is no question about consistency of these homes with the Plan.

With regard to Town ordinances, review of the Town building files shows both properties are in compliance. No code issues.

Compliance of Sewer Extension

Per the Comprehensive Plan, this sewer extension is located within the "Priority Service Area" for sewer service. The reason for this is because the neighborhood is located within

the Growth Area and lot sizes are small for on-site septic disposal. The Comp Plan recommends public sewer service in this area.

With regard to ordinance compliance, the proposed sewer extension is located in the RES-6 zoning district, in a residential neighborhood. Essential services are allowed by right to serve these homes. There are no overlay districts relevant to these properties, namely shoreland or floodplain. With regard to ordinances, the proposed sewer extension is fully consistent.



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

Robert Yandow
Town Manager
Town of York
186 York Street
York, Maine 03909

March 25, 2014

Re: Main Street Sewer Extension

Dear Mr. Yandow:

The York Sewer District has been approached by another resident of Main Street requesting that they be allowed to extend the proposed sewer line on Main Street that the Board of Selectmen recently approved. The sewer line extension would consist of approximately 300 additional feet of new sewer main and appurtenances. The sewer extension would start at 50 Main Street just before the intersection at Atlantic Ave., where the previously approved project would end, and would serve at least one lot recently approved for a septic system at 58 Main Street and an existing property currently on a septic system at 60 Main Street.

Per Title 38 Ch. 12, Section 1252, Subsection 7A, and the York Sewer District Charter, the York Sewer District is requesting the Town's written assurances relative to this subsection regarding this additional sewer extension.

Should you or any of your staff have any questions regarding this matter, please feel free to contact me.

Sincerely,

Timothy H. Haskell
Superintendent

Cc: Board of Trustees



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Deed Restrictions Required by DEP for Bog Road Athletic Field Project	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION: Approve Deed Restrictions
PROPOSED MOTION: I move to approve the deed restrictions as required by the Maine DEP and as reviewed and approved by the Town Attorney.

Discussion: The Maine DEP has required some deed restrictions relating to storm water buffers in connection with the Bog Road Athletic Field project. According to town Attorney Mary Costigan, the deed restrictions are standard and the form looks fine to her. See attached documents.

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

Prepared By: Robert G. Yandow

Reviewed By: _____

Robert G. Yandow

From: Steven Blake [SBlake@fstinc.com]
Sent: Wednesday, April 09, 2014 12:04 PM
To: Mary E. Costigan; Michael J. Sullivan
Cc: Robert G. Yandow; Philip Saucier
Subject: RE: DEP Permit/ Town of York L-21450-NI-B-N
Attachments: Bog Road Field Deed Restrictions EXHIBIT A INSERTED .docx; EXHIBIT B.pdf; EXHIBIT C.pdf; EXHIBIT D.pdf; EXHIBIT E.pdf

All,

Attached is the updated deed restriction language with legal descriptions and the deed references complete. Also attached are several Exhibits that depict each of the restricted buffers. Let me know if there any questions. Thanks.

Steve Blake, P.E. | Senior *Engineer*
FAY, SPOFFORD & THORNDIKE formerly DeLuca Hoffman Associates
778 Main Street, Suite 8 | South Portland, ME 04106
Main Tel: (207) 775-1121 | Fax: (207) 879-0896
sblake@fstinc.com | www.fstinc.com

From: Mary E. Costigan [mailto:mcostigan@bernsteinshur.com]
Sent: Friday, March 28, 2014 1:25 PM
To: Michael J. Sullivan
Cc: Steven Blake; Robert G. Yandow; Philip Saucier
Subject: RE: DEP Permit/ Town of York L-21450-NI-B-N

Mike –

I have spoken with Steve regarding the deed restrictions. They are very standard restrictions established by DEP and the form looks fine to me. Steve is working with the surveyor to create a general description for the location of the stormwater buffers on the property. Once that description is complete, it needs to be inserted in the attached document. Also missing from the document is the deed reference for the property. I have highlighted those sections in the attached. The rest of the document is in good order.

These deed restrictions need to be recorded no later than April 29th. They Board of Selectmen will need to approve the restrictions and authorize Rob to sign. The Board is meeting on April 14th and April 28th. If you can finalize the document and get the necessary materials to Rob in time for the April 14th meeting, that will give some time prior to recording in case the Board has any questions concerns that need to be addressed.

I will be on vacation for two weeks beginning Monday, returning to the office on April 14th.

If you need further assistance, please contact Phil Saucier in my office, who is cc'd on this email.

Thank you –

Mary

Mary E. Costigan
Of Counsel
mcostigan@bernsteinshur.com
207 228-7147 direct

207 774-1200 main
[My Bio](#) | [LinkedIn](#) | [Twitter](#)

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IRS notice: Unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding tax-related penalties under the Internal Revenue Code, or (b) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: Michael J. Sullivan [<mailto:msullivan@yorkmaine.org>]
Sent: Monday, March 10, 2014 12:25 PM
To: Mary E. Costigan
Cc: Steven Blake; Robert G. Yandow
Subject: FW: DEP Permit/ Town of York L-21450-NI-B-N

Hi Mary,

My name is Mike Sullivan and I am the Parks and Recreation Director for the Town of York. The Town is currently working with an Engineering Firm From South Portland to design and build a new athletic field. Please see the email thread below from Steve Blake of Fay, Spofford and Thorndike who is the Senior Engineer on the project. The DEP is requiring that the storm water buffers carry some special conditions regarding deed restrictions. Steve is lining up a surveyor to help with the legal descriptions and I am hoping to get your office to handle recording the deed restrictions with the Registry of Deeds. Steve has attached a generic sample of the deed restriction language. FST will provide the plot plan information. Please let me know if this is something you can help us with and feel free to contact Steve directly if you have additional questions.

Thanks, Mike

*Michael J. Sullivan, Director
Parks and Recreation*

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

From: Steven Blake [<mailto:SBlake@fstinc.com>]
Sent: Tuesday, March 04, 2014 2:20 PM
To: Michael J. Sullivan
Subject: RE: DEP Permit/ Town of York L-21450-NI-B-N

Hi Mike,

A couple items to note from the permit order. The stormwater buffers carry some special conditions regarding deed restrictions and physical marking. I would recommend putting the field marking on the contractor. We can provide a detail for this in the contract documents and require that they use a licensed surveyor. The permit also requires that we record the deed restrictions with the Registry of deeds. Attached is a generic sample of the deed restriction language. Does the Town have someone either on staff or on-call that could help with the recording? We would also need a surveyor to help with the legal descriptions, not sure if you have a surveyor you typically use. Let me know what you

think and we can discuss further. The deed restrictions need to be recorded within 60 days. The section discussing this is highlighted in the attached permit.

The other item to note is the requirement for the 5-year recertification. DEP asks that the applicant perform routine inspection and maintenacne on the stormwater facilities. We included a checklist within the permit application for this that you can use for record keeping. Generally, this consists of semi-annual or annual inspection of the level spreaders.

Give me a call if you have any questions.

Steve Blake, P.E. | Senior *Engineer*
FAY, SPOFFORD & THORNDIKE formerly DeLuca Hoffman Associates
778 Main Street, Suite 8 | South Portland, ME 04106
Main Tel: (207) 775-1121 | Fax: (207) 879-0896
sblake@fstinc.com | www.fstinc.com

From: Perkins, Diana J [<mailto:Diana.J.Perkins@maine.gov>]
Sent: Friday, February 28, 2014 2:56 PM
To: 'msullivan@yorkmaine.org'; Steven Blake; Bullard, Bill; Perry, John
Subject: DEP Permit/ Town of York L-21450-NI-B-N

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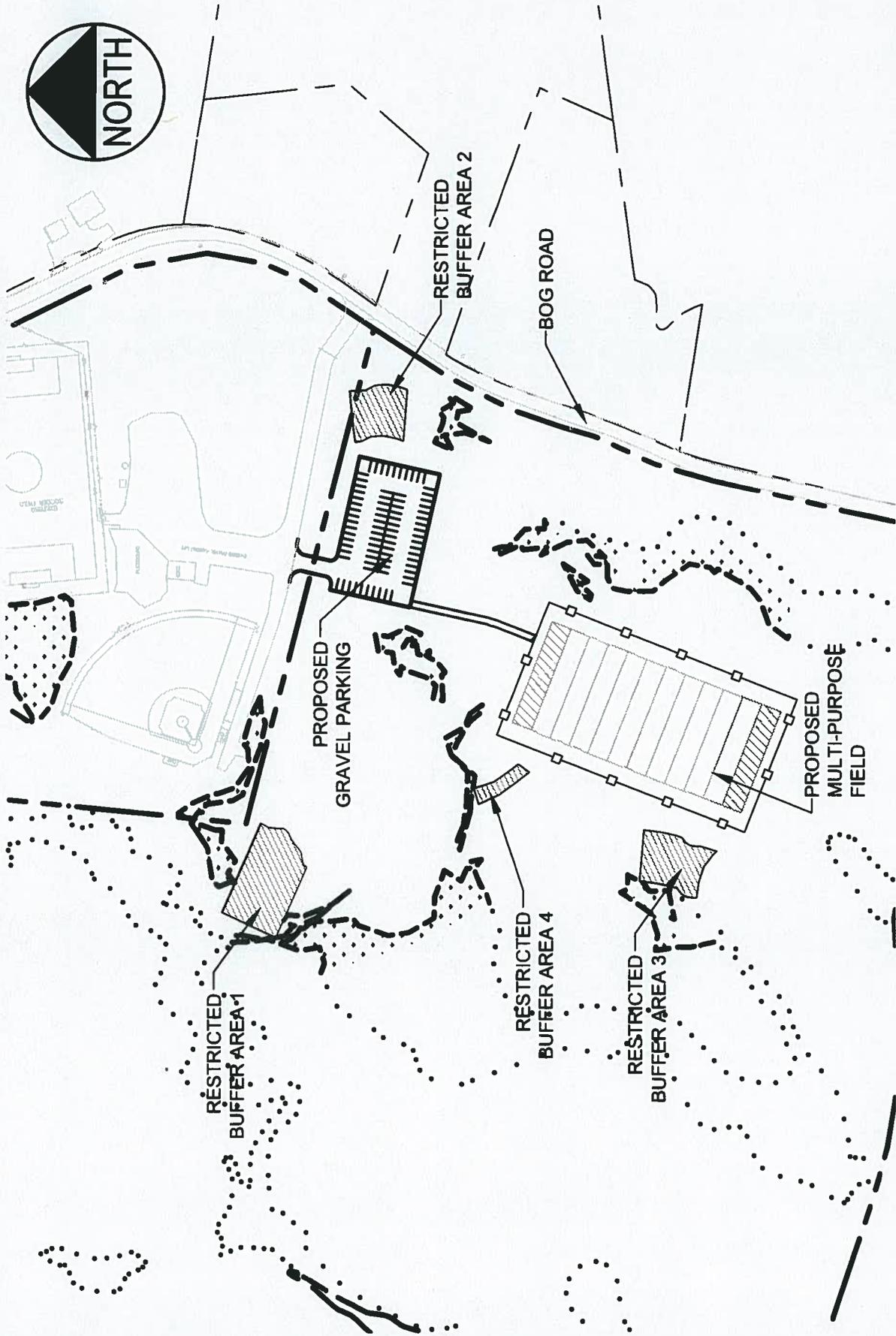
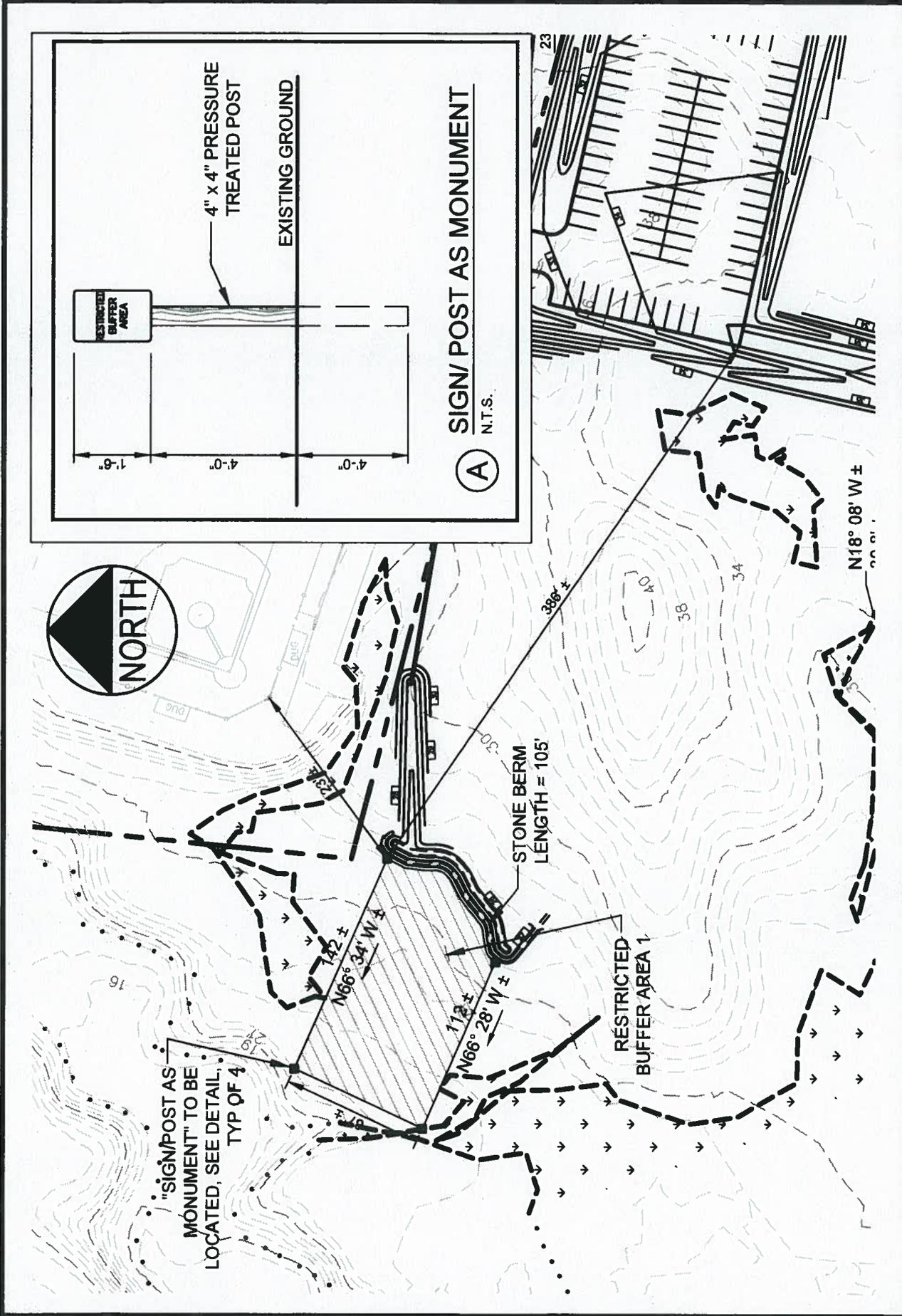


EXHIBIT	B		
DRAWN: SB	DATE: APRIL 2014	SCALE: 1"=200'	JOB NO. SY-M098
DESIGNED: SB			FILE NAME: SY-M098-SITE
CHECKED: SB			

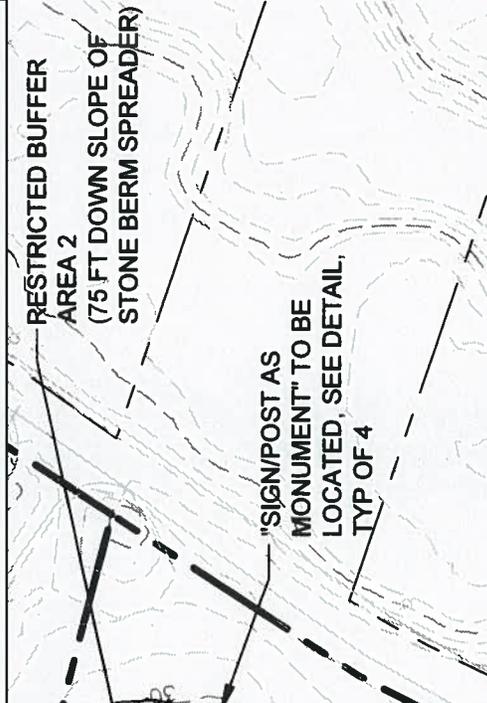
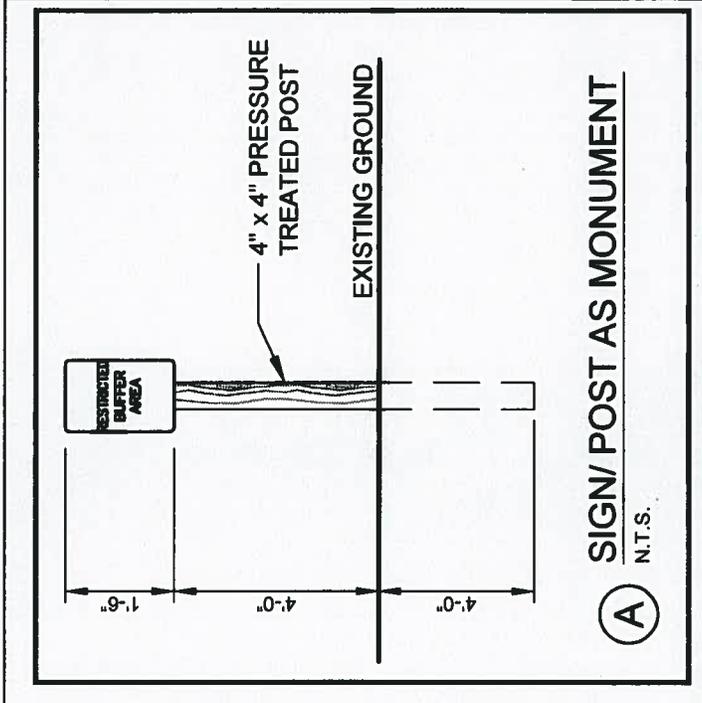
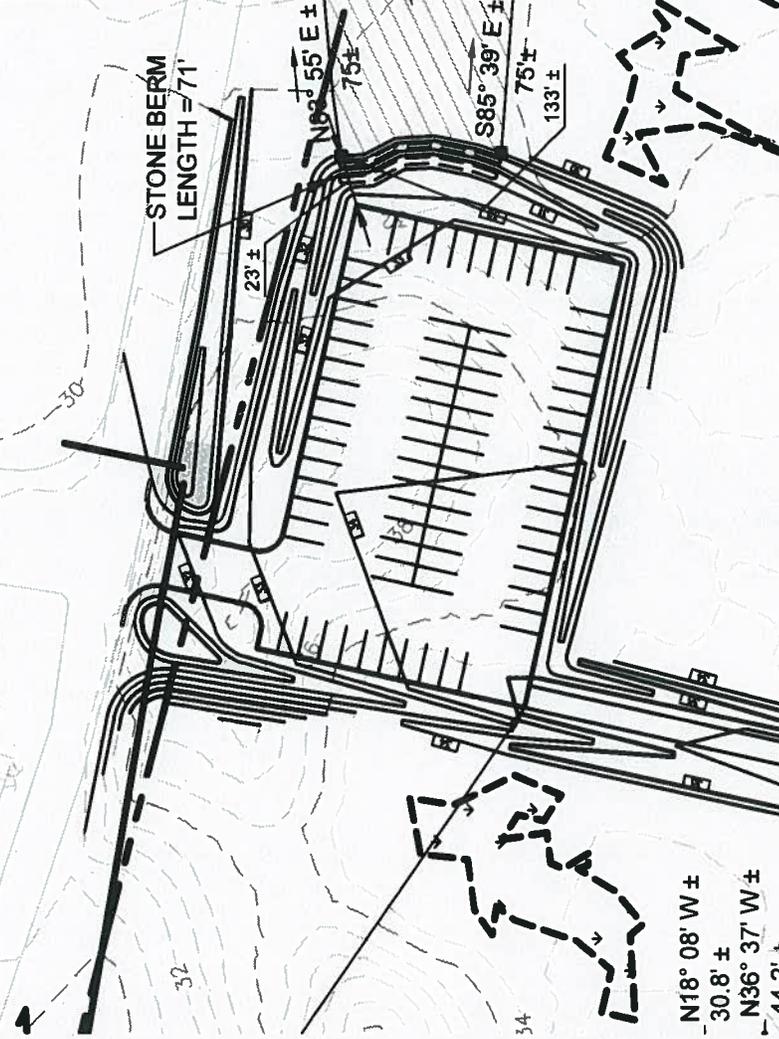
ORIENTATION MAP

BOG ROAD ATHLETIC FIELD FACILITY

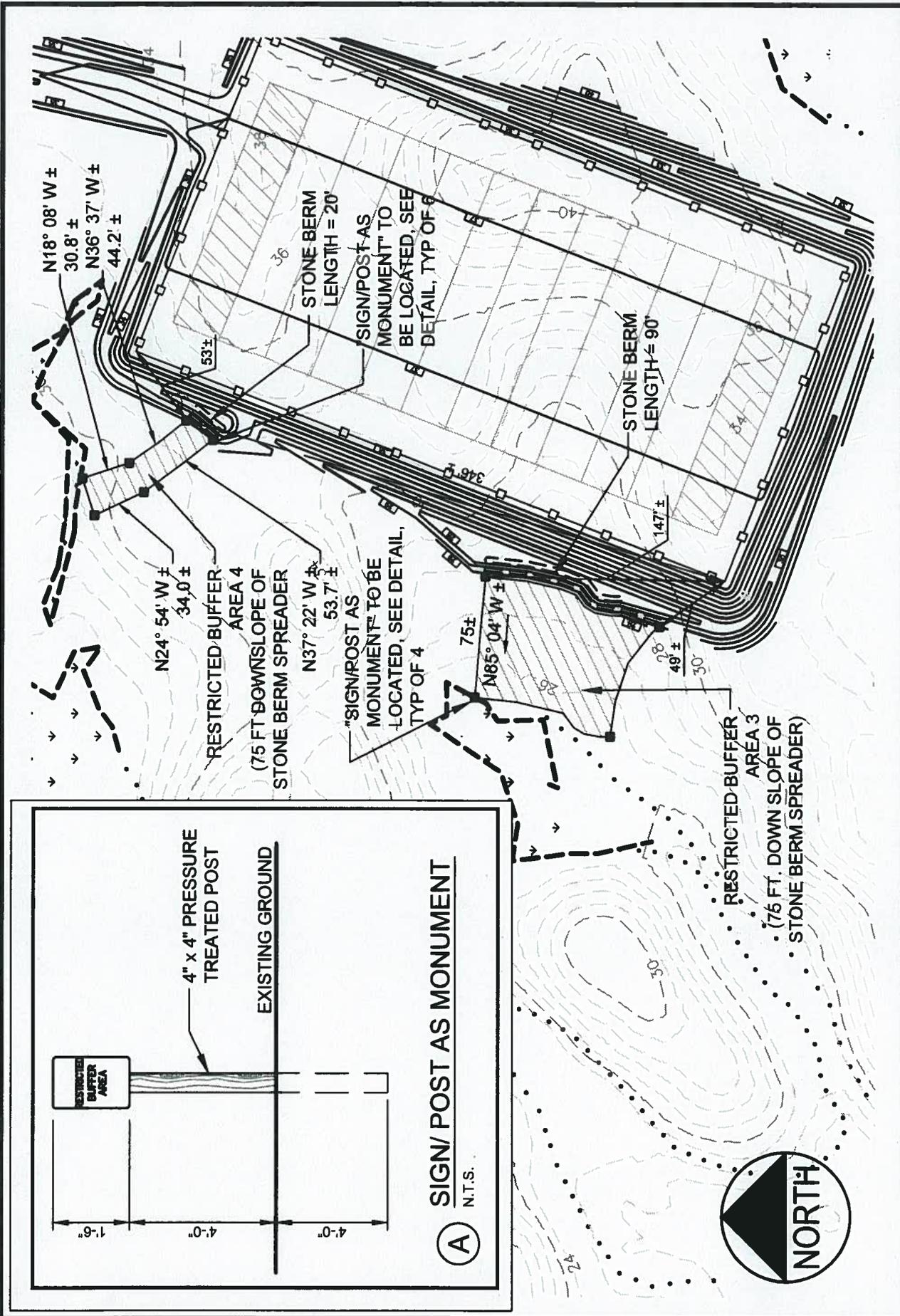
FST
FAY, SPOFFORD & THORNDIKE, INC.
ENGINEERS · PLANNERS · SCIENTISTS
770 MAIN ST. SUITE 5, SOUTH PORTLAND, ME 04106



FAY, SPOFFORD & THORNDIKE, INC. ENGINEERS · PLANNERS · SCIENTISTS 778 MAIN ST. SUITE 8. SOUTH PORTLAND, ME 04106	BOG ROAD ATHLETIC FIELD FACILITY		BUFFER 1 LOCATION EXHIBIT		EXHIBIT C	
	DRAWN: SB	DATE: APRIL 2014	DESIGNED: SB	SCALE: 1"=80'	CHECKED: SB	JOB NO. SY-M098
	FILE NAME: SY-M098-SITE					



	BOG ROAD ATHLETIC FIELD FACILITY		BUFFER 2 LOCATION EXHIBIT		EXHIBIT
	DRAWN: SB DESIGNED: SB CHECKED: SB FILE NAME: SY-M098-SITE	DATE: APRIL 2014 SCALE: 1"=80' JOB NO. SY-M098	D		



DRAWN: SB	DATE: APRIL 2014	EXHIBIT
DESIGNED: SB	SCALE: 1"=80'	E
CHECKED: SB	JOB NO. SY-M098	
FILE NAME: SY-M098-SITE		

**BUFFER 3 AND 4
LOCATION EXHIBIT**

**BOG ROAD ATHLETIC
FIELD FACILITY**

FST
FAY, SPOFFORD & THORNDIKE, INC.
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE B, SOUTH PORTLAND, ME 04108



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Purchase and sale Agreement for 6 Foresters Circuit	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to schedule a public hearing for April 28, 2014 regarding the potential sale of property at 6 Foresters Circuit.

Discussion: On May 21, 2011 the voters authorized the Selectmen to dispose of land located at 6 Foresters Circuit. The property was originally listed for sale at \$78,000 and had been subsequently reduced to \$50,000 after a period of time with little interest.

Attached is the Purchase and Sale Agreement, Town assessment and a location map.

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

Prepared By: Robert G. Yandow

Reviewed By: _____

PURCHASE AND SALE AGREEMENT - LAND ONLY
("days" means business days unless otherwise noted, see paragraph 20)

Offer Date March 21, 2014

Effective Date _____
Effective Date is defined in Paragraph 20 of this Agreement.

1. PARTIES: This Agreement is made between Joseph R. Collins, Kim S. Collins ("Buyer") and Town of York ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy (all part of; If "part of" see para. 22 for explanation) the property situated in municipality of York, County of York, State of Maine, located at 6 Foresters Circuit and described in deed(s) recorded at said County's Registry of Deeds Book(s) 14922, Page(s) 359.

3. PURCHASE PRICE/EARNEST MONEY: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$ 45,100.00 50,000 Buyer has delivered; or will deliver to the Agency within 0 days of the Effective Date, a deposit of earnest money in the amount \$ 500.00. Buyer agrees that an additional deposit of earnest money in the amount of \$ n/a will be delivered n/a. If Buyer fails to deliver the initial or additional deposit in compliance with the above terms Seller may terminate this Agreement. The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

4. ESCROW AGENT/ACCEPTANCE: Gosselin Realty Group ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until 3-24-14 (date) 5 AM PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer.

5. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on May 23, 2014 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or this Agreement shall become null and void in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

6. DEED: The property shall be conveyed by a Quit Claim deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

7. POSSESSION: Possession of premises shall be given to Buyer immediately at closing unless otherwise agreed in writing.

8. RISK OF LOSS: Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

9. PRORATIONS: The following items, where applicable, shall be prorated as of the date of closing: rent, association fees, (other none). Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

10. DUE DILIGENCE: Buyer is encouraged to seek information from professionals regarding any specific issue or concern. Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer:

Revised 2014 Page 1 of 4 - P&S-LO Buyer(s) Initials [Signature] Seller(s) Initials RKJ

CONTINGENCY	YES	NO	DAYS FOR COMPLETION	OBTAINED BY	TO BE PAID FOR BY
1. SURVEY Purpose: To determine what is being conveyed and will allow for access and setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>49 cal days</u>	<u>Seller</u>	<u>Seller</u>
2. SOILS TEST Purpose: to determine that the lot will perk for private septic system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>49 cal days</u>	<u>Buyer</u>	<u>Buyer</u>
3. SEPTIC SYSTEM DESIGN Purpose: Determine the correct type of system based on soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>49 cal days</u>	<u>Buyers</u>	<u>Buyers</u>
4. LOCAL PERMITS Purpose: to get town approval for a buildable lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>49 cal days</u>	<u>Buyers</u>	<u>Buyers</u>
5. HAZARDOUS WASTE REPORTS Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
6. UTILITIES Purpose: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>49 cal days</u>	<u>Buyers</u>	<u>Buyers</u>
7. WATER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
8. SUB-DIVISION APPROVAL Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
9. DEP/LURC APPROVALS Purpose: to determine if vernal pools or issues for a buildable lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>49 cal days</u>	<u>Buyers</u>	<u>Buyers</u>
10. ZONING VARIANCE Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
11. HABITAT REVIEW/WATERFOWL Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
12. REGISTERED FARMLAND Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
13. MDOT DRIVEWAY/ENTRANCE PERMIT Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
14. DEED RESTRICTION Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
15. TAX STATUS/TREE GROWTH Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
16. BUILD PACKAGE Purpose: to prepare package for review by town of York CEO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>49 cal days</u>	<u>Buyers</u>	<u>Buyers</u>
17. OTHER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____

Further specifications regarding any of the above:

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, this contingency is waived by Buyer. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

11. FINANCING: This Agreement is is not subject to Financing. If subject to Financing:
- This Agreement is subject to Buyer obtaining a CASH loan of — % of the purchase price, at an interest rate not to exceed — % and amortized over a period of — years. Buyer is under a good faith obligation to seek and obtain financing on these terms.
 - Buyer to provide Seller with letter from lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested within — days from the Effective Date of the Agreement. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer.
 - Buyer hereby authorizes, instructs and directs its lender to communicate the status of the Buyer's loan application to Seller, Seller's licensee or Buyer's licensee.
 - After (b) is met, Buyer is obligated to notify Seller in writing if the lender notifies Buyer that it is unable or unwilling to provide said financing. Any failure by Buyer to notify Seller within two days of receipt by Buyer of such notice from lender shall be a default under this Agreement. After notifying Seller, Buyer shall have — days to provide Seller with a letter from another lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer.
 - Buyer agrees to pay no more than — points. Seller agrees to pay up to \$ — toward Buyer's actual pre-pays, points and/or closing costs, but no more than allowable by Buyer's lender.
 - Buyer's ability to obtain financing is is not subject to the sale of another property. See addendum Yes No .
 - Buyer may choose to pay cash instead of obtaining financing. If so, Buyer shall notify Seller in writing including providing proof of funds and the Agreement shall no longer be subject to financing, and Seller's right to terminate pursuant to the provisions of this paragraph shall be void.

12. BROKERAGE DISCLOSURE: Buyer and Seller acknowledge they have been advised of the following relationships:

Gregory R. Gosselin (004040) of Gosselin Realty Group (2682)
 Licensee MLS ID Agency MLS ID
 is a Seller Agent Buyer Agent Disc Dual Agent Transaction Broker

Gregory R. Gosselin (004040) of Gosselin Realty Group (2682)
 Licensee MLS ID Agency MLS ID
 is a Seller Agent Buyer Agent Disc Dual Agent Transaction Broker

If this transaction involves Disclosed Dual Agency, the Buyer and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Buyer and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency Consent Agreement.

13. PROPERTY DISCLOSURE FORM: Buyer acknowledges receipt of Seller's Property Disclosure Form.
14. DEFAULT/RETURN OF EARNEST MONEY: In the event of default by the Buyer, Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. In the event of a default by Seller, Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.
15. MEDIATION: Earnest money disputes subject to the jurisdiction of small claims court will be handled in that forum. All other disputes or claims arising out of or relating to this Agreement or the property addressed in this Agreement (other than requests for injunctive relief) shall be submitted to mediation in accordance with generally accepted mediation practices. Buyer and Seller are bound to mediate in good faith and pay their respective mediation fees. If a party does not agree first to go to mediation, then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who refused to go to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.
16. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.
17. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.
18. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original, faxed or other electronically transmitted signatures are binding.
19. NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to or from the parties or their licensee. Only withdrawals of offers and counteroffers will be effective upon communication, verbally or in writing.
20. EFFECTIVE DATE/BUSINESS DAYS: This Agreement is a binding contract when the last party signing has caused a paper or electronic copy of the fully executed agreement to be delivered to the other party which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any observed Maine State/Federal holidays. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on such date.

21. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the entire closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.

22. OTHER CONDITIONS:

23. GENERAL PROVISIONS:

- a. A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.
- b. Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.
- c. Buyer and Seller acknowledge that under Maine law payment of property taxes is the legal responsibility of the person who owns the property on April 1, even if the property is sold before payment is due. If any part of the taxes is not paid when due, the lien will be filed in the name of the owner as of April 1 which could have a negative impact on their credit rating. Buyer and Seller shall agree at closing on their respective obligations regarding actual payment of taxes after closing. Buyer and Seller should make sure they understand their obligations agreed to at closing and what may happen if taxes are not paid as agreed.
- d. Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.

24. ADDENDA: Yes Explain: _____ No

Buyer's Mailing address is 32 West Running Brook Lane, Eliot, ME 03903

Joseph R. Collins 03/21/2014
 BUYER DATE
 Joseph R. Collins

Kim S. Collins 03/21/2014
 BUYER DATE
 Kim S. Collins

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

Seller's Mailing address is _____

SELLER Town of York DATE _____ SELLER DATE _____

COUNTER-OFFER

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

Sale Price \$50,000

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) 3.24.14

(time) 5:00 AM PM.

Mont B. Yarrow 3.21.14
 SELLER DATE

SELLER DATE

The Buyer hereby accepts the counter offer set forth above.

BUYER DATE

BUYER DATE

EXTENSION:

The time for the performance of this Agreement is extended until _____ DATE

SELLER DATE

SELLER DATE

BUYER DATE

BUYER DATE



6 FORESTERS CIRCUIT

Location	6 FORESTERS CIRCUIT	Assessment	\$124,900
Mblu	0011/ 0028/C / /	Appraisal	\$124,900
Acct#	011966	PID	101743
Owner	YORK TOWN OF	Building Count	1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2013	\$0	\$124,900	\$124,900

Assessment			
Valuation Year	Improvements	Land	Total
2013	\$0	\$124,900	\$124,900

Owner of Record

Owner	YORK TOWN OF	Sale Price	\$0
Co-Owner		Book & Page	14922/ 359
Address	186 YORK STREET YORK, ME 03909	Sale Date	08/09/2006

Ownership History

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
UNKNOWN OWNERSHIP		1/ 1	01/01/1900

Building Information

Building 1 : Section 1

Year Built:
Living Area: 0
Replacement Cost: \$0
Building Percent Good:
Replacement Cost Less Depreciation: \$0

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Grade:	
Stories:	
Occupancy	

Building Photo



(<http://images.vgsi.com/photos/YorkMEPhotos//default.jpg>)

Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	
Driveway	

Building Layout

<input checked="" type="checkbox"/> Building Layout	
Building Sub-Areas	Legend
No Data for Building Sub-Areas	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 903V
Description MUNICIPAL MDL-00
Zone
Neighborhood 285
Alt Land Appr Category No

Land Line Valuation

Size (Sqr Feet) 27878
Frontage
Depth
Assessed Value \$124,900
Appraised Value \$124,900

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Valuation Year	Appraisal		
	Improvements	Land	Total
2012	\$0	\$124,900	\$124,900
2011	\$0	\$124,900	\$124,900

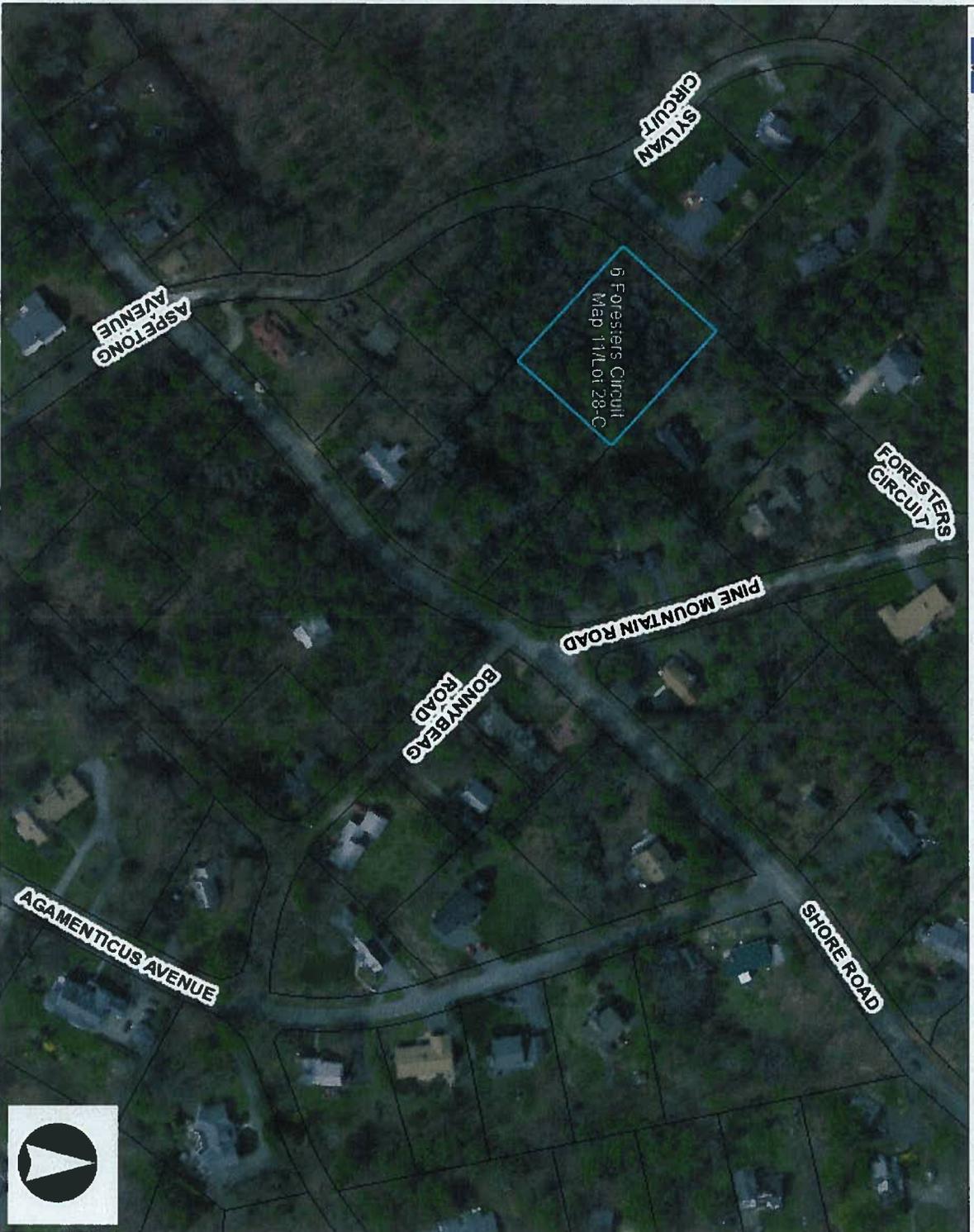
2010	\$0	\$124,900	\$124,900
------	-----	-----------	-----------

Assessment			
Valuation Year	Improvements	Land	Total
2012	\$0	\$124,900	\$124,900
2011	\$0	\$124,900	\$124,900
2010	\$0	\$124,900	\$124,900

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Quick Map



Legend

- Parcels

GIS Map Print

Subject Property Data
 MAP/LOT - 0011-0028-C
 Owner - YORK TOWN OF
 Address - 6 FORESTERS
 CIRCUIT
 Acreage - 0.64
 Land Val - \$124,900.00
 Build Val - \$0.00
 Total Value - \$124,900.00
 Book/Page - 14922/ 359

GIS Data Disclaimer-The data contained in this document, or any accompanying document is a resource of general information provided on the World Wide Web for public convenience. The Town of York makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. The reader should not rely on the data provided herein. The Town of York expressly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. This disclaimer can be seen at under the Community Development Department GIS Maps website.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: 4/10/2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: 4/14/2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Proposed Long Beach Avenue Municipal Partnership Initiative (MPI) Grant Application.	

TO: BOARD OF SELECTMEN
FROM: Dean Lessard, Director of Public Works
RECOMMENDATION: To approve the DPW to submit a 2014 grant application for Long Beach Avenue improvements and to continue to work with Maine DOT to secure funds through the Municipal Partnership Initiative (MPI) grant program.
PROPOSED MOTION: I move to approve the submittal of a 2014 grant application to Maine DOT's Municipal Partnership Initiative Program (MPI) in order to secure funds for Long Beach Avenue improvements.

Discussion:

Previously the Parks and Recreation, Public Works and Community Development Departments' proposed combining the survey work for three Town funded capital projects on Long Beach Avenue. The idea was proposed in order to take advantage of economies of scale and improve coordination between projects. With the approval of the Board of Selectmen the survey needs for the projects were combined in the request for proposals. This effort has proved to be very successful and surveyors from North Easterly Surveyors have been working on completing the survey for the two drainage projects and the Long Sands Bathhouse project. The same Departments are proposing to apply for a Municipal Partnership Initiative (MPI) grant to improve Long Beach Avenue in conjunction with these projects. Due to the amount of planned construction in that area it would be an opportune time to make additional road improvements to this section of Long Beach Avenue (State Route 1A).

The combined project history is as follows:

- On May 19, 2012 the voters approved \$350,000 to fund the drainage project just north of the Anchorage Hotel.
- On May 18, 2013 the voters approved \$350,000 to fund the drainage project just north of the Long Sands Bath House.
- On May 18, 2013 the voters approved \$687,000 for replacement and expansion of the Long Sands Bathhouse.
- On August 22, 2013 Mike Sullivan and Steve Burns both made presentations to the York Board of Selectmen on the condition of the existing bathhouse and the proposed project scope, project budget, project goals, project permitting and project management frame work.
- On September 23, 2013 the Board of Selectmen authorized town staff to put out a Request for Proposal for survey work for the three capital projects.
- On December 20, 2013 the Town of York solicited bids from Six Surveying companies.
- On Wednesday January 8, 2014 at 3:00 pm the Town opened bids for the Long Beach Avenue Survey. Six responsive bid proposals were received by the Town of York:
- On January 27, 2014 the Board of Selectmen awarded the Long Beach Avenue Existing Conditions Survey bid to North Easterly Surveying, Inc. in the amount of \$19,465.

To date the Parks, DPW & Community Developments have continued to discuss the coordination of the projects. DPW has also spoken with the Maine Department of Transportation (MDOT) about the possibility and applicability of state funding through a Municipal Partnership Initiative (MPI) grant.

Included with the selectmen's action form are the proposed 2014 application for the Project, an aerial plan with a conceptual design that outlines the project limits and an engineer's estimate for the proposed new road improvements. I will have large display boards with the aerial plan for Monday night's discussion.

FISCAL IMPACT: \$500,000

DEPARTMENT LINE ITEM ACCOUNTS:

BALANCE IN LINE ITEM IF APPROVED: \$500,000

Prepared By: _____

Reviewed By: _____

Robert B. Gannon

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



Dean A. Lessard, P.E.

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

April 15, 2014

Mr. Kyle Hall
Regional Engineer
Maine Department of Transportation
Southern Region – Region 1
51 Pleasant Hill Road
Scarborough, Maine 04070-0358

Dear Mr. Hall:

The Town of York is hereby requesting consideration to be included in the MaineDOT's Municipal Partnership Initiative, to support a roadway improvement project on State Route 1A in York, adjacent to Long Sands Beach.

The project begins approximately 325 feet south of the State Route 1A/Juniper Road intersection (near the Sun and Surf Restaurant's driveway) and continues north on State Route 1A towards York Beach Village, along Long Beach Avenue, including Oceanside Avenue intersection and ending approximately 290 feet south of the State Route 1A/Nubble Road intersection. The total project length is approximately 1 mile. The Town will be acting as General Contractor for the project, to utilize Town crews for portions of the work, as well as Town bid prices for materials, and contracted services. The project involves full reconstruction (including drainage) of the State Route 1A/Oceanside Avenue intersection, leveling shim and overlay (outside reconstruction area), removing and resetting granite curbing, removing and replacing bituminous curbing with granite curbing, reconstructing or placing additional concrete and/or brick existing sidewalks (to bring new curb to grade), resetting existing CB grates/frames in overlay area, improving crosswalks with ADA ramps and restriping for lanes and parking spaces. In addition, the project involves drainage improvements to the existing pipes and outfall structures located approximately 600 feet north of the State Route 1A/Oceanside Avenue intersection and near the Sun and Surf Restaurant, as well as, reconstructing the bathhouse located on the seaward side of the State Route 1A/Oceanside Avenue intersection.

The Municipal Guide has been reviewed and responses to the individual details and criteria are provided in the attached fact sheet.

Your consideration and assistance in this project would be greatly appreciated.

Sincerely,

Dean Lessard, P.E.
Director, Department of Public Works

April 15, 2014

Mr. Kyle Hall
Regional Engineer
Maine Department of Transportation
Southern Region – Region 1
51 Pleasant Hill Road
Scarborough, Maine 04070-0358

Dear Mr. Hall:

The Town of York is hereby requesting consideration to be included in the MaineDOT's Municipal Partnership Initiative, to support a roadway improvement project on State Route 1A in York, adjacent to Long Sands Beach.

The project begins approximately 325 feet south of the State Route 1A/Juniper Road intersection (near the Sun and Surf Restaurant's driveway) and continues north on State Route 1A towards York Beach Village, along Long Beach Avenue, including Oceanside Avenue intersection and ending approximately 290 feet south of the State Route 1A/Nubble Road intersection. The total project length is approximately 1 mile. The Town will be acting as General Contractor for the project, to utilize Town crews for portions of the work, as well as Town bid prices for materials, and contracted services. The project involves full reconstruction (including drainage) of the State Route 1A/Oceanside Avenue intersection, leveling shim and overlay (outside reconstruction area), removing and resetting granite curbing, removing and replacing bituminous curbing with granite curbing, reconstructing or placing additional concrete and/or brick existing sidewalks (to bring new curb to grade), resetting existing CB grates/frames in overlay area, improving crosswalks with ADA ramps and restriping for lanes and parking spaces. In addition, the project involves drainage improvements to the existing pipes and outfall structures located approximately 600 feet north of the State Route 1A/Oceanside Avenue intersection and near the Sun and Surf Restaurant, as well as, reconstructing the bathhouse located on the seaward side of the State Route 1A/Oceanside Avenue intersection.

The Municipal Guide has been reviewed and responses to the individual details and criteria are provided in the attached fact sheet.

Your consideration and assistance in this project would be greatly appreciated.

Sincerely,

Dean Lessard, P.E.
Director, Department of Public Works

Town of York – Route 1A Improvements (Long Beach Avenue)
MPI Grant Proposal Fact Sheet

Professional Engineer Certified:

The project was designed by CLD Consulting Engineers; plans are attached.

10-Year Useful Life:

Drainage infrastructure is designed for 50 – 75 year life span. Paving and sidewalk upgrades are designed for 10-20 years. The bathhouse life span is expected to be 50 – 75 years.

Deliverability:

The existing conditions survey and Right-of-Way mapping for the entire project are currently underway. The project design for the street, drainage and bathhouse reconstruction segments of the project are expected to be completed by late-2014, with construction in 2015. The remaining areas include roadway overlay and sidewalk reconstruction only by Town crews. Utility relocations will be coordinated during the project's design.

Public Involvement:

For the major drainage reconstruction projects and the bathhouse reconstruction project, the Town held public meetings before the Board of Selectmen for the warrant articles for project funding, and the projects were approved by voters in May 2012 and May 2013. Additional public meetings will be planned during the design phase of the project.

Betterment to the State Transportation System:

The project is located on State Route 1A, which connects U.S. Route 1 to beaches in York, and will significantly improve conditions on this State route. The existing drainage outfall systems are failing and have caused erosion and flooding conditions in the area. Pavement surface, sidewalks, and curbing have all lived useful lives. The project has also redesigned and improved pedestrian facilities to meet ADA standards, as well as enhance safety and traffic efficiency.

Multiple Party Agreements:

The Town will be the only party to the State agreement, and is willing to enter into agreements that the amount is capped.

Right-of-Way Acquisition:

The roadway segments of the project will be constructed within existing Right-of-Way. The bathhouse is located on public property and the proposed improvements will remain within public property. Portions of the culvert crossing/outfall portions of the project may require new or upgraded easements to construct, which will be obtained as the project design progresses. The Town is not seeking any reimbursement for Right-of-Way costs.

Project Selection Factors***Safety:***

This project addresses a number of safety issues, as follows:

- **Flooding:** Over the last decade there have been significant flood events which have caused damage to public infrastructure, as well as private property, and have endangered both the integrity of the infrastructure as well as the safety of the traveling public. The drainage improvements included will provide a system designed for the 100-year flood events (per Town of York standards) and significantly reduce damage from major flood events.
- **Pedestrian safety:** A high volume of pedestrian/vehicle conflict points are located throughout the project. Providing ADA compliant crossings will increase safety for pedestrians. In addition, a complete network of fully accessible pedestrian facilities will allow for safe passage for tourists and residents throughout the year.
- **Paving conditions:** The condition of the pavement along this corridor is continuing to deteriorate. Pavement maintenance and, in some cases, replacement, is warranted to ensure integrity of the infrastructure over the next 10 years.
- **Intersection improvements:** There are several intersections along the corridor which have various issues. The project is implementing some pavement layout changes to better define travel lanes, and create visual cues for drivers to improve safety.

Economic Development and Job Creation:

This project will provide improved pedestrian access and traffic efficiency, as well as improve the facilities for public use at Long Sands Beach. This will create a more desirable tourist destination, which will help existing businesses, and promote new business in the immediate vicinity, as well as neighboring York Village to the south and Short Sands (York Beach) to the north. The project will also allow for the incorporation of improved access points for the York Trolley, which operates along this route during the summer season. In addition, it will create jobs for local contractors assisting the Town with construction.

Degree of Betterment:

This project will reduce maintenance for paving (pot-hole filling), improve conditions for winter maintenance (requiring less salt, smoother plowing), as well as significantly improve ride quality of the pavement, and implement intersection improvements that reduce conflict points.

Percentage of Local Match:

Bathhouse Reconstruction (Warrant #42 May 2013)	\$687,000	Local Match
Drainage Improvements-Long Beach Avenue (Warrant #42 May 2013)	\$350,000	Local Match
Drainage Improvements – Long Beach Avenue (Warrant #40 May 2012)	<u>\$350,000</u>	<u>Local Match</u>
Subtotal – Local Match	\$1,387,000	
<u>Roadway Reconstruction (See attached estimate)</u>	<u>\$500,000</u>	<u>MPI Funding</u>
Total Project Cost:	\$1,787,000	

Proposed Percentage of Local Match = 73.5%

Record of Requests:

Numerous verbal requests and inquiries have been made over the last 50 years.

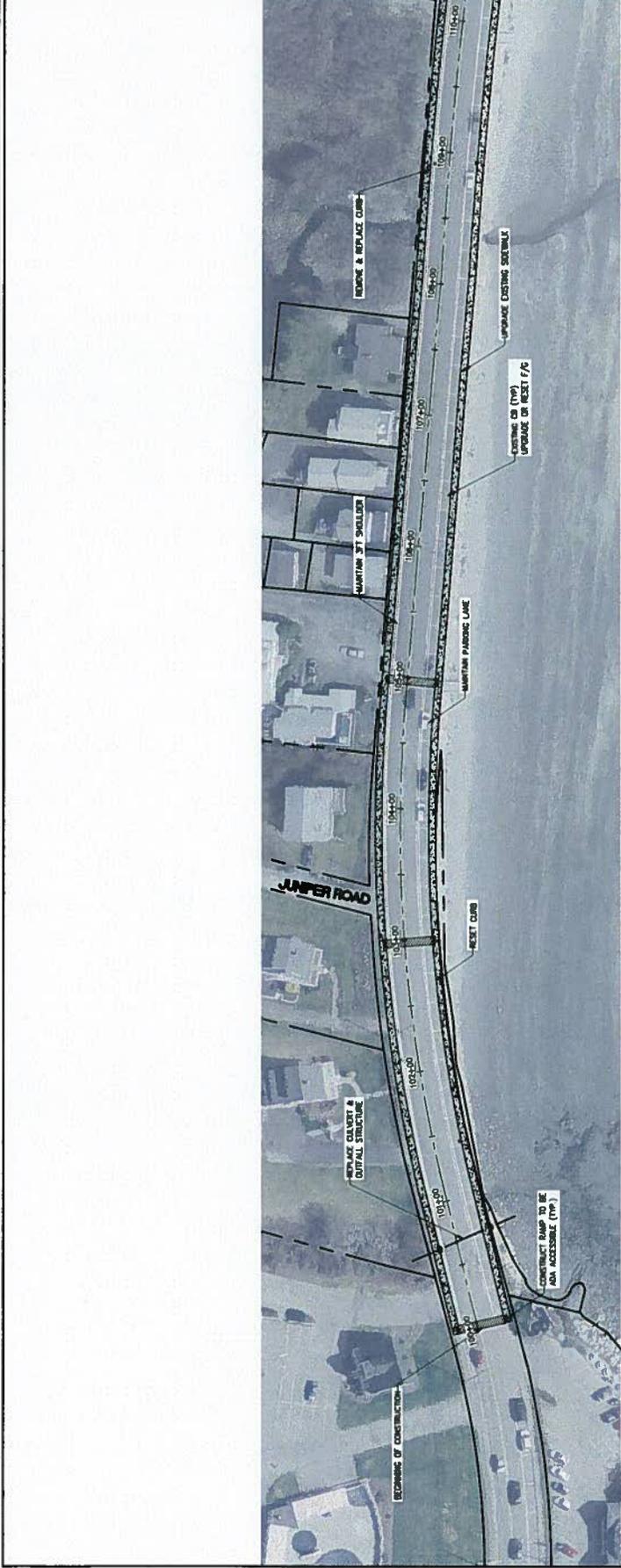
Customer Benefit:

There is a huge benefit for the residents, business owners and visitors to the Town of York. Drainage improvements will reduce damage, injury and the inconvenience of flooding; roadway and pedestrian improvements will create a better flow of pedestrian and vehicular traffic; and promote additional tourism by increasing public facilities. This area has significant pedestrian traffic at all times of the year, and especially during the summer season. In conclusion, the proposed project will improve safety and encourage growth in the Long Sands Beach area.

Prior MPI Awards:

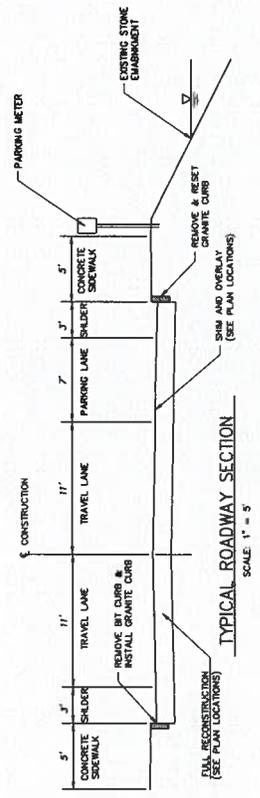
Route 1A Improvements (York Village) - 2012
Route 1A Improvements (York Beach) - 2011

YORK, ME LONG BEACH AVE SHEET 1 CONCEPT PLAN		YORK, ME 03909 186 YORK STREET		TOWN OF YORK		YORK MFR GRANT APRIL 2016 DATE: 14-038 SCALE: 1" = 40' JOB NO: 14-038	
NO.	DATE	REVISION	NO.	DATE	REVISION		
DESIGNED	DATE	REVISION	DESIGNED	DATE	REVISION	dd@ddengineers.com • www.ddengineers.com (207) 563-0668 • Fax: (207) 563-2384 316 U.S. Route 1, Suite D, York, ME 03909	
CHECKED	DATE	REVISION	CHECKED	DATE	REVISION	Main Street Telephone: 708-610-1111	
APPROVED	DATE	REVISION	APPROVED	DATE	REVISION	PLANS UNDER DESIGN DEVELOPMENT PRELIMINARY REVIEW ONLY - NOT FOR CONSTRUCTION	



CONSTRUCTION NOTES:

1. SHIM AND OVERLAY FROM STA 100+00 TO STA 115+00



NO.	DATE	REVISION
1	DATE	REVISION
2	DATE	REVISION
3	DATE	REVISION

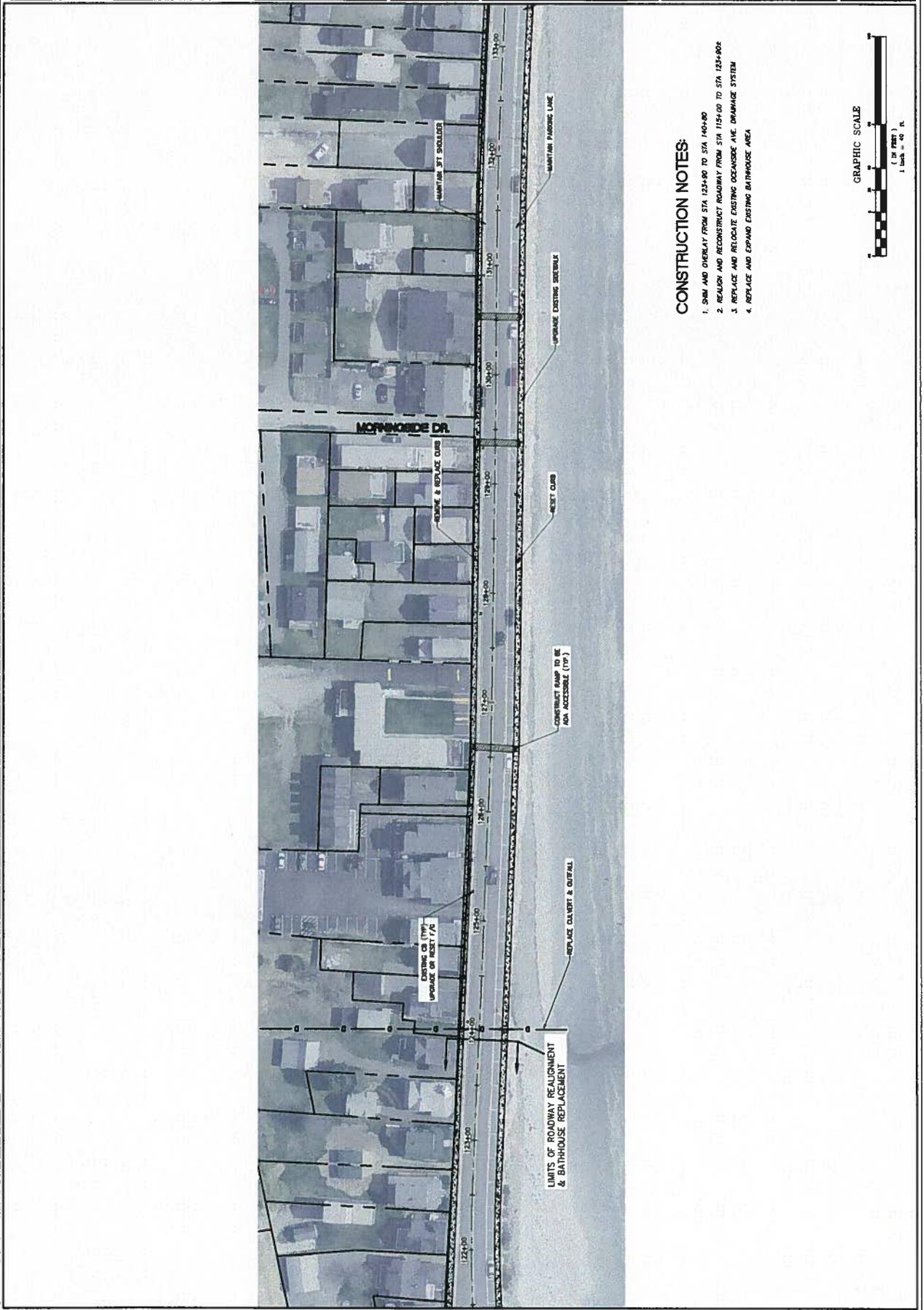
CLP CONSULTING ENGINEERS
 116 S. Route 1, Suite D, York, ME 03909
 (603) 336-0888 • Fax: (603) 336-2388
 info@clp-engineers.com • www.clp-engineers.com
 Maine State Registration: Vermont

PLANS UNDER DESIGN
 DEVELOPMENT
 DESIGN OF ROADWAY
 DESIGN OF SIDEWALK
 DESIGN OF UTILITIES
 FOR CONSTRUCTION

TOWN OF YORK
 186 YORK STREET
 YORK, ME 03909

YORK MPH GRANT
 LONG BEACH AVE
 YORK, ME
 CONCEPT PLAN
 SHEET 3

SCALE:	JOB NO.
1" = 40'	14-0539
DATE:	DATE:
APRIL 2014	APRIL 2014



CONSTRUCTION NOTES:

1. SHW AND OVERLAY FROM STA 123+80 TO STA 140+80
2. REALIGN AND RECONSTRUCT ROADWAY FROM STA 115+00 TO STA 123+80
3. REPLACE AND RELOCATE EXISTING OCEANSIDE AVE DRAINAGE SYSTEM
4. REPLACE AND EXPAND EXISTING BATHHOUSE AREA





Park Place Corporate Center
 316 US Route 1, Suite D
 York, ME 03909
 Tel.: (207) 363-0669
 Fax: (207) 363-0768

Job: **LONG BEACH AVE MPI**
 Sheet: **1** Of **1**
 Calculated By: **JAD** Date: **3/19/14**
 Revised By: _____ Date: _____
 Checked By: _____ Date: _____

ENGINEERS MASTER ITEM LIST

ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
203.2	COMMON EXCAVATION	CY	6065	\$ 15.00	\$90,975.00
304.10	AGGREGATE SUBBASE COURSE - GRAVEL (ASCG)	CY	2308	\$ 25.00	\$57,700.00
403.21	HOT MIX ASPHALT (9.5MM NMS)	T	72	\$ 80.00	\$5,760.00
403.211	HOT MIX ASPHALT (9.5MM NMS), SHIMMING	T	27	\$ 80.00	\$2,160.00
603.169	15" HDPE PIPE OPT III	LF	350	\$ 45.00	\$15,750.00
604.092	CATCH BASIN TYPE B1-C	EA	9	\$ 2,500.00	\$22,500.00
604.18	ADJUSTING CATCH BASIN TO GRADE	EA	16	\$ 400.00	\$6,400.00
608.07	CONCRETE SIDEWALK	SY	4977	\$ 40.00	\$199,080.00
608.52	ADA 2x4 DETECTABLE WARNING DEVICE	SF	24	\$ 55.00	\$1,320.00
609.11	CURB TYPE 1	LF	4284	\$ 20.00	\$85,680.00
609.38	RESET TYPE CURB TYPE 1	LF	4080	\$ 7.00	\$28,560.00
627.18	12" SOLID WH PAVEMENT MARKING LINE	LF	2620	\$ 1.00	\$2,620.00
627.711	WH OR YELLOW PAVMENT MARKING LINE-PLAN QTY	LF	13895	\$ 0.25	\$3,473.75
656.75	TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL	LS	1	\$ 5,800.00	\$5,800.00
659.1	MOBILIZATION (10%)	LS	1	\$ 53,180.00	\$53,180.00
999.99	TIDEFLEX BACKFLOW PREVENTER	EA	1	\$ 4,000.00	\$4,000.00
				TOTAL CONSTRUCTION COST	\$489,983.75
				Preliminary Engineering	\$10,000.00
				Right of Way	\$0.00
				Construction Engineering	\$0.00
				TOTAL PROJECT COST	\$500,000.00

March 4, 2014

Re: 65 Old Post Road, York, Maine – driveway permit

To whom it may concern;

This letter is to inform you that an application for a curb cut for a driveway permit on the property located at 65 Old Post Road, York, Maine, has been denied due to inadequate sight distance.

A handwritten signature in black ink, consisting of a stylized 'D' followed by a cursive 'L' and a horizontal line extending to the right.

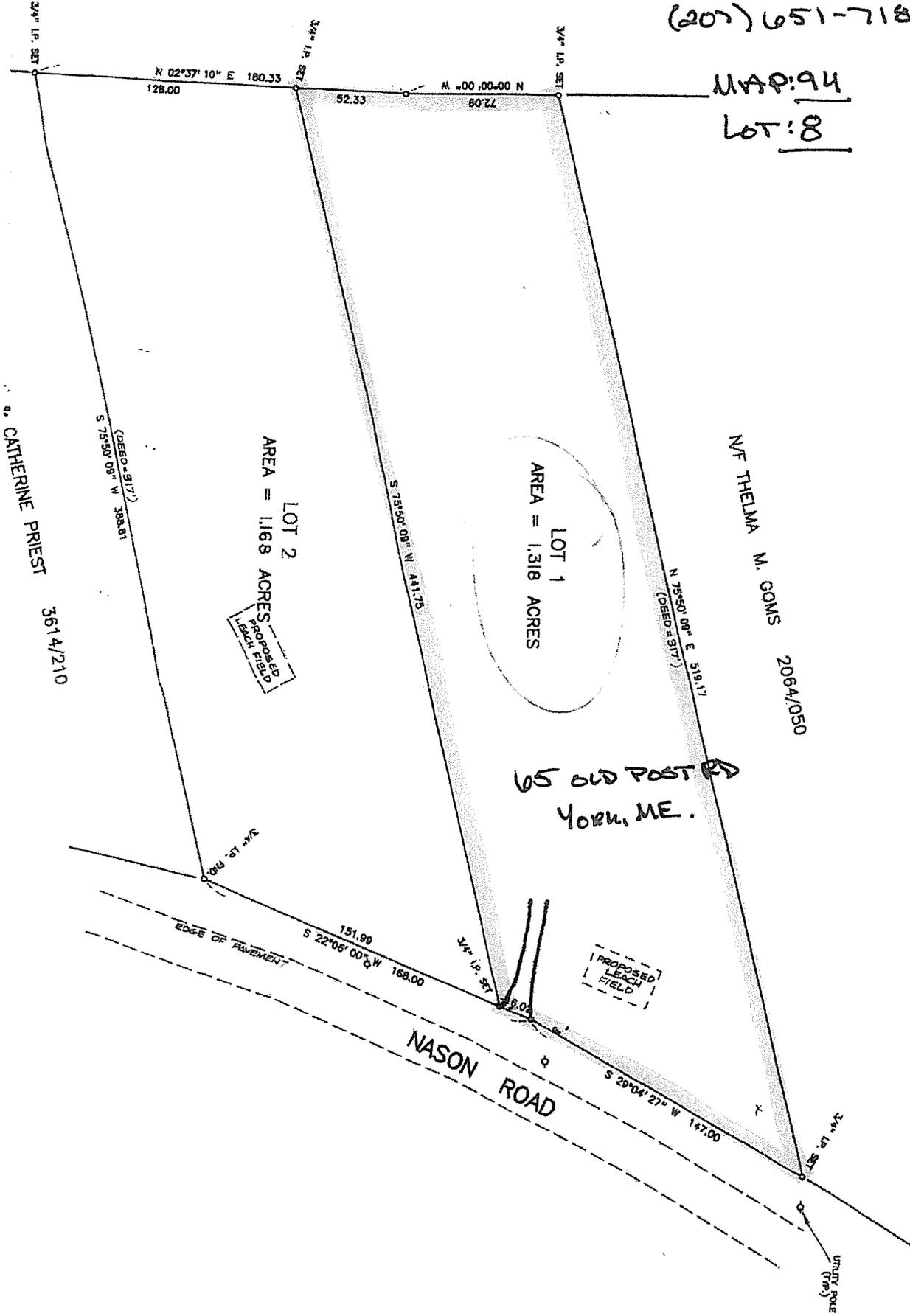
Dean Lessard
Director of Public Works
(207) 363-1010
dlessard@yorkmaine.org

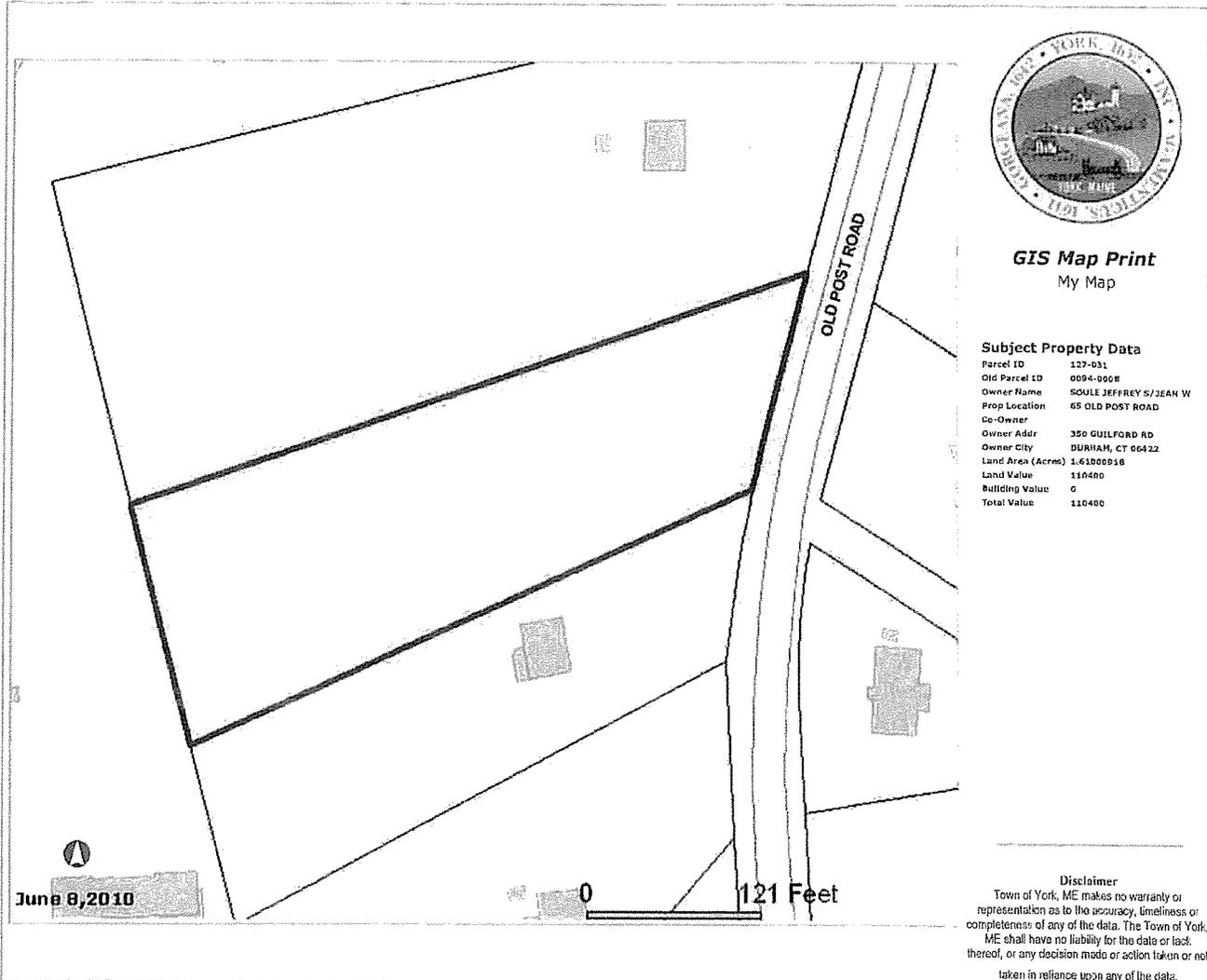
NY YORK WOODS CONDOMINIUM

Patco Construction
(207) 651-7181

MAP: 94

LOT: 8





GIS Map Print
My Map

Subject Property Data

Parcel ID	127-031
Old Parcel ID	0094-0008
Owner Name	SOULE JEFFREY S/JEAN W
Prop Location	65 OLD POST ROAD
Co-Owner	
Owner Addr	350 GUILFORD RD
Owner City	DURHAM, CT 06422
Land Area (Acres)	1.61800916
Land Value	110400
Building Value	0
Total Value	110400

Disclaimer
Town of York, ME makes no warranty or representation as to the accuracy, timeliness or completeness of any of the data. The Town of York, ME shall have no liability for the data or lack thereof, or any decision made or action taken or not taken in reliance upon any of the data.

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



Dean A. Lessard, P.E.

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

March 31, 2014

Ron Knowell
Chairman of the Board of Selectmen
Town of York
York, Maine 03909

Re: Driveway Permit – 65 Old Post Road.

Dear Mr. Knowell:

Rob Yandow asked me to provide you with an explanation of why I denied the driveway permit at 65 Old Post Road. Here are the details: The official speed limit for Old Post Road at the proposed driveway location is 35 mph. The minimum allowable sight distance for driveways and entrances at this speed limit is 305'. Field measured sight distances taken last fall at the proposed driveway location looking to the left (North) were less than the minimum allowable. Due to this fact it is my professional opinion that a driveway onto Old Post Road at the proposed location would not be safe due to the insufficient sight distance and would pose a safety risk to the applicant and the traveling public. Therefore I denied Mr. Braley's (Patco Construction) request to install a new driveway at this proposed location.

By Town Ordinance the Superintendent/Director of Public Works has responsibility for administering the Street Opening Ordinance. A Driveway or Entrance permit is just a specific type of street opening permit.

First: Old Post road is a State Road (classified as State Aid/Minor Collector) and State rules must be followed. State rules require new driveways and entrances meet basic safety standards. The safe sight distance requirement is not an item that can be waived.

Second: Drives and Entrances fall under the Town's Street Opening and Culvert Ordinance that was most recently amended and approved by the voters on November 5, 2013.

- SECTION 2: APPLICABILITY: The provisions of this Ordinance apply to any excavation, construction, filling or culvert installation work which occurs in a public street, sidewalk, right-of-way or drainage way.
- SECTION 4: ADMINISTRATION: The Superintendent shall administer this Ordinance.
- SECTION 5.1 GENERAL PROVISIONS. SUBSECTION A. PERMIT REQUIRED: A Street Opening Permit shall be obtained from the Superintendent prior to creating any opening in any public street, sidewalk or right-of-way.
- SECTION 5.2 STANDARDS. SUBSECTION B. RESPONSIBILITIES OF THE SUPERINTENDENT: The Superintendent shall have authority to apply engineering expertise and judgment in determining the most appropriate standards and conditions in order to protect the integrity of the public street.

Let me know if I can provide any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dean Lessard', written over a faint, illegible printed name.

Dean Lessard, P.E.
Director of Public Works

Street Opening and Culvert Ordinance



Town of York, Maine

Most Recently Amended: November 5, 2013

Dates of Past Amendments: November 6, 2012

Date of Original Enactment: November 2, 2010

ENACTMENT BY THE LEGISLATIVE BODY

Date of the vote to amend this Ordinance: November 5, 2013.

Certified by the Town Clerk:

Margaret M. [Signature]
(signature)

on

11/6/13
(date)

STREET OPENING AND CULVERT ORDINANCE

SECTION 1: PURPOSE

The purpose of this Ordinance is to protect the safety of the traveling public, and to protect public infrastructure from undue adverse impacts by ensuring all work in Town streets and rights-of-way are properly constructed.

SECTION 2: APPLICABILITY

The provisions of this Ordinance apply to any excavation, construction, filling or culvert installation work which occurs in a public street, sidewalk, right-of-way or drainage way, except as follows:

- A. Town Projects.** Work undertaken by the Town, or by others working under the direction of the Town, shall not be required to obtain a permit, but shall be required to meet or exceed the general provisions and the construction specifications contained in this Ordinance.
- B. Work in Advance of Road Repaving or Reconstruction.** Before a Town road is repaved or reconstructed, it is desired that any utility repairs, improvements, extensions or upgrades be completed in advance to minimize the future need to cut into the road afterwards. The Town shall provide a minimum of 60 days advanced notice to all utilities which are known to have underground infrastructure within the right-of-way. Upon receipt of such notice, the utility shall be authorized to prepare its infrastructure without being required to obtain a permit. All such work shall be required to meet or exceed the construction specifications contained in this Ordinance, but paving by the utility shall not be required.
- C. Work on Utility Service Lines.** Except along State roads within the Urban Compact where State rules must be followed, utility providers may work on underground service lines between their mains and buildings served without being required to obtain a permit provided no such work disturbs the surface or sub-surface of a public road or sidewalk, or impacts any Town drainage infrastructure. All work shall be required to meet or exceed any applicable specifications contained in this Ordinance. At least 3 days prior to commencement of such work, the utility provider shall provide to the Superintendent a completed application form as advance notification of the proposed project. Approval of the permit shall not be required except when the Superintendent determines there is an unusual situation that requires a permit.

SECTION 3: DEFINITIONS

PUBLIC – In the context of a public street, sidewalk, right-of-way or drainage way, public means that the facility or property which the Town of York either owns or holds an easement for use and/or maintenance.

SUPERINTENDENT – The Superintendent of Public Works.

SECTION 4: ADMINISTRATION

The Superintendent shall administer this Ordinance.

SECTION 5: STREET OPENINGS

5.1. General Provisions.

- A. Permit Required.** A Street Opening Permit shall be obtained from the Superintendent prior to creating any opening in any public street, sidewalk or right-of-way.
- B. Winter Permits.** No Street Opening Permit will be issued for work between December 1st in any one year and March 15th of the following year. The Superintendent may make exceptions to accommodate emergencies, and to accommodate projects which are scheduled to avoid summertime construction and traffic disruption.
- C. Utility Emergencies.** In the case of an emergency situation involving a utility, the utility may excavate without a Street Opening Permit. However, the utility shall be responsible for obtaining a Street Opening Permit as soon as possible after the emergency and, in any case, before the excavation is permanently resurfaced.
- D. Dig Safe.** Compliance with 23 MRSA §3360-A shall be required.
- E. Reserved.**
- F. Financial Security.** The Superintendent shall require the applicant to post in advance a bond, secured letter of credit, or cash for a project which will cost \$50,000 or more, or when blasting is proposed. The Town and quasi-municipal water or sewer districts shall be exempt from this requirement. The amount of the security shall be equal to 125% of the cost of all work which would be necessary for the Town to completely repair the infrastructure in the event the applicant fails to fulfill their responsibilities at any point in the project. The purpose of the financial security shall be to guarantee proper completion of all work and protection of the Town infrastructure. When posted, the value of the security may be reduced once during the course of the project, but never such that it is less than 125% of the cost of

remaining work. The balance shall be retained until the final inspection of all work pursuant to §5.2.B.4. The Board of Selectmen shall be solely responsible for reductions and releases of all financial securities.

- G. Traffic Control.** All work zone traffic control applications and traffic control devices shall conform to the latest edition adopted by the State of Maine of the Manual on Uniform Traffic Control Devices (MUTCD), Part 6, when used on any street or highway open to public travel. Only traffic control devices including signs, barricades, vertical panels, drums, warning lights, arrow boards, changeable message signs, cones and tubular markers that meet the requirements of American Traffic Safety Services Association (ATSSA), “Quality Standard for Work Zone Traffic Control Devices- 2006” shall be used.
- H. State Laws.** Actions pursuant to this Ordinance shall be consistent with provisions of State law. In particular, the following sections of Title 23 are applicable: §3351-9, and §3351.

5.2. Standards.

A. Responsibilities of the Applicant.

1. The applicant shall be responsible for preparing and submitting to the Superintendent an application for the proposed street opening. This application shall:
 - a. Be on a form provided by the Public Works Department;
 - b. State the purpose of the street opening;
 - c. Show the physical extent of excavation;
 - d. Include a \$100 application fee.
 - e. Provide a plan and materials specifications for filling and resurfacing the street opening to demonstrate compliance with the construction specifications of this Ordinance;
 - f. Specify the timeframe for work;
 - g. Detail the plan for traffic control and protection of public safety during the project;
 - h. Obtaining any other required permits;
 - i. Provide the financial security, if required (see §5.1.F); and
 - j. Provide other information relevant to the application.
2. The applicant shall be responsible for all completing all work in accordance with the Street Opening Permit obtained pursuant to this Ordinance. All costs are the responsibility of the applicant.
3. The applicant shall be responsible for maintaining the temporary surface and keeping it safe for travel until permanent resurfacing is completed. If it is not

- possible to maintain the temporary surface in a condition safe for all modes of travel, the applicant shall establish and maintain barriers and warning devices.
4. The applicant shall notify the Superintendent at least 2 business days prior to the installation of the permanent pavement. The Superintendent may allow less advance notice on a case by case basis, particularly following emergency utility repairs.
 5. The applicant shall be fully responsible to correct any deficiencies identified by Town inspection. All costs are the responsibility of the applicant.
 6. The applicant shall guarantee the quality of their work and materials for two years following completion of the original repair work, or until the Superintendent issues a written acceptance of the repairs, whichever occurs earlier. At any time during this guarantee period, the applicant shall re-excavate, re-fill and/or re-surface the area as directed by the Superintendent to remedy the defects. The applicant shall be given a reasonable amount of time to perform this work, and if they fail then it shall be performed by the Department of Public Works. The applicant shall be responsible for the full cost of such repair work, plus a surcharge if completed by the Department of Public Works.

B. Responsibilities of the Superintendent.

1. The Superintendent, or his or her designee, shall be responsible for reviewing and deciding on each Street Opening Permit application received within 10 business days of receipt. The Superintendent shall have authority to apply engineering expertise and judgment in determining the most appropriate standards and conditions in order to protect the integrity of the public street. Each decision regarding a Street Opening Permit application shall be made in writing, and shall detail the requirements to be met by the applicant. Only written requirements specified as part of the Permit shall be binding on the applicant.
2. The Superintendent, or his or her designee, shall be responsible for obtaining independent expert technical assistance when he or she believes it is necessary to protect the public interest, and for obtaining reimbursement from the applicant for the Town's costs in obtaining such independent expert assistance prior to issuance of a Street Opening Permit.
3. The Superintendent, or his or her designee, shall be responsible for inspecting and approving all work completed pursuant to a Street Opening Permit.
4. If permanent resurfacing is not completed by the applicant within 6 months of backfilling the excavation, the Superintendent may initiate the permanent repairs and assess the applicant for 125% of the cost of such work. Before such deadline, however, the applicant may request a time extension for good cause.

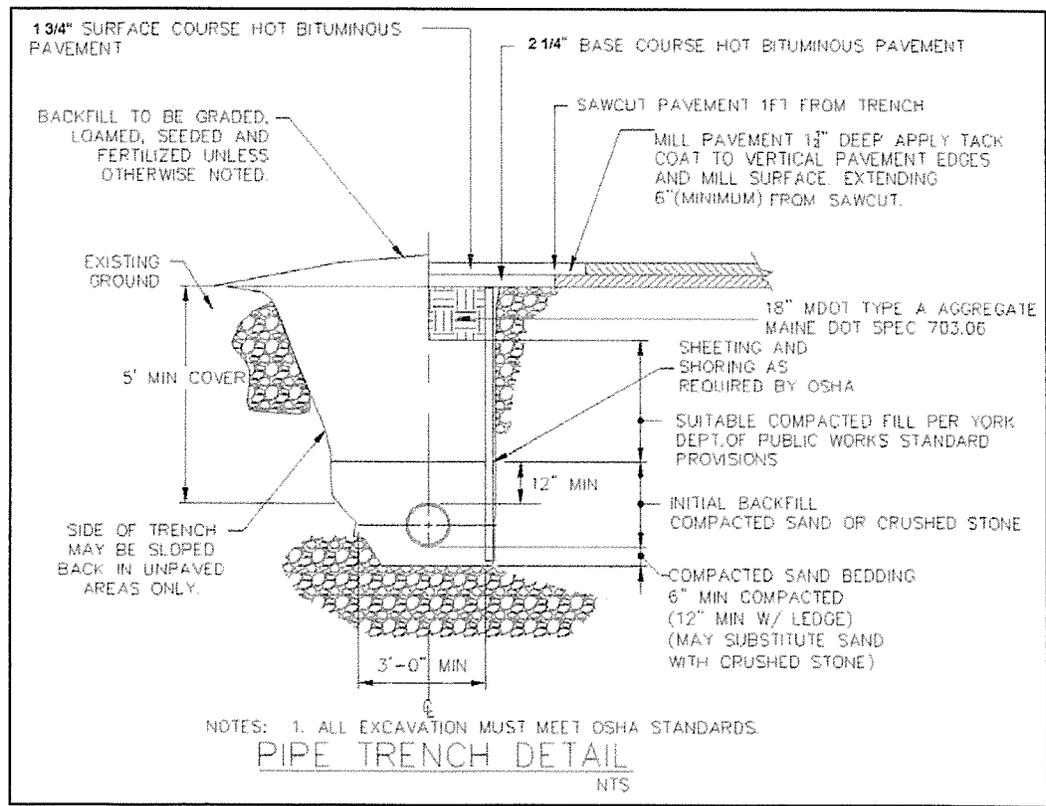
5. The Superintendent is responsible for ensuring the long-term acceptability of repairs. The Superintendent may inspect the repairs at any time, and shall inspect the repairs between one and 2 years of completion of the original repairs. The Superintendent shall take action in accordance with the following:
 - a. If at any inspection the Superintendent deems the repairs inadequate, she/he shall specify work required to fix the deficiencies and shall specify a reasonable amount of time for the applicant to fix the deficiencies. Lacking a sufficient response by the applicant, the Superintendent shall be authorized to undertake the work and to bill the applicant for 125% of the full cost of such work.
 - b. Between one and 2 years, the Superintendent shall inspect the repairs and make a final determination about adequacy. If the repairs are not acceptable, the Superintendent shall follow subsection "a" above. If the repairs are acceptable, the Superintendent shall issue a written acceptance of the repairs. Failure to issue this acceptance within 2 years shall constitute acceptance by default. Acceptance by either means shall terminate the applicant's responsibilities for guaranteeing the repair work.

C. Construction Specifications.

The Superintendent shall ensure that construction pursuant to this Ordinance complies with the following 3 standards plus the trench detail. Exceptions to these standards may be allowed by the Superintendent for good cause, consistent with the need to exercise good engineering practice and judgment.

1. Excavation. The following standards shall apply:
 - a. Existing pavement in Trench area to be excavated shall be neatly cut with pavement saw before pavement is excavated.
 - b. Disturbed non paved shoulder areas shall be restored with ¾ inch crushed gravel compacted to a depth of 8-inches and two feet wide with a vibratory compactor.
 - c. Materials excavated from trench will be used whenever possible to back fill trench up to 18 inches below the pavement or six inches below surface in vegetated areas.
 - d. Disturbed grass areas will be restored with loam placed 6 inches deep and compacted with 100 pound roller and seeded.
 - e. Disturbed roadway areas will be restored with a crushed gravel base placed 18 inches deep and compacted in two lifts with a vibratory compactor.
2. Paving. The following standards shall apply:
 - a. Excavated trench pavement may be patched temporarily with 4-inches of cold patch until a permanent surface is in place.
 - b. Prior to paving the pavement around the excavated trench shall be cut back an additional 12 inches on all sides. The edges of the trench shall be tack coated prior to paving.

- c. Roadway pavement joints will not be stacked. Existing pavement surface will be milled to a depth of 1¼ inches roughly 6 inches from the base joint and paved with hot mix “surface” asphalt. Tack coat shall be used on all exposed pavement edges.
 - d. The excavated pavement surface will be paved with a minimum of 4-inch hot mix asphalt placed and compacted in two lifts. Tack coat shall be used on all exposed pavement edges.
 - e. Removed shoulder and sidewalk pavement areas shall be paved with at least 2-inches of hot mix asphalt placed and compacted in two lifts. Tack coat shall be used on all exposed pavement edges.
 - f. The applicant shall notify the Superintendent at least 2 business days, or as soon as possible during emergency repairs, prior to the installation of the permanent pavement. This ensures the Superintendent has the opportunity to see the work before permanent paving begins.
3. Accounting for Existing Road Conditions. Many older public roads were not constructed to standards now in effect or are in poor condition. Standards may be varied on a case by case basis to account for local conditions, as when working in a road which was built to lesser standards or which is in poor repair, or when other unusual conditions are encountered (actual York examples include roads with pavement thickness as thin as 2” or as thick as 20”). It is also important to avoid aligning paving patch seams with wheel ruts, and other such factors.



SECTION 6: CULVERTS

6.1. General Provisions.

- A. Permit Required.** A Culvert Installation Permit shall be obtained from the Superintendent prior to installing a culvert in or adjacent to any public street, public sidewalk, public right-of-way, or public drainage easement. If the culvert installation requires excavation through a public street or sidewalk, a Street Opening Permit shall also be required. All permits will be acted upon in accordance with the provisions of MRSA Title 23, Sections 2701 through 3707.
- B. Failure to Provide Proper Culvert.** In instances where a public street, right-of-way or drainage ditch has been filled for the purpose of entry to private property without the installation of a culvert, or the installation of an inadequate size culvert, the Superintendent is hereby empowered to require a culvert of the proper specifications to be installed by the involved property's owner in order to accommodate proper storm water management.
- C. Inadequate Performance.** Any culvert installed pursuant to a Culvert Installation Permit which contradicts the standards, terms and conditions of the Permit shall be removed by the property owner if so ordered by the Superintendent.
- D. Culvert Size.** The minimum required diameter of a culvert is 15" if under a driveway, or 18" if under a road, but the Superintendent shall have the authority to vary these minimums for good cause.
- E. Dig Safe.** Compliance with 23 MRSA §3360-A shall be required.

6.2. Standards.

A. Responsibilities of the Applicant.

1. The applicant shall be responsible for preparing and submitting to the Superintendent an application for the proposed street opening. This application shall:
 - a. Be on a form provided by the Public Works Department;
 - b. Specify the diameter, length, type and location of the proposed culvert;
 - c. Providing a drainage analysis from a Maine-licensed Professional Engineer if, in the opinion of the Superintendent, such analysis is warranted to ensure culvert size, placement, and installation are sufficient;
 - d. Specify the expected timeframe for installation;

- e. Describe the plan for traffic control and protection of public safety during installation;
 - f. Obtaining any other required permits; and
 - g. Provide other information relevant to the application.
2. The applicant shall be responsible for all completing all work in accordance with the Culvert Installation Permit obtained pursuant to this Ordinance. All costs are the responsibility of the applicant.
 3. The applicant shall be fully responsible to correct any damage caused to Town property identified by Town inspection. All costs are the responsibility of the applicant.

C. Responsibilities of the Superintendent of Public Works.

1. The Superintendent, or his or her designee, shall be responsible for reviewing and deciding on each Culvert Installation Permit application received. The Superintendent shall have authority to apply engineering expertise and judgment in determining the most appropriate standards and conditions in order to protect the integrity of the public street. Each decision regarding a Culvert Installation Permit application shall be made in writing, and shall detail the requirements to be met by the applicant. Only written requirements specified as part of the Permit shall be binding on the applicant.
2. The Superintendent, or his or her designee, shall be responsible for obtaining independent expert technical assistance when he or she believes it is necessary to protect the public interest, and for obtaining reimbursement from the applicant for the Town's costs in obtaining such independent expert assistance prior to issuance of a Street Opening Permit.
3. The Superintendent, or his or her designee, shall be responsible for inspecting all work completed pursuant to a Culvert Installation Permit, and for identifying and ordering correction of any damage to Town property which may have occurred as a result of the installation.

SECTION 7: VIOLATIONS

- 7.1. Violations.** The Superintendent shall be responsible for determining whether or not there is a violation of this Ordinance. Any time the Superintendent determines a violation exists, it shall be their responsibility to notify the responsible party and attempt to cooperatively obtain corrective action. If this fails, or if the violation poses an immediate threat to public health or safety, the Superintendent may issue a written Notice of Violation.

- 7.2. Duration.** Once the Notice of Violation is received by the person or firm violating the code, hereafter the violator, each day which the violation continues to exist shall constitute a separate offense.
- 7.3. Fine.** The violator shall pay a fine of \$100 for each offense.
- 7.4. Limitation on Future Permits.** Any party which has failed to comply with a Notice of Violation, or failed to pay a fine associated with a violation of this Ordinance shall be prohibited from obtaining any Permit pursuant to this Ordinance until compliance is obtained and/or such fine and any interest due the Town is fully paid.
- 7.5. Enforcement.** When a Notice of Violation has been issued and has not resulted in compliance, the Superintendent may notify the Board of Selectmen of the problem. Upon receipt of such notification, the Board is hereby authorized to institute any and all actions and proceedings necessary to enforce the provisions of this Ordinance on behalf of the Town.

SECTION 8: APPEALS

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

SECTION 9: SAVING CLAUSE

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

SECTION 10: EFFECTIVE DATE

This Ordinance and amendments thereto, shall take effect immediately upon passage by the voters of the Town of York.

SECTION 11: NOTE ABOUT LEGISLATIVE HISTORY

It is not clear exactly when the earlier Street Opening and Culvert Regulations were adopted [prior to the November 2, 2010 version], and for this reason those standards were repealed and replaced with this Ordinance. Because the prior code referred to the Superintendent of Public Works, the code must have been adopted after the Town changed the position from an elected Road Commissioner to an appointed Superintendent of Public Works.

Amber Harrison

From: Dean Lessard
Sent: Wednesday, March 26, 2014 9:11 AM
To: Amber Harrison
Subject: RE: PATCO 65 Old Post Road Permit

Hi Amber

Thanks for forwarding the emails. As Jesse mentioned I have denied a driveway permit for this lot because of safety issues. I'm sure it's going to get ugly.

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: Amber Harrison
Sent: Wednesday, March 26, 2014 9:07 AM
To: Jesse Braley
Subject: RE: PATCO 65 Old Post Road Permit

Good Morning Jesse,

Please contact Dean Lessard regarding the driveway location and let me know when you would like to submit the building permit application.

Thanks,
Amber

Amber L. Harrison
Code Enforcement Officer
Town of York, Maine
186 York Street
York, ME 03909
p: (207) 363-1002
e: aharrison@yorkmaine.org

From: Jesse Braley [<mailto:JBraley@Patco.com>]
Sent: Tuesday, March 25, 2014 4:18 PM
To: Amber Harrison
Subject: RE: PATCO 65 Old Post Road Permit

Thank you for that Amber. I get the pleasure of playing middle man with all this. But that info should help us, thanks again!

Jesse Braley
Project Manager

Patco Construction, Inc.

1293 Main Street
Sanford, Maine
(207) 324-5574 Ext.115
jbraley@patco.com
www.patcoresidential.com

Visit our website for information on our Women Centric Homes, or just give me a call.

From: Amber Harrison [<mailto:aharrison@yorkmaine.org>]
Sent: Tuesday, March 25, 2014 8:30 AM
To: Jesse Braley
Subject: RE: PATCO 65 Old Post Road Permit

Good Morning Jesse,

As per section 11.5 of the Ordinance, "No building permit for a new principal building shall be issued until the site has been evaluated for the presence of wetlands. It shall be the responsibility of the applicant to provide suitable documentation, prepared by a recognized professional within the past ten years." So yes, a wetland delineation will be required. Also, as Luke stated yesterday at the code counter, you may be able to obtain the building permit but that is independent from the driveway approval (provided by DPW/Dean Lessard). Please let me know if you have any questions.

Thanks,
Amber

Amber L. Harrison
Code Enforcement Officer
Town of York, Maine
186 York Street
York, ME 03909
p: (207) 363-1002
e: aharrison@yorkmaine.org

From: Jesse Braley [<mailto:JBraley@Patco.com>]
Sent: Monday, March 24, 2014 4:14 PM
To: Amber Harrison
Subject: PATCO 65 Old Post Road Permit

Amber, I have just a few questions for you about the permit I was going to submit for 65 Old Post Road in York. MAP 94 LOT 8

This is the lot that our driveway permit was denied due to sight line distance. I just wanted to check with you on submitting a building permit and getting approved without an approved driveway permit. Luke had quoted a section from the ordinance, Section 15-A.3. Luke told me that we could submit a permit for this lot without the driveway permit since it was a residential single family home going on an existing lot of record. I just want to make sure this is correct, obviously with this being said if we submit and pay for a building permit but cannot get a driveway permit approved, we have a permit for an unbuildable lot, which doesn't do anyone any good. So in short, I just wanted to see if you had any clarification on this section.

Another question was on the wet land delineation for the site. Is this something York asks for with their permits?

If you could get back to me on this, that would be much appreciated. I believe the board of selectman's meeting was moved from tonight until next Monday. We were trying to get the permit package into you by then. It may be easier to reach me on my cell phone: 207-651-7181, thank you again.

Jesse Braley
Project Manager

Patco Construction, Inc.

1293 Main Street
Sanford, Maine
(207) 324-5574 Ext.115

jbraley@patco.com
www.patcoresidential.com

Visit our website for information on our Women Centric Homes, or just give me a call.

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.

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.

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J. Old Business

1. Discussion with SMRT Concerning Access Road from Route 1 to Ridge Road

At our last meeting SMRT was here to present the Board with information on the siting of the police station and on the Route One Access road. The question came up regarding utilities for the access road and SMRT was asked to come back with some updated cost analysis.

Dennis Jud, of SMRT reported to the Board that after they added a 12 inch water line, a force main, a sewer pump station, underground electrical for the lights every 200ft and align the road to add a sidewalk the cost of the access road would be approximately \$3.229 million, an increase of \$1.2 million. This new cost brings the utilities all the way out to Route 1 vs. the original plan which only brought the utilities to the police station.

The question was raised regarding using the Wild Kingdom road instead of building one ourselves and Mr. Yandow reported that we did explore the use of the Wild Kingdom road and discussed it with the York Wild Kingdom owners; however they were not interested in releasing control of that road. Our ability to expand the Wild Kingdom road would also be problematic due to the extensive vernal pools.

Moved by Mr. Estes and seconded by Mr. Little to include the Access Road in the FY 12 Capital Plan including all the utilities presented at the Jan 10th 2011 Selectmen's Meeting for \$3,229,475 and to forward the proposal to the building committee for a recommendation that will be presented to the board of Selectmen in preparation to be placed in front of the voters in May. Vote 3-1 motion passes, Ms. Andrews against.

K. New Business

1. Appointment of Municipal Building Committee

After interviewing all candidates for the Municipal Building Committee the Board decided to appoint all the applicants. The 2 police representatives and the Town Manager will be non-voting members.

Moved by Mr. Little and seconded by Ms. Andrews to appoint the following people to the Municipal Building Committee: Bob Reed, Scott Fiorentio, Jon Speers, Greg Gosslin, Howard Koepell, and alternate Albert Moulton. Without objection so ordered.

The first organizational meeting will be at the library on Thursday morning, January 13th at 9AM.

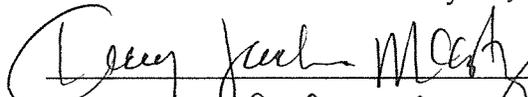
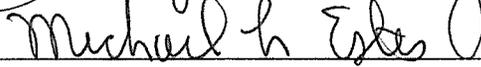
2. Appointment of Code Enforcement Officer

CERTIFICATE OF APPOINTMENT
(Title 30, M.R.S.A., §2253)
SELECTMEN'S OFFICE - MUNICIPALITY OF YORK

January 11th, 2011

TO Scott Fiorentino of York, in the County of York and State of Maine, there being a vacancy in the position of Member of the Municipal Building Committee, the Selectmen of the Municipality of York do, in accordance with the provisions of the laws of the State of Maine and the Town of York Home Rule Charter, hereby appoint you as a Member of the Municipal Building Committee, within and for the Municipality of York, such appointment to be effective until January 30, 2013.

Given under our hands this 11th day of January 2011.

SELECTMEN

OF

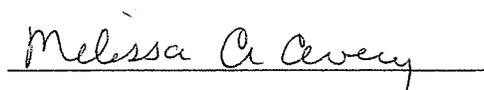
YORK



STATE OF MAINE

COUNTY OF YORK, SS

Personally appeared the above-named Scott Fiorentino who has been duly appointed by the Selectmen as a Member of the Municipal Building Committee, in said Municipality, and took the oath necessary to qualify him to discharge said duties for the term specified above according to law, before me.

, ^{Asst} Municipal Clerk

This Certificate and the Certificate of Oath shall
be returned to the Municipal Clerk for filing.

(OATH OF TOWN OFFICER)

(Except Moderator or Clerk)

State of Maine

January 11th, 2011

I, Scott Fiorentino, do swear that I will support the Constitution of the United States, and of this State, the provisions of the Town of York Home Rule Charter, and the Ordinances of the Town of York, so long as I shall continue a citizen thereof. **SO HELP ME GOD.** (Constitution of Maine, Art. IX, Sec. 1.)

I, Scott Fiorentino, do swear that I will faithfully discharge, to the best of my abilities, the duties incumbent upon me as a member of the Municipal Building Committee, according to the Constitution and laws of the State. **SO HELP ME GOD.**


Signature

York, Maine

January 11, 2011

Subscribed and sworn to,

Before me, Melissa A. Avery
Asst. Town Clerk

CERTIFICATE OF APPOINTMENT
(Title 30, M.R.S.A., §2253)
SELECTMEN'S OFFICE - MUNICIPALITY OF YORK

January 11th, 2011

TO Gregory Gosselin of York, in the County of York and State of Maine, there being a vacancy in the position of Member of the Municipal Building Committee, the Selectmen of the Municipality of York do, in accordance with the provisions of the laws of the State of Maine and the Town of York Home Rule Charter, hereby appoint you as a Member of the Municipal Building Committee, within and for the Municipality of York, such appointment to be effective until January 30, 2013.

Given under our hands this 11th day of January 2011.

Gregory Jack McCarty
Michael H. Estes

SELECTMEN

OF

YORK

Mary Andrew

STATE OF MAINE

COUNTY OF YORK, SS

Personally appeared the above-named Gregory Gosselin who has been duly appointed by the Selectmen as a Member of the Municipal Building Committee, in said Municipality, and took the oath necessary to qualify him to discharge said duties for the term specified above according to law, before me.

Melissa A. Avey, ^{asst.} Municipal Clerk

This Certificate and the Certificate of Oath shall
be returned to the Municipal Clerk for filing.

(OATH OF TOWN OFFICER)

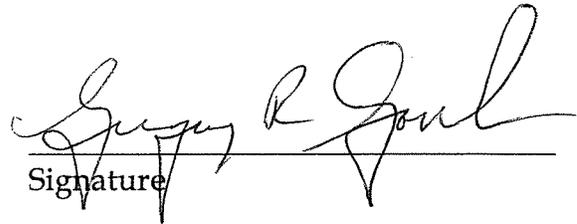
(Except Moderator or Clerk)

State of Maine

January 11th, 2011

I, Gregory Gosselin, do swear that I will support the Constitution of the United States, and of this State, the provisions of the Town of York Home Rule Charter, and the Ordinances of the Town of York, so long as I shall continue a citizen thereof. **SO HELP ME GOD.** (Constitution of Maine, Art. IX, Sec. 1.)

I, Gregory Gosselin, do swear that I will faithfully discharge, to the best of my abilities, the duties incumbent upon me as a member of the Municipal Building Committee, according to the Constitution and laws of the State. **SO HELP ME GOD.**


Signature

York, Maine

January 11, 2011

Subscribed and sworn to,

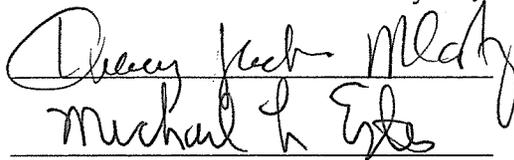
Before me, Melissa A. Avey
Cest. Town Clerk

CERTIFICATE OF APPOINTMENT
(Title 30, M.R.S.A., §2253)
SELECTMEN'S OFFICE - MUNICIPALITY OF YORK

January 11th, 2011

TO Howard Koepfel of York, in the County of York and State of Maine, there being a vacancy in the position of Member of the Municipal Building Committee, the Selectmen of the Municipality of York do, in accordance with the provisions of the laws of the State of Maine and the Town of York Home Rule Charter, hereby appoint you as a Member of the Municipal Building Committee, within and for the Municipality of York, such appointment to be effective until January 30, 2013.

Given under our hands this 11th day of January 2011.



SELECTMEN

OF

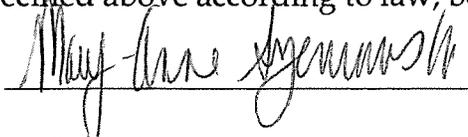
YORK



STATE OF MAINE

COUNTY OF YORK, SS

Personally appeared the above-named Howard Koepfel who has been duly appointed by the Selectmen as a Member of the Municipal Building Committee, in said Municipality, and took the oath necessary to qualify him to discharge said duties for the term specified above according to law, before me.

 _____, Municipal Clerk

This Certificate and the Certificate of Oath shall
be returned to the Municipal Clerk for filing.

(OATH OF TOWN OFFICER)

(Except Moderator or Clerk)

State of Maine

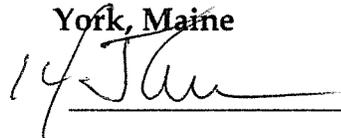
January 11th, 2011

I, Howard Koeppel, do swear that I will support the Constitution of the United States, and of this State, the provisions of the Town of York Home Rule Charter, and the Ordinances of the Town of York, so long as I shall continue a citizen thereof. **SO HELP ME GOD.** (Constitution of Maine, Art. IX, Sec. 1.)

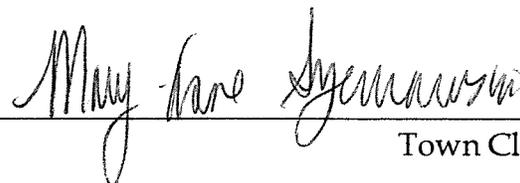
I, Howard Koeppel, do swear that I will faithfully discharge, to the best of my abilities, the duties incumbent upon me as a member of the Municipal Building Committee, according to the Constitution and laws of the State. **SO HELP ME GOD.**



Signature

York, Maine

_____, 2011

Subscribed and sworn to,

Before me, 

Town Clerk

CERTIFICATE OF APPOINTMENT
(Title 30, M.R.S.A., §2253)
SELECTMEN'S OFFICE - MUNICIPALITY OF YORK

January 11th, 2011

TO Albert E. Moulton of York, in the County of York and State of Maine, there being a vacancy in the position of an Alternate Member of the Municipal Building Committee, the Selectmen of the Municipality of York do, in accordance with the provisions of the laws of the State of Maine and the Town of York Home Rule Charter, hereby appoint you as an Alternate Member of the Municipal Building Committee, within and for the Municipality of York, such appointment to be effective until January 30, 2013.

Given under our hands this 11th day of January 2011.

Tracy Jack Mearns
Michael H. Eise

SELECTMEN

OF

YORK

Mary Anderson

STATE OF MAINE

COUNTY OF YORK, SS

Personally appeared the above-named Albert E. Moulton who has been duly appointed by the Selectmen as an Alternate Member of the Municipal Building Committee, in said Municipality, and took the oath necessary to qualify him to discharge said duties for the term specified above according to law, before me.

Mary J. Indurante, Municipal Clerk

This Certificate and the Certificate of Oath shall
be returned to the Municipal Clerk for filing.

(OATH OF TOWN OFFICER)

(Except Moderator or Clerk)

State of Maine

January 11th, 2011

I, Albert Moulton, do swear that I will support the Constitution of the United States, and of this State, the provisions of the Town of York Home Rule Charter, and the Ordinances of the Town of York, so long as I shall continue a citizen thereof. **SO HELP ME GOD.** (Constitution of Maine, Art. IX, Sec. 1.)

I, Albert Moulton, do swear that I will faithfully discharge, to the best of my abilities, the duties incumbent upon me as an alternate member of the Municipal Building Committee, according to the Constitution and laws of the State. **SO HELP ME GOD.**

Albert Moulton

Signature

York, Maine

1/11/11, 2011

Subscribed and sworn to,

Before me, Mary J. Indiana Dep.
Town Clerk

CERTIFICATE OF APPOINTMENT
(Title 30, M.R.S.A., §2253)
SELECTMEN'S OFFICE - MUNICIPALITY OF YORK

January 11th, 2011

TO Robert Reed of York, in the County of York and State of Maine, there being a vacancy in the position of Member of the Municipal Building Committee, the Selectmen of the Municipality of York do, in accordance with the provisions of the laws of the State of Maine and the Town of York Home Rule Charter, hereby appoint you as a Member of the Municipal Building Committee, within and for the Municipality of York, such appointment to be effective until January 30, 2013.

Given under our hands this 11th day of January 2011.

Craig John McCarty
Michael H. Estes

SELECTMEN

OF

YORK

Mary Andrews

STATE OF MAINE

COUNTY OF YORK, SS

Personally appeared the above-named Robert Reed who has been duly appointed by the Selectmen as a Member of the Municipal Building Committee, in said Municipality, and took the oath necessary to qualify him to discharge said duties for the term specified above according to law, before me.

April R. Calver, Municipal Clerk *arc*

This Certificate and the Certificate of Oath shall
be returned to the Municipal Clerk for filing.

(OATH OF TOWN OFFICER)

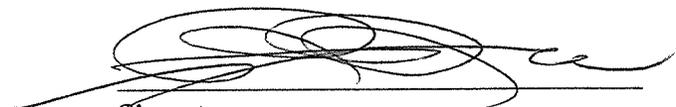
(Except Moderator or Clerk)

State of Maine

January 11th, 2011

I, Robert Reed, do swear that I will support the Constitution of the United States, and of this State, the provisions of the Town of York Home Rule Charter, and the Ordinances of the Town of York, so long as I shall continue a citizen thereof. **SO HELP ME GOD.** (Constitution of Maine, Art. IX, Sec. 1.)

I, Robert Reed, do swear that I will faithfully discharge, to the best of my abilities, the duties incumbent upon me as a member of the Municipal Building Committee, according to the Constitution and laws of the State. **SO HELP ME GOD.**


Signature

York, Maine

1. 11, 2011

Subscribed and sworn to,

Before me, April R. Coleman
Town Clerk *asst.*

CERTIFICATE OF APPOINTMENT
(Title 30, M.R.S.A., §2253)
SELECTMEN'S OFFICE - MUNICIPALITY OF YORK

January 11th, 2011

TO Jonathan O. Speers of York, in the County of York and State of Maine, there being a vacancy in the position of Member of the Municipal Building Committee, the Selectmen of the Municipality of York do, in accordance with the provisions of the laws of the State of Maine and the Town of York Home Rule Charter, hereby appoint you as a Member of the Municipal Building Committee, within and for the Municipality of York, such appointment to be effective until January 30, 2013.

Given under our hands this 11th day of January 2011.

Gregory Jack Mearns
Michael H. Efte

SELECTMEN

OF

YORK

May Andrews

STATE OF MAINE

COUNTY OF YORK, SS

Personally appeared the above-named Jonathan O. Speers who has been duly appointed by the Selectmen as a Member of the Municipal Building Committee, in said Municipality, and took the oath necessary to qualify him to discharge said duties for the term specified above according to law, before me.

Melissa A. Avery, ^{*Asst*} Municipal Clerk

This Certificate and the Certificate of Oath shall
be returned to the Municipal Clerk for filing.

(OATH OF TOWN OFFICER)

(Except Moderator or Clerk)

State of Maine

January 11th, 2011

I, Jonathan O. Speers, do swear that I will support the Constitution of the United States, and of this State, the provisions of the Town of York Home Rule Charter, and the Ordinances of the Town of York, so long as I shall continue a citizen thereof. **SO HELP ME GOD.** (Constitution of Maine, Art. IX, Sec. 1.)

I, Jonathan O. Speers, do swear that I will faithfully discharge, to the best of my abilities, the duties incumbent upon me as a member of the Municipal Building Committee, according to the Constitution and laws of the State. **SO HELP ME GOD.**


Signature

York, Maine

01-13, 2011

Subscribed and sworn to,

Before me, Melissa A. Avery
Asst. Town Clerk



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <u> X </u> Work Session	
Subject: Conflict Waiver for Bernstein Shur	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to authorize the Chairman to sign an agreement through which the Town waives any conflict of interest presented by having Mary Costigan advise the Town Code Enforcement Officer on matters involving Green Forest, LLC.

Discussion: See attached letter from Mary Costigan to Chairman Nowell.

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

Prepared By: Robert G. Yandow

Reviewed By: _____

BERNSTEIN SHUR
COUNSELORS AT LAW

207-774-1200 main
207-774-1127 facsimile
bernsteinshur.com

100 Middle Street
PO Box 9729
Portland, ME 04104-5029

Ronald N. Nowell
Chairman, Board of Selectmen
Town of York
186 York St.
York, ME 03909-1314

Re: Consent to Simultaneous Representation of Town of York and Green Forest, LLC

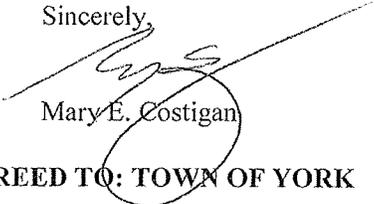
Dear Chairman Nowell:

I write this letter for the purpose of confirming your agreement on behalf of the Town of York (the "Town") to waive any conflict of interest presented by having me advise the Town Code Enforcement Officer and Zoning Board of Appeals regarding building permits issued to Green Forest LLC, while one of my colleagues at Bernstein Shur simultaneously advises Green Forest, an existing client, regarding general corporate matters. Green Forest has separate counsel they retain on a regular basis to assist with land use and real estate matters and we do not advise them in those areas. My colleague, Jim Houle, formed Green Forest and acts as its general counsel.

We have determined that we are able to represent the Town and Green Forest within the requirements of the Maine Rules of Professional Responsibility by providing both with competent and diligent representation notwithstanding this concurrent representation. By signing this letter, you expressly waive any conflict that may be created by our continuing representation of Green Forest and expressly agree that my firm is permitted to continue its representation of Green Forest in matters unrelated to building permits issued for its property in York.

Please let me know if you have any questions regarding this letter. If not, please indicate your consent by countersigning below and returning a countersigned original to me.

Sincerely,


Mary E. Costigan

AGREED TO: TOWN OF YORK

By: _____
Ronald N. Nowell
Chairman, Board of Selectmen

Date: _____

Robert G. Yandow

From: Mary E. Costigan [mcostigan@bernsteinshur.com]
Sent: Tuesday, March 25, 2014 10:35 AM
To: Robert G. Yandow
Cc: Kinley Gregg; Kinley Gregg; Mary Andrews; Mary Andrews; Ronald N. Nowell (rnowell@yahoo.com); Scott Fiorentino (scott@fiorentinogroup.com); Scott D. Fiorentino; Torbert MacDonald; Torbert Macdonald
Subject: Conflict Waiver
Attachments: Conflict Waiver Green Forest 3.19.14.PDF

Rob:

As we discussed last week, I have attached a letter for the Board's consideration regarding a waiver of conflict. A property owner in Town, Green Forest, LLC, recently obtained building permits from the CEO and those permits were the subject of an appeal before the ZBA. Green Forest is represented in that matter by Sandra Guay, an attorney out of Biddeford. One of my colleagues at Berstein Shur is the corporate attorney for Green Forest. He handles all general corporate matters, but is not involved in any land use matters, as they use Ms. Guay in that area. We are confident that we can continue to represent the Town of York with regard to all matters, including the Green Forest land use matter and also represent Green Forest in general corporate matters unrelated to land use. We have asked both parties to sign a mutual conflict waiver. Green Forest has agreed to the waiver. I have attached a letter for review and consideration that consents to my firm's representation of Green Forest on corporate matters. A similar letter consenting to our representation of the Town of York on the land use matter relating to Green Forest has been sent to Green Forest for their signature.

Please let me know if you have any questions.

Thank you –

Mary

Mary E. Costigan
Of Counsel
mcostigan@bernsteinshur.com
207 228-7147 direct
207 774-1200 main
[My Bio](#) | [LinkedIn](#) | [Twitter](#)

BERNSTEIN SHUR | Click for Address: [Portland, ME](#) | [Augusta, ME](#) | [Manchester, NH](#) | [bernsteinshur.com](#)
Member, Lex Mundi, the world's leading association of independent law firms.

Confidentiality notice: This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message including any contained in your reply. Thank you.

IRS notice: Unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding tax-related penalties under the Internal Revenue Code, or (b) promoting, marketing, or recommending to another party any transaction or matter addressed herein.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 11, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Planning Board Appointment	

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

Discussion: Attached is a letter from Todd A. Frederick, Chairman of the Planning Board on behalf of the Board. With the recent resignation of Brud Weger as a Regular Planning Board member, the Planning Board is recommending to the Board of Selectmen that current Alternate Member, Peter Smith be considered for a full term appointment as a Regular Member. Mr. Weger's appointment was through June 30, 2015; there are currently two Regular members expiring in 2016 (Cotton and Stowe), one in 2015 (Frederick) and the Alternates are 2014 and 2017 (Smith and Phalon, respectfully).

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

Prepared By:

Melissa M. Avery

Reviewed By:

Robert B. Gandon

April 11, 2014

Mr. Ronald Nowell, Chairman

York Board of Selectman

186 York Street

York, Maine 03909

Dear Chairman Nowell:

I write this letter with the authorization of the York Planning Board. With the recent resignation of Brud Weger as a Planning Board member, the Board once again stands short of regular members.

Continuing with past practice the Planning Board last evening voted unanimously (5-0) to recommend to the Board of the Selectmen that Peter Smith, Alternate Planning Board member be considered by the Board of Selectman for a full term appointment to the Planning Board. A copy of Peter Smith's resume is on file at Town Hall.

Thank you for your timely consideration with this request. Please contact me if you have any questions.

Sincerely,

Todd A. Frederick, Chairman

A handwritten signature in black ink, appearing to read 'Todd A. Frederick', written in a cursive style.

Cc: Members York Board of Selectman

Members York Planning Board

Robert Yandow, York Town Manager



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: March 31, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: Next regular meeting	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Appointment of Election Clerks for 2014	

TO: Board Of Selectmen
FROM: Mary-Anne Szeniaewski, Town Clerk/Tax Collector
RECOMMENDATION: N/A
PROPOSED MOTION: A motion to appoint those registered voters as listed on the attachment, as Election Clerks for 2014 - 2016.

Discussion: Pursuant to State Statute, please make these appointments no later than May 1, 2014. In addition, I hope to add more names to this list prior to May 1st and ask that you include the potential Clerks in your motion.

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

Prepared By: Mary-Anne Szeniaewski _____ Reviewed By: Mary-Anne Szeniaewski

BAKKE, DONNA
BOARDMAN, SIDNEY
BURNHAM, ELAINE
CARNICELLI, PAMELA
DONIS, ARTEMIS
DORAN, VALERIE
GOVE, REBECCA
GRANT, ROSEMARIE
GRAY, ANA
KOLBJORNSEN, DEBORAH
LOMBARDI, JEANNE
LOVETT, LILLIAN
MACWILLIAMS, SUSAN
MCINTIRE, WAYNE
MONT, DARRAH
NEWICK, SARAH
NEWMAN, PHYLLIS
OBERG, DEBORAH
ROHRER, NANCY
STEEDMAN, JULIANE
STOWE, JOYCE
STOWE, LEWIS
SULLOWAY, SARA
YOUNG, JUDY



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Approve School Budget Open Town Meeting Warrant	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to approve the warrant to call the Town of York School Budget Town Meeting on May 6, 2014 at 6:00PM for the purpose of determining the articles set forth in the warrant.

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

**WARRANT TO CALL TOWN OF YORK
SCHOOL BUDGET TOWN MEETING
(20-A M.R.S.A. § 2307 and § 1485)**

TO: Mary-Anne Szeniawski, Town Clerk of York, State of Maine.

In the name of the State of Maine, you are hereby required to notify the voters of the Town of York, that a School Budget Town Meeting will be held at the York High School Gymnasium, York, Maine at 6:30 p.m. on May 6, 2014 for the purpose of determining the articles set forth below.

ARTICLE 1A: To elect a moderator to preside at the meeting.

**ARTICLES 1 THROUGH 11 AUTHORIZE EXPENDITURES
IN COST CENTER CATEGORIES**

ARTICLE 1: To see what sum the Town will be authorized to expend for Regular Instruction.

School Committee Recommends \$11,839,482

ARTICLE 2: To see what sum the Town will be authorized to expend for Special Education.

School Committee Recommends \$4,304,520

ARTICLE 3: To see what sum the Town will be authorized to expend for Career and Technical Education.

School Committee Recommends \$11,673

ARTICLE 4: To see what sum the Town will be authorized to expend for Other Instruction.

School Committee Recommends \$1,187,158

ARTICLE 5: To see what sum the Town will be authorized to expend for Student and Staff Support.

School Committee Recommends \$2,678,741

ARTICLE 6: To see what sum the Town will be authorized to expend for System Administration.

School Committee Recommends \$797,731

ARTICLE 7: To see what sum the Town will be authorized to expend for School Administration.

School Committee Recommends \$1,420,379

ARTICLE 8: To see what sum the Town will be authorized to expend for Transportation and Buses.

School Committee Recommends \$986,686

ARTICLE 9: To see what sum the Town will be authorized to expend for Facilities Maintenance.

School Committee Recommends \$3,324,396

ARTICLE 10: To see what sum the Town will be authorized to expend for Debt Service and Other Commitments.

School Committee Recommends \$1,665,779

ARTICLE 11: To see what sum the Town will be authorized to expend for All Other Expenditures.

School Committee Recommends \$241,107

ARTICLE 17: To see what sum the Town will authorize the School Committee to expend in FY 2015, for the support of the School Department, an amount not to exceed the sum total of the amounts approved in Articles Twelve, Thirteen, Fourteen and Sixteen, plus any other unfunded debt service obligations. Additional authority to spend over this sum total is provided for any private, federal, or state grant received in this category.

High School/ Middle School Fees	\$90,000
Fund Balance	\$270,150
QSCB 1: Debt Service Rebate	\$57,416
QSCB 2: Debt Service Rebate	\$114,810
Impact Fees	\$105,000
Tuition Revenue	\$9,500
Miscellaneous Income	\$5,000
Rental Income	\$17,800
State Agency Funds	\$5,500
Clark Emerson Trust	\$7
Total Non-Tax Revenues:	\$675,183

School Committee Recommends \$675,183

ARTICLE 18 AUTHORIZES THE ADULT EDUCATION PROGRAM AND RAISES THE LOCAL SHARE

ARTICLE 18: Shall the Town vote to raise and appropriate **\$189,690** for **Adult Education** and raise **\$100,690** as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program?

School Committee Recommends \$189,690

Given under our hand this day, _____, 2014 at York, Maine.

A majority of the Board of Selectmen of York, Maine

A true copy of the Warrant, attest: _____
 Mary-Anne Szeniaewski, Town Clerk
 York, Maine

RETURN

York County, ss.

State of Maine

TO: The municipal officers of the Town of York, April _____, 2014

I certify that I have notified the voters of the Town of York of the time and place of the school budget town meeting by posting an attested copy of the within warrant as follows:

TIME(S)	DATE(S)	LOCATION(S)

being at least seven days prior to the Town of York school budget meeting and being public and conspicuous places in said municipality.

Dated: April _____, 2014

Mary-Anne Szeniewski, Town Clerk
York, Maine

SPECIFIC STATE-MANDATED WARRANT ARTICLES

Warrant Articles to be voted at the School Budget Town Meeting May 6, 2014.

The School Reorganization law requires that Maine schools use a Specific Line Item Format in which their budgets are presented to voters for approval. The Law requires the specific State-Mandated Warrant Articles include Articles for each of the following expenditure categories:

- Regular Instruction
- Special Education
- Career and Technical Education
- Other Instruction
- Student and Staff Support
- System Administration
- School Administration
- Transportation and Buses
- Facilities maintenance
- Debt Service
- All Other Expenditures

Articles One through Eleven authorize expenditures in specific budget line items. These line items determine the final school budget.

ARTICLE ONE: To see what sum the Town will be authorized to expend for **Regular Instruction**.

Statement Of Fact: This Article is the core of the instructional program for all schools. It includes activities dealing directly with the interaction between teachers and students. Teacher and educational technician salaries and benefits, instructional textbooks, supplies, equipment, and field trips are included in this Article.

Recommend	\$11,839,482
FY 2014 Budget Amount	\$11,290,234

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

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Purposes Only

YORK SCHOOL DEPARTMENT
SCHOOL WARRANT ARTICLES

ARTICLE TWO: To see what sum the Town will be authorized to expend for **Special Education**.

Statement Of Fact: This Article funds special education services for grades Kindergarten through grade 12. These services, governed by State and Federal law, are the services required to provide an appropriate education to students with identified disabilities.

Recommend	\$4,304,520
FY 2014 Budget Amount	\$4,217,520

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

ARTICLE THREE: To see what sum the Town will be authorized to expend for **Career and Technical Education**.

Statement Of Fact: This Article funds vocational education for York students attending Sanford Regional Technical Center.

Recommend	\$11,673
FY 2014 Budget Amount	\$5,757

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

ARTICLE FOUR: To see what sum the Town will be authorized to expend for **Other Instruction**.

Statement Of Fact: This Article funds **Horizons programs, English as a Second Language (ESL) instruction, co-curricular, and athletic activities, and these programs' transportation needs** for York's students in grades kindergarten to grade 12. This article provides the funds necessary to support activities and related transportation for athletic and academic clubs and teams in which 90% of the student body participates. ESL was transferred from the Regular Instruction warrant article to this article due to changes in the State Department of Education's chart of accounts.

Recommend	\$1,187,158
FY 2014 Budget Amount	\$1,101,063

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

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YORK SCHOOL DEPARTMENT
SCHOOL WARRANT ARTICLES

ARTICLE FIVE: To see what sum the Town will be authorized to expend for **Student and Staff Support**.

Statement Of Fact: This Article funds library services for all schools, instruction-related technology, student assessment, student guidance and health services and professional and curriculum development for staff.

Recommend	\$2,678,741
FY 2014 Budget Amount	\$2,559,312

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

ARTICLE SIX: To see what sum the Town will be authorized to expend for **System Administration**.

Statement Of Fact: This Article funds expenses of the Superintendent's Office, including fiscal operations, liability insurance, audit and legal services.

Recommend	\$797,731
FY 2014 Budget Amount	\$806,602

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

ARTICLE SEVEN: To see what sum the Town will be authorized to expend for **School Administration**.

Statement Of Fact: This Article funds administrative, clerical and office expenses in York's four schools.

Recommend	\$1,420,379
FY 2014 Budget Amount	\$1,393,510

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

ARTICLE EIGHT: To see what sum the Town will be authorized to expend for **Transportation and Buses**.

Statement Of Fact: This Article funds student transportation to and from school, as defined by state and federal law. York has a contract for student transportation and a fixed cost for fuel is contained within this contract. Special Education and Vocational Education Transportation are included in this article. Music and Athletic Transportation are included in Article Four.

Recommend	\$986,686
FY 2014 Budget Amount	\$1,051,368

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

ARTICLE NINE: To see what sum the Town will be authorized to expend for **Facilities Maintenance**.

Statement Of Fact: This Article funds the maintenance and operation of York’s four schools and the Superintendent’s Office. The current replacement value of these facilities is \$66 million. This Article includes maintenance and custodial expenses, property insurance, energy costs, renovations, repairs and maintenance costs, trash removal and contract services.

Recommend	\$3,324,396
FY 2014 Budget Amount	\$3,029,353

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

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Purposes Only

YORK SCHOOL DEPARTMENT
SCHOOL WARRANT ARTICLES

ARTICLE TEN: To see what sum the Town will be authorized to expend for **Debt Service and Other Commitments**.

Statement Of Fact: This debt service total includes the General Obligation Bonds for York High School authorized by the Voters on May 23, 1998, the General Obligation Bonds for the York Middle School Project authorized by the Voters on May 22, 1999, the General Obligation Bonds for the York High School Music and Instructional Space authorized by the Voters on May 17, 2008, the General Obligation Bonds for the York High School boiler, the Coastal Ridge Elementary School sewer, the York High School bleachers and the School-wide Wide Area Network (WAN) authorized by the Voters May 22, 2010, the General Obligation Bonds for the York High School Renovations, Coastal Ridge Elementary School exterior, York High School Tennis Courts repairs, and paving for multiple school locations authorized by the Voters May 19, 2012, the General Obligation Bonds for the York High School paving project, the Village Elementary School roof project, the Coastal Ridge Elementary School roof project and upgrades to York Schools' Athletic Fields approved by the Voters May 18, 2013, and the 15-year amortization of the York Sewer District's sewer assessment for Coastal Ridge Elementary School approved by the Voters May 21, 2005.

Recommend	\$1,665,779
FY 2014 Budget Amount	\$1,614,248

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

ARTICLE ELEVEN: To see what sum the Town will be authorized to expend for **All Other Expenditures**.

Statement Of Fact: This Article funds non-instructional services, including the schools' cost of Food Services Operations and York's Volunteer Services Program that oversees community involvement in the York Schools.

Recommend	\$241,107
FY 2014 Budget Amount	\$211,157

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

Articles Twelve through Fourteen are State-mandated Warrant Articles that raise monies to fund the specific budgetary line items in Warrant Articles, One through Eleven.

ARTICLE TWELVE: ESSENTIAL PROGRAMS AND SERVICES ARTICLE: To see what sum the Town will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (**Recommend** \$19,114,222) and to see what sum the Town will raise as the Town’s contribution (**Recommend** \$18,045,808) to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

Explanation: The Town’s contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars. **Approval of this Article will allow York to receive the State of Maine’s subsidy for education, which this year is estimated at \$1,068,414.** Consequently, York must raise \$18,045,808 in order to receive the \$1,068,414 subsidy which will be used to reduce the amount to be raised from taxes.

School Committee Recommends	\$18,045,808
FY 2014 Budget Amount	\$18,166,631

School Committee recommends approval (5–0).
Budget Committee recommends approval (7–0).

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YORK SCHOOL DEPARTMENT
SCHOOL WARRANT ARTICLES

ARTICLE THIRTEEN: To see what sum the Town will raise and appropriate for the local share of **annual payments on debt service** previously approved by the Town voters for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Town’s contribution to the total cost of funding public education from kindergarten to grade 12.

Explanation: This debt service total includes the General Obligation Bonds for York High School authorized by the Voters on May 23, 1998, the General Obligation Bonds for the York Middle School Project authorized by the Voters on May 22, 1999, the General Obligation Bonds for the York High School Music and Instructional Space authorized by the Voters on May 17, 2008, the General Obligation Bonds for the York High School boiler, the Coastal Ridge Elementary School sewer, the York High School bleachers and the School-wide Wide Area Network (WAN) authorized by the Voters May 22, 2010, the General Obligation Bonds for the York High School Renovations, Coastal Ridge Elementary School exterior, York High School Tennis Courts repairs, and paving for multiple school locations authorized by the Voters May 19, 2012, the General Obligation Bonds for the York High School paving project, the Village Elementary School roof project, the Coastal Ridge Elementary School roof project and upgrades to York Schools’ Athletic Fields approved by the Voters May 18, 2013, and the 15-year amortization of the York Sewer District’s sewer assessment for Coastal Ridge Elementary School approved by the Voters May 21, 2005.

School Committee Recommends	\$1,665,779
FY 2014 Budget Amount	\$1,614,248

School Committee recommends approval (5–0).
Budget Committee recommends approval (7–0).

ARTICLE FOURTEEN (WRITTEN BALLOT REQUIRED**):** To see what sum the Town will raise and appropriate in additional local funds (**Recommend** \$7,002,467) which exceeds the State’s Essential Programs and Services allocation model by (Recommend \$6,567,002) as required to fund the budget recommended by the school committee.

Explanation: This additional local appropriation is necessary because the Essential Programs and Services model, as described in Article Twelve and established by the State of Maine, does not adequately represent the full cost of kindergarten to grade 12 education. This Article asks the Voters of York to raise the amount of \$7,002,467 as the maximum amount of this additional local appropriation. **Should the Voters of York at the School Budget Meeting amend any specific School Warrant Articles One through Eleven, then this amount would be changed by the amount of the amended article.**

School Committee Recommends	\$7,002,467
FY 2014 Budget Amount	\$5,937,347

School Committee recommends approval (5–0).
Budget Committee recommends approval (7–0).

Article Fifteen is an all-encompassing State-mandated Total Summary School Budget Warrant Article that summarizes the sum of expenditures for the 2014 – 2015 school budget.

ARTICLE FIFTEEN: To see what sum the Town will authorize the school committee to expend for the fiscal year beginning July 1, 2014 and ending June 30, 2015 from the Town’s contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

Explanation: State law requires this Article. This Article represents the total budgetary line items as provided in Warrant Articles One through Eleven. **Should the Voters of York at the School Budget Meeting amend any specific School Warrant Articles One through Eleven, then this amount would be changed by the amount of the amended article.**

School Committee Recommends	\$28,457,651
FY 2014 Budget Amount	\$27,280,123

School Committee recommends approval (5–0).
Budget Committee recommends approval (7–0).

Articles Sixteen and Seventeen authorize the acceptance and expenditure of State and Federal Funds and other non-property tax revenues.

ARTICLE SIXTEEN: To see what sum the Town will authorize the School Committee to **accept and expend** the categories of funds and the estimated amounts listed below in FY 2015, as provided by the Maine State Legislature and other governmental bodies.

State Education Subsidy	\$1,068,414
No Child Left Behind Federal Funds	\$150,216
Local Entitlement – Special Education	\$396,111
Adult Education Subsidy	\$47,000
Other State & Federal Subsidies and/or Grants	

Statement Of Fact: **This Article raises no additional tax monies.** Approval of this Article authorizes the School Department to accept State and Federal funds. The State Education Subsidy in the amount of **\$1,162,490** is being used to reduce the amount to be raised from taxes to fund the school operating budget.

School Committee Recommends	\$1,661,741
FY 2014 Budget Amount	\$1,546,069

School Committee recommends approval (5–0).
Budget Committee recommends approval (7–0).

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Purposes Only

YORK SCHOOL DEPARTMENT
SCHOOL WARRANT ARTICLES

ARTICLE SEVENTEEN: To see what sum the Town will authorize the School Committee to expend in FY 2015, for the support of the School Department, an amount not to exceed the sum total of the amounts approved in Articles Twelve, Thirteen, Fourteen and Sixteen, plus any other unfunded debt service obligations. Additional authority to spend over this sum total is provided for any private, federal, or state grant received in this category.

Statement Of Fact: This Article raises no additional tax monies. The article asks the Voters to **accept non-property tax revenues** in the amount of **\$675,183** to partially offset the expenses of the fiscal year 2015 school budget.

High School/ Middle School Fees	\$90,000
Fund Balance	\$270,150
QSCB 1: Debt Service Rebate	\$57,416
QSCB 2: Debt Service Rebate	\$114,810
Impact Fees	\$105,000
Tuition Revenue	\$9,500
Miscellaneous Income	\$5,000
Rental Income	\$17,800
State Agency Funds	\$5,500
Clark Emerson Trust	\$7
Total Non-Tax Revenues:	\$675,183

School Committee Recommends	\$675,183
FY 2014 Budget Amount	\$636,520

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

Article Eighteen raises funds and authorizes expenditures for York's Adult Education Program.

ARTICLE EIGHTEEN: Shall the Town vote to raise and appropriate \$189,690 for **Adult Education** and raise **\$100,690** as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

Statement Of Fact: The total Adult Education budget for fiscal year 2015 is \$189,690 which includes a State Subsidy of \$47,000 and a Local Appropriation of \$100,690.

School Committee Recommends	\$189,690
FY 2014 Budget Amount	\$207,043

School Committee recommends approval (5-0).
Budget Committee recommends approval (7-0).

Warrant Articles to be voted on the Referendum Ballot May 17, 2014.

Validation Referendum

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

Yes _____

No _____



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	

Subject: Discussion and Possible Action on Previously Approved Pole Location of Pole #26 on Main Street

TO: BOARD OF SELECTMEN
FROM: Chairman Ronald Nowell
RECOMMENDATION:
PROPOSED MOTION:

Discussion: Pole was place in Cappy's Way ROW, blocking access to York Beach Camper Park.

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

Prepared By: _____ Reviewed By: _____

Form 4503

Notification: 301137962
Work Order: 1000506132

LOCATION PERMIT

Upon the Application of Center Maine Power Company and Northern New England Telephone Operations LLC ME ,
dated 11/23/2013 , asking for permission, in accordance with law, to construct and
maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances
over, under, along or across certain highways and public roads in the location described in said application,
permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,
said facilities and appurtenances in the City / Town of York

approximately located as follows:

- 1. Starting Point: 26
- 2. Road (State & CMP): Main Street
- 3. Direction: Southerly
- 4. Distance: 30' feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: Robert B. Yandow

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk

Form 4501

Notification: 301137962

Work Order: 1000506132

CENTRAL MAINE POWER COMPANY APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: York, Maine

To the: City

Town

County of: York, Maine

Central Maine Power hereby applies for permission to:

Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

Central Maine Power Company and Northern New England Telephone Operations LLC ME jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: 26

2. Road (State & CMP): Main Street

3. Direction: Southerly

4. Distance: 30' feet

5. Number of Poles: 1

Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.

Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

Public Notice of this application has been given by publishing the text of the same

Not Published

In: _____

On: _____

CENTRAL MAINE POWER COMPANY

Northern New England Telephone Operations LLC ME

By: Elaine Titherington

Date: 11/23/2013

By: Deb Murray Date: 11/27/2013
Deb Murray



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Discussion and Possible Action on Re-Paving Route 1-A into York Beach from North	

TO: BOARD OF SELECTMEN
FROM: Chairman Ronald Nowell
RECOMMENDATION:
PROPOSED MOTION:

Discussion: There are conflicting statements as to “when” (Spring or Fall) it will be done. We need to set a firm date.

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

Prepared By: _____ Reviewed By: _____



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 10, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Redemption Request: Tax Map 0023-0029; 3 Cappys Lane	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Allow the property redemption of Tax Map 0023-0029; 3 Cappys Lane to Sharon L. Chase
PROPOSED MOTION: I move to approve the redemption of 0023-0029; located at 3 Cappys Lane, as requested, subject to the attached conditions being met and that all taxes, interest and administrative costs are paid in full by no later than June 13, 2014.

Discussion: Please see attached Memo and documents for details.

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

Prepared By: Melissa M. Avery

Reviewed By: Robert B. Gardner



TAX LIEN MEMO

TO: Board of Selectmen
FROM: Melissa M. Avery
DATE: April 10, 2014
RE: Tax Foreclosure Redemption Request: Map 0023, Lot 0029; 3 Cappys Lane

Sharon L. Chase, former property owner of property identified as Tax Map 0023, Lot 0029, located at 3 Cappys Lane in York, Maine, requests to redeem this property for which the Town has a tax lien for Fiscal Years 2011, 2012 and 2013. The Town foreclosed on this property as of January 21, 2014 for non-payment of the FY2011 tax lien.

We are recommending to the Selectmen that Sharon L. Chase be allowed to redeem this property providing the following conditions are met:

Condition #1 – Sharon L. Chase pay all current taxes, interest and lien costs owed, which will total \$4,421.47 as of June 13, 2014.

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

Condition #3 – Sharon L. Chase shall pay in full, to the Town of York, all current taxes, interest, administrative costs and lien costs, which total \$4,621.47 by no later than June 13, 2014.

Parcel Information

Map-Lot

0023-0029

Former Owner(s)

Sharon L. Chase

Party Requesting Redemption

Sharon L. Chase

Size of Lot

.41 Acre

Assessed Value

\$160,300

Description of Foreclosure Action

The Town has filed a tax lien on this property for the Fiscal Years 2011, 2012 and 2013; The FY11 lien matured and was foreclosed on January 21, 2014.

Taxes Owed

The total amount of taxes, interest and lien costs owed is \$4,421.47 as of June 13, 2014; which breaks down as follows:

FY2011	\$1,576.87
FY2012	\$1,507.82
FY2013	\$1,336.78

Sharon L. Chase will also be billed a supplemental bill for the taxes owed for FY14 and FY15 after the above mentioned taxes are paid and the property has been redeemed.

Summary

Detail

Notes

Payment Plan

Access

- Tax Map # 0023 0029
- Linked to Tax Map # 0023 0029

- YORK TOWN OF
- Linked to YORK TOWN OF

Parcels Linked to Tax Map # 0023 0029

Filters

Year

Sub System

Active A/R

Hide zero balance

Late Charges

As of Date

Display

Keep Setting

Daily Interest Amount \$0.71

Year id	Sub System	Bill Number	Billed	Fee	Balance Due	Late Charges	Total Due	Up To 1st Due	Bar Code
2013	Tax Title	RE5002	\$1,264.61		\$1,264.61	\$72.17	\$1,336.78	\$1,336.78	510875
2012	Tax Title	RE5036	\$1,335.31	\$9.11	\$1,344.42	\$163.40	\$1,507.82	\$1,507.82	288424
2011	Tax Title	RE5032	\$1,320.92	\$8.75	\$1,329.67	\$247.20	\$1,576.87	\$1,576.87	171829

			\$3,920.84	\$17.86	\$3,938.70	\$482.77	\$4,421.47		
--	--	--	------------	---------	------------	----------	------------	--	--

Refresh

Search

3-6-14

Missy Doery,

I Sharon L. CHASE^{IS}
Requesting process
of Redemption on
property at 3 Cappy
Lane in back tax.

Sincerely,
Sharon L. Chase
157 Pingree Rd.
New London, NH

MAP lot: 03557
0023 6029



Melissa M. Avery

From: Stephen H. Burns
Sent: Friday, April 04, 2014 11:16 AM
To: Melissa M. Avery
Subject: RE: Property Redemption: 3 Cappys Lane

Missy,

Yup. I just didn't get right back to you. I'm all set with this. No code issues.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Friday, April 4, 2014 10:55 AM
To: Stephen H. Burns
Subject: RE: Property Redemption: 3 Cappys Lane

Steve,

Did Catherine ever get back to you on this?

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: Stephen H. Burns
Sent: Tuesday, March 25, 2014 3:49 PM
To: Catherine Harman
Subject: FW: Property Redemption: 3 Cappys Lane

Catherine,

The former owner of 3 Cappys Lane is trying to get their property back. The house is on septic. Do we have any septic tank pumping records for this property?

Thanks!

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Wednesday, March 19, 2014 2:25 PM
To: Mary-Anne Szeniaowski; Richard C. Mace; Stephen H. Burns
Subject: Property Redemption: 3 Cappys Lane

Attached is the redemption request for 3 Cappys Lane (0023-0029). Please let me know if you have any issues/concerns.

Mary-Anne, may I have the taxes and interest through June 13th and June 27th ?

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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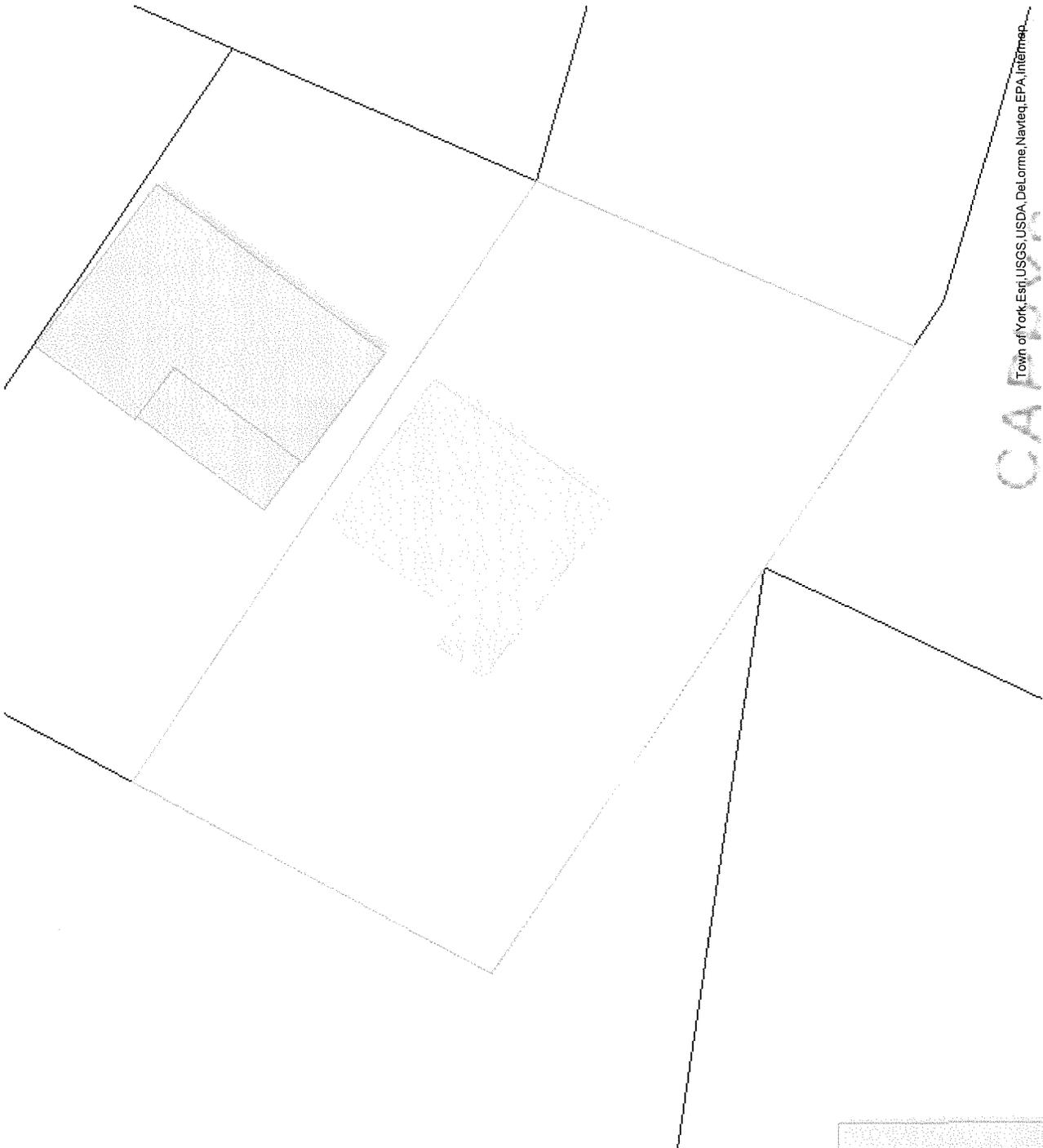
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GIS Map Print

Subject Property Data

Parcel ID: 0023-0029
 Assessing ID: 145-053
 Owner Name: YORK TOWN OF
 Co-Owner:
 Property Location: 3 CAPPYS LANE
 Owner Addr: 186 YORK STREET
 Owner CSZ: YORK, ME 03909
 Area (Acres): 0.41
 Land Value: \$149,200.00
 Building Value: \$11,100.00
 Total Value: \$160,300.00
 Book/Page: 1 / 1



Town of York Esq. USGS, USDA, DeLorme, Navteq, EPA, Intermap...

GIS Data Disclaimer-The data contained in this document, or any accompanying document is a resource of general information provided on the World Wide Web for public convenience. The Town of York makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. The reader should not rely on the data provided herein. The Town of York expressly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. This disclaimer can be seen at under the Community Development Department GIS Maps website.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 10, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Redemption Request: Tax Map 0096-0135; 151 Mountain Road	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Allow the property redemption of Tax Map 0096-0135; 151 Mountain Road to Robert McLaughlin
PROPOSED MOTION: I move to approve the redemption of Tax Map 0096-0135; located 151 Mountain Road, as requested, subject to the attached conditions being met and that all taxes, interest and administrative costs are paid in full by no later than June 13, 2014.

Discussion: Please see attached Memo and documents for details.

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

Prepared By:

Melissa M. Avery

Reviewed By:

Robert B. Gannon



TAX LIEN MEMO

TO: Board of Selectmen
FROM: Melissa M. Avery
DATE: April 10, 2014
RE: Tax Foreclosure Redemption Request: Map 0096, Lot 0135; 151 Mountain Road

Robert McLaughlin, former property owner of property identified as Tax Map 0096, Lot 0135, located at 151 Mountain Road in York, Maine, requests to redeem this property for which the Town has a tax lien for Fiscal Years 2010, 2011 and 2012. The Town foreclosed on this property as of January 21, 2014 for non-payment of the FY2010 tax lien.

We are recommending to the Selectmen that Robert McLaughlin be allowed to redeem this property providing the following conditions are met:

Condition #1 – Robert McLaughlin pay all current taxes, interest and lien costs owed, which will total \$4,220.47 as of June 13, 2014.

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

Condition #3 – Robert McLaughlin shall pay in full, to the Town of York, all current taxes, interest, administrative costs and lien costs, which total \$4,420.47 by no later than June 13, 2014.

Parcel Information

Map-Lot

0023-0029

Former Owner(s)

Robert McLaughlin

Party Requesting Redemption

Robert McLaughlin

Size of Lot

2.4 Acres

Assessed Value

\$110,900

Description of Foreclosure Action

The Town has filed a tax lien on this property for the Fiscal Years 2010, 2011 and 2012; The FY10 lien matured and was foreclosed on December 15, 2011.

Taxes Owed

The total amount of taxes, interest and lien costs owed is \$4,420.47 as of June 13, 2014; which breaks down as follows:

FY2010	\$1,179.87
FY2011	\$1,210.02
FY2012	\$1,151.02

Robert McLaughlin will also be billed a supplemental bill for the taxes owed for FY13, FY14 and FY15 after the above mentioned taxes are paid and the property has been redeemed.

Summary

Detail

Notes

Payment Plan

Access

- Tax Map # 0096 0135
- Linked to Tax Map # 0096 0135

- YORK TOWN OF
- Linked to YORK TOWN OF

Parcels Linked to Tax Map # 0096 0135

Filters

Year

Sub System

Active A/R

Hide zero balance

Late Charges

As of Date

Display

Keep Setting

Daily Interest Amount \$0.68

Year id	Sub System	Bill Number	Billed	Interest	Fee	Adjustment	Paid	Balance Due	Late Charges	Total Due	Up To 1st Due
2012	Tax Title	RE6363	\$1,141.91		\$9.11			\$1,151.02	\$138.01	\$1,289.03	\$1,289.03
2011	Tax Title	RE6384	\$1,201.27		\$8.75			\$1,210.02	\$223.87	\$1,433.89	\$1,433.89
2010	Tax Title	TT121452	\$1,037.32	\$141.91	\$8.59		\$7.95	\$1,179.87	\$317.68	\$1,497.55	\$1,497.55
2009	Tax Title	TT110534	\$998.63	\$234.88	\$8.54		\$1,242.05	\$0.00	\$0.00	\$0.00	\$0.00
2004	Tax Title	TT11243	\$915.68	\$284.74	\$5.00		\$1,205.42	\$0.00	\$0.00	\$0.00	\$0.00
2003	Tax Title	TT11242	\$967.60	\$163.27	\$13.84		\$1,144.71	\$0.00	\$0.00	\$0.00	\$0.00
2002	Tax Title	TT11241	\$809.40	\$195.99			\$1,005.39	\$0.00	\$0.00	\$0.00	\$0.00
2001	Tax Title	TT11240	\$724.20	\$127.44			\$851.64	\$0.00	\$0.00	\$0.00	\$0.00
			\$10,245.51	\$1,914.09	\$82.15	(\$58.67)	\$8,642.17	\$3,540.91	\$679.56	\$4,220.47	

Refresh

Search

Robert McLaughlin
P.O. Box 645
Cape Neddick, Me. 03902

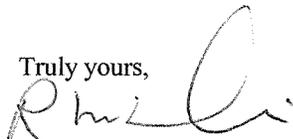
Missy Avery
Town of York
186 York Street
York, Me. 03902

Dear Ms. Avery

I would like to redeem my business property at 151 Mountain Road in Cape Neddick. I would greatly appreciate your assistance in guiding me through the process..

Thank you.

Truly yours,



Robert McLaughlin

Melissa M. Avery

From: Stephen H. Burns
Sent: Tuesday, April 01, 2014 1:44 PM
To: Melissa M. Avery
Subject: RE: Property Redemption: 151 Mountain Road

Missy,

I have no code concerns with this request.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Tuesday, April 1, 2014 1:31 PM
To: Stephen H. Burns; Mary-Anne Szeniaewski; Richard C. Mace; Wendy Anderson
Subject: RE: Property Redemption: 151 Mountain Road

Woopsie!

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: Stephen H. Burns
Sent: Tuesday, April 01, 2014 1:30 PM
To: Melissa M. Avery; Mary-Anne Szeniaewski; Richard C. Mace; Wendy Anderson
Subject: RE: Property Redemption: 151 Mountain Road

By attached you mean...

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Tuesday, April 1, 2014 10:20 AM
To: Mary-Anne Szeniaewski; Stephen H. Burns; Richard C. Mace; Wendy Anderson
Subject: Property Redemption: 151 Mountain Road

Attached is the Redemption request for 151 Mountain Road. Any known issues?

Mary-Anne, may I have the taxes through 6/13 and 6/27, please?



GIS Map Print

Subject Property Data

Parcel ID: 0096-0135
Assessing ID: 225-141
Owner Name: YORK TOWN OF
Co-Owner:
Property Location: 151 MOUNTAIN ROAD
Owner Addr: 186 YORK STREET
Owner CSZ: YORK, ME 03909
Area (Acres): 2.40
Land Value: \$97,000.00
Building Value: \$13,900.00
Total Value: \$110,900.00
Book/Page: 15879/ 632



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



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Pole Location Permit: US Route One	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the Pole Location Permit for US Route One
PROPOSED MOTION: I move to approve the Pole Location Permit for 1 pole on US Route One, in a Southeasterly direction, 45 feet from pole #350.

Discussion: The permit request has been reviewed by Director of Public Works, Dean Lessard and an onsite inspection of the area completed; Mr. Lessard has given his approval of the permit requested.

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

Prepared By: Melissa M. Avery

Reviewed By: Robert S. Yandon

Form 4503

Notification: 301196193

Work Order: 1000516145

LOCATION PERMIT

Upon the Application of Center Maine Power Company and Northern New England Telephone Operations LLC ,

dated Mar 7, 2014 , asking for permission, in accordance with law, to construct and

maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances

over, under, along or across certain highways and public roads in the location described in said application,

permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,

said facilities and appurtenances in the City / Town of York ,

approximately located as follows:

- 1. Starting Point: Existing pole 350
- 2. Road (State & CMP): US Rt 1 aka State Road
- 3. Direction: South easterly
- 4. Distance: 45 feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk

Form 4501

Notification: 301196193

Work Order: 1000516145

CENTRAL MAINE POWER COMPANY APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: York, Maine

To the: City

Town

County of: York, Maine

Central Maine Power hereby applies for permission to:

Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

Central Maine Power Company and Northern New England Telephone Operations LLC

jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: Existing pole 350

2. Road (State & CMP): US Rt 1 aka State Road

3. Direction: South easterly

4. Distance: 45 feet

5. Number of Poles: 1

Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.

Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

Public Notice of this application has been given by publishing the text of the same

Not Published

In: _____

On: _____

CENTRAL MAINE POWER COMPANY

Northern New England Telephone Operations LLC

By: Elaine Titherington

Date: Mar 7, 2014

By: Jay [Signature]

Date: 4-3-14

Melissa M. Avery

From: Dean Lessard
Sent: Monday, April 07, 2014 10:35 AM
To: Melissa M. Avery
Subject: RE: Pole Location Permit: US Route One

Hi Missy

I have reviewed the attached pole permit. DPW doesn't have any issues with it. 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: Monday, April 07, 2014 9:32 AM
To: Dean Lessard
Subject: Pole Location Permit: US Route One

Morning Dean

Attached is a Pole Permit Application for a pole on Route One. 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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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the Special Event Permit application for the <i>York Village Fire Department's Annual Firemen's Field Day</i>
PROPOSED MOTION: I move to approve Special Event Permit application for the <i>York Village Fire Department's Annual Firemen's Field Day</i> on Saturday, August 16, 2014

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

Rec'd 4-4-14



Town of York, Maine Special Event Permit Application

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

Date: 3-25-14

Name of Event: York Village Fire Dept

Type of Event: Annual Firemen's Field Day

Organization Name: YFD Phone #: 1015

Organization Address: 1 Firehouse Dr City: York State: Me Zip: 03909

Applicant Name: C Balcutine Phone #: 207 363 1644

Applicant Address: Same City: York State: Me Zip: 03909

Contact Name for Day of Event: C Balcutine Contact Phone # 207-475-8463

Date of Event: 8-16-14 Day of Week: SATURDAY

Starting Time: Noon Ending Time: 4 PM

Assembly Area: Parade: Woodbridge Rd to Library - Muster @ Moulton

Dispersal Area: Moulton Park US Rte #1A - York Street, Park

Event Route: Woodbridge Rd to Library via York St

YFD is aware of schedule + route

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)
300

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

Fire truck Parade with marching units

Describe how group is organized and supervised to insure order:

Firefighters & Police will supervise

Purpose of the Event: Firefighter annual event

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

Signature of Applicant: Chris Balcutine

For Town Use Only

Reviewed by:

<u>Department</u>	<u>Initials</u>	
Police Department	<u>Szeniawski</u>	<u>04-07-2014</u>
Public Works	<u>Lessard</u>	<u>04-04-2014</u>
Parks/Recreation	<u>Sullivan</u>	<u>04-04-2014</u>
Village Fire	<u>Apgar</u>	<u>04-09-2014</u>
York Beach Fire	<u>Bridges</u>	<u>N/A</u>
Code Enforcement	<u>Burns</u>	<u>04-04-2014</u>
York Ambulance	<u>Prince</u>	<u>04-04-2014</u>

Special Conditions:

Police: Will have a Traffic Safety Plan in place.

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

Town Manager

Date

Melissa M. Avery

From: Ellen Prince [ellenprince@gmail.com]
Sent: Friday, April 04, 2014 3:08 PM
To: Melissa M. Avery
Subject: Re: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

OK with York Ambulance

On Apr 4, 2014, at 3:49 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

There were two applications submitted for the York Village Fire Department's Annual Firemen's Field Day in August, Chris Balentine would like to use the attached application instead of the previous one submitted by Michael Brown.

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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<York Village Fire Department's Annual Firemen's Field Day.pdf>

Melissa M. Avery

From: David K. Bridges
Sent: Friday, April 04, 2014 2:09 PM
To: Melissa M. Avery
Cc: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David Apgar
Subject: Re: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

I have no problem

Sent from my iPhone. Dave

On Apr 4, 2014, at 9:49 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

There were two applications submitted for the York Village Fire Department's Annual Firemen's Field Day in August, Chris Balentine would like to use the attached application instead of the previous one submitted by Michael Brown.

Melissa M. Avery
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<York Village Fire Department's Annual Firemen's Field Day.pdf>

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Melissa M. Avery

From: Michael J. Sullivan
Sent: Friday, April 04, 2014 1:30 PM
To: Melissa M. Avery; Charles J. Szeniewski; Dean Lessard; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: RE: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

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: Friday, April 04, 2014 9:50 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

There were two applications submitted for the York Village Fire Department's Annual Firemen's Field Day in August, Chris Balentine would like to use the attached application instead of the previous one submitted by Michael Brown.

Melissa M. Avery
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Melissa M. Avery

From: Stephen H. Burns
Sent: Friday, April 04, 2014 11:11 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

Missy,

I have no code concerns with this event.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Friday, April 4, 2014 9:50 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

There were two applications submitted for the York Village Fire Department's Annual Firemen's Field Day in August, Chris Balentine would like to use the attached application instead of the previous one submitted by Michael Brown.

Melissa M. Avery
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Town of York, Maine
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Melissa M. Avery

From: Dean Lessard
Sent: Friday, April 04, 2014 11:12 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

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, April 04, 2014 9:50 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Appar
Subject: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

There were two applications submitted for the York Village Fire Department's Annual Firemen's Field Day in August, Chris Balentine would like to use the attached application instead of the previous one submitted by Michael Brown.

Melissa M. Avery
Assistant to the Town Manager

Town of York, Maine

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

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Melissa M. Avery

From: David Apgar
Sent: Wednesday, April 09, 2014 3:13 PM
To: Melissa M. Avery
Subject: RE: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

Yes, of course!! :-)

From: Melissa M. Avery
Sent: Wednesday, April 09, 2014 9:37 AM
To: David Apgar
Subject: FW: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

I would assume YVFD approves this event? ☺

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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From: Melissa M. Avery
Sent: Friday, April 04, 2014 9:50 AM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

There were two applications submitted for the York Village Fire Department's Annual Firemen's Field Day in August, Chris Balentine would like to use the attached application instead of the previous one submitted by Michael Brown.

Melissa M. Avery
Assistant to the Town Manager

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

Please consider the environment before printing this email.

Melissa M. Avery

From: Charles J. Szeniaowski
Sent: Monday, April 07, 2014 11:50 AM
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 Permit: York Village Fire Department's Annual Firemen's Field Day

We have no problem with this event we will have a traffic safety plan in place .

From: Melissa M. Avery
Sent: Friday, April 04, 2014 9:50 AM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: York Village Fire Department's Annual Firemen's Field Day

There were two applications submitted for the York Village Fire Department's Annual Firemen's Field Day in August, Chris Balentine would like to use the attached application instead of the previous one submitted by Michael Brown.

Melissa M. Avery
Assistant to the Town Manager

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

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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit: The York Harbor Reading Room Annual Fireworks	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the Special Event Permit application for <i>The York Harbor Reading Room Annual Fireworks</i>
PROPOSED MOTION: I move to approve Special Event Permit application for <i>The York Harbor Reading Room Annual Fireworks</i> on Saturday, July 5, 2014

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

Rec'd 3/24/14



Town of York, Maine Special Event Permit Application

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

Date: 1/23/14

Name of Event: The York Harbor Reading Room Annual Fireworks

Type of Event: FIREWORKS Display

Organization Name: The York Harbor Reading Room Phone #: 207-563-2563

Organization Address: 491 YORK ST. City: YORK State: ME Zip: 03911

Applicant Name: Benjamin J. Lawlor Phone #: 207-563-2563

Applicant Address: 491 YORK ST. City: York Harbor State: ME Zip: 03911

Contact Name for Day of Event: Benjamin J. Lawlor Contact Phone # 207-563-2563

Date of Event: July 5, 2014 Day of Week: SATURDAY

Starting Time: 9:00 PM Ending Time: 9:20 PM

Assembly Area: YORK Harbor Beach

Dispersal Area: YORK Harbor Beach

Event Route: N/A

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

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

Describe how group is organized and supervised to insure order: Police and Fire Departments will be in attendance

Purpose of the Event: Independence Day Celebration

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

Signature of Applicant: Benj Lawlor

For Town Use Only

Reviewed by:

<u>Department</u>	<u>Initials</u>	
Police Department	<u>Szeniawski</u>	<u>03-24-2014</u>
Public Works	<u>Lessard</u>	<u>03-24-2014</u>
Parks/Recreation	<u>Sullivan</u>	<u>03-25-2014</u>
Village Fire	<u>Apgar</u>	<u>04-02-2014</u>
York Beach Fire	<u>Bridges</u>	<u>03-24-2014</u>
Code Enforcement	<u>Burns</u>	<u>03-24-2014</u>
York Ambulance	<u>Prince</u>	<u>03-24-2014</u>

Special Conditions:

Police: Will need 3 (three) Detail Officers for crowd and traffic control. A safety and Security Plan will be drafted.

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

Village Fire: Approval pending the State Fire Marshall's Permit approval. Will have an apparatus placed in three separate locations to support the event, along with a command area setup with YPD and York Ambulance located at the Harbor Beach drop-off area.

Any Questions: Dave Apgar (207)363-1015

Town Manager

Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/17/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER FIAI/Cross Insurance 1100 Elm Street Manchester NH 03101	CONTACT NAME: Carrie Morgan, CIC	
	PHONE (A/C, No, Ext): (603) 669-3218	FAX (A/C, No): (603) 645-4331
	E-MAIL ADDRESS: cmorgan@crossagency.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Lexington Ins Co	19437
	INSURER B: National Indemnity Company	
	INSURER C: Riverport Ins Co c/o Berkley	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 14-15 All lines REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			015375109	3/15/2014	3/15/2015	EACH OCCURRENCE \$ 2,000,000	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	X					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 10,000	
	<input checked="" type="checkbox"/> \$5,000 Deductible						PERSONAL & ADV INJURY \$ 2,000,000	
	<input checked="" type="checkbox"/> Contractual Liability						GENERAL AGGREGATE \$ 4,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$ 4,000,000	
<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					\$			
B	AUTOMOBILE LIABILITY			70APS040283 Incl Hired Phys Damage Includes MCS-90 Comprehensive \$1,000 Collision \$1,000	3/15/2014	3/15/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$	
	<input type="checkbox"/> ALL OWNED AUTOS						<input checked="" type="checkbox"/> SCHEDULED AUTOS	BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS						<input checked="" type="checkbox"/> NON-OWNED AUTOS	PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> Hired Phys Dam							Waiver of Subrogation \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR					015375094	3/15/2014	3/15/2015
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE			AGGREGATE \$ 5,000,000				
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			\$				
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC-28-83-003487-03 (3a.) NH, CT & VT Includes Longshoreman's & Harbor Work Comp Act	6/13/2013	6/13/2014	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$ 500,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000	
							E.L. DISEASE - POLICY LIMIT \$ 500,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Fireworks display on 7/5/2014 with a rain date on 7/6/2014 in York Harbor, ME.
The York Harbor Reading Room and the Town of York Harbor, ME are included as additional insured with respects to the General Liability as per written contract, where permitted by the policy language.

CERTIFICATE HOLDER State of Maine Bureau of General Services 77 State House Station Augusta, ME 04333-0077	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Laura Perrin/JSC 

Melissa M. Avery

From: Ellen Prince [ellenprince@gmail.com]
Sent: Monday, March 24, 2014 12:15 PM
To: Melissa M. Avery
Cc: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns
Subject: Re: Special Event Permit: York Harbor Reading Room Annual Fireworks

York Ambulance will be there.

Thank you,
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 Mon, Mar 24, 2014 at 10:21 AM, Melissa M. Avery <mmavery@yorkmaine.org> wrote:

Attached is the Special Event Permit Application for the York Harbor Reading Room's Annual Fireworks, on Saturday, July 5th

Please let me know when you've had a chance to review!

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: Stephen H. Burns
Sent: Monday, March 24, 2014 12:13 PM
To: Melissa M. Avery
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

Missy,

I have no code issues with this event.

Steve

Stephen H. Burns
Community Development Director

From: Melissa M. Avery
Sent: Monday, March 24, 2014 10:22 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: Special Event Permit: York Harbor Reading Room Annual Fireworks

Attached is the Special Event Permit Application for the York Harbor Reading Room's Annual Fireworks, on Saturday, July 5th

Please let me know when you've had a chance to review!

Missy

Melissa M. Avery
Assistant to the Town Manager

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Melissa M. Avery

From: Michael J. Sullivan
Sent: Monday, March 24, 2014 1:26 PM
To: Melissa M. Avery; Charles J. Szeniaowski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

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: Monday, March 24, 2014 10:22 AM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: Special Event Permit: York Harbor Reading Room Annual Fireworks

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Please let me know when you've had a chance to review!

Missy

Melissa M. Avery
Assistant to the Town Manager

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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, March 25, 2014 10:49 AM
To: Melissa M. Avery
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

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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Facebook: www.facebook.com/YorkMainePublicWorks

From: Melissa M. Avery
Sent: Monday, March 24, 2014 10:22 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: Special Event Permit: York Harbor Reading Room Annual Fireworks

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Please let me know when you've had a chance to review!

Missy

Melissa M. Avery
Assistant to the Town Manager

Town of York, Maine

186 York Street, York, ME 03909

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Melissa M. Avery

From: Charles J. Szeniewski
Sent: Monday, March 24, 2014 11:10 AM
To: Melissa M. Avery; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

Were good

From: Melissa M. Avery
Sent: Monday, March 24, 2014 10:52 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

Here is their insurance liability for the event

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: Charles J. Szeniewski
Sent: Monday, March 24, 2014 10:47 AM
To: Melissa M. Avery; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

The Police Department will require three Detail officers for Crowd and Traffic Control A Safety and Security Plan will be drafted. Missy do you have a copy of their insurance liability for the event covering the town normally they attach it.

From: Melissa M. Avery
Sent: Monday, March 24, 2014 10:22 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: Special Event Permit: York Harbor Reading Room Annual Fireworks

Attached is the Special Event Permit Application for the York Harbor Reading Room's Annual Fireworks, on Saturday, July 5th

Please let me know when you've had a chance to review!

Missy

Melissa M. Avery
Assistant to the Town Manager

Town of York, Maine

Melissa M. Avery

From: David K. Bridges
Sent: Monday, March 24, 2014 11:10 AM
To: Melissa M. Avery
Cc: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; David Apgar; Stephen H. Burns; Ellen Prince
Subject: Re: Special Event Permit: York Harbor Reading Room Annual Fireworks

This is in the Village district.

Sent from my iPhone. Dave

On Mar 24, 2014, at 10:21 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

Attached is the Special Event Permit Application for the York Harbor Reading Room's Annual Fireworks, on Saturday, July 5th

Please let me know when you've had a chance to review!

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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<York Harbor Reading Room Annual Fireworks.pdf>

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Melissa M. Avery

From: David Apgar
Sent: Wednesday, April 02, 2014 7:27 PM
To: Charles J. Szeniaowski; Melissa M. Avery; Dean Lessard; Michael J. Sullivan; David K. Bridges; Stephen H. Burns; Ellen Prince
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Village fire approval pending the State Fire Marshal's Permit approval. (Usually completed in June with no issues.)

The YFD will have apparatus placed in three separate locations to support this event. We will also have a command area setup with YPD and York Ambulance loacted at the harbor beach drop-off area.

Only other request is to insure the public bathrooms are kept opened until at least 9 pm.

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

From: Charles J. Szeniaowski
Sent: Monday, March 24, 2014 10:47 AM
To: Melissa M. Avery; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: RE: Special Event Permit: York Harbor Reading Room Annual Fireworks

The Police Department will require three Detail officers for Crowd and Traffic Control A Safety and Security Plan will be drafted. Missy do you have a copy of their insurance liability for the event covering the town normally they attach it.

From: Melissa M. Avery
Sent: Monday, March 24, 2014 10:22 AM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince
Subject: Special Event Permit: York Harbor Reading Room Annual Fireworks

Attached is the Special Event Permit Application for the York Harbor Reading Room's Annual Fireworks, on Saturday, July 5th

Please let me know when you've had a chance to review!

Missy

Melissa M. Avery
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



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 9, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 14, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit: Masonic Youth Charities Motorcycle Run	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the Special Event Permit application for the <i>Masonic Youth Charities Motorcycle Run</i> event
PROPOSED MOTION: I move to approve Special Event Permit application for the <i>Masonic Youth Charities Motorcycle Run</i> event on Saturday, May 17, 2014

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. Gannon



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: **4/2/2014**

Name of Event: **Masonic Youth Charities Motorcycle Run**

Type of Event: **Group Motorcycle Ride**

Organization Name: **Masons York Lodge #22 AF &AM** Phone #:(207) 252-0183

Organization Address: **P.O Box 55** City: **West Kennebunk** State: **ME** Zip: **04094**

Applicant Name: **Michael Hludik** Phone #:(207)252-0183

Applicant Address: **36 Shepard Lane** City: **Wells** State: **ME** Zip:**04090**

Contact Name for Day of Event: **Michael Hludik** Contact Phone # **(207)252-0183**

Date of Event: **May 17th 2014** Day of Week: **Saturday**

Starting Time: **10:00am leaving Bentleys Saloon Arundel**

Ending Time: **2:30am returning to Bentleys saloon**

Assembly Area: **Bentley's Saloon Arundel Maine**

Dispersal Area: **Bentley's Saloon Arundel Maine**

Event Route: **Entering York at Shore Road About 11:am Continuing on Route 1A to Long Sands Rd. to Post Rd. to Route 1 North, to Lobster barn. Leaving Lobster Barn on Route 1 south. To Chases Pond Rd. Exiting York**

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed) **200**

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

Up to 200 Motorcycles passing through town with one stop for food and refreshments (lobster barn)

Describe how group is organized and supervised to insure order: **Safety meeting and briefing on safety protocol prior to departure. Ride lead by experienced road captain**

Purpose of the Event: **Raise money for Masonic Youth Charities**

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

Signature of Applicant: **Michael Hludik**

For Town Use Only

Reviewed by:

<u>Department</u>	<u>Initials</u>	
Police Department	<u>Szeniawski</u>	<u>04-07-2014</u>
Public Works	<u>Lessard</u>	<u>04-04-2014</u>
Parks/Recreation	<u>Sullivan</u>	<u>04-03-2014</u>
Village Fire	<u>Apgar</u>	<u>04-04-2014</u>
York Beach Fire	<u>Bridges</u>	<u>04-03-2014</u>
Code Enforcement	<u>Burns</u>	<u>04-03-2014</u>
York Ambulance	<u>Prince</u>	<u>04-03-2014</u>

Special Conditions:

Police: Will assist at Shore Road and 1-A only, not at Route One exit from The Barn. _____

Any Questions: Lieutenant Charlie Szeniaewski (207) 363-1031 _____

Beach Fire: Would like to see Safety Protocols and Instructions before the event. _____

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

Town Manager

Date

Melissa M. Avery

From: Stephen H. Burns
Sent: Thursday, April 03, 2014 8:35 AM
To: Melissa M. Avery
Subject: Re: Special Event Permit: Masonic Youth Charities Motorcycle Run

Missy,

I have no code concerns with this event.

Steve

Stephen H. Burns
Community Development Director
Town of York, Maine
186 York St., York, ME 03909
(207) 363-1007

Sent from my iPad

On Apr 3, 2014, at 8:19 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

Attached is the Special Event Permit Application for the Masons Lodge's *Masonic Youth Charities Motorcycle Run* on May 17.

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: Michael J. Sullivan
Sent: Thursday, April 03, 2014 9:54 AM
To: Melissa M. Avery; Charles J. Szeniewski; Dean Lessard; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: RE: Special Event Permit: Masonic Youth Charities Motorcycle Run

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: Thursday, April 03, 2014 8:19 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: Masonic Youth Charities Motorcycle Run

Attached is the Special Event Permit Application for the Masons Lodge's *Masonic Youth Charities Motorcycle Run* on May 17.

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: Ellen Prince [ellenprince@gmail.com]
Sent: Thursday, April 03, 2014 12:17 PM
To: Melissa M. Avery
Subject: Re: Special Event Permit: Masonic Youth Charities Motorcycle Run

OK with York Ambulance

On Apr 3, 2014, at 2:19 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

Attached is the Special Event Permit Application for the Masons Lodge's *Masonic Youth Charities Motorcycle Run* on May 17.

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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<Masonic Youth Charities Motorcycle Run.pdf>

Melissa M. Avery

From: Dean Lessard
Sent: Friday, April 04, 2014 8:32 AM
To: Melissa M. Avery; Charles J. Szeniaowski; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: RE: Special Event Permit: Masonic Youth Charities Motorcycle Run

Hi Missy

I have reviewed the attached special event permit. DPW doesn't anticipate any issues with this event. However is the event ending time correct? 2:30 am?!? 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: Thursday, April 03, 2014 8:19 AM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: Masonic Youth Charities Motorcycle Run

Attached is the Special Event Permit Application for the Masons Lodge's *Masonic Youth Charities Motorcycle Run* on May 17.

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: Ellen Prince [ellenprince@gmail.com]
Sent: Thursday, April 03, 2014 3:21 PM
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: Masonic Youth Charities Motorcycle Run

Fine with York Ambulance

On Apr 3, 2014, at 2:19 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

Attached is the Special Event Permit Application for the Masons Lodge's *Masonic Youth Charities Motorcycle Run* on May 17.

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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<Masonic Youth Charities Motorcycle Run.pdf>

Melissa M. Avery

From: David Apgar
Sent: Thursday, April 03, 2014 3:16 PM
To: Melissa M. Avery
Subject: RE: Special Event Permit: Masonic Youth Charities Motorcycle Run

Village Fire approval.

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

From: Melissa M. Avery
Sent: Thursday, April 03, 2014 8:19 AM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: Masonic Youth Charities Motorcycle Run

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Thank you!
Missy

Melissa M. Avery
Assistant to the Town Manager

Town of York, Maine
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Phone: (207) 363-1000 - Fax: (207) 363-1019

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Melissa M. Avery

From: Charles J. Szeniaowski
Sent: Monday, April 07, 2014 2:42 PM
To: Melissa M. Avery; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: RE: Special Event Permit: Masonic Youth Charities Motorcycle Run

The PD will assist at Shore Rd and Rt. 1a only we will not assist on Rt-1 with Exit from the Barn . The organizer was spoken with this morning and is aware of our involvement and how limited it is going to be due to our concerns about refreshments .

From: Melissa M. Avery
Sent: Thursday, April 03, 2014 8:19 AM
To: Charles J. Szeniaowski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David K. Bridges; David Apgar
Subject: Special Event Permit: Masonic Youth Charities Motorcycle Run

Attached is the Special Event Permit Application for the Masons Lodge's *Masonic Youth Charities Motorcycle Run* on May 17.

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: David K. Bridges
Sent: Thursday, April 03, 2014 2:27 PM
To: Melissa M. Avery
Cc: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Stephen H. Burns; Ellen Prince; David Apgar
Subject: Re: Special Event Permit: Masonic Youth Charities Motorcycle Run

It would be nice to see the safety protocols and safety instructions before the event. Dave

Sent from my iPhone. Dave

On Apr 3, 2014, at 8:19 AM, "Melissa M. Avery" <mmavery@yorkmaine.org> wrote:

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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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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: April 10, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: April 24, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Application for License for Incorporated Civic Organization: Museums of Old York	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the License Application for Incorporated Civic Organization
PROPOSED MOTION: I move to approve the Application for License for Incorporated Civic Organization for the Old York Historical Society DBA: Museums of Old York event at 3 Lindsay Road on Friday, May 9, 2014.

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

**MAINE DEPT OF
PUBLIC SAFETY**

STATE OF MAINE
Liquor Licensing & Inspection Division
164 State House Station
Augusta ME 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424



**APPLICATION FOR LICENSE FOR
INCORPORATED CIVIC ORGANIZATION**
\$50.00 Fee / \$10.00 Filing Fee
Check Payable: Treasurer State of Maine

1. (a) Full Name of Applicant: Old York Historical Society d/b/a Museums of Old York
(Corporate Name)
- (b) Corporate Address: 207 York Street, P.O. Box 312, York, ME 03909
Street Address City/Town State Zip Code
- (c) Authorized Corporate Office: _____
- (d) Address: _____
Street Address Town/City State Zip Code
- (e) Telephone Number: (207) 363-4974 Fax: (207) 363-4021

INFORMATION PERTAINING TO SPECIAL EVENTS OR GATHERINGS

2. (a) Title and Purpose of Event: Madeira Tasting Public Educational Program
- (b) Date of Event: Friday, May 9, 2014 Time – From: 5:30 PM To: 9:00 PM
- (c) **Inside** Outside Event (If **Outside**, attach diagram of area)
- (d) Location of Event: Jefferds Tavern and Parsons Education Center at 3 Lindsay Road, York, ME 03909
- (e) Number of Persons Attending: 30 to 55
- (f) Name and Address of Sponsor: same as applicant
Address: _____ Town/City: _____ State: _____
- (g) Name and Address of Caterer: Museums of Old York and The Black Birch, Kittery
Address: PO Box 312 Town/City: York State: ME

(If other than licensee): Food prepared at Museum by chef from The Black Birch. Wines purchased from Easterly Wine, a Maine licensed distributor

(If food is to be served):

(h) Type of building to be occupied: Museum Visitor Center and Jefferds Tavern (buildings are adjoined)

(i) Area to be licensed: 3 Lindsay Road, York, ME 03909

Dated at: York, Maine on April 10, 2014
Town/City, State Month/Day

NOTE:

This application must be signed by a duly authorized officer of the corporation executing the application and approved by the Municipal Officer/Country Commissioners and filed with the Liquor Licensing & Inspection Division.

Old York Historical Society d/b/a Museums of Old York
NAME OF CORPORATION

BY: [Signature] Exec. Dir
CORPORATE OFFICER'S SIGNATURE - TITLE

Joel Lefever, Executive Director
PRINTED NAME & TITLE

STATE OF MAINE

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

On: _____
Date

The undersigned being: Municipal Offices 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.

Signature	Print

**72 Hours in Advance of Said Event or Gathering
REQUESTED**

N.B. If said event or gathering is located in an unincorporated place, the application must be approved by the County Commissioners of the County wherein the event or gathering is to take place and the above approval form may be changed in accordance with the fact.