



Town of York

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York, Maine 03909-1314

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

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www.yorkmaine.org

BOARD OF SELECTMEN'S MEETING AGENDA

6:00/6:30/7:00PM MONDAY, JANUARY 26, 2015
YORK LIBRARY

6:00PM: Workshop – Legislative Delegation

6:30PM: Workshop – Friends of the Cliff Walk

Call to Order

Opening Ceremonies

A. Minutes

1. November 17, 2014 Meeting Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

E. Reports

1. Municipal Social Services Review Board – Connie Hanley
2. Budget Committee – Charley Steedman

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 #30

H. Public Hearings

I. Endorsements

Business Licenses:

1. Circle K #7049 (Food Service) – 454 US Route One
2. Cumberland Farms (Food Service) – 230 York Street
3. St. Joe's Coffee (Food Service) – 449 US Route One
4. York54 (Food Service, Liquor) – 449 US Route One

J. Old Business

1. Update on May Ordinance Amendments
2. Discussion and Possible Action regarding a Contract for a New Town Manager
3. Resignation of Selectmen Ronald Nowell
4. Discussion and Possible Action regarding the Town Manager's Proposed FY16 Operating Budget
5. Discussion and Possible Action regarding the Draft FY16-20 Capital Program
6. Discussion and Possible Action on 153 Long Sands Road Property Redemption

K. New Business

1. Discussion and Possible Action on 150 Long Sands Road Property Redemption
2. Discussion and Possible Action on 91 York Street Property Redemption
3. Discussion and Possible Action on 294, 298 and 302 Mountain Road Property Redemptions
4. Discussion and Possible Action regarding the Process of Setting Meeting Agendas
5. Discussion and Possible Action to set date of May Referenda

L. Other Business

M. Citizens' Forum

Adjourn



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 21, 2015	Type of Action: <input type="checkbox"/> Procedural <input type="checkbox"/> Formal Action <input checked="" type="checkbox"/> Other: _Discussion_____
Date Action Requested: No action requested	
Regular _ Work Session <u>X</u>	
Subject: Cliff Walk	

TO: BOARD OF SELECTMEN
FROM: Beth Della Valle, Interim Community Development Director
RECOMMENDATION: None.
PROPOSED MOTION:

Discussion: Now that the Maine Supreme Judicial Court has issued its decision based on its reconsideration of the Gooserocks case in the Town of Kennebunkport, Friends of the Cliff Walk (Friends) has asked for time at the Board of Selectmen's workshop to discuss how best to proceed with preserving and enhancing this important public access to York's shore. Friends is a 300-member volunteer group formed to assure the public's right to pass over the entire path of Cliff Walk from Harbor Beach to Cow Beach in cooperation with abutting landowners. The last time Friends came before the Board of Selectmen was in 2012 after access to approximately 60% of the trail was blocked by two landowners in 2011. At that time, the Board of Selectmen delayed its decision about action on the blockages until such time as the Maine Judiciary completed its decision on the Gooserocks case. Since its last meeting with the Board of Selectmen, Friends has held several public meetings on the history of Cliff Walk, undertaken fundraising, made presentations at a number of community events, and supported the public vote to generate a \$50,000 legal services fund.

Friends would like to:

- review the recent history of issues surrounding Cliff Walk, including usage and blockages of the path;
- review the recent Maine Supreme Court decisions about Gooserocks;
- discuss how to document Town expenditures on Cliff Walk;
- discuss how the Town might best work with abutting landowners to address their concerns while preserving and enhancing access to Cliff Walk, including the possible need/value of establishing a Town committee to work on Cliff Walk issues and acquire easements that guarantee public access; and
- ask the Board how it would like to proceed.

Prepared By: Beth Della Valle

Reviewed By: 

YORK BOARD OF SELECTMEN'S WORKSHOP
with
THE FRIENDS OF THE CLIFF WALK
26 January 2015

Meeting Purpose: The Friends of the Cliff Walk requested this workshop to explore how the Town and the Friends can open and maintain public access on the path from Harbor Beach to Cow Beach.

Who & What We Are: The Friends is a volunteer group formed to assure the public's right to pass over the entire pathway from Harbor Beach to Cow Beach in cooperation with abutters, York citizens and the Town. Some 300 members support the group's efforts. The Friends steering committee includes: David Chase, Jeff Clark, Joey Donnelly, Bob Gordon, Gary Green, Dorothy Healy, Kathleen Hofer, Diane Kleist, Ted Little, Brian McGann, Bette and Tom Rose, Jon Speers, Sally Sulloway, and Mike Whitman.

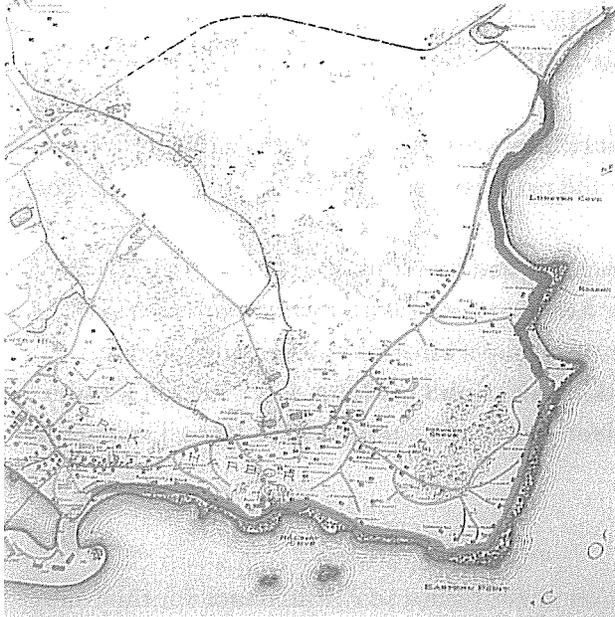
We seek to:

- Work with property owners and the Town on terms of use and maintenance for the Cliff Walk.
- Formalize the right to pass on the presently accessible portion of the Cliff Walk through easements.
- Regain and formalize public access to the part of the Cliff Walk that is now inaccessible.
- Maintain the Cliff Walk.

Historical Background: The pathway around Eastern Point has been used by York townspeople for at least 125 years, and probably much longer. It traversed the seaward margin of a series of farm fields owned by the Norwood family and others. Before there were public roads across Eastern Point, the path provided access to fishermen's shacks at Lobster Cove, to Long Sands, and to Norwood Grove, a popular excursion destination for townspeople. In the 1880s the Norwoods began selling their acreage for summer homes and hotels. By 1900, the new property owners, along with the Norwood family, and in conjunction with the newly-formed Old York Historical & Improvement Society, began to upgrade the Cliff Walk making it part of an extensive network of walking paths, several newly created, crisscrossing the eastern portion of the town. In 1910 the Improvement Society published the map (below) showing these paths. Portions of the path network survive, the most-used and best-maintained portions being the Cliff Walk and what is today known as the Fisherman's Walk. They constitute an important and irreplaceable amenity benefiting York residents and visitors.

Maintenance of the Cliff Walk has been a collaborative effort undertaken by property owners, civic groups, local government and, in at least once instance, the federal government—all for the benefit of townspeople and visitors to York. Since 1975 (when the York Harbor Village Corporation was subsumed into Town government) the Town has taken the lead in maintaining the Cliff Walk. It

has also mapped it, erected signs on its use, and obtained easements for two of the properties it crosses.



1910 York trails map showing the Cliff Walk. The portion in green is now open to walkers. The part from which walkers are now excluded by the recently erected barriers is in red. The section shown in blue had fallen out of use by about 1930 and no longer exists.

Recent History: In 2011 the path was blocked by a fence erected at the western boundary of the Peterson property and a newly-built section of wall at the western edge of the adjoining Rubin property. This left only 40 percent of the path accessible and led a group of concerned citizens to organize the Friends of the Cliff Walk. In March 2012 the Friends held an initial workshop with the Selectmen. Since then the Friends have sponsored public meetings and events on the history and future of the Walk, and initiated and supported the warrant article in 2013 that created a town legal defense fund for the Cliff Walk.

Moving Forward: Despite more than a century of public use the existence of the Cliff Walk is endangered. So we come again to the Board to explore possible future initiatives, including:

- Establish a Town committee to work on Cliff Walk issues and acquire easements guaranteeing the public's right to pass.
- Document Town expenditures on the Cliff Walk each year.
- Work with property owners on terms of use and maintenance for the Cliff Walk.
- Create events directed to abutting property owners and York residents highlighting the Cliff Walk, its heritage and value.

We look forward to working with the Board of Selectmen to preserve the Cliff Walk—a jewel in York's crown.

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:30/7:00PM MONDAY, NOVEMBER 17, 2014
YORK LIBRARY**

6:30PM Executive Session – Pursuant to M.R.S.A. Title 1, Section 406(6)(E);
Discussion with Town Attorney.

Moved by Mr. Palmer, seconded by Mr. Speers to enter into Executive Session at 6:35PM. Vote 4-0, motion passes.

Moved by Mr. Speers, seconded by Mr. Palmer to exit out of Executive Session at 6:55PM. Vote 4-0, motion passes

7:00PM Regular Meeting

Present: Chairman Mary Andrews, Vice-Chairman Robert E. Palmer, Jr., Jonathan O. Speers, Ronald Nowell, Town Manager Stephen H. Burns, Recorder Melissa M. Avery and members of the press and public.

Absent: Torbert Macdonald

Call to Order

Chairman Mary Andrews called the meeting to order at 7:05PM.

Opening Ceremonies

A. Minutes

B. Chairman's Report

Chairman Mary Andrews congratulated the York High School field hockey team on winning the state championship, and also commended the boys track and football teams on great seasons.

C. Manager's Report

Town Manager Stephen Burns announced that the Village Study Committee has a design event coming up next week and encourages anyone who is interested to attend. Mr. Burns congratulated Jon Gay, a member of the Village Fire

Department who applied for and received a safety enhancement grant for the Village Fire Departments. Mr. Burns read a letter from Granite State Wheelman sent to him thanking the Town for their great support and cooperation with their bicycle ride this year. There was a meeting at York Water District, between both Water and Sewer Departments, along with Public Works and Community Development about upcoming improvements on Church Street and Shore Road to help set the process for coordinated road work. Mr. Burns announced that Charley Steedman will be the Budget Committee Representative on the Municipal Building Committee.

D. Awards

1. Heating Oil

The Town recently initiated the annual process of soliciting heading oil bids for the upcoming heating season. A request for bids was advertised in the York Weekly, Portsmouth Herald and the York County Coast Star. In addition, a direct solicitation was made to ten located heating oil companies that had previously indicated an interest in bidding.

The Town received the following five bids in response to our solicitation for heating oil bids:

Welch Oil	\$2.72/g or \$0.20 over rack price
York Oil	\$2.779/g or \$0.25 over rack price
Estes Oil	\$2.84/g or \$0.25 over rack price
Downeast Energy	\$2.899/g or \$0.30 over rack price
Hanscom's	\$3.10/g

Moved by Mr. Palmer, seconded by Mr. Nowell to award the 2014-2015 Heating Season Oil Bid to Welch Oil for \$2.72 per gallon through June 30th, with the stipulation that we do not need to use the entire 20,000 gallons advertised. Vote 4-0, motion passes.

E. Reports

1. Patricia Martine, Executive Director, York Housing Authority

Patricia Martine, Executive Director of the York Housing Authority gave the Board a brief overview of the York Housing Authority's upcoming endeavors and what they have accomplished as of yet.

2. Todd Frederick, Superintendent of the First Parish Cemetery

Todd Frederick, Superintendent of the First Parish Cemetery as of September 1, 2014 gave the Board an overview of some changes he has made since stepping into his new role with the cemetery: He had the old fence, along the 1830 cemetery, behind Town Hall restored. He also has been working with Town Hall

staff to relocate the trailer used to store voting equipment that was parked in front of the cemetery, along with restriping and redesigning the parking spaces in that area and added 4 parking spaces. Mr. Frederick thanked the Town for the partnership that has been had between the cemetery and the Town and hopes to continue and grow that partnership.

3. Energy Steering Committee

Wayne Boardman, Chairman of the Energy Efficiency Steering Committee, gave a midcourse review of the work that the committee has done and immediate plans they have for other work.

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

Public Comment: None

F. **Approval of Warrant #20**

Moved by Mr. Speers, seconded by Mr. Nowell to approve Warrant #20. Vote 4-0, motion passes.

G. **Public Hearings**

H. **Endorsements**

I. **Old Business**

J. **New Business**

1. Discussion and Possible Action on Municipalities Continuing Disclosure Cooperation Initiative

Moved by Mr. Nowell, seconded by Mr. Speers ordered that the Town Manager and/or Finance Director is hereby authorized to execute necessary documents and take all actions necessary to participate in the Municipalities Continuing Disclosure Cooperation Initiative of the Securities and Exchange Commission. Vote 4-0, motion passes.

2. Discussion and Possible Action on the Energy Efficiency Steering Committee's York Beach Fire Station Energy Assessment RFP

The work proposed in the Request for Proposals is to be funded with Capital funds approved for the Energy Steering Committee. There are no cost implications yet because this is simply the start of the process.

Moved by Mr. Nowell, seconded by Mr. Speers to authorize the Energy Steering Committee to issue a Request for Proposals for an Energy Assessment at the York Beach Fire Station, and direct the Committee to return to the Board with a recommendation upon receipt of proposals. Vote 4-0, motion passes.

3. Discussion and Possible Action on the Energy Efficiency Steering Committee's York Beach Fire Station Lighting RFP

The work proposed in the Request for Proposals is to be funded with Capital funds approved for the Energy Steering Committee. There are no cost implications yet because this is simply the start of the process.

Moved by Mr. Nowell, seconded by Mr. Speers to authorize the Energy Steering Committee to issue a Request for Proposals for an LED Lighting Upgrade at the York Beach Fire Station, and direct the Committee to return to the Board with a recommendation upon receipt of proposals. Vote 4-0, motion passes.

4. Discussion Regarding a Proposal by the Energy Steering Committee

This item was not addressed.

5. Discussion and Possible Action on an Expansion of the 6F Boundary of the Bog Road Fields Complex

The Parks and Recreation Department has proposed a project for the FY16 Capital Budget for the Phase 2 development of the Bog Road Athletic Complex. The total cost of the project is \$300,000; the Town has applied for Federal assistance through the "*Land and Water Conservation Fund*" which is a 50% matching program.

The new 6F boundary would include the entire parcel where the new field and parking area are located (approximately 48 acres). Most of the remaining undeveloped land is already designated as resource protection area.

Moved by Mr. Nowell, seconded by Mr. Speers to certify that the Board of Selectmen is familiar with the terms and conditions of the Land and Water Conservation Fund Project Agreement, including the 6F designation requirement, and authorize the Parks and Recreation Department to apply for the grant on behalf of the Town. Vote 4-0, motion passes.

6. Discussion and Possible Action on Fishermen's Walk Extension

In January of 2014 the Town was notified by the Maine Department of Transportation that our application for Small Harbors Improvements Program (SHIP) has been approved for design and/or construction.

Moved by Mr. Nowell, seconded by Mr. Speers to authorize the Town Manager to sign and submit all environmental permits for the Small Harbor Improvement Program project and to continue to work with Maine DOT to finalize the design to the proposed Fisherman's Walk pathway improvements. Vote 4-0, motion passes.

7. Discussion and Possible Action on Urban Compact Boundary Response

The Maine Department of Transportation is in the process of trying to change the boundary of the Urban Compact Zone. This is the area of high building density alongside State highways. It appears there is a good chance that the State will turn over maintenance responsibilities for a sizeable portion of Route One to the town as a result. While the Town may object, there is no clear process for this to occur and MDOT itself makes the final decision. The result would be a need for the Town to assume winter and summer maintenance of Route One from the Kittery line up to Cape Neddick Village. In terms of winter maintenance, this would call for two plow trucks and all associated costs. The State would pay the Town annually for this work, but not in an amount sufficient to cover all associated costs. There is an opportunity to seek a compromise, and that could be requesting the Town be given the MDOT maintenance facility on Route One as part of the transition. There is a 16-bay garage, a 3-bay garage, a small salt shed, and a fueling facility. This could be a substitute for the garage proposed at the new police station, and could allow the Town to store many of its vehicles indoors for meeting maintenance.

8. Discussion and Possible Action on BOS Operating Budget Request

Moved by Mr. Nowell, seconded by Mr. Speers to propose an FY16 operating budget request for the Board of Selectmen totaling \$26,400. This reflects an anticipated 5% increase in municipal dues for the Maine Municipal Association and level funding of all other line items.. Vote 4-0, motion passes.

9. Discussion and Possible Action on BOS Policy Requests

Mr. Burns explained a list of seven expenditures that he thinks the Board of Selectmen would want brought forward as part of the FY16 Budget.

1. Historic Markers Maintenance
2. Grantor/Grantee Index
3. List of Town Rights-of-Way and Landings
4. Re-roof and Re-side the Blinn House
5. Revolving Loan Fund for Septic System Replacement

6. Cliff Walk Legal Fund
7. Veterans' Graves and Ancient Burial Grounds

K. Other Business

L. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Palmer, seconded by Mr. Speers to adjourn the meeting at 9:10PM.
Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery



Town of York Maine

Municipal Social Services Review Board

To: Board of Selectmen
From: Municipal Social Services Review Board
Date: January 2015
RE: Recommendations for Town funding for FY 16

The Town of York Municipal Social Services Review Board (MSSRB) is pleased to present you with the recommendations for funding for social service agencies that provide services to York residents and work cooperatively with town departments. This is the thirteenth year that the MSSRB has reviewed agency applications and made recommendations to the Board of Selectmen.

In the fall of 2014, seventeen (17) eligible agencies requested a total of \$45,409. After review and discussion, the MSSRB recommends \$39,320 for 17 agencies, an increase of \$2920 (9.2%) over the amount approved by voters in May 2014. The organizations estimate that the value of services provided to York residents exceeds \$900,000.

The Board noted the following during our review of applications and discussions:

- 1. An increase in the number of agencies seeking funding for services to York residents.*
- 2. Food insecurity has emerged as a major need. With the addition of an application by Table of Plenty, there are now 3 agencies providing food to York residents.*
- 3. The second area of greatest need focuses on mental health issues. Counseling Services Inc. has consolidated into Maine Behavioral Healthcare; there are now 5 agencies offering mental health and/or substance abuse treatment to York residents.*
- 4. Two new applications are from agencies providing medical service: LifeFlight of Maine - in the form of air transport, and; Sweetser – in the form of health counseling in the primary care setting.*

We look forward to discussing this report with you.

TABLE OF CONTENTS

- I. Roster of Municipal Social Services Review Board
- II. Funding Guidelines
- III. Summary of Agency Requests & Recommendations FY16
- IV. Agency Write Ups
 - 1. *AIDS Response Seacoast*
 - 2. *American Red Cross of Southern Maine*
 - 3. *Biddeford Free Clinic*
 - 4. *Caring Unlimited*
 - 5. *Crossroads House*
 - 6. *Ethel's Tree Of Life*
 - 7. *Home Health- Visiting Nurses of Southern Maine*
 - 8. *Kids Free to Grow*
 - 9. *Lifeflight of Maine*
 - 10. *Maine Behavioral Healthcare (formerly Counseling Services, Inc)*
 - 11. *Sexual Assault Response Services*
 - 12. *Southern Maine Agency on Aging*
 - 13. *Sweetser*
 - 14. *Table of Plenty*
 - 15. *York County Community Action Corporation*
 - 16. *York County Food Rescue*
 - 17. *York County Shelters*

I. Roster

2014-5 Municipal Social Services Review Board

Chair

Connie Hanley
440 York Street
York, Maine 03909
207-363-7301
cmhanley@maine.rr.com
Term Expires 06/30/2017

Roslyn Birger-Hershfield
PO Box 79
York Harbor, ME 03911
207-361-4524
rhersh@maine.rr.com
Term Expires 6/30/2016

Diane Kleist
71 Seabury Road
York, Maine 03909
207-363-5734
dkleist@maine.rr.com
Term Expires 06/30/2016

Dan Gardoqui
330 Mountain Road
Cape Neddick, Maine 03902
207-475-6151
dan@whitepineprograms.org
Term Expires 06/30/2015

Ted Little
11 Meetinghouse Lane
York, Maine 03909
207-363-7527
elittle004@aol.com
Term Expires 6/30/16

Karen Gilroy
2 Fern Hill Rd
York, Maine 03909
207-363-3904
kgilroy@maine.rr.com
Term Expires 6/30/2017

Kathleen Vinet
5 River Meadow Lane Ext
York, Maine 03909
207-337-0992
kvine@maine.rr.com
Term Expires 06/30/2015

7 Member Board / 3 year terms

II. Funding Guidelines

Town of York Municipal Social Services Review Board

1. Number of York citizens served

-Direct Services

-Education & Prevention

-Includes education for police, etc.

2. Is the agency used by Town Departments?

3. Are services stable?

4. Is the agency financially sound?

5. How important is town funding to the applicant?

6. Does agency leverage town funds?

-Includes matching funds, grants, & volunteer time

7. What is the dollar value of services to Town of York?

- If the dollar value of services for the past year is not available, is the agency willing to work with the review board to estimate the value in the future years?

Town of York

Municipal Social Services Review Board

III. FY16 Agency Summary

FY16 Agency Summary

Agency Name	Recommendation FY16	Amt. Requested FY16	Amount Voted FY15	Amount Voted FY14	Amount Voted FY13	Amount Voted FY12	Amount Voted FY11	Amount Voted FY10
AIDS Response Seacoast	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
American Red Cross of Southern Maine	\$1,000	\$1,000	\$1,500	\$1,000	\$2,800	\$2,600	\$2,800	2800
Biddeford Free Clinic	\$150	\$150	\$225	\$0	\$0	\$200	no request	no request
Caring Unlimited	\$3,750	\$3,759	\$3,500	\$3,500	\$3,500	\$3,250	\$3,000	3000
Cross Roads House	\$1,000	\$2,000	\$1,000	\$2,000	\$2,000	\$2,000	\$2,000	1500
Ethel's Tree of Life, Inc.	\$375	\$500	\$375	\$250	\$250	\$500	\$500	500
Home Health/Visiting Nurses of S. ME	\$2,000	\$2,000	\$2,000	\$2,000	\$1,100	\$2,000	\$3,000	3500
Kids Free to Grow	\$1,200	\$1,200	\$1,000	\$1,000	\$1,000	\$900	\$900	750
LifeFlight of Maine	\$1,000	\$2,000	no request					
Maine Behavioral Healthcare	\$2,800	\$2,800	\$2,800	\$2,800	\$2,800	\$2,800	\$2,800	2800
Sexual Assault Response Services	\$500	\$500	no request	\$250	\$250	\$250	no request	no request
Southern Maine Agency on Aging	\$10,000	\$10,000	\$9,500	\$9,200	\$8,800	\$8,500	\$8,500	8500
Southern Maine Parent Awareness	n/a	n/a	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Sweetser	\$1,045	\$2,000	no request					
Table of Plenty	\$1,500	\$2,500	no request					
York County Community Action Corp.	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$5,500	\$5,000	5000
York County Food Rescue	\$2,000	\$2,500	\$2,500	\$2,000	\$1,200	\$1,000	\$1,000	no request
York County Shelters	\$3,500	\$5,000	\$3,500	\$3,500	\$3,500	\$3,000	\$3,000	3000
Totals	\$39,320	\$45,409	\$36,400	\$36,000	\$37,200	\$36,200	\$36,200	\$33,850

IV. Agency Write-ups

AIDS Response Seacoast

1 Junkins Avenue
Portsmouth, NH 03801
Richard Wagner, Executive Director,
603-433-5377 Rwagner@aidsresponse.org



FY 16 Request: \$1,500

FY 15 Contribution: \$1,500

Background: AIDS Response Seacoast (ARS) is a nonprofit, community based HIV/AIDS service organization, which serves Southern Maine and the Seacoast NH area. ARS started as a grassroots effort to address the HIV/AIDS pandemic at the local level and became incorporated in 1988. The mission of ARS is:

- Prevent the spread of HIV infection through education and prevention programs.
- Provide direct services for individuals living with HIV/AIDS and their families via case management and emotional support services.
- To advocate on HIV/AIDS issues on the local level.

The ARS board of directors is comprised of eleven members, two of whom are from York. Currently, there are volunteers from York as well.

ARS relies upon monies granted by local municipalities, organizations, and individuals to support the services they provide to Southern York County, Rockingham and Strafford Counties in NH. Funding provided to ARS from municipalities is leveraged to gain additional funds from other funding sources. Revenues for the year ending in June 2014 were \$362,963.00 and expenses of \$357,770.00.

Services: ARS provided services to 173 York citizens. ARS continues to provide preventative education to York High School (YHS) students. The YHS HIV Peer Education Team, comprised of 12 students, was provided training by ARS's prevention/education department with assistance of the Speakers Bureau. In addition, ARS's prevention/education department was on site at YHS for a senior class assembly which reached over 150 students. Direct services were also provided to 1-3 York residents. (Note: due to confidentiality issues only a range is submitted by ARS.) The services were valued at \$5806.00. The dollar value reflects the education programming provided to YHS and direct services provided by ARS to York residents.

Comment: Given the financial crisis that has directly impacted ARS and other non-profit community-based organizations; they have continued to consistently deliver imperative education/prevention and direct services to York residents without hesitation at the same level they have always offered. In addition to the direct services they provide, clients also have access to an extensive food pantry located at ARS. All services provided by ARS are free of cost. Karen Boardman, the YHS nurse, in coordination with the ARS educators, has created an excellent partnership to ensure that the YHS students annually receive the proactive/preventative/education from ARS.

Recommendation: \$1,500

TL

12.14

The American Red Cross of Southern Maine

2401 Congress Street
Portland, ME. 04102
207 874-1192
Caroline King, Major Gifts Associate
874-1192 x 102



FY16 Request: \$1000

FY15 Contribution: \$1000

Background: The mission of The American Red Cross of Southern Maine is to provide immediate disaster relief and help residents of Southern Maine prevent, prepare for and respond to emergencies. These services include temporary shelter, food and clothing as well as emotional support. All disaster aid is provided without charge.

In addition, the American Red Cross teaches disaster survival, supports military families during deployment and provides emergency communication when requested. Preparedness training includes courses in CPR, First Aid and the use of Automated External Defibrillators and babysitting.

Services: During the period of July 1, 2013 through June 30, 2014, no York residents required temporary shelter due to fire, floods or disasters. The American Red Cross of Southern Maine maintains six (6) community shelters within the town of York to house residents in need in the event of an emergency. The cost estimate of maintaining the shelters is based on the population of the town. In the fiscal year ending June 30, 2014, 32 York residents were trained in supporting a Red Cross shelter. In addition, two (2) York residents are Red Cross volunteers.

Comment: Fortunately there were no documented cases of York families needing emergency shelter due to fires or storms. The intrinsic value of the Red Cross continues to be its ability to respond to a disaster when such services are required. The availability of the Armed Forces Communication Unit is also important for military families.

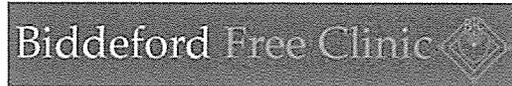
The Red Cross has trained Disaster Volunteers who are ready to respond to any natural or man-made disaster by delivering immediate care and comfort to those affected. The volunteers endeavor to assist disaster victims and meet their immediate needs after a tragedy.

Recommendation: \$1000

CH 12.14

Biddeford Free Clinic

189 Alfred St.
PO Box 325
Biddeford, ME. 04005
Joan M. Gordon, Executive Director
(207) 282-1138
bfc1@zwi.net



Request FY 2016: \$150

FY2015 Contribution: \$225

Background: The Biddeford Free Clinic was founded in 1993 to provide free medical care and non-narcotic prescription medications for those without health insurance or Medicaid coverage and for those who are not eligible for services through the Veterans Administration. The Clinic is staffed by volunteer physicians, dentists, nurses and other health care providers.

In the period from October 1, 2013 to September 30 2014, **one** York resident received medication and medical care at the Biddeford Free Clinic. The total cost of prescriptions for the York residents was \$150. There is no charge for the medical evaluation each person receives or the health education provided.

Services: The Biddeford Free Clinic receives funds from municipalities in York County, United Way and private donations. The budget for 2014 was \$208,125. Medications are obtained via grants or purchased directly from Southern Maine Medical Center at the hospital's cost. For high cost medications which are needed on a long term basis such as insulin and inhalants, the individual is assisted in applying for pharmacy assistance programs. These applications are made directly to pharmaceutical companies and typically cover 3 months of free medication.

Comment: When it was founded 20 years ago, The Biddeford Free Clinic was conceived as a stop-gap measure until universal access to health insurance became available. In the past year in addition to providing free care, the agency has trained members to assist patients in enrolling in the Affordable Care Act. Fifteen patients were referred into the ACA for coverage.

The organization seems to do the job of caring for the uninsured while navigating into the changes in healthcare where they can.

Recommendation: \$150

KG 12.14

Caring Unlimited

P.O. Box 590
Sanford, ME 04073
207-490-3227
Executive Director: Cynthia Peoples



FY16 Request: \$3759

FY15 Contribution: \$3500

Background: Caring Unlimited is a non-profit, community-based organization and is York County’s Domestic Violence Program that has the mission of: Working to Make Every Home a Safe Home. It was established in 1977, and it is the only organization in York County to which York residents can turn twenty-four hours a day for vital safety planning and support services. Available at no cost are: 24-hour hot line, emergency shelter, transitional housing, legal assistance, support groups (during which, child care is provided), school-based community and response programs.

Total revenues for fiscal year ending September, 2013 were \$1,453,038. Total expenses were \$1,446,312, both of which are down slightly from last year, but the organization appears to be fiscally sound at this time.

Services: During *the last five years, the average number* of York residents served was 71.

- ~ Individual advocacy/counseling hours provided..... 395 hours
- ~Support group hours provided..... 322 hours
- ~Emergency shelter benefits provided..... 53 bed nights
- ~Average annual cost to provide these services..... \$28,030

Comments: According to the York police department, who works closely with Caring Unlimited and are partnered with them in cross training, their services are vital to York residents. Sadly, in the past year, there has been an increase in the number of domestic violence cases in York.

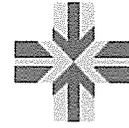
They are required to raise \$25,000 in local, municipal support each year in order to leverage another \$250,000 in federal grants (which they are ineligible to receive without the local funds).

Recommendation: \$3750

DK 1.15

Cross Roads House

600 Lafayette Road
Portsmouth, NH 03801
Contact Person:
Martha Stone, Executive Director
603-436-2218



FY16 Request: \$2000

Received FY15: \$1000

Background: Open since 1982, Cross Roads House is an emergency and transitional shelter serving eastern New Hampshire and Southern Maine. The mission of Cross Roads is to support individuals and families by providing them with the opportunity to move with dignity and purpose to stable and decent housing. Cross Roads House provides Emergency and transitional shelter to homeless individuals and families, including dinner 7 nights a week, needs assessment and case management services, access to a variety of services on site such as primary health care, dental care, mental health care, substance abuse counseling and high school equivalency classes. Also provided are referrals to services throughout the community (e.g. housing, rehab, counseling, parenting support and Community Action Programs They support and provide direction for residents returning to permanent housing with the help of their case managers.) Vocational training is offered off-site.

Services: During the period of 7/1/13 to 6/30/14, Cross Roads House provided shelter to 1 York resident for a total of 10 bed nights, and with a dollar value to York citizens of \$320 calculated by the number of nights at \$32.00 per night. They have been able to shorten the length of stays and also serve more people due to a year old program called the Coordinated Access Program. The program utilizes resources in the community which may even divert people from going in to a shelter in the first place (people may qualify for financial assistance for paying back rent or for fuel assistance) This past year a program director has been added to their management staff.

Comment: Cross Roads House provides a crucial safety net service for York residents who are homeless and empowers individuals and families to return to more stable and permanent housing. While Crossroads policy limits the stay of anyone arriving from out of state, they have exempted York residents from the policy due to the long standing support from the Town of York. Cross Roads derives approximately 30% of its operating expenses from government agencies while using municipal funding to match and leverage federal funds. They feel it validates the importance of their services for private funders. Since they are not eligible for State of Maine funding, contributions from York County municipalities is particularly important. Cross Roads House was challenged to fund 70% of their operations from private donations and a volunteer force of over 300 With less than 18% of their costs covered by state and federal grants, they depend heavily on municipalities to support their services and maintain their capacity They continue to find ways to improve efficiency of services to decrease the length of stays while serving more people in need. Transitioning people to more permanent housing and to break the cycle of homelessness is a primary goal. Services and finances are stable.

While the number of York citizens this past year was relatively low, Cross Roads House continues to serve an important role in meeting emergency needs and provides an important safety net for those who had nowhere else to stay.

Recommendation: \$1000

KCV 12.14

Ethel's Tree of Life, Inc.
3 Willow Drive
South Berwick, ME. 03908
(207) 704-0265
Executive Director: Linda Higgins



FY 2016 Request: \$500

FY 2015 Contribution: \$375

Background: Ethel's Tree of Life was founded in 2003 to provide hands-on opportunities for adolescents and young adults with learning difficulties to develop life skills and pre-work skills. Learning difficulties are defined broadly and the agency serves 14-24 year olds with a variety of disabilities: for some independent living and/or post secondary schooling is an appropriate goal. For others, a degree of supervision will be necessary for the foreseeable future.

Skills are learned through 8 week modules that include recreation based activities, health education, and skills required for independent living such as financial literacy. These modules are typically offered between 3 and 6pm weekdays. Socialization and building friendships are intertwined through all activities. Transportation to ETL's center in South Berwick is not offered and is the major impediment to increased enrollment. There are opportunities for students to become mentors for new participants; some work as staff and receive a stipend.

Services: In the period from July 2, 2013 to June 30, 2014, Ethel's Tree of Life provided services to 5 York residents. The total dollar value was \$1,478.80

Comment: Ethel's Tree of Life provides services in a group context to adolescents and young adults who often face difficulty developing friendships with peers. The 8 week modules allow opportunities for instruction and repeated practice with basic living skills such as use of appliances, doing laundry, grocery shopping and managing expenses. The services are available to both adolescents and young adults with special needs who may not be eligible for services designated for those with major developmental disorders as well individuals who receive in-home services for their disabilities. Ethel's Tree of Life operates on a modest budget with small grants from corporations, individuals and the United Way.

Recommendation: \$375

CH 12.14

HomeHealth Visiting Nurses

15 Industrial Park Rd.
Saco, ME 04072
207-284-4566
mmillefoglie@homehealth.org



FY 16 Request: \$2,000.00

FY 15 Contribution: \$2,000

Background: For over a century, HomeHealth Visiting Nurses (HHVN) has brought the best in home health to patients and families in southern Maine. As the leading home health care agency in the region, they deliver comprehensive care with compassion, commitment, and the highest standard of excellence. Their services are available twenty four hours a day, seven days a week, throughout York, Cumberland, and southern Oxford Counties. HHVN coordinates electronic records with Maine Medical Center and their affiliates. This has resulted in an infrastructure that better serves their population and reduces duplication of services, thereby enhancing the efficiencies of services to residents of southern Maine. This strengthens two leading and committed nonprofit organizations.

Services: During the time period of 10/1/13 through 9/30/14, HHVN served 100 unduplicated York citizens via home health aid care for a total of 410 visits and tests. These services include physical, speech, and occupational therapies, mental health counseling, telehealth, pediatric nursing, and therapy services. In addition to health promotion, diabetes education health tests are provided. Many of these services are provided free of charge to the patients who are often uninsured or under insured. This allows clients to remain in their homes and for clinicians to identify and address needs such as fuel assistance, inadequate food and nutrition, and potential abuse or neglect. The dollar amount of these services totaled \$56,450.00 (up from \$46,855.00) calculated by the number of visits/tests multiplied by cost per visit (\$3,931.00 were provided as charity/uncompensated government care to York residents).

Comment: This increase in services to York residents has been due to increased staff visits to the community. Town funds help leverage funding from other municipalities and help garner funding support from other sources. The services provided by this Agency are important and we should continue our pattern of contributing to HHVN for their free care given to York residents.

Recommendation: \$2,000.00

RBH 1.15

Kids Free to Grow

62 Portland Road
Suite 15
Kennebunk, ME 04043
Kelli Wedgewood
207-485-5975



FY16 Request: \$1,200.00

FY15 Contribution: \$1,000.00

Background: The Agency continues to be the only non-profit in York County who sole mission is to prevent child abuse in its multiple forms. This includes among other topics, community-based parenting programs, and school based prevention educational programs. Kristi Bolton, an active leader, is president of the board, and continues to foster increased visibility in the community. Ms. Wedgewood works part time behind the scene with a full time educator who took over in September 2014, and presents the above mentioned programs to the community.

Services: During the time period between 10/1/13 and 9/30/14 Kids Free to Grow served 443 York citizens, at a cost of \$1,961.50 (up from \$663.52 last year). The dollar value of these services was calculated multiplying the number of students by the cost per student. This includes the programs Baby Think It Over, Mandated Reporter Training in local schools, and parenting information for York residences who are provided with baby bags from several York County agencies. The Agency worked with the York School Department personnel at all levels, York Library, and York Hospital. Finances at this point are in good standing after selling a condo in the new fiscal year to offset the loss of \$7,688.00 for 2014. Finances continue to be streamlined this year with no executive director salary. KFTG partnered last year with Connections for Kids, which pays for the director's salary and reduces spending on other administrative needs. Currently, KFTG has no deficits, and is financially stable.

Comment: Funding is vital, as no State or Federal monies are received. Funds available are leveraged as an incentive for matching grants, and attract monies from other towns and charitable donations. This Agency provides critical and effective programs that provide for the wellbeing of children, and advocates successfully for some of the most vulnerable members in our community. They continue to seek innovative ways to promote and fund their programs.

Recommendation: \$1,200.00

RBH

1.15

LifeFlight of Maine

PO Box 899
Camden, ME. 04843
207 230-7092
Christine DeLorimier, Development Assistant
cdeborimier@lifeflightmaine.org



FY 16 Request: \$2000

FY 15 Contribution: \$0*

Background: Maine was the last state in the country to establish a state-wide emergency air ambulance service in 1998. Lifeflight of Maine provides transport and emergency medical care to residents with life-threatening medical issues. Patients are transported by Lifeflight to specialized medical services in Portland or Boston. In addition to the flight crew, every flight is staffed by a highly trained critical care nurse and an emergency medical technician. Each of the 2 aircraft contains specialized equipment such as advanced infusion pumps and transport -specific monitors to provide high quality emergency care during the flight.

Services: During the fiscal year ending June 30, 2014, Lifeflight transported 4 critically ill York residents to specialty care in Boston or Portland. The cost of each flight is approximately \$6000; the total value to York residents is \$24,000. Health insurance generally provides some reimbursement; however, a significant portion of cost is unreimbursed. In addition to transport, Lifeflight provides indirect services in the form of clinical education to dispatchers and EMS providers.

Comments: This is Lifeflight's first application for funding from the Town of York. It reflects Lifeflight Foundation's new initiative to expand municipal support beyond the current level of approximately 15%. Public funds have helped expand infrastructure such as helipads and communication equipment. Hospitals and private/corporate donations have helped fund aircraft and technology intensive medical equipment. With the trend toward increased centralization of specialty medical services, expansion of Lifeflight services is likely.

Recommendation: \$1000

CH 12.14

**Note: this is the first year that LifeFlight of Maine has applied to the Town of York's MSSRB for funding*

Maine Behavioral Healthcare

78 Atlantic Place
 South Portland, ME 04106
 207-761-2314
 Contact: Michelle Zichella (zichem@springharbor.com)



FY 16 Request: \$2,800

FY 15 Contribution: \$2,800

Background: For nearly fifty years, Maine Behavioral Healthcare(MBH) - formerly known as Counseling Services, Inc or CSI - has operated York county’s only 24-hour, 365 day crisis service response program which includes: a crisis hotline, face-to-face assessments, in-home follow-up and provides a single point of entry for mental health services throughout York County. York residents are served primarily from the offices in Kittery; services include counseling and day treatment services, enrichment classes, housing assistance and residential care.

Services: During the past fiscal year (10/01/13 – 09/30/14), MBH served three-hundred twenty-five (325) York residents a total of 3,371 hours (or 140 days) of services. Service units consisted of: *2,448 hours of Mental Health Counseling, 154 hours of Substance Abuse Counseling, 729 hours of Crisis Services, and 40 hours of crisis bed days.* The cost of these services was \$305,369 (See Figure 1). The amount of support MBH is requesting is \$2,800, the same amount requested since 2005 *despite* the increase in costs of services.

Figure 1 – Services Provided by MBH to York, Maine Residents (10/1/13 - 9/30/14)

Service Provided	Residents Served	Units of Service	Cost of Services
Mental Health Counseling	217 residents	2,448 hours	\$225,527
Substance Abuse Counseling	19 residents	154 hours	\$11,680
Crisis Services	86 residents	729 hours	\$51,282
Crisis Bed Days	3 residents	40 hours	\$16,880
Totals (unique count)	325 Residents	3,771 Hours 140 Days	\$305,369

MBH also provides: community support services, outpatient mental health counseling, psychiatric services, medication management, case management services, managed care services, independent living skills programs, complimentary therapies, and representative payee services and live enrichment programs that include therapeutic art classes.

Comment: With one in five Americans has a mental health disorder in any one year, available and accessible community mental health services are vital to the overall quality of life in our town. MBH continues to provide crucial community mental health services to the residents of York. While municipal funding is a very small part of their revenue (less than 2%), MBH continues to work collaboratively with York Schools, York Police Department, and Fire Departments for individuals living with a wide range of mental illnesses. MBH is a unique, vital service to many York residents.

Recommendation: \$2800

DG 11.14

Sexual Assault Response Services of Southern Maine

P. O. Box 1371
Portland, ME 04104
Amy L. Stanley, Executive Director
207-828-1035 (ext. 100) amys@sarsonline.org



FY 16 Request: \$500.00

FY15 Contribution: \$0*

Background: SARSSM is a non-profit organization serving Southern Maine victims of sexual assault since 1973. One in five Maine residents report having been victimized by rape or attempted rape in their lifetime. Besides their crisis and support hotline (800-313-9900) and support groups, they provide education, prevention, and response services advanced through school-based and community-based educational programs. They provide a lifeline and are a comprehensive resource against sexual assault, bullying, and harassment. York resident contacts for support are Linda Donovan and Erica Webber.

SARSSM relies on monies granted by local communities, organizations, and individuals to support the services they provide. This funding helps them leverage funding provided to them by United Way which contributed \$68,000.00 last year, as well as contributions from other organizations. Total income for FY September 30, 2013 was \$866,000.00. Total expenses were \$895,000.00. They had to increase borrowing on their line of credit by \$20,000.00, some of it due to the timing of state and local funding. To help offset that, MeCASA (Maine Coalition Against Sexual Assault) increased their funding by \$20,000.00.

Services: For FY 9-30-14, SARSSM provided direct services to three self-identified York residents. Many other York residents were served through their 24 hour confidential emergency hotline. There were 2400 calls from southern Maine, unidentified as to where from due to confidentiality. Several originated at York Hospital when victims arrived there, and by York Police as situations arose. The direct services to the three York residents alone were valued at \$375.00; however, greater dollar value should be added when confidential services and educational programs are considered.

Comment: Given the financial crisis that has directly impacted SARSSM (Federal and State Grant income was down from \$466,000.00 FY 9-30-12 to \$434,665.00 FY 9-30-13) and other non-profit community-based organizations, they continue working diligently to provide the level of service needed for Southern Maine. They are financially stable and all their services are free of charge. Local community support is imperative for this organization to continue providing those services critical to meet this ever-increasing social, life-threatening problem.

Recommendation: \$500.00

TL 12.14

**Note: for FY15, SARSSM applied too late to be eligible for funding via to the Town of York's MSSRB*

Southern Maine Agency on the Aging

136 US Route One
Scarborough, ME 04074
Liz Thompson
Telephone: 207-396-6591
E-mail: lthompson@smaa.org



FY 16 Request: \$10,000

FY 15 contribution: \$9500

Background: Southern Maine Agency on the Aging is a non-profit, community based organization since 1973, and provides resources on elder care choices and experts on the issues affecting older residents of York and Cumberland counties. Their new mission is: *To improve the quality of life for older adults, adults with disabilities, and the people who care for them.* SMAA has a board of fourteen; two members are from York. Additionally, five York residents volunteered again last year in their RSVP (retired and senior volunteer program), giving over 1800 hours of their time collectively.

Services: For the fiscal year Oct.1, 2013 through Sept. 30, 2014, SMAA served 749 York residents, which included:

- *3030 Meals on Wheels delivered by volunteers to 30 homebound seniors;*
- *22,674 congregate meals for 579 folks;*
- *Health insurance counseling to 79 residents;*
- *19 York seniors and their families received help managing care giving roles compared with 6 last year;*
- *Care Transitions Intervention Services to 11 high risk Medicare patients (new service).*

The estimated cost of all services to York residents totaled \$155,043

Comment: SMAA is constructing a new 10,000 Square foot Adult Day Care Center in Biddeford which will be open in 2015 and accessible to York residents as it is just off the highway. Also, local matching funds are important for both federal and local funding. Through the Federal Older American Act, federal funds received by SMAA must be matched by municipal/local funds, so our support is critical.

Recommendation: \$10,000

DK 1.15

Sweetser

50 Moody Street
Saco, Maine 04072
Contact Person: Victoria Hricko
Contact info: 207- 294-4476 or vhricko@sweetser.com



FY16 Request: \$2,000.00

FY15 Contribution: \$0*

Background: Sweetser is a nonprofit mental and behavioral health organization that has served individuals and families in Maine for more than 185 years. The agency has a wide range of current programs including crisis intervention and stabilization, case management, behavioral health intervention, outpatient services, two K-12 schools and residential treatment. They are a very stable organization with a budget of \$57,182,848.

Services: One of Sweetser's many programs is providing behavioral health specialist care to at risk individuals and families identified and treated within the primary care, pediatric, and OB/GYN offices in York. A number of these patients are uninsured and Sweetser is committed to continuing to provide care to these uninsured residents of York. In the fiscal year ending June 30 2014, Sweetser provided free care to six residents of York for a total value of \$1045.

Comment: In addition to the mental health component of integrated care, Sweetser provides indirect services in York such as working with the York Diversity Forum. Sweetser social workers also conduct groups of various types in York schools.

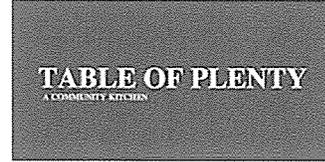
Recommendation: \$1045

KG 01.15

**Note: this is the first year that Sweetser has applied to the Town of York's MSSRB for funding*

Table of Plenty

PO Box 232
Berwick, Maine 03901
Contact Person: Chris Stolpe
603-767-2319
Email table_of_plenty@comcast.net



FY16 Request: \$2500

FY15 Contribution: \$0 *

Background: Table of Plenty began in Berwick Maine in January of 1994 to help meet the needs of the growing number of people who were having trouble putting food on their tables. As further need was recognized, a second kitchen was opened on Tuesdays in York in 2001 and a third kitchen opened in Kittery on Thursdays in 2009. The Table of Plenty is a registered 501 C3 non profit . They are managed by a board of directors and have a volunteer Director/Coordinator who organizes the volunteer teams at all the sites in meal preparation and serving. Food is obtained through several sources at as low costs as possible. Support is received through donations and fund raising. Town support would be very important. Total budget of this all volunteer organization is \$45,000 for all three sites.

Services: The staff of all volunteers prepares and serves a nourishing, sit down meal every Tuesday at First Parish Church in York. Guests receive a hot meal and take home donations of breads, produce and canned goods.

Between 1/1/13 and 12/31/13 Table of Plenty served 3434 meals at the York site. Of those meals, 2747 were served to York residents. At the average per meal food cost of \$3.00 per meal the total value of food provided to York residents at the York site was \$8241.00. A request of \$2500 has been made to the Town of York. This money will help pay for food that is purchased, running the van that picks up and delivers food and electricity costs to maintain the refrigeration and freezing of food that is gathered at discounts and stored.

There is no formal connection with the town of York but nine different teams from the community volunteer their time and energy to prepare and serve the meals. Information has been sent to the school nurses so that students with need may be made aware of the service.

Comment: In addition to individuals and families struggling with loss of employment or illness, there are individuals struggling with the cost of food vs. the purchase of medications. The Table of Plenty serves the guests with dignity and good cheer.

Recommendation: \$1500

KG 1.15

**Note: the Table of Plenty did not apply for funding to the Town of York's MSSRB last year.*

York County Community Action Corporation

6 Spruce Street, P.O. Box 72
Sanford, Maine 04073 207-324-5762
Barbara Crider, Executive Director
Brad Bohon, Communications Director x2954



FY16 Request: \$6,000

Received FY15: \$6,000

Background: York County Community Action Corporation was incorporated in 1965 as a response to the Economic Opportunity Act of 1964. The mission of York County Community Action Corporation (YCCAC) is to alleviate the effects of poverty, attack its underlying causes, and to promote the dignity and self-sufficiency of the people of York County, Maine. Since then; the agency has been delivering a range of social service, health and educational programs to York County individuals and families living in poverty. The major programs include Community Outreach, Head Start, and Early Head Start, Weatherization, and Women Infants and Children (WIC), transportation, legal assistance, fuel assistance, housing, counseling, and the federally qualified community health center, Nasson Health Care, which is located in Springvale, and provides medical, dental and behavioral health services. They now have a clinic located in Noble High School. The agency's main office is in Sanford with branches in Biddeford and Kittery. The agency's board is comprised of 1/3 low-income individuals, 1/3 public sector representatives and

1/3 private sector representatives. No one from York is currently on the board.

Municipal funds are critically important since every dollar of town funds leverages two dollars from the federal government. Matching funds are also important for cash match requirements for State funding. All of the funds will support the direct services for the residents of our community and will reduce the reliance upon general assistance here. The agency utilizes a large volunteer program of which 90 serve as volunteer drivers for the Transportation program.

Services: In the fiscal year from 11/1/2013 to 10/31/2014, 294 York citizens were served for a dollar value to York citizens of \$280,228. WIC and the Nasson Health Care Center saw an increase in the number of York residents served. Community Outreach workers provided information and referral, advocacy, and emergency assistance for shelter, utilities, heat, or food. The transportation program provided 15 York riders with a total of 836 trips to medically necessary appointments such as doctor appointments, cancer treatment appointments, or to pick up medically necessary prescription medications. Volunteer drivers drove these residents 31,527 miles. YCCAC buses and vans drove 6,875 miles during the year and took elderly and disabled residents (without access to cars) grocery shopping or for appointments. The agency has lost their MaineCare contract to transport those residents since the State had decided to contract out with a national brokerage company to transport the MaineCare recipients. YCCAC operates with revenue of \$15,611,139. The majority of their budget is from Federal and State funds.

Comment: The agency's revenue has been less in the recent years yet they have consistently met the challenge of providing badly needed services far in excess of the amount requested, using resources available to meet the needs of the residents in need. Outreach workers are critically needed to help elderly, disabled and low income residents with assistance for issues ranging from hunger and homelessness to domestic abuse and legal advocacy. Funding this agency helps reduce the reliance on General Assistance in the town. Although the cost of services to York residents was slightly less this year, they still continue to provide several vital services to our citizens in need.

Recommendation: \$6,000

KCV 12/23/14

York County Food Rescue

199 Jagger Mill Road
PO Box 863
Sanford, ME 04073-0863
Jodi Bissonette
207-324-1273
www.yorkcountyfoodrescue.org



York County Food Rescue

FY 16 Request: \$2,500

FY15 Contribution: \$2,500

Background: York Country Food Rescue has been serving York County since 2008, and is now on its own as a non-profit organization. The purpose of YCFR is to alleviate hunger by enhancing the recovery of excess food and improving coordination among food pantries and meal programs in York County. It has a board of 6, none of whom live in York. In 2015, it will have an operating budget of \$151,000 compared to last year's \$121,100. It appears to be financially stable at this time, although the financial figures are a bit confusing and they have not yet received an independent auditor's report.

Services: YCFR collects and stores USDA surplus commodities and food donated by over 125 supermarkets, stores, restaurants or farmers. They have a volunteer network of 100 plus. The "rescued" food is given, free of charge to food pantries and soup kitchens throughout York County. Through October of 2014, York Community Service Food Pantry received 20,331 lbs. of food, free of charge from YCFR, which was distributed to approximately 45-60 families (on a weekly basis). They also provided 23,692 lbs. of food to York's Table of Plenty, feeding an average of 65 people each week at the First Parish Hall. With the food valued at \$1.26/ lb., this makes the total value of food provided to the town of York \$55,469.

Comment: York County Food Rescue continues to be an invaluable source of free food for York residents through the food pantry, according to Maureen Monsen, YCSA Food Pantry manager. This year, however, the Table of Plenty is asking for funds directly from the town; they are using less food from the YCFR as some food items are not always appropriate for a large meal gathering. Therefore, we feel that the town should decrease slightly the amount requested.

Recommendation: \$2,000

DK 01.15

York County Shelter Programs, Inc.

PO Box 820
Shaker Hill Road
Alfred, ME. 04002-0820
Megan Gendron, Director of Development
207 324-1137



Request FY 16: \$5000

FY15 Contribution: \$3500

Background: The York County Shelter Programs, Inc. provides comprehensive services for homeless adults and families. The primary goal of The York County Shelter Programs is to meet the urgent basic needs of clients for housing, food, medical treatment and mental health care. YCSP is working toward the long term goal of ending the cycle of homelessness through permanent housing options; a continuum of case management services are also offered to maintain client independence. The Shelter reports that the community housing continuum and case management have resulted in reduced recidivism for both single adults and families. For single adults, recidivism is only 5.33%; for families, the recidivism rate is zero. The Shelter also provides mental health and substance abuse treatment, vocational training and an emergency food pantry.

Services: During the fiscal year ending June 30, 2014, **two (2)** adult York residents received housing and other related services at York County Shelters, Inc for a total of **156** days. The daily cost of \$101.26 per day equals \$15,765.36. Single adults seeking YCSP services typically have a history of both longstanding serious mental illness as well as substance abuse disorders. Shelter residents receive medical screening, psychiatric consultation as necessary in addition to substance abuse treatment and case management services. If appropriate, vocational training is also provided.

York County Shelter Programs, Inc. also operates an emergency food pantry which is open to residents of any town in York County. One (1) box of emergency food to serve a total of 2 people was provided to York residents; the value of each box is approximately \$60.

The value of these services received was \$15,825.36.

Comments: York County Shelter Programs offers a wide variety of housing and support services to individuals and families who are homeless. Services for clients with mental health issues are aimed toward preventing hospitalization and stabilizing the person with return to living in the community as soon as possible. Because of declining availability of housing vouchers and Section 8 certificates, lengths of stay for both adult individuals and families at YCSP have increased.

Recommendation: \$3500

CH 12.14

~ END OF MSSRB FY16 REPORT ~



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 23, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Business License Applications (2)	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery; Assistant to the Town Manager
RECOMMENDATION:
PROPOSED MOTION: I move to approve the following licenses: <ol style="list-style-type: none">1. Mac's Convenience DBA: Circle K #7049 (Food Service); Located at 454 US Route One2. Cumberland Farms DBA: Cumberland Farms #5567 (Food Service); Located at 230 York Street <p style="text-align: center;"><i>... subject to taxes, fees and inspections being current and compliant with the usual noise stipulations</i></p>

Discussion: All appropriate Departments have given approval; See "Department Approvals" on page two of each application

Prepared By: _____

Reviewed By:  _____

THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Circle K 7049

Street Address: 454 US Rte One, York ME 03909

Business Owner: Mais Convenience Business Manager: Arae Grant

Mailing Address: PO Box 347 Mailing Address: _____

Columbus IN 47202

Phone Number: 812.379.9227x 1347 Phone Number: 207.363.9863

E-mail Address: cowings@circlek.com E-mail Address: _____

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

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

Please indicate which Licenses or Local Approvals you seek:

Lodging:

___ Bed and Breakfast License (C/F)

___ Innkeeper License (C/F)

Number of Rooms: ___

Food and Beverage:

Food Service License (C/F)

___ Liquor License (F/P)

___ Bottle Club License (F/P)

Number of Seats: ___

Entertainment:

___ Special Amusement License (F/P)

___ Dance Hall License (F/P)

___ Bowling Alley License (F)

___ Coin-Operated Amusement License (P)

___ Bingo, Beano and Games of Chance

Miscellaneous:

___ Transient Seller's License

___ Flea Market License

___ Junkyard, Auto Graveyard/Recycling License

___ Other: _____

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

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

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

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	2-23471		
Expiration Date(s):	12/31/2015		
Classification(s):	Retail Food		

Please read the following and sign to complete your application:

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

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

Business Owner: Betty Watts
Signature

Have you ever been convicted of a Felony? YES NO

Business Manager: _____
Signature

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

(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

FEES		Amount	Map - Lot: <u>0048 - 0023</u>	
Application and First License (\$60)		<u>60.00</u>	Processed By: <u>mmavery</u>	
Subsequent Licenses (\$30 each)		<u>-</u>	Received Date: <u>1/14/2015</u>	
New License Fee (\$50)		<u>-</u>	Amount Received: \$ <u>60.00</u>	
License Amendment (\$25)		<u>-</u>	Check # <u>416236</u> or Cash <input type="checkbox"/>	
Other: _____		<u>-</u>	LICENSE #: _____ - _____	
TOTAL DUE		\$ <u>60.00</u>		
Department Approvals		Date of Approval		Special Conditions (Attached if Necessary)
Code Enforcement	<u>-</u> N/A	<u>1/21/2015 K. Newell</u>		YES <input type="radio"/> NO <input checked="" type="radio"/>
Fire	<u>-</u> N/A	<u>1/21/2015 D. Appgar</u>		YES <input type="radio"/> NO <input checked="" type="radio"/>
Police	<input checked="" type="checkbox"/> N/A			YES <input type="radio"/> NO <input type="radio"/>
Tax Collector	<u>-</u> N/A	<u>1/14/2015 M. Szeniewski</u>		YES <input type="radio"/> NO <input checked="" type="radio"/>
Board of Selectmen _____ Town Manager for the Board of Selectmen			_____ Date	YES <input type="radio"/> NO <input type="radio"/>

THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Cumberland Farms # 5567

Street Address: 230 York St.

Business Owner: Cumberland Farms Inc. Tax Department Business Manager: ^{store} Jennifer Woods

Mailing Address: 100 Crossing Boulevard Framingham, MA 01702 Mailing Address: Cumberland Farms Inc. Tax Department 100 Crossing Boulevard Framingham, MA 01702

Phone Number: 207-351-3087 Phone Number: 508-270-1504

E-mail Address: _____ E-mail Address: LSALVUCCI@cumberlandfarms.com

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

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

Please indicate which Licenses or Local Approvals you seek:

Lodging:

___ Bed and Breakfast License (C/F)

___ Innkeeper License (C/F)

Number of Rooms: ___

Food and Beverage:

Food Service License (C/F)

___ Liquor License (F/P)

___ Bottle Club License (F/P)

Number of Seats: e

Entertainment:

___ Special Amusement License (F/P)

___ Dance Hall License (F/P)

___ Bowling Alley License (F)

___ Coin-Operated Amusement License (P)

___ Bingo, Beano and Games of Chance

Miscellaneous:

___ Transient Seller's License

___ Flea Market License

___ Junkyard, Auto Graveyard/Recycling License

___ Other: _____

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

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

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

Provide the following information about any relevant State licenses:

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

Please read the following and sign to complete your application:

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

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

Cumberland Farms Inc.
Tax Department

Business Owner: 100 Crossing Boulevard
Framingham, MA 01702
Signature

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

Business Manager: *Richard Fournier*
Signature Richard Fournier
Tax Manager

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

(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

FEES	Amount	Map - Lot: <u>0050 - 0113</u>
Application and First License (\$60)	<u>60.00</u>	Processed By: <u>mmavery</u>
Subsequent Licenses (\$30 each)	<u>-</u>	Received Date: <u>12/1/2014</u>
New License Fee (\$50)	<u>-</u>	Amount Received: \$ <u>60.00</u>
License Amendment (\$25)	<u>-</u>	Check # <u>352697</u> or Cash <input type="checkbox"/>
Other: _____	<u>-</u>	LICENSE #: _____ - _____
TOTAL DUE	\$ <u>60.00</u>	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>-</u> N/A	<u>12/30/2014 K. Newell</u>	YES <input checked="" type="radio"/> NO
Fire	<u>-</u> N/A	<u>1/5/2015 D. Apgar</u>	YES <input checked="" type="radio"/> NO
Police	<input checked="" type="checkbox"/> N/A		YES NO
Tax Collector	<u>-</u> N/A	<u>12/2/2014 M. Szeniewski</u>	YES <input checked="" type="radio"/> NO
Board of Selectmen _____ Town Manager for the Board of Selectmen _____ Date _____			YES NO



AGENDA ITEM NUMBER: _____

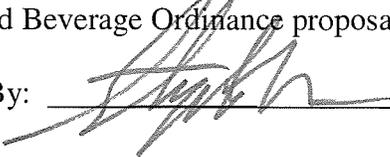
REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 22, 2015	Type of Action: <input type="checkbox"/> Procedural <input type="checkbox"/> Formal Action <input checked="" type="checkbox"/> Other: Informational
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Review of potential zoning amendments for May 2015 Special General Referendum.	

TO: BOARD OF SELECTMEN
FROM: Dylan Smith, Town Planner
RECOMMENDATION: Review and Consideration of Proposed Amendments for May 2015 Special General Referendum.
PROPOSED MOTION:

Discussion: The attached potential Proposed Amendments for May 2015 are for your review and consideration prior to the required Board of Selectmen public hearings that will be held on February 23rd and March 23rd. The Planning Board has been working on the attached amendments with the exception of proposed amendment #7, "Establishing Standards for Local Driveway Permitting," which is proposed by the Public Works Director. Also, the Police Department will be proposing a series of code amendments to fine structures to accommodate a new unified court docket system – very minor stuff from a policy perspective, but it'll probably take up quite a few pages just because it affects multiple codes. This is just a heads up at this time as the Police Chief will be able to go into greater detail regarding these proposed changes. At the January 22nd Planning Board meeting the Planning Board voted to form a subcommittee to review the specialty food and beverage facility standards as found within the original proposed Artisanal Food and Beverage Ordinance. The Board hopes to review matters related to the ordinance, such as but not limited to, placement within zoning districts or areas found within those districts, impact of the use on current similar businesses and current zoning standards, and continue to improve the Artisanal Food and Beverage Ordinance proposal.

Prepared By: Dylan L. Smith

Reviewed By: 

Proposed Amendments

to be considered at the

May 2015 Special General Referendum

Amendment

1. Elimination of the Sunset Clause Regarding Outside Display Along Route 1
2. Sign Standards (Digital Displays throughout Town)
3. Match Density and Minimum Lot Size in the Watershed Protection Overlay District
4. Gen-3 Zoning District Permitted Uses
5. RES-2 Commercial Use Amendment
6. Establish Sign Standards for “Gateway Signs”
7. Establish Standards for Local Driveway Permitting

Amendment #1

Outside Retail Display on Route 1

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

Article X

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

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

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

- 6.3.27.2 Outside Retail Display. Outside display of retail goods, in an un-roofed area where customers have ready access to such products, shall be allowed as an accessory use to any business with a retail component as follows.
- A. The total area allowed for outside retail display is:
 - 1. for a property with 2,500 square feet or less of indoor retail space, 1,000 square feet of outside retail display per property; or
 - 2. for a property with more than 2,500 square feet of indoor retail space, 2,000 square feet of outside retail display per property.
 - B. Outside retail display does not need to be screened from view, and parking is not required for such areas.
 - C. Up to 10% of the outside retail display area may be located within the required bufferyards. This area shall be increased to 15% where the posted speed limit on the road in front of the business 50 MPH or faster. This limitation shall not apply to live plants – see §6.3.27.5.
 - D. The outside retail display may not occur within or block designated parking spaces, traffic aisles, or wheelchair-accessible pedestrian ways.
 - E. No component of the display shall be allowed if it would cause a safety risk to motorists, bicyclists or pedestrians because of its size, shape or placement (such as but not limited to objects which block sight distance, are sharp, or are large/immobile and located immediately adjacent to the road). Upon verbal direction from a

- Code Enforcement Officer, any such problem item shall be removed or relocated immediately.
- F. Outside retail display shall not involve any substantive physical change to or development of the property. It is simply an allowance to place product outside.
 - G. Such areas can straddle or cross onto a neighbor's property with that owner's permission.
 - H. Except for vehicle display (see §6.3.29), outside retail display which conforms to the standards of this section shall be permitted and shall not require specific permits or approvals from the Town

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

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

Amendment #2 *Sign Standards (Digital Display)*

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

Article X

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

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

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

16.4.1: *Except as prohibited in section 16.9 of this ordinance externally and internally illuminated signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare. ~~Internally lit signs shall not cause undue glare.~~*

16.9.3: Flashing, moving or animated signs, movable electric signs, changeable signs, intermittently lit signs, digital, or signs that display electronic images or video are not permitted. Signs indicating *fuel prices*, time and/or temperature are permitted provided they meet the other provisions of this Section.

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

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

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

Article X

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

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

Amendment: Article 10 section 10.4.1 to read as follows:

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

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

Amendment #4

Gen-3 Zoning District Permitted Uses

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

Article X

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

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

Recommendations:

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

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

Commercial Use Category (GEN-3)

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

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

Office Use Category (GEN-3)

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

Civic & Public Use Category (GEN-3)

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

Industrial Use Category (GEN-3)

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

Vehicular Use Category (GEN-3)

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

Rural & Agricultural Use Category (GEN-3)

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

Recreation & Amusement Use Category (GEN-3)

- Indoor Amusement/Entertainment/Assembly Place (Enclosed) (*South of the Little River*)
- Indoor Sports Facility (No Gambling) (*South of the Little River*)
- Outdoor Sport and Amusement Facilities Conducted for Profit

- Country Club
- EXPRESSLY PROHIBITED: Campgrounds and Travel Trailer Parks; Amusement Arcades (as Primary or Accessory Use); Open Air or Drive-In Theater or Other Open Air Places of Entertainment; Bath House for Non-Commercial Purposes.

Miscellaneous Use Category (GEN-3)

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

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

Amendment #5

RES-2 Commercial Use Amendment

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

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to amend the motels/hotels commercial use category of the RES-2 District to include expansion of existing motel/hotel facilities to a contiguous lot under the same ownership as the existing motel/hotel facility, specifically the lot located at 76 Bald Head Cliff Road.

Statement of Fact: The purpose of this amendment is to expand the motel/hotel use that is currently permitted in the RES-2 zone on the existing Cliff House Resort and Spa property to an adjacent property at 76 Bald Head Cliff Road that is also owned by the same parent entity that owns the Cliff House.

Amendment: Amend Article Four, specifically the Motels/Hotels Section of the Commercial Use Category of the RES-2 District as follows:

Motels/Hotels- Only facilities which existed as of March 30, 1985 and which have a master plan approved by the DEP may expand. Expansions may only be within the owner's lot of record and contiguous lots owned by that owner as of March 30, 1985. *Expansion may also be permitted on 76 Bald Head Cliff Road (Map 156, Lot 17), provided that is determined by the Town Planner to be a contiguous lot owned by a legal entity under the control of the owner of the adjacent hotel property as of April 23, 2014.* These motel and restaurant facilities and their permitted expansions are to be considered a conforming use in this district.

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

Amendment #6 *Sign Standards (Gateway Signs)*

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

Article X

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

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

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

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

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

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

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

16.5.2.5 Gateway Signs

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

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

Amendment #7
Establish Standards for Local Driveway Permitting

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

Article X

The Town hereby ordains amendment of the **Street Opening and Culvert Ordinance** to expand the scope of this Ordinance to include regulation of driveways onto public ways.

Statement of Fact: The purpose of this amendment is to manage access onto public roads while protecting the safety of those people traveling on the streets and those using the driveways.

Amendment: Rename the Ordinance by inserting language as follows:

Driveway, Street Opening and Culvert Ordinance

Amend Section 1, Purpose, to broaden its scope, as follows:

SECTION 1: PURPOSE

The purpose of this Ordinance is to protect the safety of the traveling public, and to protect public *transportation and* infrastructure from undue adverse impacts by ensuring all work in Town Streets, *State Roads within the compact area* and public rights of way are properly constructed.

Amend Section 2, Applicability, to broaden its scope, as follows:

SECTION 2: APPLICABILITY

The provisions of this Ordinance apply to any excavation, construction, filling, *Driveway* or Culvert installation work which occurs in a public street, Sidewalk, right of way, except as follows:

- D. State Highways and State Aid Roads outside the Urban Compact Area.

Amend Section 3, Definitions, to add terms, as follows in alphabetical order:

SECTION 3: DEFINITIONS

For the purpose of this ordinance, the following definitions will apply. If not defined in this ordinance, words, terms and phrases will have their commonly accepted meaning.

ACCESS - A public or private point of entry or exit from land adjacent to a public highway used by motor vehicles as defined in Title 29-A MRSA, Chapter 1, Section 101. The specific point may be described as an entrance or a driveway depending upon the land use and volume of traffic generated by that use.

ACCESS POINT – The intersection of an existing or proposed access with the public right of way.

APPLICANT – The person applying for the permit. Normally, this will be the owner of the property.

CORNER CLEARANCE – The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of a driveway excluding its radii.

DRIVEWAY – A type of access that serves one of the following land uses: Residential (up to 4 dwelling units); home-based occupations; forest management activities; farming; low impact industrial (e.g. substations). Driveways may consist of surface material such as mineral soil, gravel, asphalt or other natural or man-made material constructed or created by repeated passage of on-road vehicles.

ENTRANCE – A type of access that serves one of the following land uses: residential (serving five or more dwelling units); housing developments; retail, office, or service business including department store, strip mall, convenience store, gas station, auto repair shop, restaurant, or similar use.

MAINE DOT, MDOT – The Maine Department of Transportation.

OFFICIAL SPEED LIMIT – The speed limit set by Maine DOT and maintained by the Town of York, or limited by statute as defined in Title 29A, MRSA, Chapter 19, Section 2024.

SIGHT DISTANCE – The length of unobstructed sight line of motor vehicle drivers in normal daylight conditions. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points: (1) sitting in the access viewing vehicles traveling on the highway (both left and right), (2) traveling on the highway viewing a vehicle sitting in the access and (3) traveling on the highway viewing a vehicle turning into the access (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard is met. Sight distance is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of the traveled way. The height of the hypothetical person's view is considered to be 3.5 feet above the pavement and the height of the object being viewed is considered to be 4.25 feet above the pavement.

STATE or STATE AID HIGHWAYS – Highways designated by Maine DOT as a State or State Aid Highway pursuant to Title 23, MRSA, Section 53.

URBAN COMPACT AREAS – Areas defined and established pursuant to Title 23, MRSA, Section 754.

Amend the definition of “Public” in Section 3, Definitions, to address responsibilities on State Roads within the Urban Compact, as follows:

PUBLIC – In the context of a public street, sidewalk, right-of-way or drainage way, public means *a that the facility or property which the Town of York either owns, or holds an easement for use and/or maintenance, or is otherwise responsible for maintenance (such as State roads within the Urban Compact).*

Amend §6.2.C, as follows:

€ B. Responsibilities of the Superintendent of ~~Public Works~~

Insert a new Section 7: Driveways, as follows:

SECTION 7: DRIVEWAYS

7.1 General Provisions

- A. ***Permit Required.*** *A Driveway, Street opening and Culvert Permit shall be obtained from the Superintendent prior to installing a new driveway or altering an existing driveway onto any public street or public right-of-way. If driveway installation requires excavation through a public street or sidewalk a Street Opening Permit shall also be required, and-all shall be applied for and considered concurrently.*
- B. ***Dig Safe.*** *Compliance with 23 MRSA §3360-A shall be required.*
- C. ***Technical and Safety Standards.*** *Compliance with the following standards shall be required:*
 - 1. ***Sight Distance***
Where driveways or new streets enter an existing street, vehicular sight-distance shall conform to standards established by the Maine DOT as contained in their publication, Chapter 299, Highway Driveway and Entrances Rules, PART A: Driveway Rules. For driveways frequently accessed by large vehicles, greater sight distance will be required according to Maine DOT guidelines. The minimum allowable sight distances for all accesses onto all local roads in the Town of York and all state and state aid highways inside the urban compact area are set forth in Table 1.

Table 1 - Sight Distance	
<i>Official Speed Limit (MPH)</i>	<i>Minimum Sight Distance (Feet)</i>
25	200
30	250
35	305
40	360
45	425
50	495
55	570
60	645

2. **Number of Driveways (including provisions for shared driveways).** *To the maximum extent practical no more than two (2) driveways shall be permitted for ingress and egress purposes.*
 3. **Driveway Width.** *To the maximum extent practical the driveway width within the road right of way must be between 12 and 22 feet inclusive. The width of a driveway is the distance across the driveway, excluding radii, measured parallel to the highway.*
 4. **Corner Clearance.** *Unless there is no feasible alternative the minimum corner clearance for driveways is 75 feet for un-signalized intersections and 125 feet for signalized intersections except that at no time will a driveway be located on the radius of the two intersecting roadways.*
 5. **Turnaround Area and Parking.** *Driveways will be designed such that all maneuvering and parking of any vehicles will take place outside of the road right of way and such that vehicles may exit the premises without backing onto the traveled way or shoulder of the road.*
 6. **Intersection Angle/Radius of Edges.** *To the maximum extent practical, the driveway will be constructed perpendicular to the roadway at the access point. The minimum radius on the edge of a driveway, if any, must be 10 feet.*
- D. **Repair of Incidental Damage.** *If work on the driveway damages any public infrastructure, all such damage shall be repaired before use of the driveway may commence.*

- E. Storm Water Drainage. The applicant shall design and install all improvements as to maintain or improve the storm water drainage in the public right-of-way.*
- F. Inadequate Performance. Any driveway installed pursuant to a Driveway Permit which contradicts the standards, terms and conditions of the Permit shall be removed or fixed by the property owner if so ordered by the Superintendent.*

7.2 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. Describe the anticipated users of the proposed driveway;*
 - c. Provide a plan and materials specifications for work within the right-of-way and 25' onto the lot to be served;*
 - d. Detail the plan for traffic control and protection of public safety during work within the right-of-way;*
 - e. Include any other required permits; and*
 - f. Provide other information relevant to the application.**
- 2. The applicant shall be responsible for completing all work in accordance with the Driveway 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.*

B. Responsibilities of the Superintendent

- 1. The Superintendent, or his or her designee, shall be responsible for reviewing and deciding on each Driveway 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 and public safety. Each decision regarding a Driveway 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 the Permit.*
- 3. The Superintendent, or his or her designee, shall be responsible for inspecting all work completed pursuant to a Driveway Permit, and for identifying and ordering correction of any damage to Town property which may have occurred as a result of the installation.*

Renumber existing sections 7 through 11 as sections 8 through 12, respectively.

Amend the language of Section 8, Appeals, to address driveways by generalizing this standard, as follows:

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.

Recommended by the Board of Selectmen:



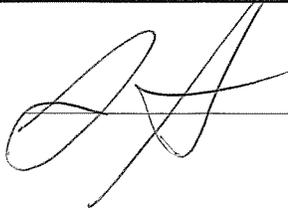
AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 23, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Town Manager Employment Agreement	

TO: BOARD OF SELECTMEN
FROM: Liam Gallagher, Director of Human Resources
RECOMMENDATION: Approval of the Town Manager Employment Agreement for Stephen H. Burns.
PROPOSED MOTION: We move to approve the Employment Agreement with Stephen H. Burns for the position of Town Manager.

Discussion: The financial details of the agreement are included within the enclosed Employment Agreement. The proposed fiscal impact is within the confines of the approved FY15 budget.

Prepared By:  _____

Reviewed By: _____

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this 26th day of January, 2015 with an employment date commencing January 26, 2015, between the Town of York, Maine (hereinafter called TOWN) and Stephen H. Burns (hereinafter called MANAGER) pursuant to these terms and conditions:

- A. WHEREAS, the TOWN wishes to employ the services of said Stephen H. Burns as the Town Manager of the Town of York;
- B. WHEREAS, the parties hereto desire to (1) secure and retain the services of the MANAGER and to provide inducement for him to remain in such employment, and (2) define the benefits and working conditions of the MANAGER's employment, and (3) to provide a just means for terminating the MANAGER's contract of employment at such time as he may be unable to discharge his duties due to disability, resignation or termination by the TOWN;
- C. WHEREAS, Employee wishes to accept employment as Town Manager of said TOWN under the terms and conditions stated herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and intending to be legally bound hereby, the TOWN and the MANAGER agree to the following:

1. **DUTIES** – The Town of York hereby agrees to employ Stephen H. Burns as Town Manager to perform the functions and duties so specified and to perform the such other legally permissible and proper duties and functions as may be set forth in the Town Charter, state statutes and municipal ordinances, or as the Board of Selectmen shall from time to time assign.

2. **COMPENSATION**

- a. The TOWN agrees to pay MANAGER a starting salary of One hundred twelve thousand and five-hundred dollars (\$112,500.00) per year starting from the date employment begins, to be earned and payable in such installments as the TOWN may from time to time determine for all management employees. MANAGER's salary shall be eligible for an annual adjustment on the anniversary date of the agreement's ratification by the Board of Selectmen based upon an annual performance evaluation of the MANAGER.
- b. Upon successful completion of the MANAGER's probationary period, the TOWN will pay the MANAGER a bonus of three thousand dollars (\$3,000).

3. **TERMS OF EMPLOYMENT**

- a. The initial term of the MANAGER's employment shall expire three years from the date employment begins.

- b. The MANAGER will be subject to a probationary period from the ratification of this agreement by the TOWN until May 1, 2015.
 - c. This contract shall be extended on the same terms and conditions as herein provided for an additional period of one year unless written notice is given by either party to this contract to the other, three (3) months prior to the expiration date as herein above provided. Said contract shall continue for one-year periods unless three (3) months written notice is given prior to the time of expiration.
 - d. The Board of Selectmen will conduct an evaluation of the MANAGER'S performance on an annual basis. This evaluation will help define goals, standards, and performance objectives for the proper operation of the Town government, and help to set in place objectives for the future.
 - e. During the term of this agreement, the MANAGER and the Board of Selectmen shall meet on a quarterly basis to review the performance of the MANAGER, progress toward organizational goals and other relevant benchmarks.
 - f. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Board of Selectmen to terminate the services of the MANAGER at any time, subject only to the provisions set forth in Section 12, paragraph (a) of this Agreement. The Board of Selectmen shall provide a thirty-day written notice of termination or an equivalent of thirty calendar days of pay in lieu of notice.
 - g. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the MANAGER to resign at any time from his position with the Town, subject only to the provisions set forth in Section 13, paragraph (c) of this Agreement.
4. **RETIREMENT PLAN** – Participation in the Social Security System is mandatory, with both the TOWN and the MANAGER making the required contributions. In addition, the MANAGER shall participate in the ICMA-RC 457 plan in place for selected Town Employees.
- a. If elected, the ICMA-RC 457 plan will require the Employer to contribute at the same percentage as for the non-union employees (currently 7.5% of base wages). It is not mandatory that the Employee contribute, but participation by the Employee is available. There are no vesting requirements.
 - b. The MANAGER may elect to defer additional wages into the retirement plan in accordance with plan guidelines or request that some or all of future salary increases be directed to the retirement account.
5. **INSURANCE COVERAGE**
- a. The MANAGER is eligible for enrollment in the TOWN provided health insurance plan for family coverage. MANAGER will make contributions at the same levels paid by other eligible salaried employees and in the manner described in the TOWN's non-union Personnel Policy.
 - b. The TOWN shall provide MANAGER with life insurance in the amount of one times the MANAGER'S annual salary.

- c. The TOWN shall defend, hold harmless and indemnify MANAGER against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of MANAGER'S duties as Town Manager. The TOWN will defend, compromise or settle as appropriate any such claim or suit and pay the amount of any settlement or judgment. This section does not apply to any claims resulting from MANAGER'S willful misconduct, known illegal acts, violation of TOWN policies or ordinances, or for claims arising outside of MANAGER'S duties as Town Manager.

6. VACATION AND SICK LEAVE

- a. MANAGER shall be granted vacation time at the rate of 24 days per year.
- b. Upon termination, whether voluntary or involuntary, TOWN shall compensate MANAGER for all accrued and unused vacation leave as described in the TOWN personnel policies. Said compensation shall be based upon MANAGER's salary as of the date of employment termination.
- c. Past balance of sick time carries forward, and there is no maximum to the amount accrued. This shall be compensated at separation, voluntary or involuntary, at fifty percent (50%) value.
- d. MANAGER shall earn sick leave at the rate prescribed by the existing personnel policy for non-union salaried employees.

7. **RESIDENCY** – In accordance with the Town of York Charter, the MANAGER shall maintain residence in the Town of York, which shall be his permanent and primary residence.

8. **BUSINESS EXPENSES** – The TOWN shall reimburse MANAGER for all approved business-related expenses subject to the annual budget process and approval. This shall include provision of a cell phone for work purposes.

9. CONFERENCES, TRAINING AND EDUCATION

- a. Travel expenses, including the cost of attendance at conferences, hotel expenses, meals etc., will be reimbursed on the actual cost basis within the limits of the budget as annually approved in the warrant.
- b. Attendance at the ICMA and MMA annual conferences shall be paid by the TOWN, subject to budgetary limits.
- c. The TOWN agrees to pay for the professional dues to the International City Manager's Association and the Maine Town and City Manager's Association and such other professional associations that the MANAGER and the Board of Selectmen feel are in the best interests of the Town, and subject to the annual budget process and warranty approval.
- d. The MANAGER will be expected to pursue continuing education in the field of municipal

management. The TOWN agrees to reimburse the MANAGER for up to two (2) graduate school courses per fiscal year, contingent upon funding and agreement between the TOWN and the MANAGER on the degree program and higher education institution.

10. INTERNAL MANAGEMENT

- a. The MANAGER's appointment as an Assistant Code Enforcement Officer shall be rescinded as of the date of this agreement's ratification.
- b. The MANAGER will not assert supervisory or management authority, as provided by M.R.S.A. §2636 and the York Home Rule Charter; specifically Article IV, section four (4), over Debra Burns. The Town Clerk/Tax Collector, or applicable department head will determine any and all employment decisions, or actions, regarding Mrs. Burns. In the event a supervisory decision is appealed by Mrs. Burns, as provided in Section VI, subsection F of the Non-Union Personnel Policy, the matter will bypass the Town Manager's office and be submitted to the Board of Selectmen for consideration and action. Additionally, in the event an issue that directly or indirectly involves Mrs. Burns is brought to the MANAGER's attention, the MANAGER will immediately notify the Board of Selectmen and Human Resources Director of the potential conflict and recuse himself from discussions and deliberations as soon as administratively possible.

11. GENERAL BENEFITS – In addition to the benefits cited herein, the TOWN shall provide MANAGER with any and all benefits that apply to other Administrative employees through the TOWN non-union personal policy.

12. TERMINATION AND SEVERANCE PAY

- a. At any time during this agreement, the TOWN may without cause, terminate the MANAGER'S contract of employment upon payment to the MANAGER a lump sum in the amounts described herein. Terminating prior to completion of the probationary period would require a payout equal to six (6) months salary and insurance. After six (6) months but before the completion of twelve (12) months, the payment would equal five (5) months salary and insurance. After twelve (12) months and during year two (2) of the agreement, the payment would equal four (4) months. In the last year of the agreement, the payment would equal three (3) months.
- b. At any time during the term of this agreement, the TOWN may, upon finding of cause, terminate the MANAGER's employment following a hearing before the Board of Selectmen.
- c. In the event the MANAGER voluntarily resigns his position with the TOWN before the expiration of the aforesaid term of employment, then the MANAGER shall give the TOWN sixty (60) days notice in advance, said notice to be given to the Chairman of the Board of Selectmen. In the event the MANAGER fails to give the required notice, accumulated vacation pay will be forfeited.
- d. In the event the MANAGER's employment with the TOWN was terminated for cause, the TOWN's only obligation to the MANAGER is to pay all compensation and benefits accrued but unpaid at the date of termination.

- e. Should the MANAGER be permanently disabled or otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of three (3) successive month beyond any accrued leave this TOWN shall have the right to terminate this agreement.

13. GENERAL PROVISIONS

- a. This Agreement shall become effective as of the date of its execution.
- b. If any provision, or portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall not be affected and shall remain in full force and effect.
- c. No term or provision of this Agreement shall be deemed to have been waived by either party unless such waiver is in writing and signed by the party making the waiver.
- d. This Agreement may be amended at any time only by a writing duly executed by both parties.
- e. The subject headings of the Sections of this Agreement are included for the purpose of convenience only and shall in no way affect the meaning, construction or interpretation of any provision of this Agreement.

IN WITNESS WHEREOF, and intending to be legally bound, the parties have, in good faith, executed this Agreement the day and year above written.

MANAGER

TOWN OF YORK
Board of Selectmen

Stephen H. Burns

Mary Andrews, Chair

Date

Robert E. Palmer, Jr.

Jonathan O. Speers

Torbert H. MacDonald, Jr.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 23, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Resignation of Ron Nowell	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Town Manager
RECOMMENDATION: The Board should accept the resignation of Ronald Nowell from the Board of Selectmen
PROPOSED MOTION: I move to accept with regret the resignation of Ronald Nowell from the Board of Selectmen

Discussion: The vote on this matter was deferred from the meeting of January 12th.

Prepared By: _____

Reviewed By: _____



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 23, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: FY16 Proposed Operating Budget	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Town Manager
RECOMMENDATION: Review the proposed FY16 Operating Budget, consider policy-related matters that affect the operating budget, and provide policy direction to the Town Manager so changes can be made prior to submittal to the Budget Committee on January 30 th .
PROPOSED MOTION: to be determined

Discussion: see attached materials.

Also, there is a separate Request for Action from Liam Gallagher about the *health insurance opt-out policy* discussed at the meeting of January 12th.

Prepared By:  _____

Reviewed By: _____

Draft Town of York
Approved FY16 Budget Summary

	Budget FY15	Proposed FY16	\$ Change	% Change Plus or Minus
Administration				
Board of Selectmen	25,644	26,882	1,238	4.83%
Town Manager	292,073	270,824	-21,250	-7.28%
Finance Department	235,172	273,125	37,952	16.14%
Information Technology	198,366	186,385	-11,981	-6.04%
Human Resources	79,756	95,844	16,088	20.17%
Assessing Department	302,098	315,900	13,802	4.57%
Community Development Department	408,078	402,003	-6,075	-1.49%
Town Clerk/Tax Collector	375,640	394,032	18,393	4.90%
Elections	25,673	48,480	22,808	88.84%
Town Hall Operations	169,397	191,148	21,751	12.84%
Earned Account/Unemployment	35,000	35,000	0	0.00%
Debt Service	1,977,437	2,107,792	130,355	6.59%
Contingency	50,000	50,000	0	0.00%
Cable TV Operations	12,663	12,624	-39	-0.31%
Short Sands Park	37,573	38,573	1,000	2.66%
Insurance	410,903	403,261	-7,642	-1.86%
MS4	95,100	94,640	-460	-0.48%
Policy Items: Markers/Index/Revolving Loan/Cliff Path	63,000	0	-63,000	-100.00%
Total Administration	4,793,572	4,946,513	152,941	3.19%
Public Safety				
Police	3,334,127	3,486,826	152,699	4.58%
Communications	637,430	652,532	15,102	2.37%
Animal Control	46,970	47,712	742	1.58%
Harbormaster	55,727	58,129	2,402	4.31%
York Village Fire	480,808	482,176	1,368	0.28%
York Beach Fire	467,796	494,534	26,738	5.72%
Public Health	80,000	80,000	0	0.00%
Hydrants	902,611	1,010,748	108,137	11.98%
Total Public Safety	6,005,470	6,312,657	307,187	5.12%
Public Works				
Tree Care	27,800	29,000	1,200	4.32%
White Goods	77,953	84,471	6,518	8.36%
Highway Maintenance	1,894,829	1,937,009	42,180	2.23%
Winter Maintenance	1,199,482	1,271,709	72,227	6.02%
Contracted Services	1,616,100	1,651,100	35,000	2.17%
Total Public Works	4,816,164	4,973,289	157,125	3.26%
Parks/Grounds/Beaches				
School Grounds Maintenance	139,004	144,024	5,020	3.61%
Mt. Agamenticus Trails and Coordinator Appropriation	0	0	0	#DIV/0!
Public Buildings, Grounds and Beaches	670,658	698,306	27,647	4.12%
Total Parks/Grounds/Beaches	809,662	842,329	32,667	4.03%
Boards and Committees				
Veterans' Graves	16,696	25,233	8,537	51.13%
Planning Board	8,800	8,800	0	0.00%
Appeals Board	6,535	3,998	-2,537	-38.83%
Cemetery Maintenance	5,000	5,000	0	0.00%
Shellfish Commission	1,725	1,725	0	0.00%
Conservation Commission	2,830	2,830	0	100.00%
Cable TV Board	400	0	-400	-100.00%
Budget Committee	100	100	0	0.00%
Historic District Committee	1,040	4,000	2,960	284.62%
Energy Steering Committee	0	3,000	3,000	#DIV/0!
Recycling Committee	1,000	0	-1,000	-100.00%
Total Boards and Committees	44,126	54,686	10,560	23.93%
Human Services				
Recreation Administration	138,439	140,895	2,457	1.77%
Senior Center	269,667	277,927	8,260	3.06%
General Assistance	38,688	42,152	3,464	8.95%
Senior Transportation Appropriation	0	0	0	0.00%
Outside Requests	36,400	39,320	2,920	8.02%
Total Human Services	483,193	500,294	17,100	3.54%
Total General Fund Cost Centers	16,952,187	17,629,769	677,581	4.00%
Other Items:				
Cliff Path/Fishermen's Walk	0	0	0	0.00%
Seawall Repair	0	0	0	0.00%
Library Appropriation	483,102	504,373	21,271	4.40%
Bonding Costs	44,000	44,000	0	0.00%
New Debt Service	9,250	0	-9,250	-100.00%
Total Other Items	536,352	548,373	12,021	2.24%
Total Budget Requests:	17,488,539	18,178,142	689,603	3.94%

PRELIMINARY ANALYSIS OF PROPOSED COST INCREASES

SHB, 1/23/15

	FY15-16 Change		Cumulative Total	
Total Cost Increase	\$689,603			
Personnel Increases (COLA, steps/adjustments, ins.)	\$351,230	51%	\$351,230	51%
Debt Service increase	\$130,355	19%	\$481,585	70%
Legal Expense Increase	\$15,000	2%	\$496,585	72%
Hydrant Charges from Water Utilities	\$108,137	16%	\$604,722	88%
Library Budget	\$21,271	3%	\$625,993	91%
Street Lights Contract	\$10,000	1%	\$635,993	92%
Waste Pick-Up Contract	\$25,000	4%	\$660,993	96%

MEMO



TO: Board of Selectmen
FROM: Stephen H. Burns, Town Manager *SHB*
DATE: January 23, 2015
RE: Proposed FY16 Operating Budget

With a great amount of help from my Department Heads, and especially Finance Director Wendy Anderson, I finally have my proposal for an FY16 Operating Budget.

Proposed FY16 operating expenses are up 3.94% above FY15 operating expenses. Here is a very high level view:

	FY15	FY16	Change (\$)	Change (%)
Operating Expense	\$17,488,539	\$18,178,142	\$689,603	3.94%

Attached is the **Draft Budget Summary Sheet** that will be the front page of the budget books we provide to the Budget Committee. This sheet shows the expenses broken out by Cost Center, and then by smaller units. This sheet provides a great managerial-level review of the budget.

As we analyzed the expenses, it became very clear to me that most of the proposed increase is not easily controlled. Please see the attached **Preliminary Analysis of Proposed Cost Increases**. This table shows the total increase to expenses (about \$690K) and then identifies 7 major increases that explain 96% of this increase. These 7 increases of course could be changed, but not without severe pain.

- Standard periodic changes to salaries and benefits account for half the increase. There is no increase in staffing – this maintains the current workforce.
- An increase in debt service accounts for almost 1/5th of the increase. This is a direct result of bonds approved by the voters last May.
- An increase in fire hydrant charges by the water utilities causes another 1/6th.
- External costs for street lights, waste pick-up and the Library are beyond our control.
- Legal expenses need to be increased because we pay more for the firm hired a year ago.

On the revenue side of the equation, we are conservatively projecting that non-property tax revenues will increase by about 3.2%

With this as the background, the Board faces a number of policy choices:

1. Selectmen's Policy Requests. I removed Selectmen's policy items from the proposed expenses. The Board had requested:
 - a. Money to supplement the Cliff Walk legal fund.
 - b. Create a fund for septic system replacements – either a revolving loan fund or a grant program. This could also be used to help with sewer connection costs.
 - c. Start creation of a grantee/grantor list to more accurately identify all town-owned property.
 - d. I covered the maintenance of Historic Markers with an increase in the HDC budget.
2. Health insurance opt-out. See request from Liam.
3. Use of Fund Balance. In past years the Town has used Fund Balance to help offset impacts to property taxes. In FY15 \$650,000 of Fund Balance was budgeted. I have left this amount unchanged. I think this should be reduced, but that is a policy choice for the Board. I will provide an analysis of the fund balance by Monday.

For quick reference, every \$44,000 added to expenses or taken away from revenues adds about ¼% to the operating budget increase, or \$175,000 equals a 1% increase.

Summary Sheet - Costs associated with Proposed Options for US RTE 1

	Proposed Budget FY16	Projected Budget FY17	Projected Budget FY18	Projected Budget FY19	Projected Budget FY20
Option 1 - 2 New FTE's FY16					
Operating Budget Costs	206,913	217,893	228,181	240,577	245,389
Capital Budget Costs	450,000	0	0	0	0
Total Cost	656,913	217,893	228,181	240,577	245,389
Option 2 - 1 New FTE FY16, 1 New FTE FY17					
Operating Budget Costs	157,800	214,371	224,425	236,558	241,290
Capital Budget Costs	225,000	225,000	0	0	
Total Cost	382,800	439,371	224,425	236,558	241,290
Option 3 - Contract out Plowing					
Operating Budget Costs	222,049	231,290	231,311	240,978	251,089
Capital Budget Costs	0	0	0	0	0
Total Cost	222,049	231,290	231,311	240,978	251,089

Option 1 - Costs associated with Two New Employees in FY2016

	Proposed Budget FY16	Projected Budget FY17	Projected Budget FY18	Projected Budget FY19	Projected Budget FY20
General Highway					
Salaries	46,296	49,537	53,004	56,715	57,849
FICA	3,542	3,790	4,055	4,339	4,425
Retirement	3,611	3,864	4,134	4,424	4,512
Health Benefits	20,769	22,223	23,778	25,443	25,952
Total Salaries and Benefits	74,218	79,413	84,972	90,920	92,738
Telephone	900	918	919	937	956
Fuel/Gas	2,730	2,785	2,786	2,841	2,898
Contracts	9,360	9,547	9,548	9,739	9,934
Repairs & Maintenance - Equip	5,499	5,609	5,610	5,722	5,837
Training	39	40	41	42	42
Signal Maintenance	663	676	677	691	705
Supplies	1,248	1,273	1,274	1,299	1,325
Culverts/Catch Basins	2,496	2,546	2,547	2,598	2,650
Sand/Gravel	4,680	4,774	4,775	4,870	4,968
Signs/Street Markers	3,510	3,580	3,581	3,653	3,726
Hot Top/Cold Patch	1,404	1,432	1,433	1,462	1,491
Uniforms	923	941	960	979	999
Total Non-Salary Expenditures	33,452	34,121	34,151	34,834	35,531
Transfer in from Reserves/Misc Revenues					
Total Operating Expenditures	107,670	113,534	119,123	125,754	128,269
Total General Highway Appropriation	107,670	113,534	119,123	125,754	128,269

Position	Salary	FICA	Retirement
NEW 1	23,148	1,771	1,806
NEW 2	23,148	1,771	1,806
	46,296	3,542	3,611

Winter Maintenance					
Salaries	41,761	44,685	47,812	51,159	52,182
FICA	2,597	2,779	2,974	3,182	3,245
Retirement	3,022	3,234	3,460	3,702	3,776
Health Benefits	15,231	16,297	17,438	18,659	19,032
Total Salaries and Benefits	62,611	66,994	71,684	76,702	78,236
Utilities/Services	507	517	518	529	539
Telephone	660	673	674	688	701
Fuel/Gas	4,290	4,376	4,377	4,464	4,554
Training	39	40	41	42	42
Contracts	1,560	1,591	1,592	1,624	1,657
Repairs & Maintenance - Equipment	4,680	4,774	4,775	4,870	4,968
Supplies	819	835	836	853	870
D Icing Materials	23,400	23,868	23,869	24,346	24,833
Uniforms	677	691	692	705	719
Total Non-Salary Expenditures	36,632	37,365	37,374	38,121	38,884
Misc Revenue					
Total Winter Maintenance Appropriation	99,243	104,359	109,058	114,823	117,119

Position	Salary	FICA	Retirement
New 1	16,975	1,299	1,511
New 2	16,975	1,299	1,511
Overtime	7,811		
	41,761	2,597	3,022

Total US Route 1 Appropriation	\$206,913	\$217,893	\$228,181	\$240,577	\$245,389
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Option 2 - Costs associated with One New FTE in FY2016 & One New FTE in FY2017

	Proposed Budget FY16	Projected Budget FY17	Projected Budget FY18	Projected Budget FY19	Projected Budget FY20
General Highway					
Salaries	23,148	47,916	51,271	54,859	55,957
FICA	1,771	3,666	3,922	4,197	4,281
Retirement	1,806	3,737	3,999	4,279	4,365
Health Benefits	10,385	20,769	22,223	23,778	24,254
Total Salaries and Benefits	37,109	76,088	81,415	87,114	88,856
Telephone	450	918	919	937	956
Fuel/Gas	2,730	2,785	2,786	2,841	2,898
Contracts	9,360	9,547	9,548	9,739	9,934
Repairs & Maintenance - Equip	5,499	5,609	5,610	5,722	5,837
Training	39	40	41	42	42
Signal Maintenance	663	676	677	691	705
Supplies	1,248	1,273	1,274	1,299	1,325
Culverts/Catch Basins	2,496	2,546	2,547	2,598	2,650
Sand/Gravel	4,680	4,774	4,775	4,870	4,968
Signs/Street Markers	3,510	3,580	3,581	3,653	3,726
Hot Top/Cold Patch	1,404	1,432	1,433	1,462	1,491
Uniforms	462	941	960	979	999
Total Non-Salary Expenditures	32,541	34,121	34,151	34,834	35,530
Transfer in from Reserves/Misc Revenues					
Total Operating Expenditures	69,650	110,209	115,565	121,947	124,386
Total General Highway Appropriation	69,650	110,209	115,565	121,947	124,386

Position	Salary	FICA	Retirement
NEW 1	23,148	1,771	1,806
NEW 2	23,148	1,771	1,806
	46,296	3,542	3,611

Winter Maintenance					
Salaries	41,761	44,685	47,812	51,159	52,182
FICA	1,299	2,688	2,876	3,078	3,139
Retirement	1,511	3,128	3,347	3,581	3,653
Health Benefits	7,616	16,297	17,438	18,659	19,032
Total Salaries and Benefits	52,186	66,798	71,473	76,476	78,006
Utilities/Services	507	517	518	529	539
Telephone	330	673	674	688	701
Fuel/Gas	4,290	4,376	4,377	4,464	4,554
Training	39	40	41	42	42
Contracts	1,560	1,591	1,592	1,624	1,657
Repairs & Maintenance - Equipment	4,680	4,774	4,775	4,870	4,968
Supplies	819	835	836	853	870
D Icing Materials	23,400	23,868	23,869	24,346	24,833
Uniforms	339	691	705	719	733
Total Non-Salary Expenditures	35,964	37,365	37,387	38,135	38,897
Misc Revenue					
Total Winter Maintenance Appropriation	88,150	104,162	108,860	114,611	116,903

Position	Salary	FICA	Retirement
New 1	16,975	1,299	1,511
New 2	16,975	1,299	1,511
Overtime	7,811		
	41,761	2,597	3,022

Total US Route 1 Appropriation \$157,800 \$214,371 \$224,425 \$236,558 \$241,290

Option 3 - Costs associated with Contracting out Plowing

	Proposed Budget FY16	Projected Budget FY17	Projected Budget FY18	Projected Budget FY19	Projected Budget FY20
General Highway					
Salaries	0	0	0	0	0
FICA	0	0	0	0	0
Retirement	0	0	0	0	0
Health Benefits	0	0	0	0	0
Total Salaries and Benefits	0	0	0	0	0
Fuel/Gas	2,730	2,785	2,786	2,841	2,898
Contracts	9,360	9,547	9,548	9,739	9,934
Repairs & Maintenance - Equip	5,499	5,609	5,610	5,722	5,837
Training	0	0	1	1	1
Signal Maintenance	663	676	677	691	705
Supplies	1,248	1,273	1,274	1,299	1,325
Culverts/Catch Basins	2,496	2,546	2,547	2,598	2,650
Sand/Gravel	4,680	4,774	4,775	4,870	4,968
Signs/Street Markers	3,510	3,580	3,581	3,653	3,726
Hot Top/Cold Patch	1,404	1,432	1,433	1,462	1,491
Uniforms	0	0	1	1	1
Total Non-Salary Expenditures	31,590	32,222	32,233	32,878	33,535
Transfer in from Reserves/Misc Revenues					
Total Operating Expenditures	31,590	32,222	32,233	32,878	33,535
Total General Highway Appropriation	31,590	32,222	32,233	32,878	33,535

Position	Salary	FICA	Retirement
NEW 1	0	0	0
NEW 2	0	0	0
	0	0	0

Winter Maintenance					
Salaries	0	0	0	0	0
FICA	0	0	0	0	0
Retirement	0	0	0	0	0
Health Benefits	0	0	0	0	0
Total Salaries and Benefits	0	0	0	0	0
Utilities/Services	0	0	1	1	1
Telephone	0	0	1	1	1
Fuel/Gas	0	0	1	1	1
Training	0	0	1	1	1
Contracts	1,560	1,591	1,592	1,624	1,657
Repairs & Maintenance - Equipment	4,680	4,774	4,775	4,870	4,968
Hired Equipment	160,000	168,000	168,001	176,401	185,221
Supplies	819	835	836	853	870
D Icing Materials	23,400	23,868	23,869	24,346	24,833
Uniforms	0	0	1	1	1
Total Non-Salary Expenditures	190,459	199,068	199,078	208,100	217,554
Misc Revenue					
Total Winter Maintenance Appropriation	190,459	199,068	199,078	208,100	217,554

Position	Salary	FICA	Retirement
New 1	0	0	0
New 2	0	0	0
Overtime	0		
	0	0	0

Total US Route 1 Appropriation	\$222,049	\$231,290	\$231,311	\$240,978	\$251,089
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AGENDA ITEM NUMBER: _____

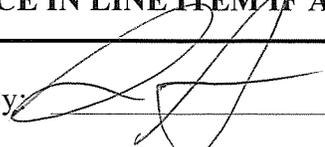
REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 23, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session _____	
Subject: In-lieu of Insurance Policy for Non-Union Personnel	

TO: BOARD OF SELECTMEN
FROM: Liam Gallagher, Director of Human Resources
RECOMMENDATION: Discuss and possible action on revising the existing non-union personnel policy for employees who do not elect medical insurance coverage through the Town of York.
PROPOSED MOTION: We move to amend Section V, Article B of the Non-Union Personnel Policy to provide non-union employees eligible to participate in the health benefit an annual reimbursement equal to 25% of the employer premium (savings) for the coverage they would otherwise be eligible to receive. Effective January 1, 2016, this policy will be amended to provide 50% of the employer premium (savings) contingent upon the increase being fully funded by employees electing to waive medical insurance.

Discussion: The existing non-union personnel policy provides employees who do not elect medical insurance coverage through the Town of York \$1,200/annually. Bargaining employees who decline Town medical insurance are eligible to receive 25%-50% of the employer portion of the premium, a figure ranging from \$1,868 - \$8,380 depending on date of hire and family status for 2015.

FISCAL IMPACT: \$23,923
DEPARTMENT LINE ITEM ACCOUNT: (Multiple – benefits department based)
BALANCE IN LINE ITEM IF APPROVED: TBD

Prepared By: 

Reviewed By: 



Town of York

186 York Street
York, Maine 03909-1314

To: Board of Selectmen
From: Liam Gallagher, Director of Human Resources
Subj: Non-union Personnel Policy; Medical Insurance Opt-out Incentive
Date: January 23, 2015

Background

On January 12, 2015 the Board of Selectmen began a discussion on the non-union policy regarding the benefit provided to employees who do not elect insurance coverage through the Town's group medical insurance policy. The discussion highlighted the significant disparity between the four unionized employee groups (4 unions totaling 58% of the full-time workforce) and the group of non-bargaining employees (42%).

During the discussion, the budgetary impact of implementing the policy change was highlighted. Additionally, the question was raised as to whether this level of benefit actually drives behavior (i.e. waiving coverage), resulting in budgetary savings, or simply rewards those who would not have elected coverage through the Town irrespective of the incentive as the result of access to superior or more affordable coverage elsewhere. While each employee's situation and justification for waiving coverage or enrolling in coverage may vary slightly, the issue can generally be reduced to that of simple household economics.

There is little disputing that the Town provides excellent medical coverage options to municipal employees. With family medical coverage anticipated to cost the Town \$16,000 - \$18,000 per employee in FY16, dissuading employees from electing such comprehensive and relatively affordable insurance coverage necessitates a strong argument (i.e. incentive) to the contrary.

Market Comparison

At the request of the Board, I solicited information from other municipalities on how they address this issue. Of the fourteen municipalities that responded, thirteen confirmed they provide some level of incentive. Nine of the respondents structured the incentive to be adjusted annually by the premium increase, while four municipalities had fixed amount benefits.

The respondents varied by those who took into consideration the employees insurance eligibility (e.g. single coverage, family coverage) versus those who applied the same benefit to all employees irrespective of the family status.

Of the four municipalities who provided fixed amounts, the benefit ranged from \$1,500 to \$5,520 annually. The premium-based incentives ranged from \$1,854 to \$8,466 annually. The total range for all thirteen municipalities was between a mean low of \$2,375 and mean high of \$5,029.

One respondent whose organization previously provided a fixed amount benefit (\$1,500) disclosed that they were in the process of moving to a percentage based (30%) incentive. Another respondent was in the process of reducing the benefit from 50% of the employer premium to

39%. One more respondent noted that their fixed amount (again, \$1,500) was admittedly ineffective.

The most common structure of the respondents (6) was to determine the incentive on a percentage of the employer premium (25%, 30%, 35% or 50%) and the employee's coinciding insurance eligibility (single, employee and children, or family). This structure is consistent with the benefit provided to York's four collective bargaining groups.

Recommendation

While there is no shortage of examples, and variations to those examples, the fact remains this issue is being brought forward for two reasons; to increase the benefit to the degree it acts as an effective incentive to drive employees' decision making and to achieve parity among all five of the Town's respective employee groups. While I fully support both objectives, from my perspective the latter is of particular importance. While immediate parity would be ideal, the fiscal impact of such a change is not something that can, or should, be discounted by the Board.

The value of the market comparison is not necessarily to find new approaches to the issue but rather to evaluate whether the level of benefit provided to existing employees is within the comparative market. While the benefit provided to York's unionized employees (50% of the employer premium) is on the high end of the market, it is still within the perimeters of what other municipalities currently offer. The incentive currently provided to non-union employees is undisputedly on the low end. The disparity of these two different approaches and resulting amounts is what requires the Board's consideration.

Recognizing the vast disparity that currently exists, changing the policy immediately would have a fiscal impact of \$57,446 based on 2015 rates. As the FY15 budget did not account for such a policy change it is recommended to defer any policy change to become effective July 1, 2015 (FY16).

At this time it is my recommendation that the policy be revised to provide non-union employees 25% of the employer premium for waiving Town coverage. I would further recommend a clause within the policy permitting parity (50% of employer premium) effective January 1, 2016 contingent upon the policy change funding itself. In other words, the policy will remain 25% unless the increase in 50% is fully funded by the amount of employees, who presently elect coverage, choose to waive coverage effective January 1, 2016.

The cost to change the policy from the existing \$1,200/annually to 25%, or \$4,190 per year for employees otherwise eligible for family coverage, would cost approximately \$23,923 based on existing figures. The prospective change in policy to 50% would cost an additional \$16,751 in FY16 requiring at least four non-union employees to waive the Town's medical coverage.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 8, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 12, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: FY16-20 Capital Program and Capital Budget Requests (new draft dated January 23, 2015)	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Town Manager
RECOMMENDATION: Offer any changes the Board wants with respect to the draft FY16-20 Capital Program and Town's FY16 capital budget requests.
PROPOSED MOTION: as needed

Discussion: I have made adjustments to the draft Capital Program since you saw it on January 12th. Five substantive changes include:

- Removed the purchase of two new plow trucks associated with the State trying to transfer Route One maintenance to the Town.
- Increased the cost of the Community Auditorium at York High School from \$5.5M to \$10,465,000. I did not include the geothermal option that would increase the cost to \$11,228,000 but will do so if either the Board of Selectmen or Budget Committee are so inclined.
- Increased the cost of School Network Hardware to \$200,000 (from \$150,000).
- Removed capital reserve funding for 2 fire vehicles in FY16.

- Changed the DPW plow trucks to bond funding (instead of paying cash in FY16). This has been past practice.

I had anticipated a school safety item to be added, but apparently that is being addressed through operating budgets instead.

From my previous Request for Action, with a few changes, here is the list of issues I'd suggested would be of most significant to the Board:

- Focus on any item listed as a "New Policy Item" (a "YES" in this column). These things aren't maintenance or replacements, but represent something new.
- Adding \$3M in placeholders in FY18-20 to address expansion of the public sewer service area, perhaps in the lower Cape Neddick watershed, behind Long Sands Beach, and along Route One. Critically important, but the idea of putting Town money into public sewer infrastructure is a big change in public policy.
- Town property issues – acquiring the Hodgkin Parking Lot, roofing and siding the Blinn House, continuing to develop the Mount A Universal Trail, creating a new parking lot at the base of the Mount A Summit Road, and supporting the York Land Trust's efforts to acquire 200 acres of working forest.
- York Village improvements listed in the Roads and Utilities section.
- Purchasing new dispatch consoles now because there is too much uncertainty in waiting until the new Police Station is constructed and these are desperately needed now. I think this is the most urgently needed capital purchase for FY16. If acquired and installed in the old police station, they can be moved to the new station when it's ready. The Police Station bond included money to purchase the dispatch consoles, but that money can't be used on the old station.
- If the 2 plow trucks are removed from the Capital Budget (relating to the State trying to hand over Route One maintenance to the Town), this leaves us with only one option if that action happens – contract out winter maintenance and address summer maintenance through our operating budget.

After any changes resulting from our meeting of January 26th, I'll prepare a revised draft and will submit this to the Budget Committee for its consideration.

Prepared By:



Reviewed By: _____



Proposed
FY16 to FY20 Capital Program
and
FY16 Capital Budget Requests

*Prepared by the
Town Manager & Capital Planning Committee
DRAFT: January 23, 2015*

INTRODUCTION

The Town of York Home Rule Charter requires annual preparation of a 5-year Capital Program (reference: Article II, Town Meetings; Section 9, Capital Program). It is the responsibility of the Town Manager to prepare the Capital Program and submit it to the Board of Selectmen. It is then considered by the Budget Committee, which conducts public hearings on the matter. Finally, it is submitted to the voters for consideration at the annual Budget Referendum. Approval or rejection of the Program does not affect actual public spending because each requested purchase in the first year (FY16) of the Program is subject to individual approval or rejection by the voters.

This remainder of this document is broken into 4 parts. The first provides a brief overview of the process followed to draft the Capital Program. The second provides the past and proposed future definitions of capital. The third contains a summary of capital spending approved by voters over the past 10 years. The fourth is the actual substance of the Capital Program.

PROCESS FOLLOWED

Though the Town Manager is tasked with developing the Capital Program, it has been the practice for the Manager to appoint a Capital Planning Committee to assist with the process. This has proven an excellent means for engaging key policy boards as the document is prepared, which in turn helps to build consensus and prevent surprises. The Committee this year included 2 members of the Budget Committee, 2 members of the Board of Selectmen, 1 member of the School Committee (though 2 seats were offered), and 1 member of the Planning Board. The Town Manager served as the Chair, and the Superintendent served as the Vice Chair. Minutes were taken at each meeting, and the meetings were all televised.

The Committee met at a series of 6 meetings in November and December, during which time people from various departments and committees presented their capital funding requests. This process was a change from past years, and consumed considerably more time than anticipated. The schedule in future years should may need to be lengthened and meetings added to better accommodate this expanded interaction of requesters with the Committee. One additional meeting in early January was held to conclude the Committee's work before sending the document on to the Board of Selectmen and School Committee.

The proposed Capital Program is different than those prepared in years past. It is designed to provide a more comprehensive look at capital spending than has been done in the past. For example, rather than simply listing vehicles to be purchased in the 5 year period, there is the foundation of a comprehensive vehicle inventory. A similar approach is taken for building and land projects, starting to place individual projects within an overall inventory to establish a better context for the public spending decisions. As a result of this approach, the Program is more comprehensive and therefore longer than in years past.

The format and content of this document are significantly improved from prior years, but there remains much room for added improvement. Improvements to be considered include:

- There should be more clear ties to overall fiscal policy to ensure both adequate investment in the Town's infrastructure and compliance with statutory bond-spending limits.
- Input from the Town's bond counsel and financial advisor should be obtained to determine the debt duration for each item to be financed with a bond.
- The program should develop a clearer picture of the annual payment for each recommended financed purchase so that the annual spending impacts are more clearly understood. This would include the full development of the Annual Cost Table.
- Though a longer timeframe was considered when drafting this Program, only 5 are shown. As additional time allows, showing a longer timeframe would be beneficial, particularly when looking at vehicle fleet replacement issues and matters of a similar nature.
- The various components of the Program should be explained in more detail where this would be useful. For instance, a vehicle fleet analysis could be provided, or expenses could be grouped by category – vehicles, properties, roads/utilities, and equipment/other – to provide a better overview and facilitate better understanding.

DEFINITION OF CAPITAL

Since 2003 the Board of Selectmen has defined capital through an adopted Selectmen's Policy. The current policy reads as follows:

Annually the Town Manager shall submit to the selectmen a Capital Program as required by Article II, Section 9 of the Charter. The capital program shall include both Town and School capital improvements. Capital improvements are defined as equipment, facilities, infrastructure or land that costs more than \$10,000 and provides a useful life of two or more years.

With the development of this Program, the Committee has reached consensus that the definition of capital should be updated. The Capital Planning Committee proposed to the Board of Selectmen the following change, which was adopted on January 12, 2015:

Capital, in terms of the Capital Program, is defined as any equipment, facility, infrastructure or land that costs more than \$20,000 and provides a useful life of 3 or more years, and all licensed motor vehicles. Further, capital shall be classified as New Capital when it is part of or related to a new function or purpose (ie: not maintenance or regularly scheduled replacement of existing capital).

The new definition of capital accomplishes 3 purposes. The first benefit is that it removes smaller items from inclusion in the Capital Program. This document is intended to focus on

larger cost, long-lasting purchases, so doubling the minimum dollar threshold and expanding the required durability helps to focus more appropriately. It was not possible, however, to increase the limit much higher in one year because doing so would dump significant expenses into various operating budgets essentially without warning.

The second benefit of this change is that defines all licensed motor vehicles as capital. This will help facilitate evaluation of the Town’s entire fleet of vehicles, which is rather extensive when considered as a whole.

The third benefit of this change is the classification of New Capital. The intent is to flag for policy makers and the public those items which represent something new. Such spending decisions are necessarily different than those decisions about maintaining an existing property of replacing an existing vehicle, and as such they warrant a greater degree of scrutiny.

One other important characteristic of capital is that each proposed purchase is presented individually to the voters for consideration. Such votes differ from operating budget votes in that a “no” vote results in zero funding, whereas operating budget votes revert to the prior year’s funded amount.

CAPITAL SPENDING HISTORY

The Town of York has authorized the purchase of well over \$40 million of capital over the past decade. The following table is based on the capital spending ballot questions from each Budget Referendum.

YEAR	AMOUNT APPROVED
FY06	\$1,173,932
FY07	\$2,365,057
FY08	\$668,500
FY09	\$5,172,425
FY10	\$7,386,022
FY11	\$5,103,893
FY12	\$12,293,569
FY13	\$4,727,006
FY14	\$3,033,652
FY15	\$2,166,415
TOTAL	\$44,090,471
ANNUAL AVERAGE	\$4,409,047

In addition to providing a useful benchmark, the pattern of past capital spending helps allow evaluation of compliance with a recommended limit of the Tax Task Force on capital spending. In past years the Tax Task Force suggested that capital purchases not exceed \$35 million in any 5-year period. The table below demonstrates this limit was not exceeded in any 5-year span contained within the past 10 years.

5-YEAR PERIOD	TOTAL APPROVED CAPITAL
FY06-10	\$16,766,000
FY07-11	\$20,696,000
FY08-12	\$30,624,000
FY09-13	\$34,683,000
FY10-14	\$32,544,000
FY11-15	\$27,325,000

FY16 TO FY20 CAPITAL PROGRAM

The FY16-20 Capital Program is broken out into various components. The Capital Program Table is the essence of the Program, and all other information is simply a supplement to this Table.

Capital Program Table. The FY16-20 Capital Program Table identifies capital expenditures, and associates with each the amount, the year and the method of funding. This table is provided in the Capital Program Table. Much information is entered into a spreadsheet during the development process, then various rows and columns are hidden to simplify the resulting recommendation. This excess information remains available for public use upon request, but only the resulting table provided, and not the source spreadsheet, is officially part of this Program.

See Appendix A for the actual table.

Capital Requests. Supporting information provided for new capital request is included in Appendix B. Ideally, every request will be supported by comprehensive information, but in reality those requests in out-years (FY17 through FY20) have far less information because they are farther into the future, project details are more speculative and costs are far less certain. Some numbers have changed as discussions occurred and cost numbers changed, so there will not be a perfect match between the initial requests and the final numbers.

Bonds. Based on the Capital Program Table, it is anticipated that the following amounts will need to be secured by bond funding in future years if all requests shown in this Program as submitted to and approved by the voters.

YEAR	AMOUNT BONDED
FY16	\$12,248,000
FY17	\$3,698,300
FY18	\$3,884,000
FY19	\$4,853,000
FY20	\$2,039,000

No attempt has been made at this time to indicate the duration of bonds based on the nature of each purchase. Bonded items are typically funded over 5, 10, 15 or 20 years, and a single bond may include a combination of these.

Short Term Loans. Based on the Capital Program Table, it is anticipated that the following amounts will need to be secured by short-term loan funding in future years if all requests shown in this Program as submitted to and approved by the voters.

YEAR	AMOUNT BORROWED
FY16	\$0
FY17	\$250,000
FY18	\$0
FY19	\$0
FY20	\$0

Short term loans have been used occasionally in the past and may prove suitable for lower-cost items that can be financed for a period of less than 5 years, or items that may be obtained with special financing from the vendor.

Current Year Spending. All items in the Capital Program not otherwise financed would be put to the voters to be funded entirely in the current year.

Capital Reserve Accounts. Capital reserve accounts have been used in the past to help save for large purchases. Fire truck purchases, in particular, are commonly approached in this matter because they are so expensive. Currently a form of capital reserve account is used for the purchase of Police Department vehicles, though this is a hybrid system because it is used as a fleet funding source rather than vehicle-specific funding. Moving forward, it is proposed here to retain the current Police Department approach for their vehicles. At this point there is inadequate support from the Board of Selectmen to begin using capital reserve accounts to help prepare for the eventual replacement of two fire trucks expected to be purchased well beyond the 5-year time horizon of this Program. Capital reserve funding was eliminated in FY16 but retained in out years in hopes of encouraging further discussion of this approach.

Payment into a capital reserve account is taken from the current year and set aside for that future purchase. No interest accrues to the reserve account, though the Town may gain some interest by having this money in its reserves. The money accrues in the reserve account each time the voters add funds, but no money can be spent from the capital reserve account without express approval of the voters. A capital reserve request is a form of current year spending, so a “no” vote results in zero funding for that particular year.

FY16 Capital Budget Requests. The purchases listed in FY16 are the Capital Budget Requests. Each is to be listed individually on the ballot of the FY16 Budget Referendum, and the voters will get to decide for or against the items.

APPENDIX A

FY16-20 Capital Program Table

DRAFT: January 23, 2015

All acquisition costs rounded to the nearest \$1,000.

Capital: cost of \$20,000 or more and useful life of 3+ years, and all licensed motorized vehicles

									<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>
VEHICLES													
<i>Item</i>	<i>Year Acquired (FY)</i>	<i>Current Cost to Replace</i>	<i>Year to Replace or Retire (FY)</i>	<i>Finance Method</i>	<i>New Policy Item?</i>	<i>Consistent with Comp Plan?</i>	<i>External Funding?</i>						
Village Fire - Engine 6; American LaFrance Pumper	1983 (FY?)	\$525,000	2017	-	n.a.	yes			\$0	\$0	\$0	\$0	\$0
Village Fire - Tank 4; Mack Tank Truck	1991 (FY?)	\$510,000	2017	-	n.a.	yes			\$0	\$0	\$0	\$0	\$0
Village Fire - something to replace the 2 trucks above	-	\$630,000	FY17	Bond	no	yes			\$0	\$630,000	\$0	\$0	\$0
Beach Fire - Rescue 1; GMC	1989	\$200,000	2017	Bond	no	yes			\$0	\$200,000	\$0	\$0	\$0
Beach Fire - Rescue 3; GMC	2005 (FY?)	\$30,000	2017	YBFD Funds	no	yes	YES		\$0	\$30,000	\$0	\$0	\$0
Beach Fire - Engine 3; E-1	1995 (FY?)	\$450,000	2020	Bond	no	yes			\$0	\$0	\$0	\$0	\$450,000
Village Fire - Squad 2; Pierce Pumper Rescue	2009(FY?)	\$560,000	2023	Capital Reserve (8 years)	no	yes			\$0	\$70,000	\$70,000	\$70,000	\$70,000
Village Fire - Brush 10; F-350 Brush Truck	2004 (FY?)	\$32,000	2025	bond	no	yes			\$0	\$0	\$0	\$0	\$0
Beach Fire - Ladder 1; E-1	1989 (FY?)	\$1,108,000	2026	Capital Reserve (10 years)	no	yes			\$0	\$111,000	\$111,000	\$111,000	\$111,000
Parks & Rec - GMC 3500 Pick-up Truck	FY04	\$34,000	FY16	bond	no	yes		\$34,000		\$0	\$0	\$0	\$0
Parks & Rec - 2WD Pick-up Truck (used, for cemetery maintenance)	FY16	\$18,000		bond	YES	yes		\$18,000		\$0	\$0	\$0	\$0
Parks & Rec - Chevy 3500 Pick-up Truck	FY05	\$37,000	FY17	bond	no	yes			\$0	\$37,000	\$0	\$0	\$0
Parks & Rec - Ford F-350 Pick-up Truck	FY08	\$37,000	FY18	bond	no	yes			\$0	\$0	\$37,000	\$0	\$0
Parks & Rec - John Deere 4600 Utility Tractor	FY00	\$40,000	FY18	bond	no	yes			\$0	\$0	\$40,000	\$0	\$0
DPW - Plow Truck 05	FY05	\$157,000	FY16	bond	no	yes		\$157,000		\$0	\$0	\$0	\$0
DPW - Plow Truck 06	FY06	\$160,000	FY17	bond	no	yes			\$0	\$160,000	\$0	\$0	\$0
DPW - Plow Truck 07	FY07	\$160,000	FY18	bond	no	yes			\$0	\$0	\$160,000	\$0	\$0
DPW - Plow Truck 08	FY08	\$160,000	FY19	bond	no	yes			\$0	\$0	\$0	\$160,000	\$0
DPW - Plow Truck 09	FY09	\$160,000	FY20	bond	no	yes			\$0	\$0	\$0	\$0	\$160,000
DPW - Bucket/Sign Truck 96	FY96	\$94,000	FY16	bond	no	yes		\$94,000		\$0	\$0	\$0	\$0
DPW - One-Ton Dump 04	FY04	\$46,300	FY17	bond	no	yes			\$0	\$46,300	\$0	\$0	\$0
DPW - Loader 88	FY88	\$158,000	FY17	bond	no	yes			\$0	\$158,000	\$0	\$0	\$0
DPW - 1 1/2 Ton Dump 05	FY05	\$59,000	FY18	bond	no	yes			\$0	\$0	\$59,000	\$0	\$0
DPW - 4WD Pick-up Truck 06	FY06	\$45,000	FY18	bond	no	yes			\$0	\$0	\$45,000	\$0	\$0
DPW - Backhoe 86	FY86	\$130,000	FY18	bond	no	yes			\$0	\$0	\$130,000	\$0	\$0
DPW - 4WD Pick-up Truck 07	FY07	\$48,000	FY19	bond	no	yes			\$0	\$0	\$0	\$48,000	\$0
DPW - Trackless Sidewalk Tractor 04	FY04	\$125,000	FY19	bond	no	yes			\$0	\$0	\$0	\$125,000	\$0
DPW - Wheeler 01	FY01	\$129,000	FY20	bond	no	yes			\$0	\$0	\$0	\$0	\$129,000
DPW - 4WD Pick-up Truck 08	FY08	\$50,000	FY20	bond	no	yes			\$0	\$0	\$0	\$0	\$50,000
Community Development - code car #1	FY12	\$18,000	FY18	current year	no	yes			\$0	\$0	\$18,000	\$0	\$0
Community Development - code car #2	FY15	\$15,000	FY21	current year	no	yes			\$0	\$0	\$0	\$0	\$0
School Vehicle - Ford Expedition #1	FY08	\$34,000	FY16	short term loan/operating	no	yes		\$34,000		\$0	\$0	\$0	\$0
School Vehicle - Ford Expedition #2	FY12	\$34,000	FY20	short term loan/operating	no	yes			\$0	\$0	\$0	\$0	\$34,000
Vehicles Subtotal								\$337,000	\$1,442,300	\$670,000	\$514,000	\$1,004,000	

PROPERTIES

<i>Property</i>	<i>Year Acquired (FY)</i>	<i>Current Cost to Replace</i>	<i>Year to Replace or Retire (FY)</i>	<i>Finance Method</i>	<i>New Policy Item?</i>	<i>Consistent with Comp Plan?</i>	<i>External Funding?</i>						
Superintendent's Office													
Superintendent's Roof		\$175,000	FY17	bond	no	yes			\$0	\$175,000	\$0	\$0	\$0
York Middle School													
YMS Roof	2019	\$220,000		- bond	no	yes			\$0	\$0	\$0	\$220,000	\$0
York High School													
YHS Auditorium	1977	\$10,465,000	FY16	bond	no	yes		\$10,465,000		\$0	\$0	\$0	\$0

YHS Field House		2017 \$500,000	- bond	YES	yes		\$0 \$500,000	\$0	\$0	\$0
Town Hall										
Town Hall Expansion		FY19 \$3,000,000	- bond	YES	yes		\$0	\$0	\$0 \$3,000,000	\$0
Acquire the Hodgin Parking Lot		FY16 \$325,000	- bond	YES	yes	\$325,000		\$0	\$0	\$0
Improvements to Hodgin Parking Lot		FY17 \$305,000	- bond	YES	yes		\$0 \$305,000		\$0	\$0
Blinn House										
Blinn House - new roof and siding to protect the building		FY16 \$44,000	- bond	no	yes	\$44,000		\$0	\$0	\$0
Mount Agamenticus										
Mt. A Universal Trail, Phase II		2016 \$86,000	- bond & grant	YES	yes	YES	\$86,000	\$0	\$0	\$0
Mt. A Universal Trail, Phase III & IV		2016 \$159,000	- bond	YES	yes		\$159,000	\$0	\$0	\$0
Mt. A Parking Lot		2017 \$98,000	bond	YES	yes		\$0 \$98,000		\$0	\$0
Ellis Short Sands Park										
6 Multi-Space Parking Meters		FY17 \$39,000	Short Sands Park Funds	n.a.	yes	YES	\$0 \$39,000		\$0	\$0
Bog Road Fields										
Bog Road Phase II		2016 \$300,000	bond & grant	YES	yes	YES	\$300,000	\$0	\$0	\$0
Land										
York Land Trust Request for Assistance with Purchase		FY17 \$300,000	bond	YES	yes	YES	\$0 \$300,000		\$0	\$0
Open Space Acquisition	multiple	\$700,000	current year	YES	yes		\$0	\$0	\$0 \$100,000	\$100,000
Properties Subtotal							\$11,379,000	\$1,417,000	\$0 \$3,320,000	\$100,000

ROADS & UTILITIES

Item	Year Acquired (FY)	Current Cost to Replace	Year to Replace or Retire (FY)	Finance Method	New Policy Item?	Consistent with Comp Plan?	External Funding?				
DPW - Bell Marsh Road Improvements		\$300,000	FY17	bond	no	yes		\$0 \$300,000		\$0	\$0
DPW - Road and Sidewalk Reconstruction - York Village	2017	\$400,000		bond	no	yes		\$0 \$400,000		\$0	\$0
DPW - Road and Sidewalk Reconstruction - York Village	2018	\$350,000		bond	no	yes		\$0	\$0 \$350,000		\$0
DPW - Road and Sidewalk Reconstruction - York Village	2019	\$300,000		bond	no	yes		\$0	\$0	\$0 \$300,000	\$0
DPW - Road Reconstruction	2020	\$250,000		bond	no	yes		\$0	\$0	\$0	\$0 \$250,000
VSC - Trails and Pathways	2017	\$100,000		bond	YES	yes		\$0 \$100,000		\$0	\$0
VSC - Undergrounding/Relocating Utilities in York Village	2018	\$900,000		bond	YES	yes		\$0	\$0 \$900,000		\$0
VSC - Stormwater Drainage Improvements in York Village	2018	\$500,000		bond	no	yes		\$0	\$0 \$500,000		\$0
Municipal Building Energy Upgrades	multiple	\$20,000		bond	no	yes	\$10,000	\$10,000		\$0	\$0
Solar Roads Demonstration Project	2018	\$100,000		bond	YES	?		\$0	\$0 \$100,000		\$0
Expansion of Utilities in the Growth Area	multiple	\$3,000,000		bond	YES	yes	YES	\$0	\$0 \$1,000,000	\$1,000,000	\$1,000,000
Roads & Utilities Subtotal							\$10,000	\$810,000	\$2,850,000	\$1,300,000	\$1,250,000

EQUIPMENT & OTHER

Item	Year Acquired (FY)	Current Cost to Replace	Year to Replace or Retire (FY)	Finance Method	New Policy Item?	Consistent with Comp Plan?	External Funding?				
School Network Hardware	2016	\$200,000		bond	no	yes		\$200,000	\$0	\$0	\$0
Town IT Infrastructure - first year	2016	\$230,000		bond	no	yes		\$230,000	\$0	\$0	\$0
Town IT Infrastructure - second year	2017	\$155,000		bond	no	yes		\$0 \$155,000		\$0	\$0
Town IT Infrastructure - third year	2018	\$125,000		bond	no	yes		\$0	\$0 \$125,000		\$0
Town Financial Software	2017	\$250,000		short term loan	no	yes		\$0 \$250,000		\$0	\$0
Village Fire - Replacement Medical Defibrillator		\$24,000	FY16	bond	no	yes		\$24,000	\$0	\$0	\$0
Village Fire - Replace 2 Outboard Motors for Water Rescue	2002	\$21,000	FY16	bond	no	yes		\$21,000	\$0	\$0	\$0
DPW/MS4 - Pipe Camera System	FY18	\$60,000		bond	YES	yes		\$0	\$0 \$60,000		\$0
Police Department - 30 Multi-Space Parking Meters	FY18	\$195,000		bond	no	yes		\$0	\$0 \$195,000		\$0
Police Department - move the PSAP (E-911) Phone System to new PD	FY16	\$42,000		bond	no	yes		\$42,000	\$0	\$0	\$0
Police Department - replace Radio Dispatch Console	FY16	\$215,000		bond	YES	yes		\$215,000	\$0	\$0	\$0
Police Department - implement the Microwave Communications System	multiple	\$207,000		bond	YES	yes		\$0 \$124,000	\$83,000		\$0
Equipment & Other Subtotal							\$732,000	\$529,000	\$563,000	\$0	\$0

							FY16	FY17	FY18	FY19	FY20
FISCAL YEAR TOTALS							\$12,458,000	\$4,198,300	\$4,083,000	\$5,134,000	\$2,354,000



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: December 12, 2014	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: December 15, 2014	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Redemption of property at 153 Long Sands Road	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Town Manager
RECOMMENDATION: I recommend 2 actions: I recommend the Town pursue the process whereby the State of Maine will be allowed to redeem the property at 153 Long Sands Road, subject to the condition that all fees owed to the Town be paid when the State sells the property. I also recommend the Board request of the York Sewer District that it proceed in a similar fashion with respect to the debts owed to the District.
PROPOSED MOTION: I move to direct the Town Manager to work with the Maine Department of Health and Human Services with regard to redemption of the property at 153 Long Sands Road, determining the final amount owed to the Town, and drafting a specific proposal for subsequent approval by the Board of Selectmen to allow the reimbursement to occur at the time the State sells the property, but not later than one year from the date of redemption. Further, the Board requests that the York Sewer District accommodate the State's request in a similar fashion.

Discussion: We are in receipt of a letter dated October 15, 2014, from the Maine Department of Health and Human Services (copy attached). In this letter the State informs us they have become the public guardian of the former owner of the property as 153 Long Sands Road, and that they would like to redeem that property for the back taxes and fees owed.

I believe there are 3 basic options available to the Board:

1. The Town could take no action and continue to own the house.
2. The Town could sell the property and keep the money. The sale price would likely be in excess of the amount of money owed to the Town.
3. The Town could allow the State to redeem the property, to be sold in the future and then reimbursing the Town at that time of future sale. The Town would get the money it is owed, and the State would get the excess money.

I have recommended the Town work with the State in this regard, even though it would not maximize the revenue received by the Town. I believe this is the appropriate action because the State has become the guardian of the former owner. In other property redemption matters, the Town default is to look former owners and their families as the first option for redemption. Because the State is the guardian, this action passes the straight face test.

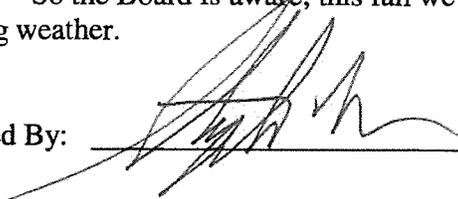
I think keeping the house would be the worst option because we have no use for it, our expenses would remain as a liability, and we would continue to have a degree of liability exposure

Regarding the State's proposal to delay reimbursement to the Town, I find this to be reasonable in this case because we are dealing with the State of Maine. I believe we can rely on a commitment from the State. That said, I think we need some sort of timeframe in the arrangement so the State can't redeem the property and then sit on it forever. I have recommended that we offer a year to reimburse the Town in full. There is no magic to this number so other terms, or no limit, are feasible options here.

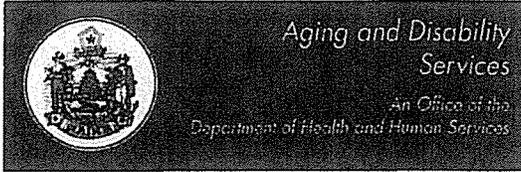
I am seeking policy direction only at this time. Depending on the action taken by the Board, I will bring this matter back to the Board with refined information for final action.

ASIDE - So the Board is aware, this fall we have had the house winterized to prevent damage during freezing weather.

Prepared By: _____



Reviewed By: _____



Paul R. LePage, Governor

Mary C. Mayhew, Commissioner

Department of Health and Human Services
Aging and Disability Services
41 Anthony Avenue
11 State House Station
Augusta, Maine 04333-0011

Tel.: (207) 287-9200; Toll Free (800) 262-2232; Fax (Aging): (207) 287-9229
Fax (Disability): (207) 287-9915; TTY Users: Dial 711 (Maine Relay)

15 October 2014

Selectmen, Town of York
186 York Street
York, ME 03909

Re: John Nason
153 Long Sands Road

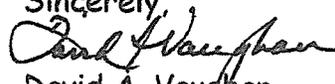
To the Board of Selectmen:

On June 11, 2014, the York County Probate Court appointed the Maine Department of Health and Human Services the Public Guardian of John Nason. Evidence of that appointment is enclosed for your reference.

Real estate at the above address was acquired by Town of York in April, 2011, for outstanding tax liens and sewer assessments; and from Town Assessor Rick Mace, we understand that outstanding taxes and sewer charges, together with funds advanced by the town for electrical and plumbing work, may approach \$50,000. A significant sum, it is certainly outweighed by the value of the land alone (assessed at \$164,700). Many of Mr. Nason's possessions/furnishings remain in this house. Would you please provide us with an itemized listing of outstanding liens and charges against Mr. Nason and this property?

As Mr. Nason's Public Guardian, the Department seeks to redeem this real estate from the town. Due to limited availability of his funds, we ask Town of York to consider deeding this real estate back to John Nason with the understanding that the Department then list the property for sale (and from the sale proceeds remit to the town the full balance outstanding). Please note that should the town agree to this proposal, the Department will petition the probate court for empowerment to carry out the sale as conservator of Mr. Nason.

We would welcome an opportunity to discuss this proposal. Should you wish to speak with me, I may be reached at 207-287-9218.

Sincerely,

David A. Vaughan
Estate Management



Town of York

186 York Street
York, Maine 03909-1314

MEMORANDUM

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

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

TO: Board of Selectmen, Steve Burns
FROM: Rick Mace
DATE: October 29, 2014
SUBJ: Nason Property

I have put together what I believe to be the complete list of what is owed to the Town regarding the Nason property, located at 153 Long Sands Road. The only variables will be the interest charges on the outstanding property taxes.

Property Taxes 2009-2014: \$17,552.68 (outstanding)

York Sewer District: \$11,977.95 (outstanding)

Town Expenses:

York Sewer District - \$612.69 (paid)
Performance Plumbing - \$204.97 (outstanding)
Abbott Brothers - \$5,200.00 (paid)
Servpro of So. York County - \$700.00 (paid)
Eldredge Lumber - \$931.09 (paid)

Total Owed = \$37,179.38*

*Does not include outstanding interest charges.

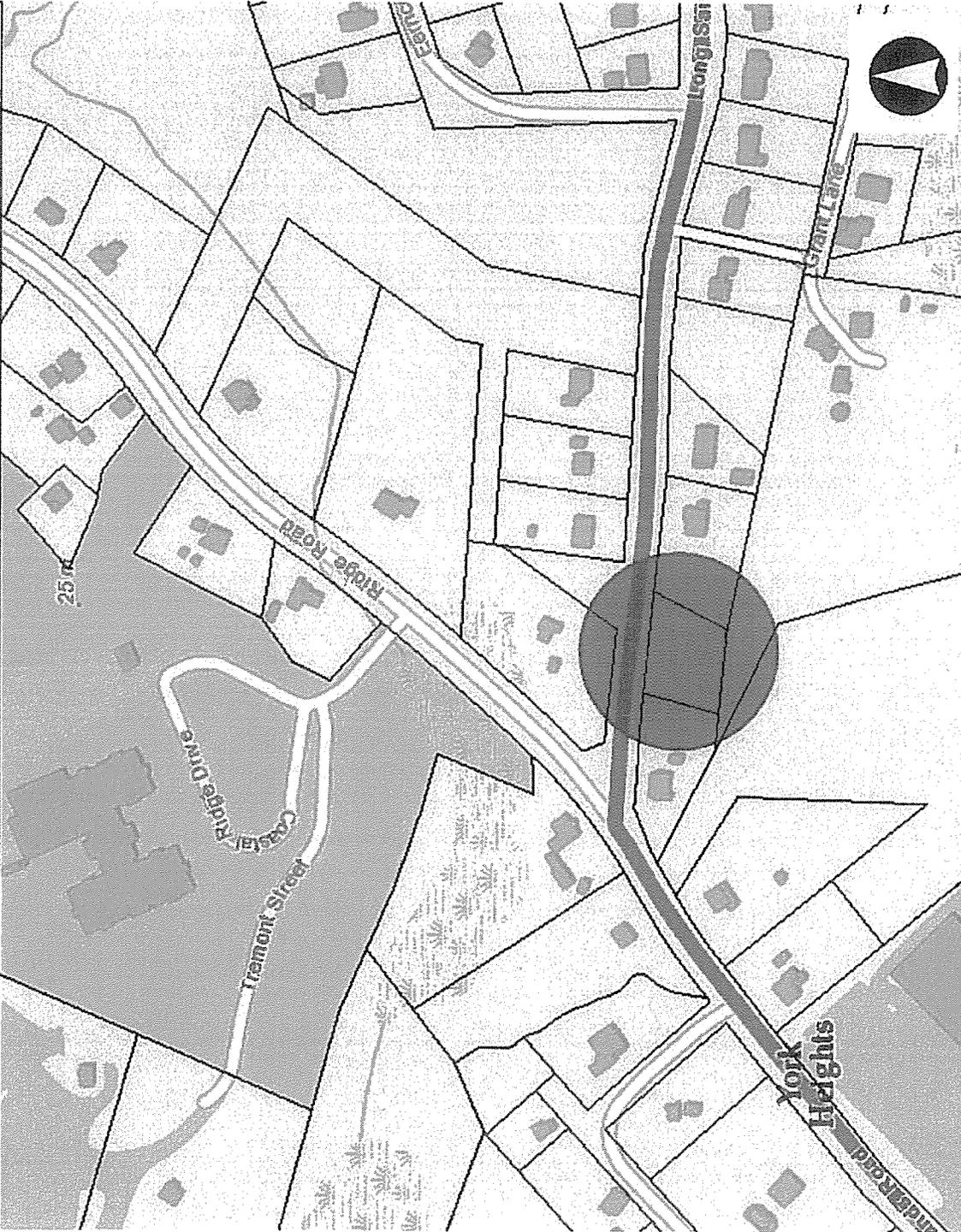


Quick Map



Legend

- Parcels
- Citations



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.

Stephen H. Burns

From: tim haskell <thaskell@yorksewerdistrict.org>
Sent: Thursday, January 22, 2015 6:03 PM
To: Richard C. Mace
Cc: Stephen H. Burns
Subject: 153 Long Sands

Rick:
Based on our discussion today I presented some of the material you provided to the Board of Trustees. I requested that they approve allowing the Town to turn the property over to the State, to immediately sell the property and allow the District to be paid in full at the time of closing, pending review of more information concerning the specifics of the plan. The Board voted unanimously to support that proposal. I'll try to put the actual language on letterhead and get to you on Monday.
Tim



AGENDA ITEM NUMBER: _____

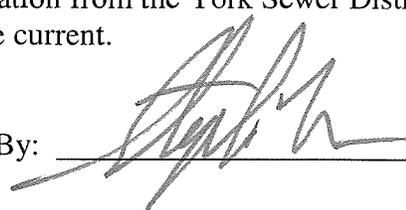
REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 22, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Redemption Request: Tax Map 0039, Lot 0020 – 150 Long Sands Road	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the property redemption as proposed.
PROPOSED MOTION: I move to approve the redemption of Tax Map 0039, Lot 0020; 150 Long Sands Road, as requested, subject to the FY13 taxes and interest being paid immediately and also noted that the FY14 and FY15 property taxes are still owed. The Quitclaim Deed will not be released until proof of the outstanding balance with York Sewer District is made current.

Discussion: Mr. Bridges received his Notice of Impending Automatic Foreclosure from the Town for unpaid FY13 property taxes at 150 Long Sands Road. Mr. Bridges misunderstood the due date on the notice to be January 22, 2015, one day after the actual due date. On January 22, 2015 Mr. Bridges brought a check to the Tax Collector's Office to pay the amount due, however the noticed stated that the automatic foreclosure went into effect on January 22, 2015. We are in receipt of Mr. Bridges' check for the FY13 taxes and the Tax Collector's Office will apply to payment if the redemption is approved. Also note that the Town will still have outstanding liens for the FY14 and FY15 unpaid property taxes and interest if this is approved. With the Lien Enforcement Agreement, signed by the Town on March 11, 2014, we are required to "include the principal, costs and interest due to the other Party (in this case the York Sewer District) for unpaid taxes or rates secured by the lien(s).", with that agreement, we will not release the Quitclaim Deed to Mr. Bridges until we have notification from the York Sewer District that the outstanding balance on Mr. Bridges' property has been made current.

Prepared By: _____

Reviewed By:  _____

STATE OF MAINE
 NOTICE OF IMPENDING AUTOMATIC FORECLOSURE
 Title 36, MRSA Section 943

IMPORTANT: DO NOT DISREGARD THIS NOTICE. YOU WILL LOSE YOUR PROPERTY UNLESS YOU PAY YOUR REAL ESTATE LIEN, INTEREST AND COSTS.

BRIDGES DAVID J
 150 LONG SANDS ROAD
 YORK ME 03909

December 12, 2014

MAP: 0039 0020

Account No. RE

LOCATION: 150 LONG SANDS ROAD

AR_ID: 510529

You are the party named on a Real Estate Lien certificate filed July 22, 2013 and recorded in York County Registry of Deeds, Book 16653 , Page 246. This filing has created a Real Estate lien Mortgage on the real estate described therein.

On , 1/22/2015 the Real Estate lien mortgage will be foreclosed and your right to recover your property by paying the taxes, interest and costs that are owed will expire.

IF THE REAL ESTATE LIEN FORECLOSURES,
 THE TOWN OF YORK WILL
 OWN YOUR PROPERTY

If you cannot pay the property taxes you owe, please contact 207-363-1004 to discuss this notice.

 IF YOU ARE A DEBTOR IN BANKRUPTCY,
 THIS NOTICE DOES NOT APPLY TO YOU,


 Wendy Anderson, Deputy Treasurer
 Town of York
 December 12, 2014

Amount Due

Lien Amount	\$4,170.36
Lien Cost	\$0.00
Interest	\$41.59
Fee	\$3.00
Cert Mail Fee	\$6.48
Total Due	\$4,221.43

To Mary Andrews
Chairmen of Board of Selectmen,

I am writing this letter to help clarify the misunderstanding about the taxes being paid for the property of 150 Long Sands Road York Maine 03909. We misunderstood the letter we received in the mail, it was our understanding that the taxes needed to be paid by January 22, 2015 to avoid foreclosure of our property. That was the date on the letter that was sent to us and we had all the money ready to bring into the town on January 22, 2015. As you can see by the date on the check that was brought in with intention to get the taxes paid. The confusion came when we contacted the town hall and they said the money needed to be in by January 21, 2015 or the house would be foreclosed on the 22nd. We are sorry about the confusion and that it came to this and so last minute; we would appreciate the help of our town selectmen straightening this matter of confusion out, along with accepting our check and great apologies about this whole matter. Thank you for your time and help.

David and Cara Bridges

David Bridges Jan 22/15

150 Long Sands Road
York, Maine 03909

LIEN ENFORCEMENT AGREEMENT

THIS LIEN ENFORCEMENT AGREEMENT ("Agreement"), made this 11th day of March, 2014, by and between the Town of York, a municipal corporation under the Laws of the State of Maine ("Town"), and the York Sewer District, a quasi-municipal corporation under the Laws of the State of Maine and located in the Town of York, County of York and State of Maine ("Sewer District"), each referred to herein individually as a "Party" and collectively as the "Parties."

WHEREAS, Maine statute (36 M.R.S. §552) establishes that the Town has a lien on real estate to secure the payment of taxes that takes precedence over all other encumbrances on said real estate; and

WHEREAS, Maine private and special law (P. & S. L. 1985, c. 57, sec. 18) establishes that the Sewer District has a lien on real estate served or benefitted by the services of the Sewer District to secure the payment of rates that takes precedence over all other claims on that real estate excepting claims for taxes; and

WHEREAS, the Parties are both units of local government that generally serve the same taxpayers and ratepayers, and wish to set forth their agreement to cooperate in the event of imminent or actual foreclosure where both Parties have recorded liens upon the same parcel of real estate;

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises and agreements contained herein, the Parties hereby agree as follows:

1. Each Party agrees to provide the other Party at least annually with a list of delinquent accounts with the names and addresses of taxpayers/ratepayers, together with information as to amounts owed, whether a lien has been recorded in the York County Registry of Deeds to secure payment of taxes or rates, and the date of automatic foreclosure on the same. Moreover, each Party agrees to treat the other Party's tax liens and rate liens as mortgages, and therefore:

(a) The Town will provide the District with a copy of the lien certificate and of notice of impending foreclosure for each parcel of real estate upon which the District also has a recorded lien for nonpayment of rates against that same parcel, and

(b) The District will provide the Town with a copy of the lien certificate for each parcel of real estate upon which the Town also has a recorded lien for nonpayment of real property taxes against that same parcel.

2. If a person pays delinquent real property taxes or sewer rates, plus interest and costs, for a parcel of real estate after a lien is recorded on that same parcel but before automatic lien foreclosure or before that person's right of redemption is foreclosed, the Party receiving such payment will make its best efforts to inform that person of other unpaid taxes or rates where

that Party has received a copy of a lien certificate or of notice of impending foreclosure for that same parcel of real estate;

3. If a Party acquires a parcel of real estate by automatic lien foreclosure or by other method for enforcement and collection of unpaid taxes or rates, and if the other Party has a recorded lien or liens on that same parcel of real estate to secure payment of taxes or rates, then:

(a) Upon sale of that acquired parcel of real estate to a person other than the prior owner or family member of the prior owner, the acquiring Party shall pay the principal, costs and interest due to the other Party for unpaid taxes or rates secured by lien(s) to the extent the proceeds of such sale exceed the amounts secured by the acquiring Party's lien(s) plus interests and costs thereon;

(b) If the acquiring Party retains that acquired parcel of real estate for its own purposes, the acquiring Party shall pay the principal, costs and interest due the other Party for unpaid taxes or rates secured by the lien(s); and

(c) If the acquiring Party allows the acquired parcel of real estate's prior owner or family member of the prior owner to purchase the acquired parcel of real estate by payment of the unpaid taxes or rates, plus interest and costs, either through a payment agreement or by lump sum payment, that payment agreement or lump sum payment also shall include the principal, costs and interest due the other Party for unpaid taxes or rates secured by the lien(s).

4. This Agreement shall remain in effect until terminated by one of the Parties upon thirty (30) days' written notice of termination sent by U.S. Mail, Certified Mail, Return Receipt Requested to the other Parties.

IN WITNESS WHEREOF, the Town of York and the York Sewer District have caused this Agreement to be signed and sealed by their respective duly authorized officers as of the date first above-written.

TOWN OF YORK

Melina M. Avery
Witness

Robert G. Yandow
By: Robert G. Yandow
Its: Town Manager

YORK SEWER DISTRICT

Timothy Haskell
Witness

Timothy Haskell
By: Timothy Haskell
Its: Superintendent



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 22, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Redemption Request: Tax Map 0049, Lot 0017 – 91 York Street	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery, Assistant to the Town Manager
RECOMMENDATION: Approve the redemption as proposed.
PROPOSED MOTION: I move to approve the redemption of Tax Map 0049, Lot 0017; 91 York Street, as requested, subject to the FY13 taxes and interest being paid immediately and also noted that the FY14 and FY15 property taxes are still owed.

Discussion: Mr. Dineen received his Notice of Impending Automatic Foreclosure from the Town for unpaid FY13 property taxes at 150 Long Sands Road. Mr. Dineen misunderstood the due date on the notice to be January 22, 2015, one day after the actual due date. On January 22, 2015 Mr. Dineen brought a check to the Tax Collector's Office to pay the amount due, however the noticed stated that the automatic foreclosure went into effect on January 22, 2015. We are in receipt of Mr. Dineen's check for the FY13 taxes and the Tax Collector's Office will apply to payment if the redemption is approved. Also note that the Town will still have outstanding liens for the FY14 and FY15 unpaid property taxes and interest if this is approved.

Prepared By: _____

Reviewed By:  _____

CORAS IOMPAIR DUINNIN, INC
PO BOX 311
KITTEBY, MAINE 03904
207-439-4440

JANUARY 22, 2015

TOWN OF YORK BOARD OF SELECTMEN
TOWN HALL
YORK ST.
YORK, MAINE 03909

RE: 91 YORK ST REAL
ESTATE TAXES

DEAR SIRS/MADAMES:

THIS LETTER IS BEING WRITTEN TO
RESPECTFULLY ASK THAT A PAYMENT OF
TAXES ON THE ABOVE PROPERTY MADE
TODAY BE CONSIDERED AS TIMELY TO
AVOID A FORECLOSURE.

WE CONSTRUED THE RECENT
30-DAY WARNING AS MARKING
JAN 22, 2015 AS THE FINAL DATE FOR
A TIMELY PAYMENT OF THE 2015 REAL
ESTATE TAXES ON THE SUBJECT PREMISES.
ONLY WHEN PAYMENT WAS PRESENTED
TODAY WAS IT MADE KNOWN THAT THE
PAYMENT WAS ONE DAY LATE. THE 30-DAY
WARNING WAS AMBIGUOUS.

THANK YOU FOR YOUR CONSIDERATION.

CORAS IOMPAIR DUINNIN, INC

By: James M. Dineen
JAMES M. DINEEN, PRES.



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

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

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

Discussion:

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

Prepared By: Rick Mace, Assessor

Reviewed By: 



Town of York

186 York Street
York, Maine 03909-1314

MEMORANDUM

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

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

www.yorkmaine.org

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

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

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

Taxes due on the following properties:

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

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

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

Total = \$41,071.85

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



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TO: Steve Burns, Town Manager and Board of Selectmen

FROM: Amber L. Harrison, CEO

DATE: January 21, 2015

RE: 294 Mountain Road (Map 96 Lot 49-A)

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

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

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

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



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

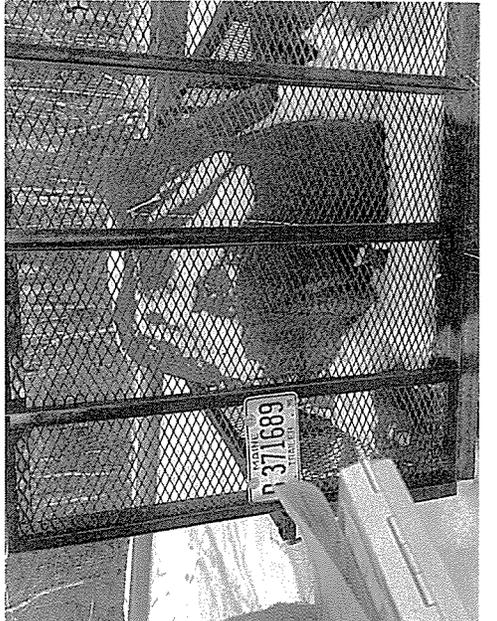
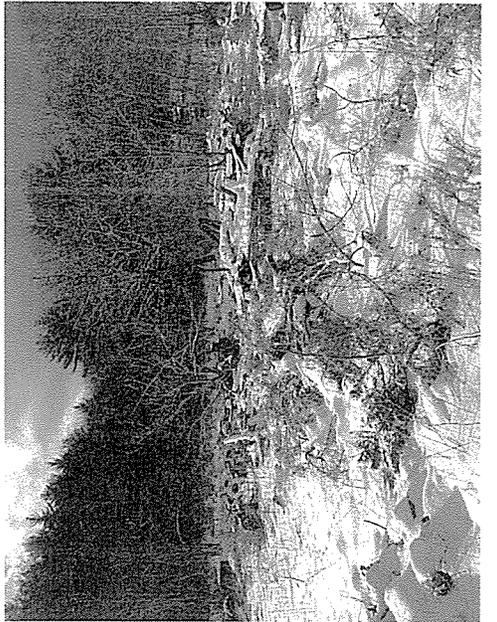
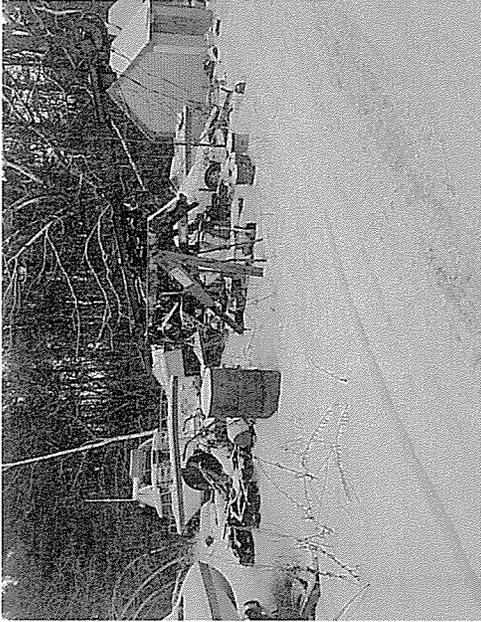
The Mandatory Shoreland Zoning Act violation pertains to any expansion of a structure which increases the volume or floor area by 30% or more must meet the required setback requirements. No expansions are permitted closer to shoreline if the structure is less than required setback. It appears the illegal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

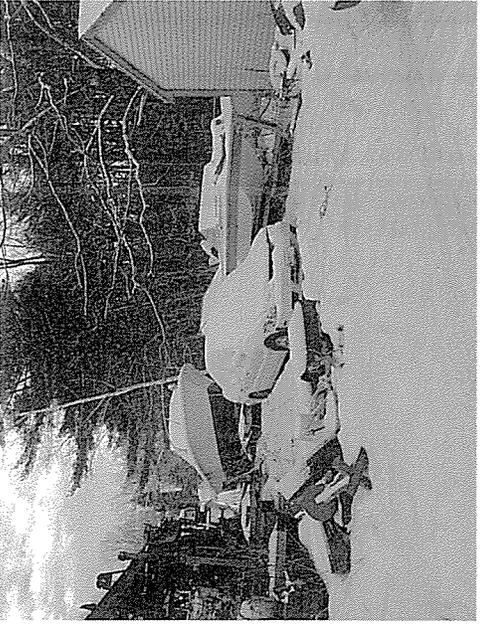
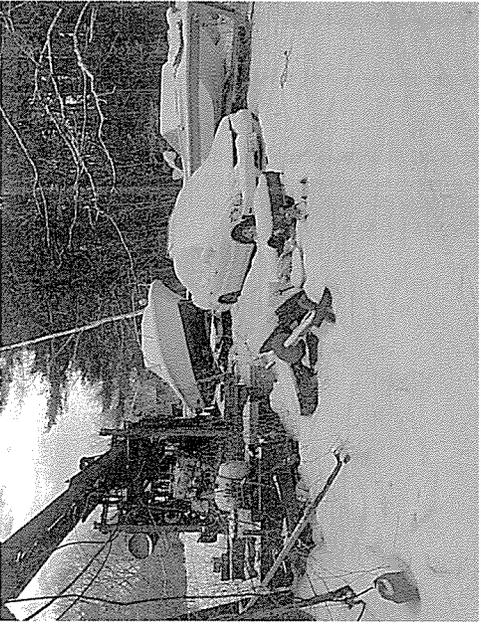
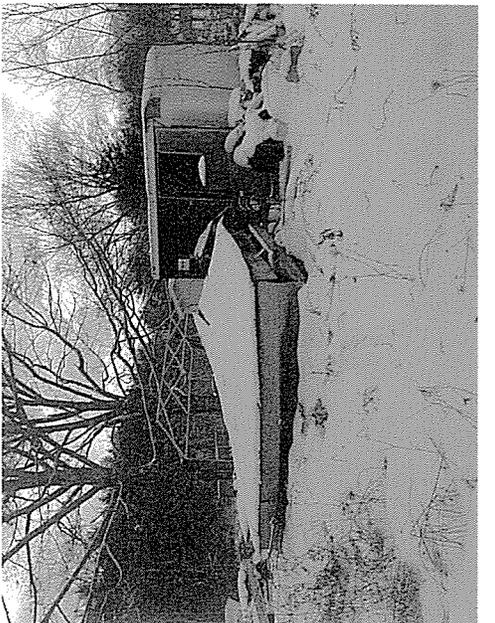
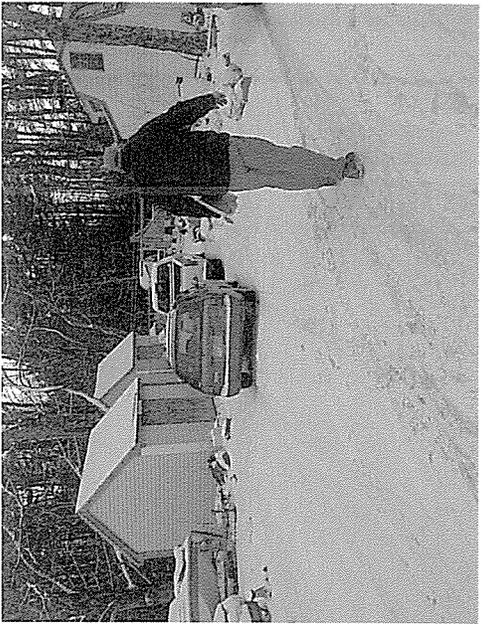
As evidenced in the attached pictures, the violations necessitate the demolition and removal of the illegal dwelling unit(s) as well as the removal of any unregistered vehicles, trailers, scrap materials, trash, and recreational vehicles from the property. A Maine licensed soil scientist or site evaluator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

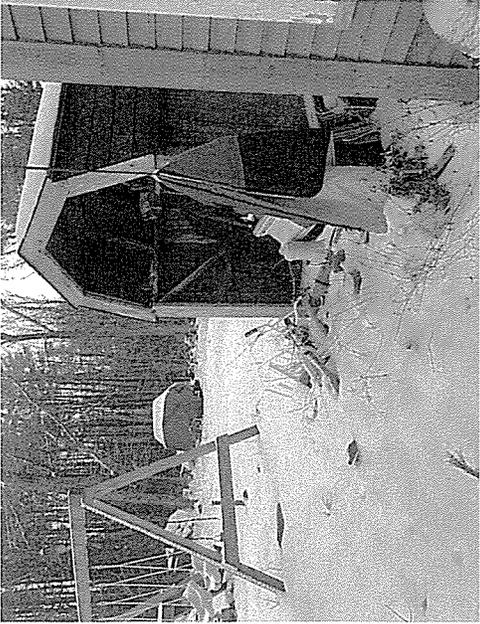
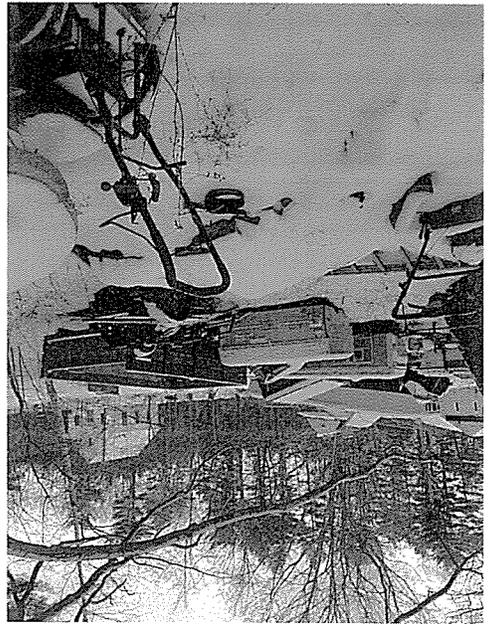
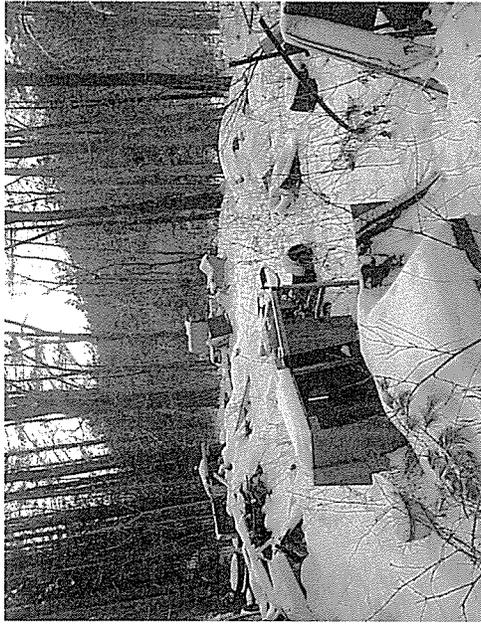
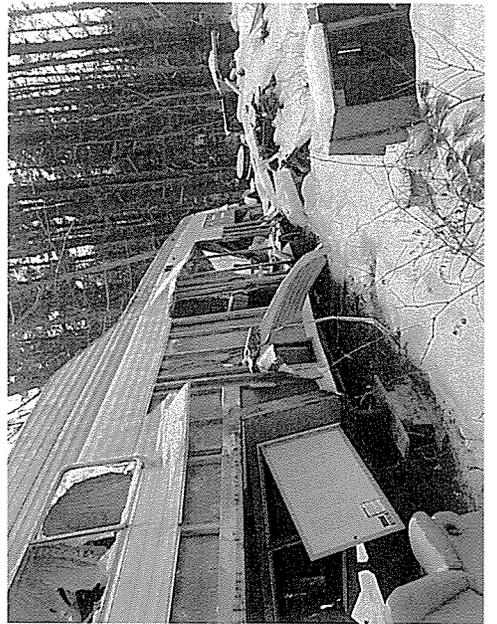
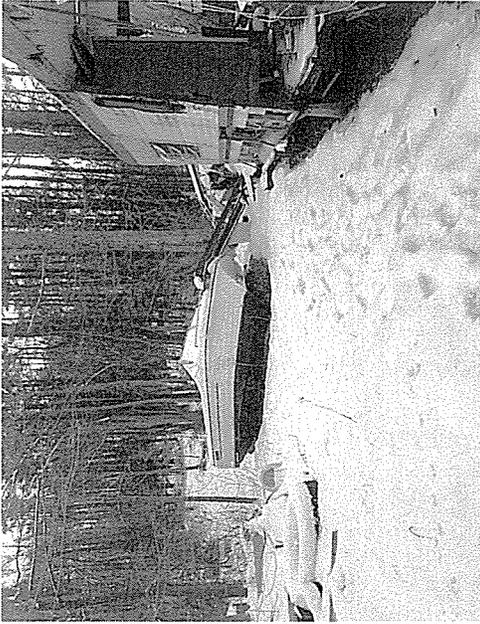
Remedial action must be taken concerning the above code and site plan violations immediately. It is suggested that the property owner schedules an appointment with the CEO to create an action plan and timeline to rectify the aforementioned violations.

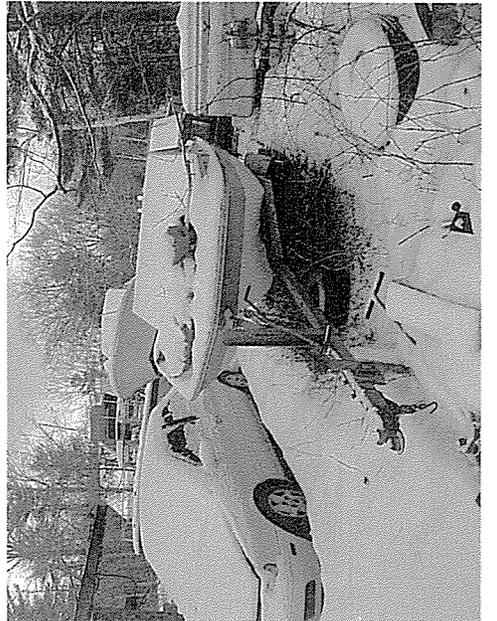
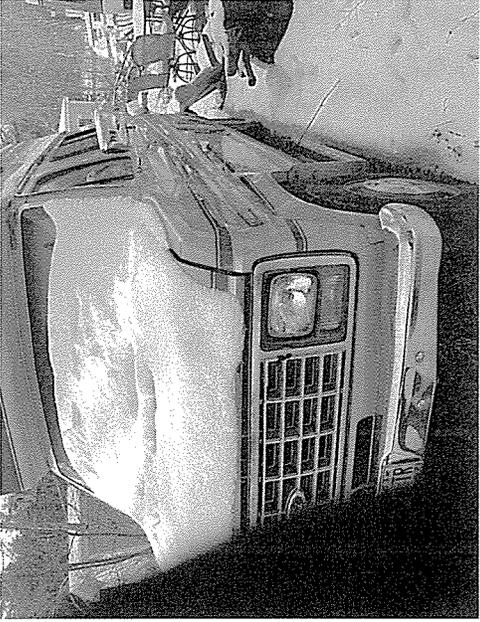
Amber L. Harrison

Town of York Code Enforcement Officer



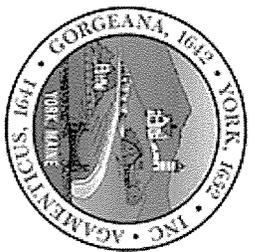








Quick Map



Legend

- Parcels
- Road Names
- Wet Areas
- Streams

Shoreland Zoning

- Surface Water
- Welland (Resource Protection)
- Stream Protection (75 ft)
- Resource Protection (250 ft)
- Limited Residential (250 ft)
- Mixed Use (250 ft)

Image

- Red
- Green
- Blue

Citations

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: January 23, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: January 26, 2015	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Agenda-setting	

TO: BOARD OF SELECTMEN
FROM: Stephen H. Burns, Town Manager
RECOMMENDATION: I recommend the Board create a place on the agenda of each regular meeting to plan agendas for upcoming meetings.
PROPOSED MOTION: I move to direct the Town Manager to add to the agenda of each regular meeting time to plan future meeting agendas.

Discussion: On January 8th Mr. Macdonald sent an e-mail to the other Board members and me about improving the openness of the Board's processes and protecting the minority rights within the Board. He raised issues in a variety of areas, but here I'm focused on the first of these topics – agenda-setting. A copy of his e-mail is attached.

The agenda-setting request is for the Board to set aside time on its agendas to allow an open discussion of future agendas. This allows for a stronger engagement of all Board members, and it makes the Board's actions more transparent.

I have taken the liberty of attaching a page from a book by Craig Freshley, a Maine author and meeting facilitation guru. Craig runs a firm called Good Group Decisions out of Brunswick, and is at the

forefront of his field. He wrote a book that contained 100 one-page tips for improving group decision-making. I've included his tip about the agenda setting process.

To start pursuit of this as a Board policy, I've recommended a motion that simply requires me to include agenda-setting time on the agenda of each regular meeting of the Board. After we've done this for a few months we should re-evaluate to consider the frequency (every meeting, once a month, other?) and amending the Board's "Transaction of Business" policy. A copy of this is attached as well.

Prepared By:  _____

Reviewed By: _____

Stephen H. Burns

From: Caroline Macdonald <cmacdonald10@maine.rr.com>
Sent: Thursday, January 08, 2015 12:07 PM
To: Mary Andrews
Cc: Robert Palmer Jr; Jonathan Speers; Stephen H. Burns
Subject: Governmental processes

This message is an expression of views: response is neither necessary nor legal.

TO: Mary Andrews
CC: R. Palmer, J. Speers, S. Burns
FROM: Torbert H. Macdonald

Madam Chair: Please accept the following commentary as the constructive criticism it is intended to be. My hope is to further both the efficiency and legitimacy of our governmental processes, not to apportion blame or personal criticism.

Having served under multiple BOS Chairs, I have a fairly broad experience on which to base these observations:

- 1) Of the many BOS Chairs observed Stan Wilson had the most even-handed and accommodating perspective on the function of the Chair. His policy was that every selectman had equal rights regardless of majority or minority status. Thus, although BOS policy called for two selectmen to endorse an item to achieve agenda status, Stan put on the agenda any item brought forward by any selectman. The policy had a salutary effect on the legitimacy of a "majority rule but with minority rights", brought out a wider range of issues and made overall for a broader and deeper public dialogue. I suggest that you adopt this policy in the interest of fair play and better governance.
- 2) To further enhance legitimacy and fairness, I suggest the following for the formulation of policy:
 - a. Since the setting of policy should begin with open discussion in open forum, I urge that you adopt a segment of each business meeting to be titled "future agenda development" which could have two components – near term and longer term. This would enable all members to contribute to a process now dominated by the Chair and Vice-chair.
 - b. My experience of the last two years has been to have my views, strongly felt and well-reasoned though they may be, suppressed by either Chair dismissal or truncation of time - seemingly arbitrarily and often palpably for reasons of personal disagreement. Therefore, I request a portion of the meeting to be set aside for minority viewpoints to be called the "minority report". This will ensure that the legitimate need for dissent to be heard and will in the long run better serve the body politic as a whole.
 - c. Minority rights and dissent in general often go unrepresented in BOS relations with external entities. For example discussion/negotiation on real estate or inter-governmental relations. Thus, I suggest that these efforts by the BOS be restructured such that the majority and minority viewpoints be directly represented, with the Chair or Vice-chair and a minority representative composing the BOS delegation rather than the current practice of Chair and Vice-chair.

In general, the Chair should be viewed more as Stan Wilson did, functioning more as a coordinator of equally legitimate representatives rather than the Chair functioning as a de facto "prime minister" of a BOS majority ruled government. These changes, of both practice and perspective, will lead to a more inclusive, participatory and democratic representative government in York.

I thank you for your consideration of these suggestions and look forward to the BOS working more collaboratively in the future.

AGENDA SETTING ACCESS

In principle, if we are a group of relative equals, deciding how we are going to spend our time together should be a group decision, or at least the group should decide the agenda-setting process. Further, every group member should understand the agenda-setting process and have access to it.

In many groups, agenda setting is closely guarded by the majority or the chair and is often used to limit opposition. In most political systems, being able to control the agenda is a huge source of power.

Practical Tip: Establish an open and fair process for setting meeting agendas and make sure everyone knows the process. To maximize creativity, air all perspectives, and share power; make it relatively easy for any new issue or idea to get at least a brief hearing.

Some groups reserve a special time in every agenda where anyone can raise any issue—sometimes called “open forum”—and then the issue might be sent to committee or placed on a future agenda. Some groups vote or consent to approve the proposed agenda at the start of every meeting.

In any case, agenda setting is not trivial and if the agenda-setting process is not formalized and widely understood in your group, it is likely limiting your creativity and your ability to make good group decisions.

The Wisdom of Group Decisions
100 Principles and Practical Tips for Collaboration

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www.GoodGroupDecisions.com

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Transaction of Business

The Board of Selectmen shall transact all official business at a public meeting. The following items deal with the transaction of business at official meetings of the Board of Selectmen.

Right to Know

Except for Executive Sessions, the proceedings of all meetings of the Board of Selectmen are open to the public.

Rules of Order

Roberts Rules of Order shall govern the proceedings of all Board of Selectmen meetings.

Regular Meetings and Work Sessions

Regular meetings and work sessions of the Board of Selectmen shall be held on the days and the time and place determined by the Board at the annual Organizational Meeting. Abbreviated Regular Meetings may be held at the same time as Work Sessions.

Selectmen will be furnished with the date, time and place for each meeting along with an agenda. This information will be provided by the Town Manager's Office no later than two (2) workdays prior to the Regular Meeting.

Special and Emergency Meetings

Special and Emergency Meetings of the Board may be called by the Chairman, or in the absence of the Chairman, by the Vice Chairman, or by a majority of the Board. The Selectmen will be furnished with the date, time and place and an agenda (if necessary) by the Town Manager's Office. Meeting notification requirements are pursuant to State Statute.

Requests for Agenda Items

All Selectmen requests for regular meeting agenda items must be submitted to the Chairman of the Board of Selectmen along with supporting background material, or a position paper not less than one (1) week prior to the scheduled meeting date. The Chairman of the Board shall review agenda requests with the Town Manager to assure proper background and staff support has been afforded the item requested. If, in the opinion of the Chairman additional information and/or study are required, the requested agenda item will be postponed until proper preparation has been made. The Chairman of the Board will subsequently notify the affected Selectman.

If the Chair refuses to place an item on the agenda that has been properly prepared, the written request of two Selectmen is sufficient to place the item on the Agenda for the next regular meeting.

- I. Call to Order
- II. Pledge of Allegiance
- III. Minutes
- IV. Chair's Report
- V. Manager's Report
- VI. Public Hearings
- VII. Citizen Forums (Open to audience for comments or questions on items to be addressed on this agenda)
- VIII. Approval of Warrants
- IX. Bid Opening & Award
- X. Endorsements
- XI. Old Business
- XII. New Business
- XIII. Other Business
- XIV. Citizen's Forum
- XV. Adjournment

Majority Vote

Three affirmative votes are required for the transaction of business.

Meeting Curfew

No new discussion shall be initiated after 10:00 P.M. The Selectmen may, on a case by cases basis, waive this restriction if requested by a member of the board and a majority of the board is in agreement.

Original Adoption 3/29/82
Amended 7/8/91
Amended 3/11/92
Amended 3/11/97
Amended 5/13/97
Amended 5/26/98
Amended 5/20/2004
Amended 12/12/2005
Amended 03/21/2011



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: January 20, 2015	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 _____	
Subject: To set date and polling hours for May election.	

TO: Board Of Selectmen
FROM: Mary-Anne Szeniaewski, Town Clerk/Tax Collector
RECOMMENDATION: N/A
PROPOSED MOTION: I move to set the date of May 16, 2015 and the polling hours of 8:00 a.m. to 8:00 p.m., to hold the Town of York Annual Budget Referendum and Election of Officers; Special General Referendum; and the School Budget Validation Referendum, to be held at the York High School Gymnasium.

Discussion:

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: 