

**BUCKSPORT TOWN COUNCIL MEETING
7:00 P.M., THURSDAY, AUGUST 31, 2017**

**TOWN COUNCIL CHAMBERS – BUCKSPORT TOWN OFFICE
AGENDA**

- 1. Call Meeting To Order**
- 2. Roll Call**
- 3. Presentation of any Town Council Recognitions**
- 4. Consider minutes of previous meetings**
- 5. Receive and review correspondence and documents**
 - a. Verona Police Call – 8-7-2017
 - b. WERU Letter re: Wednesday on Main
 - c. Verona Police Call – 8-13-17
 - d. Downeast Transportation, July Ridership
 - e. Weekly Construction Memo 8-18-17
 - f. Maine Municipal Association – Dividend Payments
- 6. New Ordinances to Consider/Introduce**
 - a. General Assistance Ordinance Appendix Update(A-D)
 - b. Shall and ordinance be introduced titled ‘Amendment to Appendix I Solid Waste Flow Control Ordinance’ – referral to Ordinance/Solid Waste Committee
 - c. Transfer Station Rules – referral to Ordinance/Solid Waste Committee
 - d. Transfer Station Fees – referral to Ordinance/Solid Waste Committee
- 7. Discussion Items (Manager Clarification and Direction, or Council Discussion and/or Input on Issues)**
 - a. Wilson Hall
 - b. Solar Energy Proposal
- 8. Agenda Items**
 - a. To adopt Resolve #2018-15 to approve purchase a replacement photocopier for the Public Safety Building to be funded from Public Safety Building Reserve
- 9. Resignations, Appointments, Assignments, and Elections**
- 10. Approval of Quit Claims, Discharges, and Deeds**
- 11. Town Manager Report**
- 12. Set Public Hearings, and/or Hold Public Hearings and Approval of any Licenses or Permits**
 - a. Shall an ordinance be adopted titled “Amendment to the Council-Manager Charter of the Town of Bucksport, Article 2 Town Council, Article 3 Administrative Officers and Employees and Article 7 Budget,” such ordinance being for the purpose of clarifying when an ordinance, order or resolve is required for actions taken by the Town Council; clarifying how proposed ordinances, rules and policies are submitted and acted upon by the Town Council; clarifying when public hearings are held; clarifying when an adopted ordinance, rule or policy becomes effective; clarifying how ordinances, rules and policies are codified; clarifying that matters pertaining to town departments, offices and agencies are acted upon by resolve and not by ordinance; clarifying that personnel rules are acted upon by resolve and not by ordinance and clarifying that financial matters are acted upon by resolve and not by ordinance.

- b. Shall an ordinance be adopted titled “Amendment to the Bucksport Town Code, Chapter 2 Administration,” such ordinance being for the purpose of changing the name of the chapter to clarify its purpose; reformatting the chapter, improving syntax; removing several outdated workplace safety regulations; clarifying employment classifications and benefits, updating the workplace smoking policy; and removing benefit conflicts with union contract provisions.
- c. Pole Location Permit (3) Bucks Mills Road -2400’ Church Road

13. Discussion of Items Not on the Agenda for Council and Public

14. Designation of Topics for Committee Assignment, and Scheduling of Committee Meeting

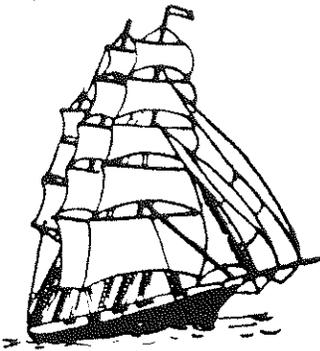
- a. Ordinance/Solid Waste Committee Meeting – Flow Control, Transfer Station Rules, Transfer Station Fees

15. Adjournment

COPY

BUCKSPORT POLICE DEPARTMENT

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Chief Sean P. Geagan

PUBLIC SAFETY BUILDING, 89 FRANKLIN STREET
P.O. BOX C-1, BUCKSPORT, MAINE 04416
(207) 469-7951/FAX (207) 469-3122

August 7, 2017

Verona Board of Selectman
16 School Street
Verona Island, Me 04416
P.O. Box 1940
Bucksport, Me 04416

To whom it may concern:

The Bucksport Police Department received a request for backup from the Maine State Police on a call in the Town of Verona on 08-07-17. The State Police requested that we check on a female subject that was standing on the Penobscot Narrows Bridge. Our on duty patrolmen responded to this call and did not find a vehicle or a female on the bridge.

I am sending you this notification to make you aware of this call for assistance as is required in our mutual aid agreement. I have also attached a copy of the incident card for this incident.

Sincerely,

A handwritten signature in cursive script that reads "Sean P. Geagan". The signature is written in black ink and is positioned above the printed name.

Sean P. Geagan
Chief of Police
Bucksport Police Department

Cc: Susan Lessard, Town Manager



Bucksport Police Department

Deputy Report for Incident 17BK-2645

Nature: Check well-bein
Location: 157

Address: Route 1; Penobscot Narrows Bridge
Bucksport ME 04416

Offense Codes: CWB

Received By: Aimee Reynolds	How Received: T	Agency: BKPD
Responding Officers: Steve Bishop		
Responsible Officer: Steve Bishop	Disposition: ACT 08/07/17	
When Reported: 01:17:33 08/07/17	Occurred Between: 01:17:16 08/07/17 and 01:17:16 08/07/17	

Assigned To:	Detail:	Date Assigned: **/**/**
Status:	Status Date: **/**/**	Due Date: **/**/**

Complainant: 57245

Last: Maine State Police	First:	Mid:
DOB: **/**/**	Dr Lic:	Address: 36 Hospital Street
Race:	Sex:	City: Augusta, ME 04330
	Phone: (207)624-7076	

Offense Codes

Reported: CWB Check Well Being	Observed:
Additional Offense: CWB Check Well Being	

Circumstances

Responding Officers: Steve Bishop	Unit : BK406
Responsible Officer: Steve Bishop	Agency: BKPD
Received By: Aimee Reynolds	Last Radio Log: 01:24:25 08/07/17 CMPLT
How Received: T Telephone	Clearance: RTF Report to Follow
When Reported: 01:17:33 08/07/17	Disposition: ACT Date: 08/07/17
Judicial Status:	Occurred between: 01:17:16 08/07/17
Misc Entry:	and: 01:17:16 08/07/17

Modus Operandi:	Description :	Method :
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Involvements

Date	Type	Description	Relationship
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Narrative

BKPD was requested to check on an individual on the Penobscot Narrow Bridge.

Responsible LEO:

Approved by:

Date

08/07/17	Name	Maine State Police,	Complainant
08/07/17	Cad Call	01:17:33 08/07/17 Check well-bein	Initiating Call

Supplement

CAD Call info/comments

=====

Requested we check on a female that was reportedly standing on the bridge.
Unknown if the female is suicidal or not. A passerby indicated a female with
brown hair was on the bridge.

01:18:59 08/07/2017 - Aimee Reynolds

called BK402 who advised to just check the bridge and call back if anything
needing attention

01:24:14 08/07/2017 - Aimee Reynolds

bk406 advising checked the bridge - PTL

Supplement

Officer Knight and I checked the Penobscot narrows bridges as requested by SP. FTL any persons or vehicles on the bridge.

Name Involvements:

Complainant : 57245

Last: Maine State
Police

First:

Mid:

DOB: **/**/**

Dr Lic:

Address: 36 Hospital Street

Race: **Sex:**

Phone: (207)624-7076

City: Augusta, ME 04330



Susan Lessard
Town Manager
The Town of Bucksport
Post Office Drawer X
Bucksport, Maine 04416

August 8, 2017

Dear Susan,

I would like to thank you and the Town Council for providing support for Wednesday on Maine, and by extension for its partnership with WERU Community Radio. This is real community working together!

Wednesday on Main is an excellent organization with which to collaborate, and Paula Kee is an excellent leader for its programs and events. Paula has worked with us at WERU to present public storytelling events in the summers of 2016 and 2017 that have been most satisfying. Together we have provided the community with great entertainment featuring local storytellers, promoted both organizations and the Town of Bucksport, produced interesting radio programming, and even raised some money.

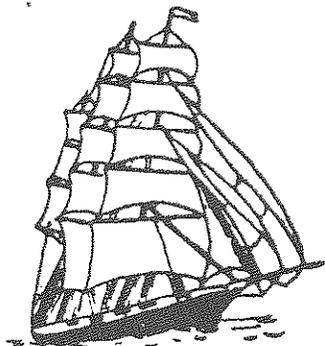
Everyone at WERU looks forward to working with Wednesday on Main in the future, most immediately collaborating on a music documentary film series at The Alamo on September 6, 13, 20 and 27.

Please share this letter with the Town Council.

Sincerely,

Matt Murphy
General Manager
WERU Community Radio

COPY 50



BUCKSPORT POLICE DEPARTMENT

PUBLIC SAFETY BUILDING, 89 FRANKLIN STREET
P.O. BOX C-1, BUCKSPORT, MAINE 04416
(207) 469-7951/FAX (207) 469-3122

Chief Sean P. Geagan

August 13, 2017

Verona Board of Selectman
16 School Street
Verona Island, Me 04416
P.O. Box 1940
Bucksport, Me 04416

To whom it may concern:

The Bucksport Police Department received complaints from the Hancock County RCC and the State Police Dispatch Center of a subject that was going to jump off the Penobscot Narrows Bridge. The State Police had a trooper enroute to the scene. Our on duty Sergeant responded to this call and found traffic backed up on the bridge and several people on scene. He detained a male subject that was on the bridge until a trooper arrived on scene.

I am sending you this notification to make you aware of this call for assistance as is required in our mutual aid agreement. I have also attached a copy of the incident card for this incident.

Sincerely,

A handwritten signature in cursive script that reads "Sean P. Geagan". The signature is written in black ink and is positioned above the printed name.

Sean P. Geagan
Chief of Police
Bucksport Police Department

Cc: Susan Lessard, Town Manager



Bucksport Police Department

Deputy Report for Incident 17BK-2734

Nature: Suicide Attempt
Location: 487

Address: 245 Route 1; Narrows Bridge
 Verona Island ME 04416

Offense Codes: ASUI

Received By: Rolly Means
Responding Officers: D Winchester
Responsible Officer: D Winchester

How Received: 9

Agency: BKPD

When Reported: 11:27:23 08/13/17

Disposition: ACT 08/13/17
Occurred Between: 11:25:49 08/13/17 and 11:25:53 08/13/17

Assigned To:
Status:

Detail:
Status Date: **/**/**

Date Assigned: **/**/**
Due Date: **/**/**

Complainant: 82641

Last: Hancock County
 RCC

First:

Mid:

DOB: **/**/**

Dr Lic:

Address: 50 State St; Suite 13

Race:

Sex:

Phone: (207)667-8866

City: Ellsworth, ME 04605

Offense Codes

Reported: ASUI Attempted Suicide
Additional Offense: ASUI Attempted Suicide

Observed:

Circumstances

Responding Officers:

D Winchester

Unit :

BK402

Responsible Officer: D Winchester

Agency: BKPD

Received By: Rolly Means

Last Radio Log: 12:46:58 08/13/17 CMPLT

How Received: 9 911 call

Clearance: RTF Report to Follow

When Reported: 11:27:23 08/13/17

Disposition: ACT **Date:** 08/13/17

Judicial Status:

Occurred between: 11:25:49 08/13/17

Misc Entry:

and: 11:25:53 08/13/17

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	Relationship
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Narrative

Hancock RCC calling with the report of a suicidal individual on the Penobscot Narrows Bridge.

Responsible LEO:

Approved by:

Date

Supplement

CAD Call info/comments

=====

Reporting a male on the bridge with a bunch of people around him, looks like he might be trying to jump

11:32:38 08/13/2017 - Chris Grindle

Red shirt, white male, walking the center of the bridge per BK402

11:37:33 08/13/2017 - Chris Grindle

BK402 adv subject detained; requesting a 57

11:44:56 08/13/2017 - Chris Grindle

BUAM2 out with subject

12:07:46 08/13/2017 - Chris Grindle

BK402 clear and 10-19, adv subject is

was intox.

suicidal, no 100%cooperative, handcuffed

Downeast Transportaton, Inc.
PO Box 914, Ellsworth, ME 04605-0914
667-5796

Bucksport Shuttle Riders 2017

	July	YTD
Senior Center	1	10
Day Care	0	0
Health Center	0	9
Wen-Belle	0	5
Public Safety	1	2
Food Pantry	6	36
Knox Apts.	8	29
Credit Union	0	0
Main St	5	46
Gardner Commons	15	126
Drug Store	0	0
Family Medicine	0	1
McDonald's	0	0
Hannaford's	23	162
Rite-Aid	1	14
Hardware Store	0	11
Family Dollar	1	14
Eye Care	0	0
Other	0	0
TOTAL	61	465
Taxi Transfers	0	0
Tokens	3	15

Day	Date	Driver	Amount	Tip
Time	Pick Up At	Dropping At		
10	DTI PO BOX 914 Ellisworth MAINE 04805			PR 8/13/17 400.00
From	City CAB 186 Parkview Ave Bangor MAINE 04401	JULY 2017		Ed
7/5	1. 930 8 Joan St	Dunkin Donuts		100 -
	2. 945 71 Main St	Bottle Redemption		
(3)	3. 1215 Comm Pharmacy	8 Joan St		
7/12	1. 930 8 Joan St	Dunkin Donuts		100 -
	2. 1230 Family Dollar	Post office		
(3)	3. 1242 Post office	8 Joan St		
7/19	1. 930 8 Joan St	Dunkin Donuts		100 -
	2. 1045 Congo church	RT 46 988		
(4)	3. 1240 Family Dollar	Post office		
	4. 1255 Post office	8 Joan St		
7/26	1. 915 115 Main St	Health Center		100 -
	2. 930 8 Joan St	Dunkin Donuts		
	3. 947 265 East Side	Verona Congo church		
	4. 1008 988 Acadia Highway	Hannaford		
(10)	5. 1020 Health Center	115 Main St		
	6. 1045 Congo church	988 RT 46		
	7. 1116 Congo church	265 East Side Rt Verona		
	8. 1138 Hannaford	988 Acadia Highway		
	9. 1200 Comm Pharmacy	Family Dollar		
	10. 1210 Family Dollar	8 Joan St		
Total:				Driver Over:
Office:		Cash:		Total 400.00
Driver:		Cab Supplies:		Driver Short:

OLVER ASSOCIATES INC.

ENVIRONMENTAL ENGINEERS

MEMORANDUM

TO: Ms. Susan Lessard, Town Manager
 Mr. Dave Michaud, Superintendent
 Mr. Scott Emery, RD
 Mr. Jeff Hammond, CEO

FROM: Mandy Holway Olver

DATE: August 18, 2017

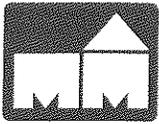
RE: Weekly Construction Summary
 Town of Bucksport
 Wastewater Treatment Plant Upgrade

Work Completed Week of August 14, 2017

- Completed installation of the chain link fence and gates.
- Installed heater in the Operations hallway.
- Began installation of the manhole drop piping.
- Continued painting in the Operations building.
- Began painting the Thickener 1 & 2 exposed walls.

Work Scheduled for Week of August 21, 2017

- Complete the lunch room.
- Complete installation of the manhole drop piping.
- Continue painting in the Operations building.
- Begin addressing punch list items.



MAINE MUNICIPAL ASSOCIATION

Risk Management Services

60 Community Drive
P.O. Box 9109
Augusta, Maine 04332-9109

Telephone No.

(207) 626-5583
(800) 590-5583 Maine Only
Fax No. (207) 626-0513

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DATE: August 9, 2017

TO: Members of the Workers Compensation Fund and/or the Property & Casualty Pool

FROM: Patricia Kablitz, CPCU, ARM
Director, Risk Management Services

RE: Dividend Payments

We are pleased to announce that the Board of Trustees of the **MMA Workers Compensation Fund** voted at its May 10, 2017 meeting to allow a dividend to the members of the Fund who meet the established criteria. Continuing members whose 2016 contributions are greater than \$25,000 annually, whose 2016 loss ratio is less than 40% and whose three-year loss ratio is less than 75% will receive a 4.59% dividend. Continuing members whose 2016 contributions are less than \$25,000 annually and whose loss ratio is less than 50% for the three years ending December 31, 2016, will also receive a 4.59% dividend. All losses are valued as of June 30, 2017.

The Board of Directors of the **MMA Property & Casualty Pool** voted at its May 10, 2017 meeting to allow a dividend to current members of the Pool who meet the established criteria. To earn a dividend, a member must have a loss ratio of 50% or less for the qualifying year of July 1, 2015 to June 30, 2016. Losses are valued as of June 30, 2017. Continuing members whose participation began on July 1, 2011 or prior will earn a 4.67% dividend and members who joined after July 2, 2011 will receive a 3.67% dividend.

Cost savings are realized in providing services to members who participate in both the Property & Casualty Pool and the Workers Compensation Fund. In recognition of the savings, both boards voted to add 1% to the dividends for each program for members who qualify and earn a dividend. If you are among the members who participate in both the Workers Compensation Fund and the Property & Casualty Pool, and you earned a dividend for either or both programs, the additional 1% has been included in the calculation.

Dividends are being paid in the Workers Compensation Fund and Property & Casualty Pool totaling \$1,199,796. Both governing boards are very pleased with the results of their respective programs and thank you for your support and continued participation. Your good management practices and sound loss prevention measures have contributed to the success of these programs.

Your check is enclosed with this letter. We have also enclosed a press release that may be used to announce the result of your successful risk management activities and good loss experience to your community. If you have any questions about the dividends or any of the Risk Management Services programs, please call me at 800-590-5583. Additional copies of this letter are included for your elected officials.

PRESS RELEASE
For Immediate Release

Municipal officials are pleased to announce that the **Town of Bucksport** has received a **\$7,497** dividend check from the Maine Municipal Association as a result of its good loss experience and loss prevention programs.

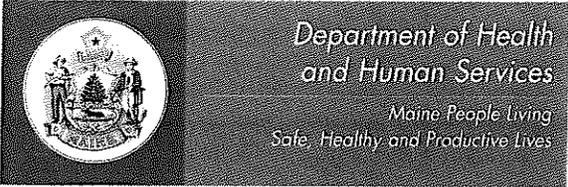
The Maine Municipal Association offers three self-funded pools for municipal and quasi-public entities in Maine: the Workers Compensation Fund formed in 1978, the Property & Casualty Pool formed in 1987 and the Unemployment Compensation Fund formed in 1978.

The programs are overseen by governing boards of elected and appointed municipal officials. Each year the boards review each program's loss experience to determine if dividends may be paid. Patricia Kablitz, Director of Risk Management Services for MMA, said more than 77 percent of program participants received a dividend this year for their good risk management practices and loss experience.

This year the Workers Compensation Fund has distributed almost **\$650,000** in dividends to participants and the Property and Casualty Pool has paid dividends of nearly **\$550,000**, for total payments of just under \$1.2 million returned directly to MMA members.

In the twenty years the Maine Municipal Association has been paying dividends, the two programs have returned over **\$21 million** to participating members. For more information about any of the MMA Risk Management Services programs, including online training programs and other services, check the offerings on their website at www.memun.org and click on the Risk Management Services link, or call 1-800-590-5583.

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Paul R. LePage, Governor Ricker Hamilton, Acting Commissioner

Department of Health and Human Services
 Commissioner's Office
 221 State Street
 11 State House Station
 Augusta, Maine 04333-0011
 Tel.: (207) 287-3707; Fax: (207) 287-3005
 TTY Users: Dial 711 (Maine Relay)

TO: Municipal Officials/Welfare Directors/General Assistance Administrators
 FROM: Ian Miller, General Assistance Program Manager
 RE: 2017 – 2018 General Assistance Ordinance Maximums
 DATE: 8-21-2017

Enclosed please find the following items:

- MMA's new (October 1, 2017–September 30, 2018) **“General Assistance Ordinance Appendix”** (A - D).
- **“GA Maximums Summary Sheet”** which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The “summary” does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.
- **“GA Maximums Adoption Form”** which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (see *“Filing of GA Ordinance and/or Appendices”* below for further information).

Appendix A - D

The enclosed Appendices A - D have been revised for your municipality’s General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – D. Even if you have already adopted MMA's model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**

The Adoption Process

The **municipal officers (i.e., selectpersons/council)** adopt the local **General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices ***after notice and hearing***. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site www.memun.org).* In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

GENERAL ASSISTANCE ORDINANCE APPENDICES A-D 2017-2018

The Municipality of _____ adopts the MMA Model Ordinance GA Appendices (A-D) for the period of Oct. 1, 2017—September 30, 2018. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the _____ (day) of _____ (month) _____ (year)
by the municipal officers:

(Print Name)

(Signature)

2017-2018 GA Overall Maximums

Metropolitan Areas

COUNTY	Persons in Household				
	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	714	788	994	1,242	1,506
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	605	682	847	1,095	1,269
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	641	726	915	1,169	1,397
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,002	1,131	1,431	1,931	2,097
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	982	1,025	1,333	1,714	2,173
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	761	807	1,072	1,561	1,780

Appendix A
Effective: 10/01/17-09/30/18

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	781	863	999	1,318	1,600
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	745	872	1,079	1,457	1,477

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	618	642	760	965	1,049
Franklin County	646	671	793	985	1,400
Hancock County	693	787	992	1,249	1,367
Kennebec County	722	746	928	1,216	1,297
Knox County	754	755	928	1,186	1,315
Lincoln County	783	834	987	1,234	1,470
Oxford County	630	646	771	1,110	1,343
Piscataquis County	595	672	828	1,090	1,125
Somerset County	675	704	835	1,133	1,146
Waldo County	680	751	887	1,206	1,281
Washington County	630	645	763	985	1,173

* Please Note: Add \$75 for each additional person.

2017-2018 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2017, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	44.65	192
2	81.86	352
3	117.21	504
4	148.84	640
5	176.74	760
6	212.33	913
7	234.65	1,009
8	268.14	1,153

Note: For each additional person add \$144 per month.

DRAFT

2017-2018 GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

Non-Metropolitan FMR Areas

<u>Aroostook County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	111	476	130	559	
1	111	476	134	578	
2	130	558	159	684	
3	167	718	204	878	
4	177	762	221	949	
<u>Franklin County</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	117	503	137	587	
1	117	503	141	607	
2	137	591	167	717	
3	173	743	209	898	
4	258	1,108	302	1,300	
<u>Hancock County</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	124	535	147	633	
1	139	599	167	720	
2	183	788	213	915	
3	227	976	270	1,159	
4	242	1,041	294	1,264	
<u>Kennebec County</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	131	564	154	662	
1	131	564	158	679	
2	168	724	198	851	
3	219	943	262	1,126	
4	226	971	278	1,194	

Non-Metropolitan FMR Areas

Knox County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	139	596	161	694	
1	139	596	161	694	
2	168	724	198	851	
3	212	913	255	1,096	
4	230	989	282	1,212	
Lincoln County					
Lincoln County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	145	625	168	723	
1	150	646	178	767	
2	182	783	212	910	
3	223	961	266	1,144	
4	266	1,144	318	1,367	
Oxford County					
Oxford County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	110	472	133	570	
1	110	472	135	579	
2	132	567	161	694	
3	195	837	237	1,020	
4	237	1,017	288	1,240	
Piscataquis County					
Piscataquis County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	106	457	126	540	
1	118	508	143	613	
2	147	630	177	759	
3	198	853	235	1,011	
4	198	853	240	1,034	
Somerset County					
Somerset County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	120	517	143	615	
1	121	519	148	637	
2	147	631	176	758	
3	202	869	243	1,043	
4	202	869	243	1,043	

Non-Metropolitan FMR Areas

Waldo County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	121	522	144	620	
1	131	563	159	684	
2	159	683	188	810	
3	217	933	260	1,116	
4	222	955	274	1,178	

Washington County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	110	472	133	570	
1	110	472	134	578	
2	130	559	160	686	
3	166	712	208	895	
4	208	847	249	1,070	

Metropolitan FMR Areas

Bangor HMFA		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	129	556	152	654	
1	140	600	168	721	
2	184	790	213	917	
3	225	969	268	1,152	
4	275	1,180	326	1,403	

Penobscot Cty. HMFA		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	104	447	127	545	
1	115	494	143	615	
2	149	643	179	770	
3	191	822	234	1,005	
4	219	943	271	1,166	

Lewiston/Auburn MSA		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	112	483	135	581	
1	125	538	153	659	
2	165	711	195	838	
3	208	896	251	1,079	
4	249	1,071	301	1,294	

Metropolitan FMR Areas

Portland HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	196	844	219	942
1	219	943	247	1,064
2	285	1,227	315	1,354
3	386	1,658	428	1,841
4	412	1,771	464	1,994
York/Kittery/S. Berwick HMFA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	192	824	214	922
1	195	837	223	958
2	263	1,129	292	1,256
3	335	1,441	378	1,624
4	430	1,847	481	2,070
Cumberland Cty. HMFA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	140	603	163	701
1	144	619	172	740
2	202	868	231	995
3	299	1,288	342	1,471
4	338	1,454	390	1,677
Sagadahoc Cty. HMFA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	145	623	168	721
1	157	675	185	796
2	185	795	214	922
3	243	1,045	286	1,228
4	296	1,274	348	1,497
York Cty. HMFA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	136	587	159	685
1	159	684	187	805
2	203	875	233	1,002
3	275	1,184	318	1,367
4	269	1,156	320	1,374

2017-2018 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2017 to September 30, 2018.**

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
<p>NOTE: For each additional person add \$75 per month.</p> <p>(The applicable figures from Appendix A, <i>once adopted</i>, should be inserted here.)</p>						

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	44.65	192
2	81.86	352
3	117.21	504
4	148.84	640
5	176.74	760
6	212.33	913
7	234.65	1,009
8	268.14	1,153
<p>NOTE: For each additional person add \$144 per month.</p>		

APPENDIX C - HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				
<p>(The applicable figures from Appendix C, <i>once adopted</i>, should be inserted here.)</p>				

FOR MUNICIPAL USE ONLY

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY

Shall an Ordinance be introduced titled, "Amendment to Appendix I Solid Waste Flow Control Ordinance", such Ordinance being for the purpose of revising the format of the Ordinance, updating and clarifying permit requirements and regulations affecting the use of the Bucksport Transfer Station, and deleting unnecessary content. The Ordinance shall read as follows:

Appendix I Solid Waste Flow Control Ordinance

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<u>SECTION 2</u>	<u>AUTHORITY</u>
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<u>SECTION 6</u>	<u>TRANSFER STATION RULES AND REGULATIONS</u>
<u>6.1</u>	<u>USE OF FACILITY</u>
<u>6.2</u>	<u>HOURS OF OPERATION</u>
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<u>SECTION 7</u>	<u>FEEES</u>
<u>SECTION 8</u>	<u>APPEALS</u>
<u>SECTION 9</u>	<u>ENFORCEMENT</u>
<u>SECTION 10.</u>	<u>DEFINITIONS</u>

Appendix I

Solid Waste Flow Control Ordinance

SECTION 1 PURPOSE

1.1 The purpose of this ordinance is to provide for the control of solid waste disposal at the solid waste disposal facility in the Town of Bucksport.

SECTION 2 AUTHORITY

2.1 This chapter is adopted in accordance with the provisions of 30-A M.R.S.A. §3001 et seq, and 38 M.R.S.A. Chapter 13

SECTION 3 APPLICABILITY

3.1 This ordinance shall apply to the disposal of solid waste at the town's solid waste disposal facility, also referred to in this ordinance as the Transfer Station.

SECTION 4 SEVERABILITY AND CONFLICT

- 4.1 If a court finds any provision of this ordinance to be invalid, the court's decision may not invalidate any other provision of this chapter.
- 4.2 If any provision of this ordinance conflicts with another provision of this ordinance or any other ordinance, regulation or statute, the more restrictive provision governs.

SECTION 5 ADMINISTRATION

- 5.1 This ordinance shall be administered by the Bucksport Public Works Director, who shall be responsible for ensuring that all requirements of this ordinance are met.
- 5.2 The Town Manager or designee shall endeavor to keep this ordinance in compliance with federal and state solid waste regulations and laws, and shall prepare amendments to this ordinance for the Town Council's consideration, when necessary.

SECTION 6 TRANSFER STATION RULES AND REGULATIONS

6.1 USE OF FACILITY

- 6.1.1 Solid waste generated in the Town of Bucksport may be disposed of at the Transfer Station in accordance with the requirements of this ordinance.
- 6.1.2 Solid waste generated in another municipality may be disposed of at the Transfer Station in accordance with the requirements of this ordinance.

provided that the municipality has entered a contractual agreement with the Town for use of the facility.

6.2 HOURS OF OPERATION

6.2.1 The Town Council shall set the business hours of the Transfer Station and make those hours available to the public.

6.2.2 The Transfer Station shall be closed on every holiday observed by the Bucksport Town Office. Observed holidays occurring on Saturday or Sunday will be observed by the Transfer Station on the Saturday or Sunday date of the holiday, rather than the Friday before or Monday after the holiday as observed by the Town Office.

6.3 PERMIT REQUIRED

6.3.1 No person may dispose of solid waste at the Transfer Station without first obtaining a disposal permit from the town in accordance with the requirements of this ordinance.

6.3.1.1 A disposal permit is not required for any Bucksport town department to dispose of waste at the Transfer Station, or for any town department of a participating community.

6.3.2 RESIDENT WASTE DISPOSAL PERMIT. A resident in the Town of Bucksport or in a participating community must obtain a Resident Waste Disposal Permit before they may dispose of waste at the Transfer Station. Resident Waste Disposal Permits are available at the Town Office and may be obtained during regular business hours either before or on the day that waste is brought to the facility.

6.3.2.1 A temporary disposal permit may be issued at the Transfer Station if the Town Office is closed during Transfer Station hours. The temporary permit shall allow one visit to the facility to dispose of solid waste on the day the permit is issued. No demolition or construction waste may be disposed of with a temporary permit. No more than one temporary permit may be issued to a resident.

6.3.2.2 A Resident Waste Disposal Permit may not be issued unless evidence of permanent residency has been demonstrated to the satisfaction of Town staff.

6.3.2.3 A Resident Waste Disposal Permit is valid until such time the permit holder is no longer a permanent resident of the Town of Bucksport or a participating community. Validation of residency may be required by Transfer Station staff if the status of a permit holder's residency is brought into question.

6.3.2.4 No Resident Waste Disposal Permit may be transferred to another person or used to dispose of waste from an address other than the address identified on the permit. A new permit must be obtained if the permit holder has moved to another location in Bucksport or a participating community.

6.3.2.5 A Resident Waste Disposal Permit must be in the possession of the person transporting waste to the facility and should be displayed in the vehicle for easy identification by staff.

6.3.2.6 The Town Council may establish a fee for a Resident Waste Disposal Permit and change the fee without notice.

6.3.3 SEASONAL RESIDENT WASTE DISPOSAL PERMIT. A seasonal resident in the Town of Bucksport or in a participating community must obtain a

Seasonal Resident Waste Disposal Permit before they may dispose of waste at the Transfer Station. Seasonal Resident Waste Disposal Permits are available at the Town Office and may be obtained during regular business hours either before or on the day that waste is brought to the facility.

- 6.3.3.1 A temporary disposal permit may be issued at the Transfer Station if the Town Office is closed during Transfer Station hours. The temporary permit shall allow one visit to the facility to dispose of solid waste on the day the permit is issued. No demolition or construction waste may be disposed of with a temporary permit. No more than one temporary permit may be issued to a resident.
- 6.3.3.2 A Seasonal Resident Waste Disposal Permit may not be issued unless evidence of seasonal residency has been demonstrated to the satisfaction of Town staff.
- 6.3.3.3 A Seasonal Waste Disposal Permit is valid until such time the permit holder is no longer a permanent resident of the Town of Bucksport or a participating community. Validation of residency may be required by Transfer Station staff if the status of a permit holder's residency is brought into question.
- 6.3.3.4 No Seasonal Resident Waste Disposal Permit may be transferred to another person or used to dispose of waste from an address other than the address identified on the permit. A new permit must be obtained if the permit holder has moved to another location in Bucksport or in a participating community.
- 6.3.3.5 A Seasonal Resident Waste Disposal Permit must be in the possession of the person transporting waste to the facility and should be displayed in the vehicle for easy identification by staff.
- 6.3.3.6 The Town Council may establish a fee for a Seasonal Resident Waste Disposal Permit and change the fee without notice.
- 6.3.4 BUSINESS WASTE DISPOSAL PERMIT. A business generating solid waste at their business location in the Town of Bucksport or in a participating community must obtain a Business Waste Disposal Permit before they may dispose of the waste at the Transfer Station.
- 6.3.4.1 Business Waste Disposal Permits shall be issued at the Bucksport Town Office. A temporary permit may not be issued at the Transfer Station. A copy of every Business Waste Disposal Permit issued shall be provided to the Code Enforcement Officer.
- 6.3.4.2 A Business Waste Disposal Permit may contain conditions that apply to quantity of waste, type of waste and disposal of waste, as determined by Transfer Station staff.
- 6.3.4.3 A Business Waste Disposal Permit may not be used to dispose of demolition or construction waste, except any such waste generated at the business location.
- 6.3.4.4 No Business Waste Disposal Permit may be transferred to another person or used to dispose of waste from an address other than the address identified on the permit.
- 6.3.4.5 A Business Waste Disposal Permit must be kept in the vehicle used to transport waste to the facility. Multiple permit copies may be issued if more than one vehicle is used to transport waste from the business.

- 6.3.4.6 The Town Council may establish a fee for a Business Waste Disposal Permit and change the fee without notice.
- 6.3.5 CONTRACTOR WASTE DISPOSAL PERMIT. A contractor generating solid waste at a work site in the Town of Bucksport or in a participating community must obtain a Contractor Waste Disposal Permit before they may dispose of the waste at the Transfer Station.
- 6.3.5.1 Contractor Waste Disposal Permits shall be issued at the Bucksport Town Office. A temporary permit may not be issued at the Transfer Station. A copy of every Contractor Waste Disposal Permit issued shall be provided to the Code Enforcement Officer.
- 6.3.5.2 A Contractor Waste Disposal Permit may contain conditions that apply to quantity of waste, type of waste and disposal of waste, as determined by Transfer Station staff.
- 6.3.5.3 A Contractor Waste Disposal Permit shall be limited to the disposal of waste from one work site and shall specify the number of trips needed to dispose of all waste. A current Contractor Disposal Permit may be amended with the approval of staff if disposal of additional waste from the work site is needed.
- 6.3.5.4 No Contractor Waste Disposal Permit may be transferred to another person or used to dispose of waste from an address other than the address identified on the permit.
- 6.3.5.5 A Contractor Waste Disposal Permit must be kept in the vehicle used to transport waste to the facility. Multiple permit copies may be issued if more than one vehicle is used to transport waste from a work site.
- 6.3.5.6 The Town Council may establish a fee for a Contractor Waste Disposal Permit and change the fee without notice.
- 6.4 CONTROL OF WASTE DISPOSAL
- 6.4.1 Transfer Station staff shall be responsible for ensuring that the volume and type of solid waste accepted at the facility on any day will not have an adverse impact on the operation of the facility.
- 6.4.2 If any solid waste disposal is denied, the staff person shall document the name of the person denied, the date of the denial, and reason for the denial. A photographic record of the denied waste shall be made. The staff person must also provide information to the person denied on any alternate means of disposal that may be available to them.
- 6.4.3 A report on waste accepted and denied at the Transfer Station must be provided to the Town Manager on a monthly basis.
- 6.4.4 All solid waste will be sorted and disposed of in the manner and areas so designated by the staff on duty.
- 6.4.5 Commercial haulers and compactors and hazardous waste generators will not be allowed to dump at the facility.
- 6.4.6 Solid waste transported to the Transfer Station must be properly secured in the vehicle to avoid the possibility of waste falling free from the load.
- 6.4.7 The Town Council shall approve a list of items that are allowed and prohibited for disposal at the Transfer Station and make that list available to the public.

- 6.4.8 No prohibited waste may be accepted at the Transfer Station unless an exception has been granted by the Town Manager and the waste is disposed of in accordance with all applicable laws and regulations.

SECTION 7. FEES

- 7.1 The Town Council shall approve a list of fees required for the disposal of solid waste at the Transfer Station and make that list available to the public.
- 7.2 Transfer Station staff shall be responsible for calculating disposal fees for each load of solid waste subject to fees that is brought to the facility.
- 7.3 No fee shall be charged for the disposal of solid waste from any Bucksport town department or any town department of a participating community.
- 7.4 Any fee determined by volume measurement shall be calculated as accurately as possible by staff, and rounded to the closest whole dollar amount. Items that may project from the bulk of the load will be disregarded when calculating volume.
- 7.5 The fees determined for each load brought to the facility shall be final.

SECTION 8. APPEALS

- 8.1 Any person that has been denied a permit or permission to dispose of waste at the Transfer Station may appeal the denial to the Town Manager within one week of the date of the denial.
- 8.2 The Town Manager shall investigate the action taken and, within one week of the date of the appeal, either support the denial or overturn the denial and order the issuance of a permit or permission to dispose of the waste.
- 8.3 The decision of the Town Manager on an appeal shall be final.

SECTION 9. ENFORCEMENT

- 9.1 The Bucksport Police Department shall investigate any complaint received concerning the disposal of waste at the Transfer Station. Upon determining that a violation of this ordinance has occurred, the Police Department shall take appropriate actions to address the violation including, but not limited to, the issuance of a summons and the request for fines upon conviction at a rate of \$100.00 per day per violation.

SECTION 10. DEFINITIONS

CONTRACTOR: A person offering one or more of the following services to the public: construction, improvements, renovation, property maintenance or demolition.

DISPOSAL: The discharge, deposit, injection, dumping, spilling, leaking or placing of any hazardous or solid waste at the waste facility

HAZARDOUS WASTE: A waste substance or material in any physical state, designated as hazardous by the Board of Environmental Protection. It does not include waste resulting from normal household or agricultural activities. The fact that a hazardous waste or part or constituent may have value or other use or may be sold or exchanged does not exclude it from this definition.

PARTICIPATING COMMUNITY: Any community that has entered into a contract with the Town of Bucksport to use the Bucksport Solid Waste Facility.

RESIDENT: A person that maintains their primary home in the Town of Bucksport or in a participating community, as demonstrated by a vehicle registration or other proof of occupancy.

SEASONAL RESIDENT: A person that maintains their primary home outside of Bucksport or a participating community, as demonstrated by a vehicle registration or other proof of occupancy, and resides in Bucksport or a participating community on a temporary basis.

SOLID WASTE: Useless, unwanted or discarded solid material with insufficient liquid content to be free flowing including, by way of example and not by limitation: rubbish, garbage, scrap materials, junk refuse, landscape refuse but shall not include septic tank sludge or agricultural waste.

SOLID WASTE FACILITY: The land area or structure or combination of land area and structures which includes the Bucksport Transfer Station, wood waste disposal area and metal storage area, which are used for storing, transferring, salvaging, processing, reducing or disposing solid waste in Bucksport.

SPECIAL WASTE: Any solid waste generated by sources other than domestic and typical commercial establishments that exists in such an unusual quantity or in such a chemical or physical state, or any combination thereof, that may disrupt or impair effective waste management or threaten the public health, human safety or the environment and requires special handling, transportation and disposal procedures. Special waste includes, but is not limited to:

A. Oil, coal, wood and multi-fuel boiler and incinerator ash;

B. Industrial and industrial process waste;

C. Waste water treatment plant sludge, paper mill sludge and other sludge waste;

D. Debris and residuals from nonhazardous chemical spills and cleanup of those spills;

E. Contaminated soils and dredge spoils;

F. Asbestos and asbestos-containing waste;

G. Sand blast grit and non-liquid paint waste;

H. High and low pH waste;

I. Spent filter media and residue; and

K. Other waste designated by the Board of Environmental Protection.

SEC. 101 Purpose

~~The purposes of this Ordinance are to regulate the flow and to control disposal of the solid waste generated within the Town of Bucksport and those communities which have contracted to use the Bucksport Solid Waste Facilities, as well as to provide management control over solid waste to enable for recycling of materials from this waste.~~

SEC. 102 Definitions

~~Disposal: The discharge, deposit, injection, dumping, spilling, leaking or placing of any hazardous or solid waste at the waste facility~~

~~Hazardous waste: A waste substance or material in any physical state designated as hazardous by the Board of Environmental Protection. It does not include waste resulting from normal household activities.~~

~~Participating community:~~ Any community which has entered into a contract with the Town of Bucksport to use the Bucksport Solid Waste Facility.

~~Special waste:~~ Any non-hazardous waste generated by sources other than domestic and typical commercial establishments that exist in such an unusual quantity or in such a chemical or physical state or any combination thereof which may disrupt or impair effective waste management or threaten the public health, human safety or the environment and requires special handling, transportation and disposal. Special waste includes but is not limited to:

- ~~A. Oil, coal, wood and multi-fuel boiler and incinerator ash~~
- ~~B. Industrial process waste~~
- ~~C. Waste water, treatment plant sludge, paper mill sludge and other sludge waste~~
- ~~D. Debris and residuals from non-hazardous chemical spills and cleanup~~
- ~~E. Contaminated soils and dredge spoils~~
- ~~F. Asbestos and asbestos-containing water~~
- ~~G. Sand blast grit and non-liquid paint waste~~
- ~~H. Medical and biological waste~~
- ~~I. High and low pH waste~~
- ~~J. Spent filter media residue~~
- ~~K. Any other waste designated by the Board of Environmental Protection.~~

~~Solid waste:~~ Useless, unwanted or discarded solid material with insufficient liquid content to be free-flowing including, by way of example and not by limitation: rubbish, garbage, scrap materials, junk refuse, landscape refuse but shall not include septic tank sludge or agricultural waste.

~~Solid Waste Facility:~~ The land area or structure or combination of land area and structures which includes the Bucksport Transfer Station, wood waste disposal area and metal storage area, which are used for storing, transferring, salvaging, processing, reducing or disposing of solid waste in Bucksport.

SEC. 103 Administration and Enforcement

~~This Ordinance shall be administered by the Town Manager and enforced by the Bucksport Police Department.~~

SEC. 104 Permit to Dump

~~It shall be unlawful to dispose solid waste at the Solid Waste Facility without first obtaining a permit from the Town.~~

A. Regular permit

~~A regular permit may be obtained at the transfer station by providing a current State of Maine vehicle registration form issued by the Town of Bucksport or by a participating community. The permit will be issued as a sticker which must be displayed so that it is visible from the rear of the vehicle. The permit will be in effect until such time as a new permit is issued.~~

B. Temporary permit

~~A temporary permit may be obtained at the transfer station by anyone who does not have a current Maine vehicle registration form but who resides in Bucksport or in a participating community by providing a copy of a rent agreement, property purchase agreement, property deed or a statement from~~

~~the tax collector noting ownership or rental of property. The permit must be renewed annually and will expire December 31 of each year.~~

~~C. **Special permit**~~

~~A special permit may be obtained from the Town Manager by anyone who does not qualify for a regular or temporary permit but who does or will generate solid waste within the boundaries of Bucksport or participating communities. The permit will be issued for a period as designated by the Town Manager and will require verification of information as determined necessary by the Town Manager. Proof will be required to verify that the waste is being generated within the boundaries of Bucksport or any participating community.~~

SEC. 105 Hours of Operation

~~Disposal of solid waste will be allowed only during the hours posted for the use of the facility. Those hours will be posted on a sign located adjacent to the entrance of the facility. Changes of hours will be posted in a local newspaper at least thirty (30) days prior to becoming effective. Operating hours will be set by the Bucksport Town Council.~~

SEC. 106 Boundaries for Solid Waste

~~Only solid waste generated within the boundaries of the Town of Bucksport or any participating community will be accepted for disposal at the Solid Waste Facility.~~

SEC. 107 Method of Disposal

~~All solid waste will be sorted and disposed of in the manner and areas so designated by the attendant operating the Solid Waste Facility. Rules outlining the procedures of operation and manner of disposal will be adopted and updated when necessary by the Bucksport Town Council.~~

SEC. 108 Hazardous and Special Waste

~~Hazardous or special waste will not be disposed of at the Solid Waste Facility unless special permission has first been obtained from the Bucksport Town Council.~~

SEC. 109 Secure Loads

~~Anyone hauling solid waste to the Solid Waste Facility will be required to have all loads properly secured to avoid the possibility of waste falling free from the load.~~

SEC. 110 Commercial Haulers

~~All commercial haulers will be required to obtain a permit from the Bucksport Town Council. Compactors will not be allowed to dump at the facility.~~

SEC. 111 Fines

Any person who violates any provisions of this Ordinance shall be subject to a minimum fine of one hundred dollars (\$100.00) and up to a maximum fine of one thousand dollars (\$1,000.00) for each violation.

~~Appendix I Solid Waste Flow Control Ordinance was originally adopted on October 14, 1993.~~

Solid Waste Facility Rules and Regulations

- ~~1. The operating hours for the transfer station will be: Monday through Saturday 9:00 A.M. to 5:00 P.M., Sunday 8:00 A.M. through 2:00 P.M.~~
- ~~2. The Solid Waste site will be closed during the following holidays: New Years Day, Washington's Birthday, Memorial Day, Fourth of July, Labor day, Veteran's Day, Thanksgiving and Christmas Day.~~
- ~~3. All solid waste brought to the transfer station will be dispose of in the hopper at the transfer station as directed by the operator(s) on duty except for the following:
 - ~~A. Brush, leaves, trees and garden debris~~
 - ~~B. Metal~~
 - ~~C. Asphalt shingles~~
 - ~~D. Inert materials~~
 - ~~E. Demolition debris~~
 - ~~F. Tires larger than seventeen (17) inches~~
 - ~~G. Animals or parts thereof~~
 - ~~H. All items which are identified as recyclable by the Town except if the individual pays a tipping fee for disposal~~
 - ~~I. Motor oil~~
 - ~~J. Flammable liquids~~
 - ~~K. Hazardous waste~~
 - ~~L. Motor vehicle batteries~~
 - ~~M. Wood ash~~
 - ~~N. Any other items deemed to be unacceptable by the operator on duty.~~~~
- ~~4. The following items will be disposed of in areas specifically designated for such purpose and in the manner directed by the operator on duty and will include no other waste:
 - ~~A. Identified recyclable items~~
 - ~~B. Motor oil (accepted on a limited basis)~~
 - ~~C. Metal (accepted on a limited basis)~~
 - ~~D. Asphalt shingles (accepted on a limited basis)~~
 - ~~E. Motor vehicle batteries~~
 - ~~F. Demolition debris (accepted on a limited basis)~~
 - ~~G. Brush and clean wood (accepted on a limited basis)~~
 - ~~H. Inert material (accepted on a limited basis)~~
 - ~~I. Leaves, garden residue and grass clippings~~~~

~~J. Bulky items (accepted on a limited basis)~~

~~5. The following items will not be accepted at the site for disposal:~~

- ~~A. Asbestos~~
- ~~B. Animals or parts thereof~~
- ~~C. Propane gas tanks, five (5) pounds and larger~~
- ~~D. Hazardous waste or chemicals (does not include when for household use only)~~
- ~~E. Containers, metal or plastic, which have been used to store hazardous chemicals and which have not been properly rinsed.~~
- ~~F. Tires with attached rims or any tire larger than seventeen (17) inches.~~
- ~~G. Junked vehicles; fenders, doors, hoods, will be accepted on a limited basis~~
- ~~H. Underground fuel storage tanks~~
- ~~I. Stumps~~
- ~~J. Red bag items.~~

~~6. All recyclable items must be removed from household garbage prior to dumping. Failure to substantially recycle items from household garbage will result in a tipping fee assessed prior to dumping pursuant to the following fee schedule:~~

- ~~A. Trash bags up to thirty three (33) gallons _____ \$.50 per bag~~
- ~~B. Trash bags thirty four (34) gallons to fifty five (55) gallons \$ 1.00 per bag~~
- ~~C. Garbage weighed _____ \$40.00 per ton~~
- ~~D. Half ton pickup load _____ \$ 5.00~~
- ~~E. One ton pickup load _____ \$10.00~~

~~Substantial recycling means removing the following items from household garbage: newspapers, magazines, corrugated cardboard, plastics, glass and tin cans.~~

~~7. Anyone disposing of demolition debris, clean wood waste or bulky items will be assessed the following fee prior to dumping:~~

- ~~A. Clean wood one half ($\frac{1}{2}$) ton pickup load _____ \$10.00~~

~~Small amounts (armful) of clean wood will be accepted at no charge. The rate for loads less or greater than a one half ($\frac{1}{2}$) ton pickup load will be prorated accordingly. Clean wood will include brush or trees less than six (6) inches in diameter, and lumber with or without nails, painted or unpainted.~~

- ~~B. Demolition debris one half ($\frac{1}{2}$) ton pickup load _____ \$15.00~~

~~Small amounts (armful) of demolition debris will be accepted at no charge. The rate for loads less or greater than a one half ($\frac{1}{2}$) ton pickup load will be prorated accordingly.~~

- ~~C. Bulky items such as: couch, chair, etc., if torn apart, no charge; if not \$ 3.00 per unit.~~

- ~~D. Asphalt shingles: one half ($\frac{1}{2}$) ton pickup load _____ \$25.00~~

~~Limited to two (2) loads per project.~~

~~8. The volume of demolition debris, wood waste, bulky items, metal and motor oil disposed of by any one individual or business will be limited at any time when it is determined such disposal will have a negative impact on the day to day operation of~~

~~the transfer station. The operator on site will make such determination. Such decision may be appealed to the Town Manager's Office. If the operator denies disposal he will maintain a record which will include the name of the person, date and reason why the individual was denied. A report will be provided to the Town Manager on a monthly basis. The operator will also provide information on an alternate means by which such waste can be disposed of.~~

~~The operator on duty may ask the individual or business disposing such waste to verify the origin of such waste.~~

Appendix I Solid Waste was originally adopted on March 9, 1989 and amended on the following dates:

May 25, 1989

October 14, 1993

PROPOSED
TRANSFER STATION
DISPOSAL RULES
AUGUST 28, 2017

Section 1. ITEMS THAT MAY BE DISPOSED OF AT THE TRANSFER STATION

1.1 TRASH AND GARBAGE

- 1.1.1 No trash or garbage may be accepted from commercial haulers.
- 1.1.2 Trash and garbage is expected to be in bags or boxes for disposal, or as otherwise allowed by staff.
- 1.1.3 Trash and garbage may not contain ashes, flammable liquids, wood, brush, lumber, demolition material, metals, or paint in liquid form.
- 1.1.4 No seafood waste may be accepted from seafood processors or suppliers.

1.2 RECYCLABLE ITEMS

- 1.2.1 No recyclable items may be accepted from commercial haulers.
- 1.2.2 Sorting of recycled items is not required.
- 1.2.3 All recycled items must be free of grease, oil, dirt, food and chemical contaminants.

1.3 BRUSH, LEAVES, TREES, GARDEN WASTE, WOOD ASH

- 1.3.1 No stumps, and tree branches and trunks larger than 6" in diameter may be accepted.
- 1.3.2 Plastic bags must be removed before disposing of waste for compost.
- 1.3.3 Wood ash must be cooled and wet.

1.4 METAL ITEMS

- 1.4.1 Bulky or heavy metal items must be removed from the vehicle by the customer before being handled by staff.
- 1.4.2 Oil storage tanks must be cut in half and cleaned out.
- 1.4.3 50-gallon drums must be cleaned out and one end opened.

1.5 AUTOMOTIVE PARTS

- 1.5.1 No tires on rims may be accepted. No tires with a rim size larger than 17 inches may be accepted unless they are cut into pieces.
- 1.5.2 Regular used motor oil is accepted. Limited to 5 total gallons per trip in containers no larger than 2 gallons. No transmission fluid or anti-freeze fluid may be accepted.
- 1.5.3 Motor vehicle batteries are accepted.
- 1.5.4 Fenders, hoods, doors and similar metal parts are accepted.
- 1.5.5 Gas tanks cut in half are accepted.
- 1.5.6 No automotive parts other than those listed in this section may be accepted, except as permitted by staff.
- 1.5.7 No automotive parts may be accepted from commercial businesses.

1.6 DEMOLITION/CONSTRUCTION WASTE

Effective:

- 1.6.1 No demolition and construction waste may be accepted from contractors without a Contractor Waste Disposal Permit.
- 1.6.2 A delivery of more than 4 cubic yards of demolition and construction waste may not be accepted, except as approved by staff.
- 1.7 **INERT MATERIAL**
 - 1.7.1 Inert material must be free of vegetation, metal and debris.
 - 1.7.2 A volume of more than a 5-gallon bucket may not be accepted, except as approved by staff.
- 1.8 **ELECTRONIC DEVICES**
 - 1.8.1 Broken or cracked TV or monitor screens must be covered to prevent injury.
- 1.9 **UNIVERSAL WASTE**
 - 1.9.1 Thermometers leaking mercury must be in containment.
 - 1.9.2 Broken fluorescent bulbs must be in containment.
- 1.10 **REUSABLE ITEMS**
 - 1.10.1 Donated items, such as clean clothing and household items are accepted.
 - 1.10.2 Donated furniture and appliances must be in useable condition.

Section 2. ITEMS THAT MAY NOT BE DISPOSED OF AT THE TRANSFER STATION

- 2.1 Asbestos and asbestos-containing products that must be disposed of at a properly licensed facility.
- 2.2 Animals or animal parts.
- 2.3 Hazardous waste or chemicals (except household products).
- 2.4 Regulated medical waste
- 2.5 Sanitary waste
- 2.6 Junk vehicles
- 2.7 Any item not identified in these Rules that the Transfer Station is not licensed to accept.
- 2.8 The Transfer Station staff shall refuse any solid waste delivery that contains any prohibited items mixed in with acceptable waste, unless the prohibited waste is removed to the satisfaction of staff.

Section 3. USE OF TRANSFER STATION

- 3.1 No waste may be accepted or disposed of at the Transfer Station except during the hours of operation.
- 3.2 All items brought to the Transfer Station shall be deposited at the appropriate location as identified with signage or as instructed by staff.
- 3.3 Users of the facility are expected to unload their waste as soon as possible upon arrival, and exit the facility as soon as possible to make room for waiting vehicles. All drivers must comply with any directions given by staff regarding access to the facility.
- 3.4 The Transfer Station staff shall have the authority to refuse acceptance of any waste brought to the facility. The reason for refusal shall be provided to the user, and a written

Effective:

and photographic record of the action shall be documented by staff. Reasons for refusal shall include the following:

1. The solid waste contains items that cannot be accepted.
 2. The solid waste was not generated in Bucksport or a participating community.
 3. The quantity of solid waste exceeds the available storage capacity for the type of waste.
 4. A required permit has not been issued or is not in the possession of the customer.
 5. The customer refuses to pay the required disposal fee.
 6. The customer refuses to comply with staff directions.
- 3.5 Complaints regarding the operation of the Transfer Station shall be submitted to the Public Works Director who shall take appropriate action to resolve any identified operational issue.

Section 4. DEFINITIONS

TRASH AND GARBAGE: Solid waste generated from the typical activities of occupying a dwelling or business, including food waste and other items that cannot be recycled, but not including sanitary waste and any other type of waste identified.

RECYCLABLE ITEMS: Glass containers, plastic containers (marked #2 or #3), tin cans, cardboard, paper

DEMOLITION/CONSTRUCTION WASTE: Wood, roofing, siding, insulation and other waste from the activities of demolishing or constructing buildings or structures, but not including concrete, brick or stone waste.

INERT MATERIAL: Concrete, brick, stone, gravel, sand or similar material.

ELECTRONIC DEVICES: Televisions, monitors, computers and peripherals, audio equipment, radios, and similar equipment operated with a/c or d/c electricity.

REGULATED MEDICAL WASTE: Liquid or semi-liquid blood or other potentially infectious materials (OPIM); items contaminated with blood or OPIM and which would release these substances in a liquid or semi-liquid state if compressed; items that are caked with dried blood or OPIM and are capable of releasing these materials during handling; contaminated sharps, including needles, syringes with needles attached, scalpels, dental carpules with blood in them; and pathological and microbiological wastes containing blood or OPIM.

UNIVERSAL WASTE: Batteries, (except motor vehicle batteries) pesticides, mercury-containing equipment and mercury lamps.

Effective date:

**PROPOSED
TOWN OF BUCKSPORT TRANSFER STATION
WASTE DISPOSAL PERMIT FEES &
WASTE DISPOSAL TIPPING FEES
AUGUST 28, 2017**

WASTE DISPOSAL PERMIT FEES

Resident Waste Disposal Permit:	No fee (No expiration)
Seasonal Resident Waste Disposal Permit:	No fee (No expiration)
Business Waste Disposal Permit:	No fee (No expiration)
Contractor Waste Disposal Permit:	\$10.00 per job site (construction/demolition) \$10.00 per year (landscaping/yardwork)

WASTE DISPOSAL TIPPING FEES

Trash/Garbage No fee
 LIMIT: Household and small business waste only. No food waste from businesses. Waste must be contained.

Zero-Sort Recyclables No fee
 LIMIT: Items must be free of food waste.

Automotive Waste
 LIMIT: No waste accepted from commercial businesses, except motor oil.

Tires	\$1.00 per tire
-------	-----------------

LIMIT: Tires with rim sizes greater than 17" must be cut into pieces. Tires on rim not accepted.

Motor Oil	No fee
Batteries	No fee
Auto Parts	No fee

LIMIT: 5 gallons per trip
 LIMIT: None
 LIMIT: Metal parts only

Metal Waste
 LIMIT: 2 loads per week per street address.

Propane Tanks	
Less than 20 lbs	No fee
20 lbs	\$10.00
100 lbs	\$20.00
Other Metal Items	No fee

Appliances
 LIMIT: Items from one street address only.

Refrigerators and air conditioners	\$15.00 each
All other appliances	No fee

Effective date:

Electronic Waste

No fee

LIMIT: Items from one street address only.
No waste accepted from commercial generators.

Universal Waste

No fee

LIMIT: Items from one street address only.
No waste accepted from commercial generators.

Furniture/Furnishings

Upholstered furniture	\$10.00 each
If cloth, metal and wood parts are separated	No fee
Wooden furniture	\$ 5.00 each
Plastic furniture	No fee
Metal only furniture	No fee
Metal furniture with webbing attached	\$ 5.00 each
Mattresses	\$ 5.00 each
Box springs	\$ 5.00 each
Carpet (rolls or pieces)	\$ 5.00 per room

Vegetation Waste

Demolition/Construction Waste

LIMIT: Residents limited to two loads per week.
Contractors limited to loads allowed by permit.

	<u>Vegetation Waste*</u>	<u>Demolition/Construction Waste</u>
Hand Load:	No fee	No fee
Bag Load:	\$2.00	\$4.00
Pick-up load:		
Short Bed (less than 6' long)	\$10.00	\$15.00
Standard Bed (6' to 7' long)	\$12.00	\$18.00
Long Bed (8' long)	\$15.00	\$25.00
Trailer Load:	LxWxHx.18	LxWxHx.31
Volume Load:	\$4.86/cubic yard	\$8.37/cubic yard
Heavy Load	NA	Double above fees
Light Load	NA	Half above fees

*Vegetation waste that can be composted (leaves, garden residue, grass clippings and raw vegetables) is accepted without a fee, regardless of volume.

All calculated fees are rounded to the nearest dollar.

Hand Load	A load of waste equivalent to one filled 33-gallon plastic bag or less.
Bag Load:	A small load of contained waste that is more than one filled 33-gallon plastic bag, but not more than a ½ cubic yard.
Pick-up Load:	A load of waste that fills the bed of a pick-up to within ½ foot below or no more than ½ foot above the top of the side walls.
Trailer Load:	A load of waste that covers the floor of a towed trailer. The volume of the waste is calculated using the length and width of the trailer and the load height.
Heavy Load:	A load of waste that consists primarily of drywall, plaster, shingles or similar heavyweight material.

Effective date:

Light Load: A load of waste that consists primarily of plastic, insulation or similar lightweight material.

Volume Load: A load of waste that cannot otherwise be classified for determining the disposal fee. The volume of the waste is determined by measuring the bulk of the load. Items that may project out of the load are not included in the calculations.

Cubic yard: A volume measurement of 3'x3'x3', or equivalent.

½ Cubic yard: A volume measurement of 3'x3'x1.5', or equivalent.

Inert Material

LIMIT: 5 gallon bucket full, or equivalent
per week

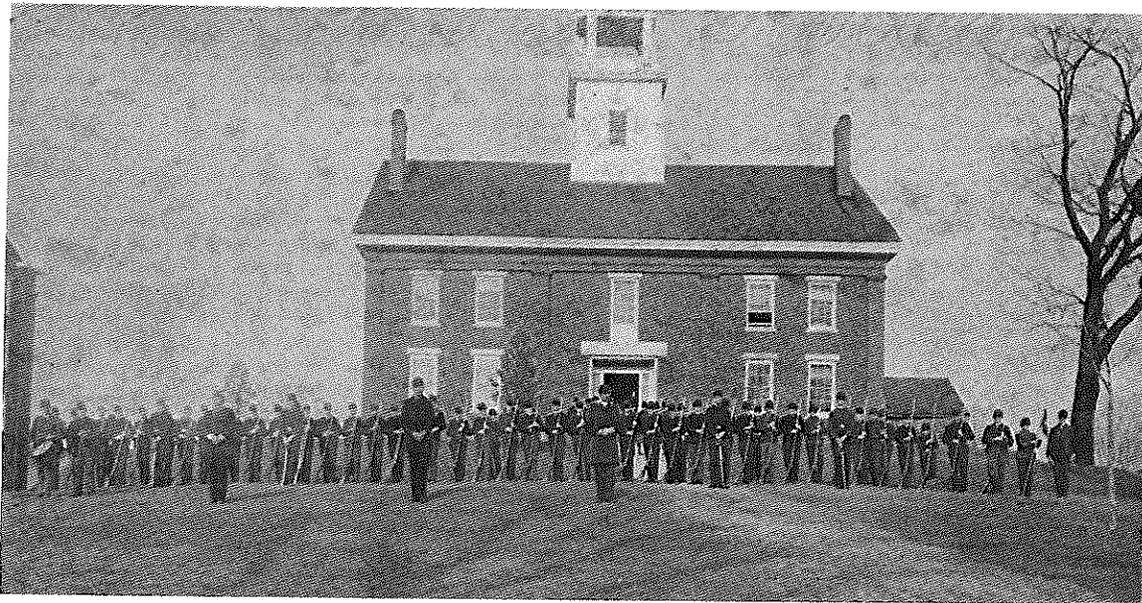
\$5.00 per bucket

Donated Items

LIMIT: As approved by staff

No fee

Ta

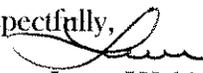


Dear Town Council,

In Bucksport there are nine buildings on the National Register of Historic Places. The Jed Prouty Inn and Wilson Hall, should top the list in Historical Significance (events vs. architectural features). The Jed Prouty hosted several dignitaries, topping the list Daniel Webster, and President Andrew Jackson. The East Maine Conference Seminary of which Wilson Hall was a part, educated around 300 young men who went on to serve with distinction in the Civil War (impressive photo).

The privately owned Jed Prouty was saved with significant investment from the town. The Town owned Wilson Hall deserves the same consideration. Please re-address the bid to repair the roof and bell tower and to install new windows making it more attractive for a developer or non-profit to renovate the building. (This could be done one floor at a time), or at least secure the building from the elements.

At both entrances to Bucksport the Welcome signs proudly state "Rich in Heritage, Looking to the Future". As Bucksport re-invents itself and grows show outside investors that we are investing in our heritage and our future.

Respectfully,

Larry Wahl

c Susan Lessard

Jeff Hammond

Richard Rotella

7a

Dick Campbell LLC
321 River Road
Orrington, Maine 04474
TEL: 207-745-7748
E-MAIL: dickcampbellllc@gmail.com

Wilson Hall
Franklin Street
Bucksport, ME 04416

March 10, 2015

Project Estimate

Materials, Labor and Equipment to stabilize and remove copula from Wilson Hall and replace with a framed roof section using corrugated fiberglass roofing. See below to review line item budget.

Labor	Dick Campbell LLC	\$ 2,490.00
Materials	Dick Campbell LLC	\$ 1,990.00
Crane	Irving Crane Service	\$ 2,595.00
Lift	Brandon Lindsay	\$ 800.00

	Total Cost	\$ 7,875.00
	Contractor Overhead 6%	\$ 472.50

	Sub Total	\$ 8,347.50
	Contractor Profit 8%	\$ 667.80

	Total	\$ 9,015.30
	Dick Campbell LLC Contribution	(\$ 667.80)

	Total Project Cost	\$ 8,347.50

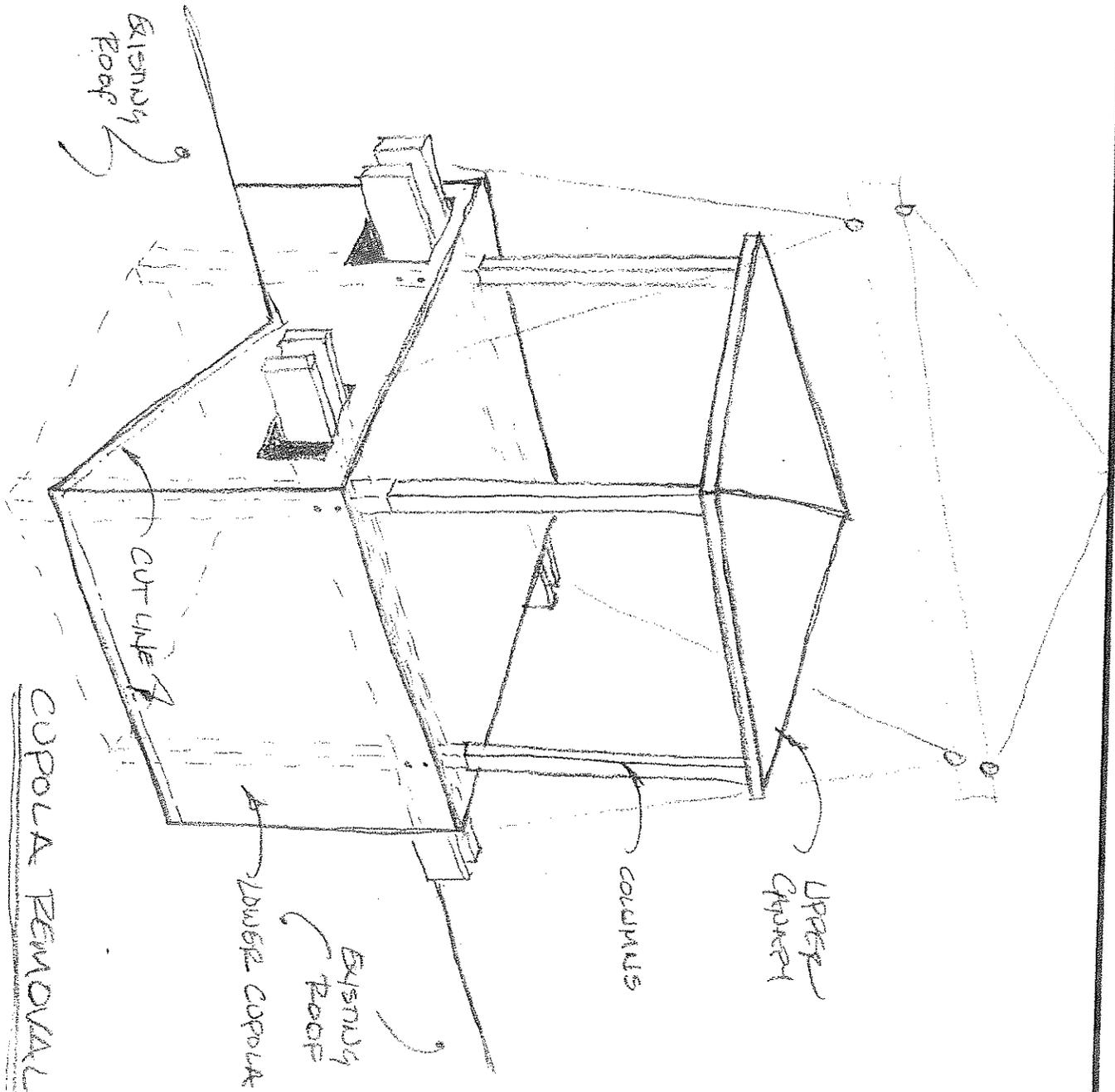
Richard H. Campbell Pres.

Date

Accepted Name:

Date

Thank You



WILSON HALL COPOLA

COPOLA REMOVAL

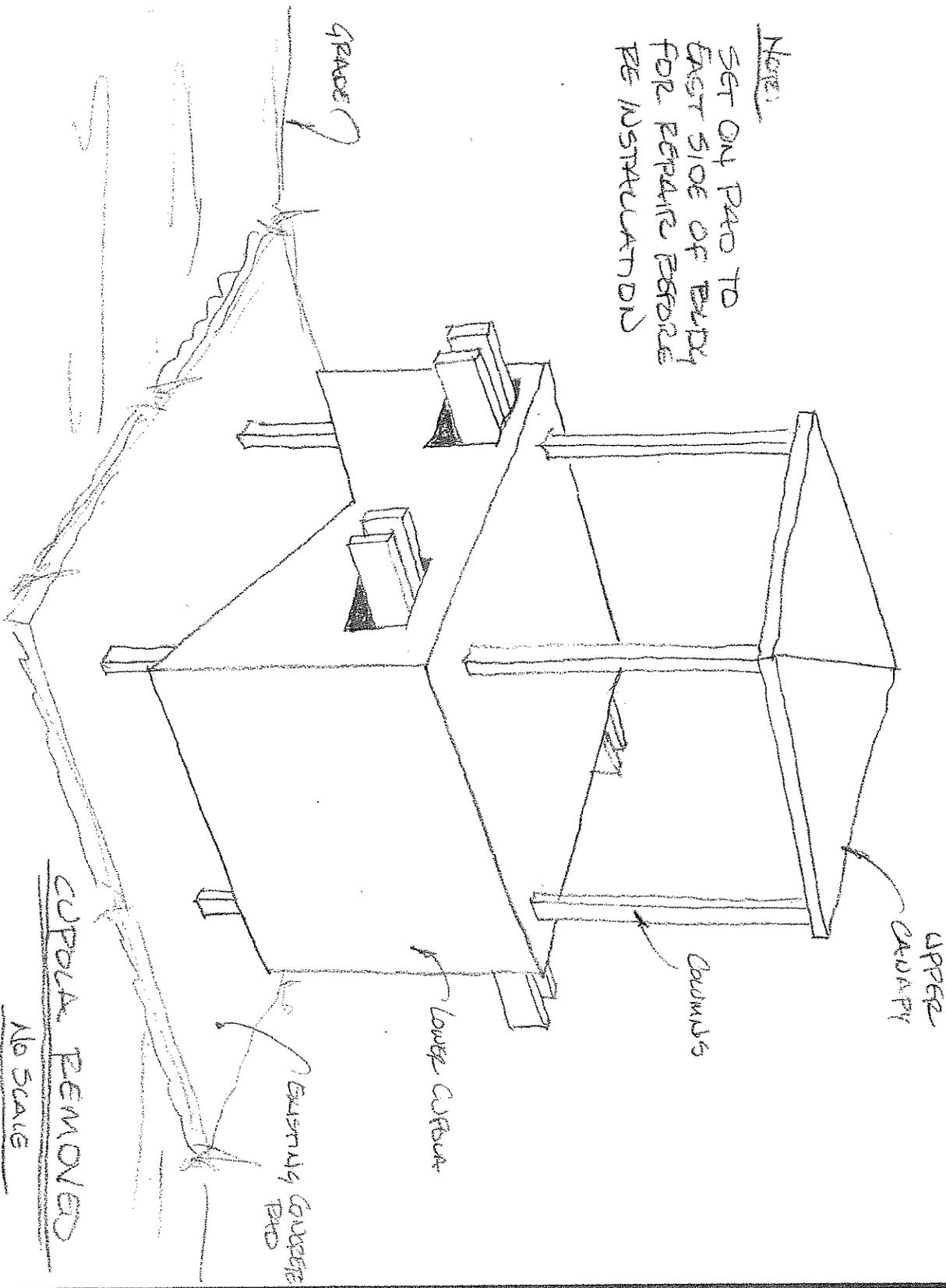
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Richard H. Campbell, Inc.

30 Freedom Park Bangor, Maine 04401
 Tel: (207) 848-0871 Fax: (207) 848-0844

Construction Management
 Residential - Interior - Commercial
 Millwork - Development

Notes:
SET ON PAD TO
EAST SIDE OF BUDDY
FOR REPAIR ESTIMATE
RE INSTRUCTION D11



WILSON HALL CUPOLA
CUPOLA REPAIR SITE

Richard H. Campbell, Inc.

30 Freedom Park Bangor, Maine 04401
Tel: (207) 848-0871 Fax: (207) 848-0844

Construction Management

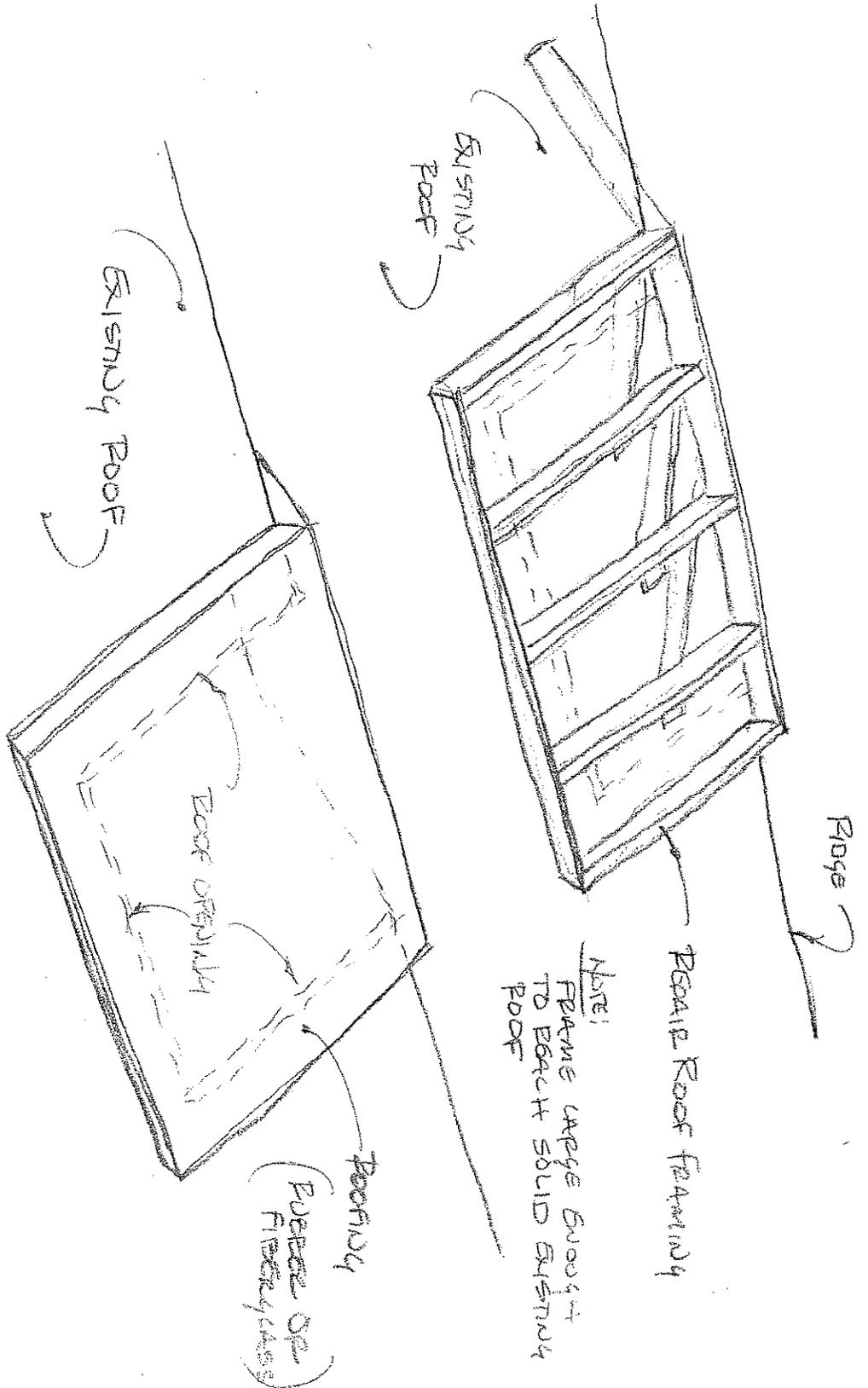
Residential - Interior - Commercial
Millwork - Development

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Note:
BUILD REPAIR ROOF
OUT GROUND READY
FOR INSTALLATION ONCE
CUPOLA IS REMOVED

TEMP. ROOF REPAIR

No Scaff



WILSON HALL CUPOLA

ROOF REPAIR

Drawn By:

RHC

Scale:

NO SCALE

Date:

4-10-15

Sheet No.

3 of 3

Richard H. Campbell, Inc.

30 Freedom Park

Bangor, Maine 04401

Tel: (207) 848-0871

Fax: (207) 848-0844

Construction Management

Residential - Interior - Commercial

Millwork - Development

Thomas DiCenzo Inc
P.O. Box 2279
Bangor, ME 04402-2279 US
(207)848-0914
tony@tdicenzo.com
http://www.tdicenzo.com



ESTIMATE

ESTIMATE # 1096
DATE 12/22/2016

ADDRESS
Town of Bucksport
P.O. Drawer X
Bucksport, ME 04416

Please detach top portion and return with your payment.

JOB NAME
Remove Steeple

DATE	ACTIVITY	QTY	RATE	AMOUNT
12/22/2016	Grove TMS 900E 90 Ton Daily Rate	1	1,840.00	1,840.00
12/22/2016	Oversize Transport Permit	1	80.00	80.00
12/22/2016	Foreman	8	52.00	416.00
12/22/2016	Rigger	8	48.00	384.00
12/22/2016	Pickup	4	25.00	100.00
12/22/2016	Manlift	1	1,200.00	1,200.00

We appreciate the opportunity to quote you on this project. If you have any questions please do not hesitate to contact us via email or phone.

TOTAL

\$4,404.00

Accepted By

Accepted Date

NICKERSON & O'DAY, INC.

Constructors - Since 1952

MAILING ADDRESS:

P. O. Box 911
Bangor, ME 04402-0911

PHONE: 207-989-7400

PHYSICAL ADDRESS:

35 Airport Road
Brewer, ME 04412

FAX: 207-989-7548



February 23, 2015

Mr. Don Houghton
Post Office Box 1555
Bucksport, ME 04416

RE: Wilson Hall Temporary Stabilization
Bucksport, Maine

Dear Don:

Thank you for the opportunity to assist with the initial phase of stabilizing Wilson Hall.

From our observations, the belfry and cupola of Wilson Hall must be removed to prevent these roof top structures from collapsing into the roof of the building. We have considered various options to accomplish this and cover the remaining opening to prevent additional moisture from entering and deteriorating the wood structure inside. Because it is not safe to have our carpenters working from the roof surface on the east side of the cupola, the best and safest option is to perform most of the removals from the exterior using man-lifts and cranes. Our plan is to remove the roof top structures by cutting them at the roof line and lowering them to the ground. We will construct a temporary roof cap on the ground, consisting of wood rafters, plywood sheathing and EPDM membrane (see attached drawings). The temporary roof cap will be hoisted onto the roof with a crane and fastened to the existing roof using lag screws. Our work does not include any repairs or reinforcing of the remaining roof or floor structures.

We have estimated that the cost of this work will range between \$15,000 and \$20,000 and it will take approximately 1 ½ weeks to complete. Nickerson & O'Day will donate the cost of its own labor and profit to this worthwhile effort. Therefore, we propose to execute the work on a time-and-materials basis with a not-to-exceed cost of \$12,000. Additionally, we will attempt to solicit donations of building materials which could reduce the cost even further.

Please understand that this project is very risky to undertake. By agreeing to have Nickerson & O'Day (NOD) perform this work, the Owner indemnifies NOD and its employees from all damages which may result from the process of removing the roof top structures and installing the temporary roof cap. Also, there is no guarantee of the longevity of the remaining roof after the temporary cap is installed. The remaining roof structure will still be in need of substantial repairs and reinforcing.

Enclosed is a list of clarifications and assumptions made in our estimate. We strongly encourage a thorough review of this list. We are prepared to meet with you to discuss if necessary.

We hope this effort can be undertaken to save and eventually restore this historic structure and we appreciate your confidence in Nickerson & O'Day, Inc. Thank you for considering us.

Sincerely,
Nickerson & O'Day, Inc.

R. James Mahoney, PE
Project Manager

Encl: Clarifications and Assumptions to Estimate (1 page)

6

5

4

3

2

1

EXISTING ROOF TRUSS
(DETERIORATED)

EXISTING STABLE
ROOF TRUSSES

CUPOLA POST TO BE
REMOVED AT ROOF
LINE

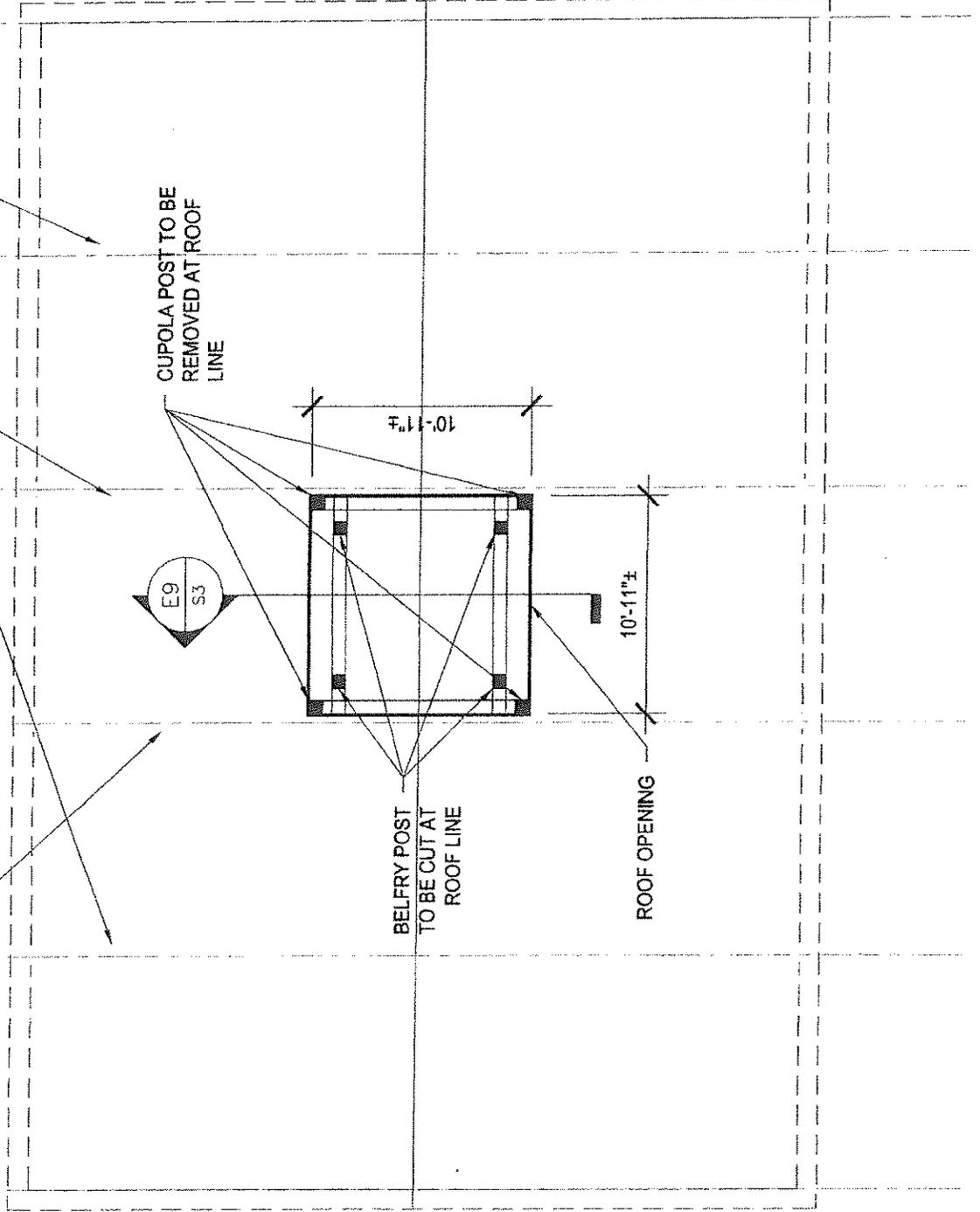
BELFRY POST
TO BE CUT AT
ROOF LINE

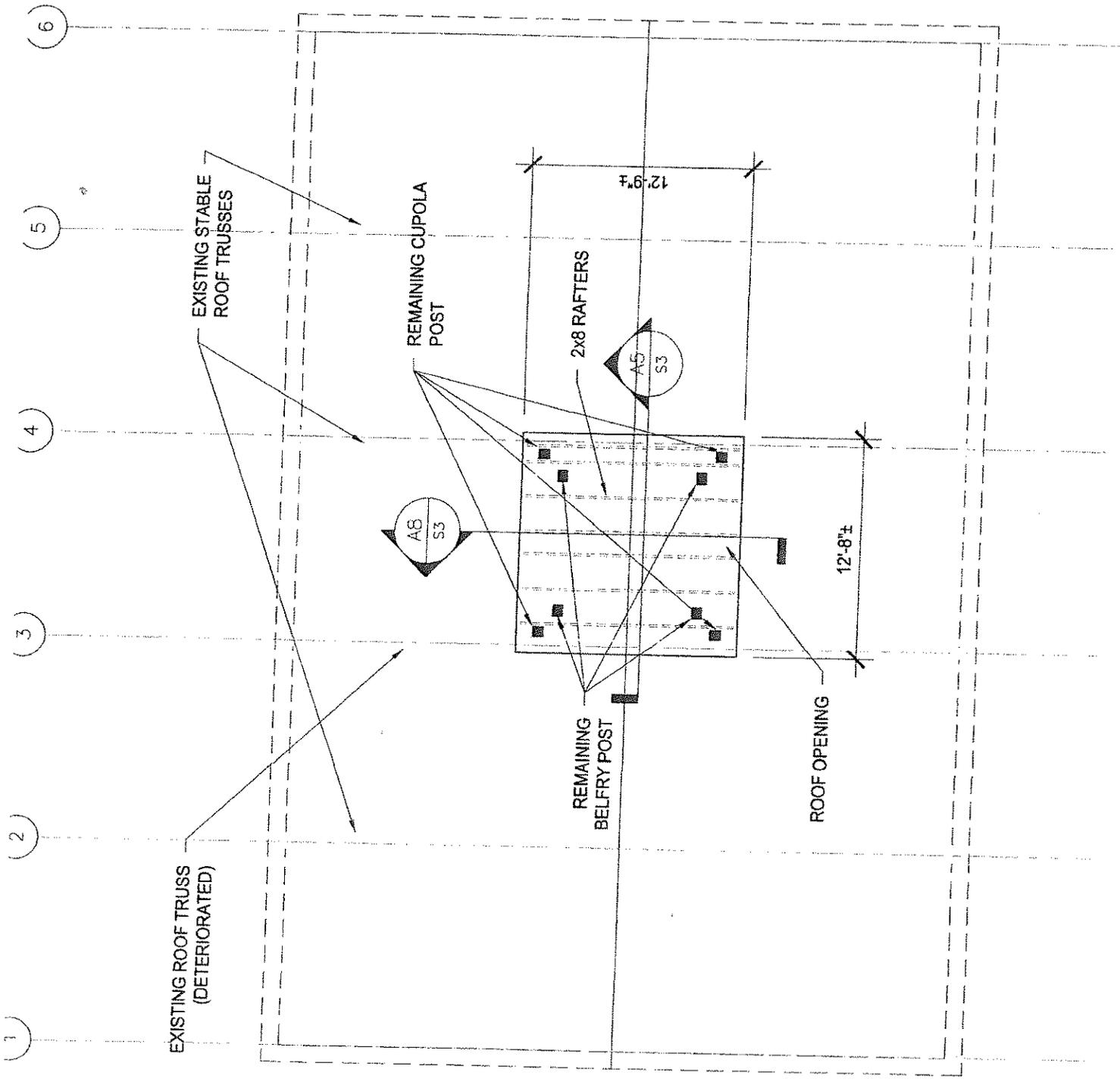
ROOF OPENING

E9
S3

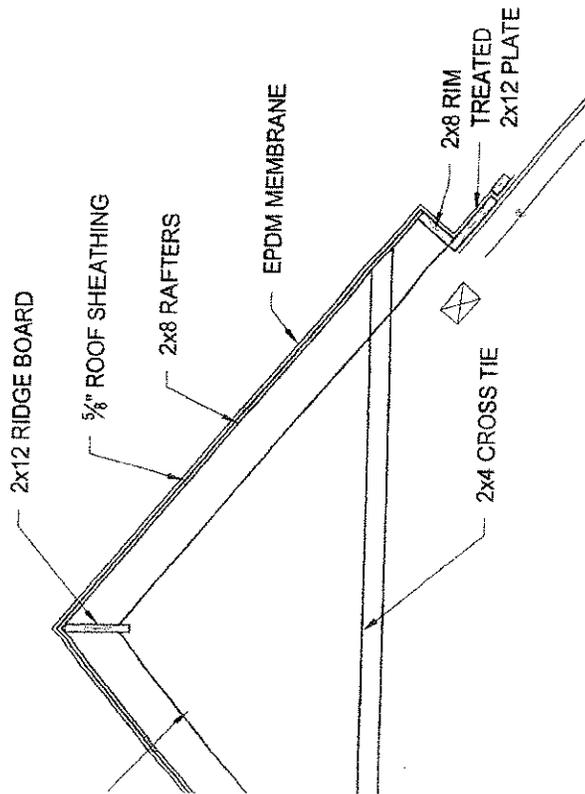
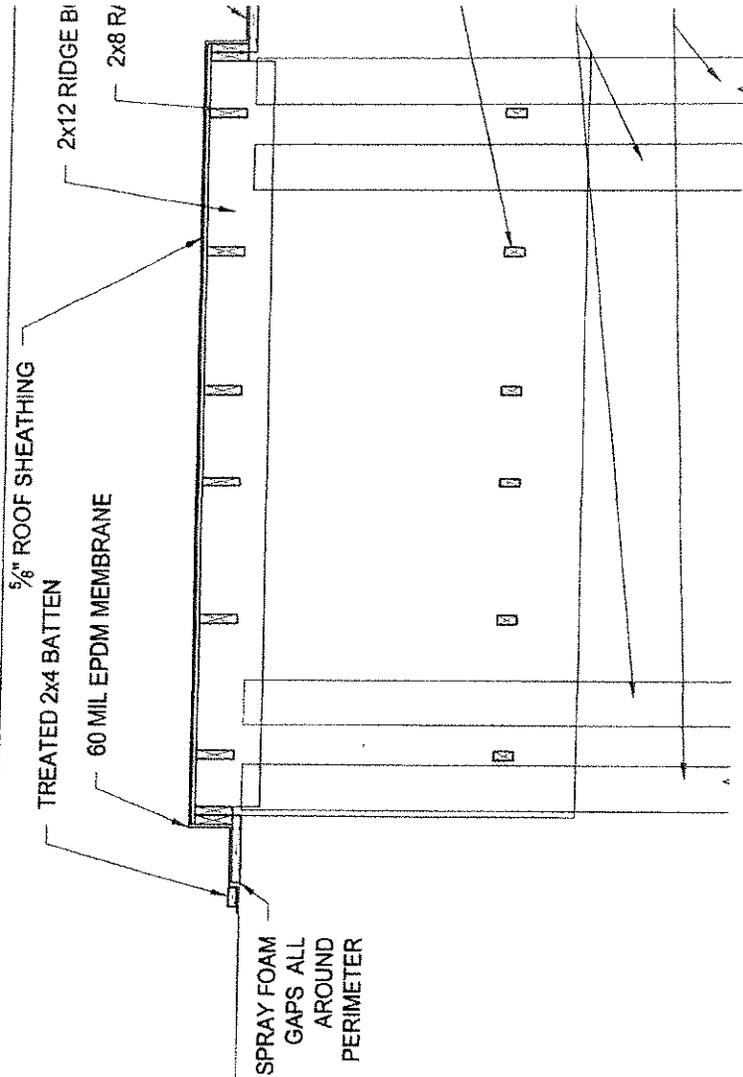
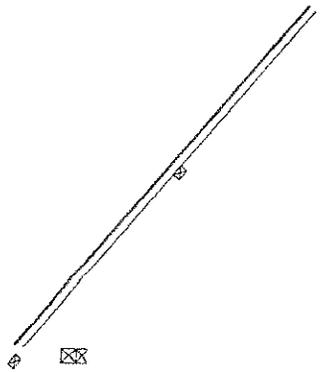
10'-11"±

10'-11"±





CUPOLA TO BE REMOVED



Clarifications and Assumptions to Estimate

Our proposal is based on the following assumptions, inclusions, exclusions and clarifications:

Inclusions:

- Provide manlifts and cranes.
- Provide framing and roofing materials.

Exclusions:

- Snow removal by Owner. To be completed prior to NOD mobilizing to the site.
- Overtime
- Liquidated damages
- Bond
- Builders Risk insurance
- Hazardous materials

Shall an ordinance be approved titled “Amendment to the Council-Manager Charter of the Town of Bucksport, Article 2 Town Council, Article 3 Administrative Officers and Employees and Article 7 Budget,” such ordinance being for the purpose of clarifying when an ordinance, order or resolve is required for actions taken by the Town Council; clarifying how proposed ordinances, rules and policies are submitted and acted upon by the Town Council; clarifying when public hearings are held; clarifying when an adopted ordinance, rule or policy becomes effective; clarifying how ordinances, rules and policies are codified; clarifying that matters pertaining to town departments, offices and agencies are acted upon by resolve and not by ordinance; clarifying that personnel rules are acted upon by resolve and not by ordinance and clarifying that financial matters are acted upon by resolve and not by ordinance.

Such ordinance shall read as follows: (Italicized text is included for explanations and will be removed from the approved ordinance.)

Article 2 Town Council

Article 2 Section 2.12 is amended to expand the purpose of the section by adding details about when the Town Council acts by ordinance, order or resolve. Existing language identifying when an ordinance is required is deleted because some of the provisions are inconsistent with the new provisions. Deletion of item #5 removes a requirement that borrowing any amount of money requires voter approval. This is a conflict with Section 9.04 of the Charter, which only requires voter approval if the amount borrowed is \$250,000 or more.

SEC. 2.12 Action Requiring an Ordinance Town Council Actions

1. The Town Council shall act by ordinance, order or resolve.
2. Acts by Ordinance. All legislative acts including, but not limited to, acts to adopt, amend or repeal the Bucksport Town Code or this Charter, and acts to adopt or reject citizen initiatives, shall be identified as ordinances.
3. Acts by Order. All quasi-judicial acts including, but not limited to, acts pertaining to licensing or permitting, acts pertaining to personnel matters, acts pertaining to appeals, and acts pertaining to the enforcement of state or local laws, shall be identified as orders.
3. Acts by Resolve. All executive acts including, but not limited to, acts of direction or authorization, acts pertaining to rules and policies, acts to establish budgets, levy taxes and set fees, acts pertaining to capital improvements, acts to authorize expenditures and the borrowing of money, acts pertaining to the function of town services, acts pertaining to the function of town boards and committees, acts to acquire, lease or convey property, acts pertaining to bids and contracts, acts to express recognition, and acts to state opinions, principles, facts or purposes, shall be identified as resolves.
4. An ordinance, order or resolve shall not be required for the ministerial functions of the Town Council.

Ministerial describes an act or a function that conforms to an instruction or a prescribed procedure. A ministerial act or duty is a function performed without the use of judgment by the person performing the act or duty.

~~In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance, these acts of the Town Council shall be by ordinance which:~~

- ~~1. Adopt or amend an administrative code or establish, alter, or abolish any city department, office or agency;~~
- ~~2. Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;~~
- ~~3. Levy taxes, except as otherwise provided in Article 7 with respect to the property tax levied by adoption of the budget;~~
- ~~4. Grant, renew or extend a franchise;~~
- ~~5. Authorize the borrowing of money, except that the Council is authorized to borrow money in anticipation of taxes in accordance with the provisions of Title 30A, Section 5771 of the Maine Revised Statutes Annotated, and is further authorized to borrow money for any other purpose when the purpose for which it is to be borrowed has first been approved by the voters of the Town of Bucksport;~~
- ~~6. Convey or lease or authorize the conveyance or lease of any lands of the Town, except tax acquired property;~~
- ~~7. Adopt with or without amendment ordinances proposed under the initiative power;~~
- ~~8. Amend or repeal any ordinance previously adopted, except as otherwise provided in Article 9 with respect to repeal of ordinances reconsidered under the referendum power.~~

~~Acts, other than those referred to in this section, may be done either by ordinance or by resolution.~~

Article 2 Section 2.13 is amended to add details about how rules and policies are addressed, in addition to ordinances. More details are provided about the process for adopting, amending or repealing an ordinance, rule or policy. As proposed, a proposal to adopt, amend or repeal an ordinance, rule or policy may be requested by the Council, as well as by the Town Manager and Planning Board. The public may also submit requests. Clarification is added concerning ordinance recommendations submitted by the Planning Board. As proposed, the Town Council will act on the Board's recommendation for the adoption of a zoning ordinance without further review by Council committee, but a joint meeting with the Board can be required before acting on a recommendation. As proposed, the Council will hold a public hearing on a proposed ordinance, rule or policy only if required by law or by a majority vote. As proposed, ordinances will become effective 7 days after adoption instead of 30 days, except as otherwise required by the Charter or the Bucksport Town Code.

SEC. 2.13 Ordinances, Rules and Policies in General

1. Municipal ordinances, rules and policies. The Town Council shall ~~pass~~ adopt such municipal ordinances, rules and policies as they think necessary and proper for the Town of Bucksport. ~~provided that any such ordinances shall be properly adopted if a~~

~~public hearing has been held thereon after not less than seven (7) days' notice thereof, which notice need only contain the title of the proposed ordinance and a brief summary of its contents together with the time and place of said hearing. All existing ordinances, rules and policies shall remain in effect under this Charter.~~

2. Proposals Submitted For Review. The Town Council shall review any proposed ordinance, rule or policy prepared at the request of the Council, any proposed ordinance, rule or policy submitted by the Town Manager, any proposed ordinance, rule or policy submitted by the Planning Board, and any proposed ordinance submitted in accordance with Article 9 of this Charter. The Town Council shall also consider any informal request from the public to adopt, amend or repeal an ordinance, rule or policy. The full content of every proposed ordinance, rule or policy shall be posted to the Town's website and made available for public viewing at the Bucksport Town Office.
3. Town Council Readings. All proposed ordinances, rules and policies shall receive 2 public readings by the Town Council. The second reading shall take place no less than 2 weeks after the first reading. A reading shall include the title and summary only, unless a full content reading is required by majority vote.
4. Committee Recommendations. After a first reading of any proposed ordinance, rule or policy, the Town Council may request a recommendation from an appropriate Council committee before conducting a second reading, except a recommendation from the Planning Board shall be requested after the first reading of any proposed zoning ordinance. The Council may require a meeting with the Planning Board to discuss the proposed ordinance before conducting a second reading and taking action on the Board's recommendation.
5. Public Hearings. Public hearings for proposed ordinances, rules and policies shall be held when required by state law, or when the Town Council requires a public hearing by majority vote. Any required public hearing shall take place after the second reading of a proposed ordinance, rule or policy. No public hearing may be held without notice given at least 7 days prior to the date of the hearing or as may otherwise be required by state law. Notice shall be given by publishing in a local newspaper a summary of the proposed ordinance, rule or policy, together with the date, time and location of the public hearing.
6. Amendments. If a proposed ordinance, rule or policy is amended during the course of review, the Town Council must decide if action can be taken after the second reading. An additional reading shall be required if the Council determines that an amendment has altered a proposed ordinance, rule or policy to the extent that additional time is needed to provide all interested parties with a reasonable opportunity to review and comment on the amended content.
7. Adoption, Effective Date. Upon completion of review, the Town Council shall act to adopt or reject a proposed ordinance, rule or policy. Notice of the Council's decision

shall be posted to the Town's website and at the Bucksport Town Office. Except as otherwise provided for in this Charter or in the Bucksport Town Code, every adopted ordinance shall become effective seven (7) days after the date of adoption. Every rule or policy shall become effective upon adoption by the Town Council.

- ~~2. Existing ordinances retained. All existing ordinances of the Town of Bucksport shall be retained as active ordinances under this town Charter.~~
- ~~3. Procedure: An ordinance may be introduced by any member at any regular or special meeting of the Council and upon introduction of an ordinance, the Town Clerk shall distribute a copy to each Council member and to the Town Manager, shall file a reasonable number of copies in the office of the Town Clerk and such other public places as the Council may designate, and shall publish a brief summary of its contents in a local newspaper posting and setting out the time and place for a public hearing which shall follow the publication by at least seven (7) days, which may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing the Council may adopt the ordinance with or without amendment or reject it, but if it is amended as to any matter of substance, the Council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures hereinbefore required in the case of a newly introduced ordinance. As soon as it is practicable after adoption of any ordinance, the Town Clerk shall have published in a local newspaper the title and brief summary together with a notice of its adoption.~~
- ~~4. Effective date: Except as otherwise provided in this chapter, every adopted ordinance shall become effective at the expiration of thirty (30) days after adoption or at any later date specified herein.~~

Article 2 Section 2.15 is amended to require the codification of all town ordinances, rules and policies, but to eliminate the requirement of a 5-year recodification cycle. The need for recodification will, instead, be determined by the Town Council.

SEC. 2.15 Codification; Printing ~~Within two (2) years after adoption of this Charter and at least every five (5) years thereafter, the~~ The Town Council shall provide for the preparation of general codification of all town ordinances, rules and policies and resolutions having the force of and effect of law. ~~The general codification shall be adopted by the Council by ordinance and shall be published promptly in bound or loose leaf form together with this Charter and any amendments thereto, pertinent provisions of the Constitution and other laws of the State of Maine and such codes of technical regulations and other rules and regulations as the Council may specify. This compilation~~ The codification of ordinances shall be known and cited officially as the Bucksport Town Code. The codification of rules and policies shall be known and cited officially as the Manual of Rules and Policies for the Town of Bucksport. Copies of ~~the code~~ both documents shall be furnished to town officers, placed in libraries and public offices for free

~~public inspection and~~ made available for free viewing at the Bucksport Town Office or on the Town's official website, or for purchase by the public at a reasonable price.

Article 3 Administrative Officers and Employees

Article 3 Section 3.02 is amended to remove the requirement of an ordinance for any decision the Council may make about town departments and their functions. Acts of this nature will be done by resolve, as proposed in Section 2.12.

SEC. 3.02 Creation of Departments

The Town Council, ~~by ordinance,~~ may establish, change and abolish town departments, offices or agencies other than those created by this Charter and may prescribe the functions of all departments, offices and agencies, except that no function assigned by this Charter to a particular department office or agency may be discontinued, or unless specifically provided by this Charter, assigned to any other.

Article 3 Section 3.03 paragraph #4 is amended to remove the requirement of an ordinance for any decision the Council may make about personnel rules. Acts of this nature will be done by resolve, as proposed in Section 2.12.

SEC. 3.03 Personnel Appeals Board

4. Personnel rules: The Town Manager or his appointee shall prepare personnel rules. The Town Manager shall submit such rules to the Council which the Council shall adopt ~~by ordinance~~ with or without amendment. These rules shall provide for:
 - a. The classification of all town positions, based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances;
 - b. A pay plan for all town positions;
 - c. Methods for determining the merit and fitness of candidate for appointment or promotion, demotion or dismissal;
 - d. The policies and procedures regulating reduction in force and removal of employees;
 - e. A retention and retirement plan for town employees;
 - f. The hours of work, attendance regulations and provisions for sick and vacation leave;
 - g. The policies and procedures governing relationships with employee organizations;
 - h. The policies and procedures governing persons holding provisional appointments;
 - i. Policies regarding in-service programs;
 - j. Grievance procedures, including procedures for the hearing of grievances by the Personnel Appeals Board, which may render advisory opinion based on its findings to the Town Manager with a copy to the aggrieved employee; and
 - k. Other practices and procedures necessary to the administration of the town personnel system.

Article 7 Budget

Article 7 is amended to remove all references to the requirement of an ordinance for any budget decision the Council may make. Acts of this nature will be done by resolve, as proposed in Section 2.12.

SEC. 7.05 Administration of Budget

No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Manager or his designee, or the superintendent or his designee in the case of the department of education, first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Except when prohibited by law, nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided that such action is made or approved by ordinance ~~the~~ the Town Council.

SEC. 7.07 Supplemental Appropriations

If during the fiscal year the Manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council ~~by ordinance~~ may make supplemental appropriations for the year up to the amount of such excess.

SEC. 7.08 Reduction of Appropriations

If at any time during the fiscal year it appears probable to the Manager that the revenues available will be insufficient to meet the amount appropriated, he shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken by him and his recommendations as to any other steps to be taken. The Council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may ~~by ordinance~~ reduce one or more appropriations.

SEC. 7.12 Emergency Appropriations

To meet a public emergency affecting life, health, property or the public peace, the Council may make emergency appropriations. ~~Such appropriations may be made by emergency ordinance with the provisions of Section 2.14.~~ To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may ~~by such emergency ordinance~~ authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid no later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

Shall an ordinance be adopted titled **"Amendment to the Bucksport Town Code, Chapter 2 Administration,"** such ordinance being for the purpose of changing the name of the chapter to clarify its purpose; reformatting the chapter, improving syntax; removing several outdated workplace safety regulations; clarifying employment classifications and benefits, updating the workplace smoking policy; and removing benefit conflicts with union contract provisions. Such ordinance shall read as follows:

Chapter 2

Administration

Personnel Policies and Procedures

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Chapter 2 Administration Personnel Policies and Procedures

~~Article 1 — In General (Reserved)~~

~~Article 2 — Personnel Rules and Regulations~~

~~Article 2 Section 1.1 Purpose~~ [Content moved to new SECTION 1 PURPOSE and amended]

SECTION 1 PURPOSE The general purpose of this chapter is to establish a system of personnel administration that meets the social, economic, and program needs of the Town of Bucksport. This chapter includes policies and procedures for employee hiring and advancement, fringe benefits, retirement, discipline, and other related activities. ~~All references to masculine gender as used in this chapter are intended to include both male and female.~~

~~Article 2 Section 1.1.1 Disclaimers~~ [Content moved to new SECTION 5 DISCLAIMER and amended]

SECTION 2 AUTHORITY (A new section added to be consistent with other parts of the Town Code.)

2.1 This chapter is adopted in accordance with the provisions of 30-A M.R.S.A. §3001 et seq.

~~Article 2 Section 1.2 Applicability~~ [Content moved to new SECTION 3 APPLICABILITY and amended]

SECTION 3 APPLICABILITY

~~The Town's workforce consists of both non-union employees and employees organized into collective bargaining units under Maine State Law. These Rules and Regulations govern the relationship between the Town and its non-union employees and may, in certain cases, govern some of the relationship between the Town and its unionized employees. Standardized forms, definition of terms and procedures, as well as certain legal mandates such as equal opportunity, Workers' Compensation, Unemployment Compensation, and safety requirements, among other provisions contained herein, are intended to apply to all employees, unless inconsistent with a collective bargaining agreement.~~

3.1 The Town's workforce consists of both non-union employees and union employees organized into collective bargaining units under Maine State Law. This chapter shall apply to all employees, except when a provision in this chapter is inconsistent with a provision in a collective bargaining agreement, the provision of the agreement shall apply to the union employees.

~~Article 2 Section 1.3 SEVERABILITY~~ [Content moved to new SECTION 4 SEVERABILITY AND CONFLICT and amended]

SECTION 4 SEVERABILITY AND CONFLICT

If any provision of these Rules and Regulations or the application hereof to any person or circumstances is held invalid, this invalidity does not affect other provisions or applications of these Rules and Regulations which can be given effect without the invalid provision or application, and for this purpose the provisions of these Rules and Regulations are severable.

- 4.1 If a court finds any provision of this chapter to be invalid, the court's decision may not invalidate any other provision of this chapter.
- 4.2 If any provision of this chapter conflicts with another provision of this chapter or any other chapter, ordinance, regulation or statute, the more restrictive provision governs.

(Content from Article 2 Section 1.1.1 DISCLAIMERS moved to new SECTION 5 DISCLAIMER and amended)

SECTION 5 DISCLAIMER

Although these rules outline the rights, responsibilities, and benefits of the Town of Bucksport employees, the document does not create legally enforceable rights. The following disclaimers are included to provide notice to that effect.

- ~~This policy is not a contract and nothing in the policy affords employees any contractual rights.~~
- ~~Where this policy contains descriptions or references to insurance or other benefit plans, the specific provisions of the benefit plan will take precedence and govern should a conflict arise concerning interpretation, application, or benefit level.~~
- ~~The Town may change, amend, repeal, or modify any of these rules or regulations at any time.~~

5.1 Although this chapter identifies the rights, responsibilities, and benefits of the Town of Bucksport employees, the chapter does not create legally enforceable rights. The following disclaimers are included to provide notice to that effect.

5.1.1 This chapter is not a contract and nothing in the chapter affords employees any contractual rights.

5.1.2 Where this chapter contains descriptions or references to insurance or other benefit plans, the specific provisions of the benefit plan will take precedence and govern should a conflict arise concerning interpretation, application, or benefit level.

5.2 The Town Council may change, amend, repeal, or modify this chapter at any time.

Article 2 Section 1.4 ADMINISTRATION OF PERSONNEL RULES AND REGULATIONS [Content moved to new SECTION 6 ADMINISTRATION and amended]

SECTION 6 ADMINISTRATION

6.1 ~~The day-to-day administration of these Rules and Regulations~~ this chapter is a function of the ~~department heads~~ Department Heads. Any issue regarding the interpretation or application of ~~these rules~~ this chapter should be addressed to the Town Manager.

6.2 ~~Where appropriate or necessary, the implementation of these Rules and Regulations~~ this chapter shall be supplemented by administrative policies promulgated by the Town Manager, which explain in detail the mechanics of implementation and applications thereof.

Article 2 Section 1.5 TOWN MANAGEMENT AUTHORITY [Content moved to new SECTION 7 TOWN MANAGEMENT AUTHORITY and amended]

SECTION 7 TOWN MANAGEMENT AUTHORITY

7.1 ~~Except as may otherwise be specifically limited by law or by these rules~~ this chapter, the authority to administer and manage the day-to-day operations of the Town Government shall remain with the Town Manager and ~~his/her various subordinate administrative personnel~~

Department Heads. This authority shall include the right to take such administrative action as deemed necessary or appropriate to:

1. direct the programs of the various departments;
2. direct the work force;
3. establish work schedules;
4. introduce new or improved methods, techniques, or facilities;
5. hire, suspend, demote, or discharge for just cause;
6. change duties and assignments; and
7. promote and maintain discipline.

7.2 Equally important to the authority of management is the right to take necessary and appropriate administrative action to uphold the rights and interest of the general citizenry, the Town Council, and employees.

~~Article 2 Section 1.6 – AMENDMENTS [Content moved to new Section 7.3 and amended]~~

7.3 ~~The Town Manager, as necessary, shall prepare for the Town Council's consideration any appropriate amendments to the Personnel Rules and Regulations.~~ The Town Manager or his/her designee shall endeavor to keep this chapter current with respect to accepted personnel practices and state and federal personnel and employment law, and shall prepare amendments to this chapter for the Town Council's consideration, when necessary.

(The content of Article 2 Sections 1.7-1.15 (except Section 1.13.1 and Section 1.14) is moved to new SECTION 9 EMPLOYEE VACANCIES and amended.)

~~1.7 NON DISCRIMINATION AND AFFIRMATIVE ACTION~~

~~1.8 RECRUITMENT~~

~~1.9 SELECTION POLICY~~

~~1.10 PROMOTIONS~~

~~1.11 ANTI-NEPOTISM~~

~~1.12 PHYSICAL EXAMS~~

~~1.13 COMPENSATION~~

~~1.13.1 TYPES OF CLASSIFICATIONS [Content moved to new Section 8 and amended]~~

~~1.14 PERSONNEL RECORDS [Content moved to new Section 15 and amended]~~

~~1.15 PROBATION~~

(Content from Article 2 Section 1.13.1 TYPES OF CLASSIFICATIONS moved to new SECTION 8 EMPLOYMENT CLASSIFICATIONS and amended)

SECTION 8 EMPLOYMENT CLASSIFICATIONS

- 8.1 **REGULAR FULL-TIME:** ~~A regular full-time~~ An employee position shall be year-round in nature and the incumbent shall be required to work the standard work week of their particular department that is hired to work at least 37.5 hours per week, year-round. ~~He/she is subject to all personnel rules and regulations and receives all benefits and rights as provided by these rules.~~
- 8.2 **REGULAR PART PART-TIME:** ~~An employee in this classification~~ that is hired to work less than the normal work week of their particular department, but on a continuing less than 37.5 hours per week, year-round. ~~The employee is subject to all personnel rules and regulations. Regular part-time employees who work more than 20 hours per week are eligible to receive vacation and holiday benefits in proportion to the hours worked, but are not eligible for sick leave, and health, life, or disability insurance.~~

- 8.3 TEMPORARY: ~~Temporary employees work on a non-permanent basis, usually within a limited time frame. The employee is not entitled to benefits, except those mandated including: Workers' Compensation, Unemployment Compensation, and FICA. An employee that is hired for seasonal work, to address a short-term employee shortage, or to work on a special project. Upon completion of the purpose of the hire, their employment is ended.~~
- 8.4 ON-CALL: ~~On-call employment is an appointment to work. An employee that is hired to work on an intermittent and unscheduled, as-needed basis. Employees who are on-call do not have a regular schedule. Such employees are paid only for hours actually worked and receive no other benefits except those mandated, including Workers' Compensation, Unemployment Compensation, and FICA. —~~
PROJECT EMPLOYMENT: ~~Project employment is an appointment to work on a particular or special project of limited time duration. Project employees may work a standard work week or less, shall be paid for hours actually worked and receive no other benefits except those mandated, including Workers' Compensation, Unemployment Compensation, and FICA.~~
- 8.5 CONTRACTED: ~~An employee that is hired to work in accordance with the terms of a written agreement entered into by the employee and Town Council.~~
- 8.6 APPOINTED: ~~An employee that is hired to serve an official duty required by state law, for a term of no less than one year. The employee shall be further classified as a full-time, part-time or on-call employee based on their work requirements.~~

(The content of Article 2 Sections 1.7-1.15 (except Section 1.13.1 and Section 1.14) is moved to new SECTION 9 EMPLOYEE VACANCIES and amended.)

SECTION 9 EMPLOYEE VACANCIES

1.8.1 NOTICE

- 9.1 NOTICE: When the town decides to fill a vacancy, the town will advertise publicly in a newspaper having general circulation in the community and the notice will contain the statement "The Town is an Equal Opportunity Employer." The Town will post notice at the Town Office, Public Safety Building, and Town Garage for five working days.

1.7 NON-DISCRIMINATION AND AFFIRMATIVE ACTION

- 9.2 NON-DISCRIMINATION AND AFFIRMATIVE ACTION: ~~The town shall not administer and implement these Rules and Regulations in a manner~~ discriminate unlawfully against any person because of race, color, religion, sex, national origin, age, sexual orientation, genetic information, or physical or mental disability. Furthermore, the Town shall take affirmative action to enhance the opportunities for minority group members, where they may be underutilized.

1.8 RECRUITMENT

- 9.3 RECRUITMENT: The character of the recruitment and selection process for all town positions will vary with the position. Within the limits of time during which a position must be filled, there shall be as wide a search for qualified candidates as is practicable. This may include advertising, open competitive examination, contact with state and other employment offices and contact with special sources of information. It shall be the duty of the Town Manager or the Town Council to seek out the most qualified employees for the Town.

1.9 SELECTION POLICY

- 9.4 SELECTION POLICY: It is the policy of the Town of Bucksport to select the best-qualified applicant for vacant positions and to give consideration to internal candidates.

Hiring decisions shall be based upon the ability of the applicant to meet the requirements of the position, the level and degree of prior job related experience, the strength of the applicant's employment history, the applicant's educational background as it specifically relates to the position sought, the quality of references, and such other factors as may be related to the applicant's ability to perform the duties of the position.

~~1.10~~ PROMOTIONS

9.5 PROMOTIONS: Town employees shall be given maximum opportunity for advancement in the service. Present employees shall be given first consideration in filling a vacancy and may be given training opportunities to qualify for promotion, but it is recognized that, from time to time, the good of the service will require that a vacancy be filled from outside the service. Such a decision shall be made only after careful review of the qualifications of all Town employees who apply for the position.

~~1.11~~ ANTI-NEPOTISM

9.6 ANTI-NEPOTISM: No ~~immediate family member of any department head person or Town Manager~~ may be employed as a regular full-time or part-time employee to work in ~~his/her~~ for a department Department Head that is an immediate family member of that person., ~~or in the case~~ No person that is an immediate family member of the Town Manager may be employed as a full-time or part-time employee in any department for the town in general. "Immediate family" means parents, spouse, brother, sister, child, stepchild, adopted child, grandmother, grandfather, mother-in-law, and father-in-law. ~~An~~ A full-time or part-time employee who was employed prior to July 1, ~~2007-2017~~ and who is an immediate family member of a ~~department head~~ Department Head or the Town Manager ~~and employed regularly full-time or part-time~~, may continue employment with the Town.

~~1.12~~ PHYSICAL EXAMS

9.7 PHYSICAL EXAMS: As a condition of employment, the Town may require a physical exam by a physician of the Town's choice at the expense of the Town.

~~1.13~~ COMPENSATION

9.8 COMPENSATION: The Town is committed to providing an equitable and competitive compensation package that will attract and retain well-qualified employees.

~~1.15~~ PROBATION

9.9 PROBATION: Any new full-time or part-time employee ~~appointed to a regular full-time or part-time position~~ shall be ~~considered on~~ subject to a probationary status period for the first 180 days of employment. The object of the probationary period is to determine the ability of the employee to adhere to required work standards through a 180-day period of observation and review by the ~~department head~~ Department Head.

9.9.1 During the probationary period, the ~~department head~~ Department Head, with the approval of the Town Manager, may remove an employee who is unable or unwilling to perform the duties of the position satisfactorily or whose work habits and dependability did not merit ~~his/her~~ their continuance of service.

9.9.2 After the first 180 days, the employee shall receive a formal written evaluation by ~~his/her~~ their supervisor, which will be delivered to the Town Manager. ~~A successful evaluation will result in the employee being transferred to regular status. An employee has successfully completed their probationary period when their supervisor has issued a positive evaluation.~~

(Content from Article 2 Section 1.29 RESIGNATIONS moved to new SECTION 10 EMPLOYEE

RESIGNATIONS and amended)

SECTION 10 EMPLOYEE RESIGNATIONS

~~1.29 RESIGNATIONS~~

- 10.1 An employee may resign from Town service in good standing. "Good standing" shall mean the submittal of a written notice 14 calendar days in advance of the last day of actual work for non-salary employees and 30 calendar days for salaried employees.
- 10.2 ~~The failure of a resigning an employee to comply with this rule~~ resign in good standing may be cause for denying future employment with the Town. The Town Manager may permit a shorter period of notice if extenuating circumstances exist.
- 10.3 The resignation should be accompanied by a statement by the Department Head as to the resigning employee's service performance and pertinent information concerning the cause of resignation.
- 10.4 The effective date of the employee's termination with the Town is considered to be the last day actually worked. Upon separation from service ~~in good standing~~, the Town shall pay all wages owed, as well as earned ~~and/or pro-rated~~ vacation pay, ~~and accumulated sick time due to the employee per the schedule in the Sick Leave Section of the Personnel Policy~~, if any, on the next regular pay day.
- 10.4.1 Upon separation from service in good standing, the Town shall pay to the employee their accumulated sick in accordance with the requirements of Section 14.3.9 on the next regular pay day.

(Content of Article 2 Sections 1.16-1.26 is moved to new SECTION 11 EMPLOYEE RESPONSIBILITIES and amended)

- ~~1.16 EMPLOYEE CONDUCT~~
- ~~1.17 CONFIDENTIALITY POLICY~~
- ~~1.18 ATTENDANCE AND LATENESS~~
- ~~1.19 TRAINING AND EDUCATION~~
- ~~1.20 CONFLICT OF INTEREST~~
- ~~1.21 GRATUITIES~~
- ~~1.22 REIMBURSEMENT OF EXPENSES~~
- ~~1.23 TOWN PROPERTY~~
- ~~1.24 OUTSIDE COMPENSATION~~
- ~~1.25 OUTSIDE EMPLOYMENT~~
- ~~1.26 POLITICAL ACTIVITY~~

SECTION 11 EMPLOYEE RESPONSIBILITIES

- 11.1 EMPLOYEE CONDUCT: All employees are expected and required to treat the public with promptness, patience, courtesy, and respect. Employees are expected to conduct themselves at all times in a manner that will bring no discredit to their department or to the Town.
- 11.2 CONFIDENTIALITY: During the course of their duties, some employees of the Town have access to sensitive personal information about individuals. This information must be kept confidential. Examples include, but are not limited to, medical conditions, labor relations or personnel actions. Employees are expected to respect the confidential nature of such information.
- 11.3 ATTENDANCE: Employees shall be at their respective places of work in accordance with general or departmental regulations. In the event of necessary absence because of illness or any other cause, it is the responsibility of employees to see that their department head or supervisor is advised of the reason for absence prior to the start of

- the workday and on each subsequent day, so that ~~he/she may adjust~~ the daily schedule of work can be adjusted as necessary.
- 11.4 TRAINING AND EDUCATION: Both the Town and its employees profit from the provisions of educational training opportunities reasonably related to the employee's position for which provisions have been made in the budget. It shall be the responsibility of the Town Manager to assure that Town employees are provided reasonable opportunities for such training in order to improve quality of performance and bring about a more efficient and more effective operation.
- 11.5 CONFLICT OF INTEREST: No Town employee who is authorized to make purchases shall have any interest, either directly or indirectly, in any contract with the Town unless first authorized by the Town Council.
- 11.6 GRATUITIES: No Town employee shall accept any gratuities from any person or organization, with whom that employee does town business. A gratuity is any gift, perk, privilege, or item exceeding \$25.00 in value or any amount of currency.
- 11.7 REIMBURSEMENT OF EXPENSES: Employees shall be reimbursed for reasonable and necessary expenses incurred while carrying out approved, official Town business. Such reimbursement shall be made in accordance with current approved rates upon submission of a standard expense sheet, and signed by the employee's immediate supervisor. Such reimbursement shall not apply to travel between an employee's home and the town office. Requests for reimbursement of meals, parking fees, lodging, and registration fees must be accompanied by receipts of same whenever possible.
- 11.8 TOWN PROPERTY: Employees may not, directly or indirectly, use or allow the use of Town property of any kind for other than official activities. Town-owned telephones may be used by any employee to make or take personal calls, provided that the calls are occasional and brief. Long distance telephone charges incurred for any personal call may not be charged to the Town.
- 11.9 OUTSIDE COMPENSATION: Any employees receiving payment for services from non-Town sources rendered during ~~his/her~~ their normal workday and for which workday Town compensation was given, shall turn the entire amount of that compensation over to the Treasurer, Town of Bucksport. This provision does not apply to activities outside the workday, or during periods of vacation.
- 11.10 OUTSIDE EMPLOYMENT: A Town employee may engage in outside employment. However, no ~~regular~~ full-time or part-time employee may engage in outside employment which in any manner interferes with the proper and effective performance of the duties of their position, results in a conflict of interest, or if it is reasonable to anticipate that such employment may subject the Town to public criticism or embarrassment.
- 11.10.1 Employees must inform their department supervisor of their outside employment. If the Town Manager determines that such outside employment is disadvantageous to the Town, ~~he/she shall notify~~ the employee shall be notified in writing that the outside employment must be terminated.
- 11.10.2 Any employee who engages in employment outside their regular working hours shall be ~~subject~~ required to perform their regular duties first.
- 11.10.3 The Town shall in no respect be liable nor grant sick leave or disability leave in cases where an employee is injured, or contracts an occupational illness, or develops occupational disability while engaged in outside employment.

11.11 POLITICAL ACTIVITY: ~~While working for the Town, regular full-time or part-time employees~~ Employees shall refrain from seeking or accepting nomination or election to any office in the Town government and from using their influence publicly in any way for or against any candidate for elective office in the Town government. ~~Town employees~~ Employees shall not circulate petitions or campaign literature for elective Town officials, or be in any way concerned with soliciting or receiving subscriptions, contributions, or political service for any person for any political purpose pertaining to the Town government.

11.11.1 ~~This rule~~ Section 11.11 is not to be construed to prevent ~~Town~~ employees from beginning, or continuing to be, members of any political organization from attending political meetings, from expressing their views of political matters, or from voting with complete freedom in any local, state, or national election.

~~1.27 DISCIPLINARY ACTIONS~~ (content moved to new SECTION 15 EMPLOYEE DISCIPLINARY PROCEDURES)

~~1.28 GRIEVANCE PROCEDURE~~ (content moved to new SECTION 16 EMPLOYEE GREIVANCE PROCEDURES (NON-ADA))

~~1.29 RESIGNATIONS~~ (content moved to new SECTION 10 EMPLOYEE RESIGNATIONS)

(Content from Article 2 Section 1.14 PERSONNEL RECORDS moved to new SECTION 12 PERSONNEL RECORDS and amended)

SECTION 12 PERSONNEL RECORDS

1.14 PERSONNEL RECORDS

12.1 Personnel records are maintained at the Bucksport Town Office for each employee of the Town ~~at the Bucksport Town Office~~. Any employee may review ~~his/her~~ their files, in the presence of the staff member with responsibility for the files, between the hours of ~~8:30~~ 8:00 a.m. and 4:00 p.m., Monday through Friday. So as not to cause inconvenience, the employee ~~shall~~ must set up an appointment for such a review in advance.

12.2 Departments may create and maintain supplemental working personnel files for their convenience, but any records of a permanent nature should be included in the centralized Town Office files.

12.3 In each calendar year, the Town shall provide at no cost, one copy of the entire personnel file when requested in writing by the employee, ~~or~~ A former employee is entitled to one copy of their personnel file at no cost.

12.4 Employee personnel files are considered confidential documents. Only those persons with the right to know, or the need to know, may have access to the personnel files.

(Content from Article 2 Section 1.30 WORK SCHEDULES & 1.31 OVERTIME moved to new SECTION 13 EMPLOYEE WORK SCHEDULES and amended)

SECTION 13 EMPLOYEE WORK SCHEDULES

~~1.30 WORK SCHEDULES~~

13.1 The normal working days in the workweek ~~shall be~~ are Monday through Friday. However, it is necessary, owing to the variations in the different services provided by the Town, that there be variations in the hours and days of work per week within different departments.

- 13.2 The hours of work, the starting and quitting time, and lunch periods will be established within each department with the Town Manager's approval. The hours of work, the starting and quitting time, or the lunch periods may be changed by mutual agreement of the ~~department head~~ Department Head and department employees, subject to approval by the Town Manager.
- 13.3 ~~It is understood, however, that~~ Salaried employees exempt from overtime shall accomplish the work assigned to the position regardless of the hours required to do the work, and this ~~policy~~ requirement will be applied within reason.
- 13.4 Those employees not eligible for overtime under this section shall be ~~determined administratively, with~~ identified in a master list maintained in the Town Manager's office.
- 13.5 It is the responsibility of each ~~department head~~ Department Head to insure that the department's work hours are adhered to by all employees.

~~1.3.1 OVERTIME~~

- 13.6 Any time actually worked in excess of ~~forty~~ 40 hours per work week, except for exempt employees, shall be compensated for by overtime pay at a time and one-half rate. Sick leave, holiday leave, vacation leave, and other forms of paid leave shall not be counted as time worked.

(Content from Article 2 Section 2.1 to 2.16 BENEFITS moved to new SECTION 14 EMPLOYEE BENEFITS and amended)

SECTION 14 EMPLOYEE BENEFITS

~~SECTION 2 BENEFITS~~

~~2.1 HOLIDAYS~~

- 14.1 ~~HOLIDAYS: Regular full-time~~ Full-time employees of the Town are granted the following holidays with pay ~~on the dates of observance as determined by the State of~~ Maine:

1. New Year's Day
2. Martin Luther King Jr. Day
3. Washington's Birthday (observed on Presidents' Day)
4. Memorial Day
5. Independence Day
6. Labor Day
7. Columbus Day
8. Veterans' Day
9. Thanksgiving (including the Friday after Thanksgiving)
- ~~10. Friday after Thanksgiving~~

~~11.10~~ Christmas

~~Two personal days~~

- 14.1.1 In order to be eligible for holiday pay, an employee must work the last scheduled work day prior to the holiday, and the next scheduled work day after the holiday, unless excused by the department's supervisor, or the employee is on an approved vacation or earned sick time.

~~2.1.1 Saturday and Sunday Holidays~~

- 14.1.2 If a ~~regular~~ holiday falls on a Sunday, the holiday will be observed by the Town on the following Monday, is considered a holiday; ~~if~~ If a holiday falls on a Saturday, the holiday will be observed by the Town on the preceding Friday, unless otherwise

regulated by law, is considered a holiday. A Town Department with a normal work day on Saturday or Sunday shall observe a holiday falling on a Saturday or Sunday on the actual date of the holiday.

14.1.3 Full-time employees are also entitled to two personal days off with pay.

14.1.3.1 Personal days off cannot be carried forward into a new calendar year.

2.1.2 Regular Part Time Employees Holidays

14.1.4 Regular part-time Part-time employees who work 24 ~~20~~ or more hours per week are eligible to receive holidays with pay in proportion to the hours worked, provided that the holiday or the holiday's day of observance falls on the day that the employee was regularly scheduled to work.

14.1.5 Temporary, on-call, and project on-call employees shall are not be entitled to paid holidays. Contracted employees may be provided with paid holidays in accordance with the terms of their contract.

2.1.3 Unpaid Leave of Absence

14.1.6 A person An employee that is on a leave of absence without pay, or that is under suspension, or any other non-pay status on the date of the holiday shall not be entitled to holiday pay for any holiday that may occur during the employee's leave or suspension.

2.1.4 Holidays Hours Paid For

14.1.7 Holiday pay is to be considered a normal day's wages.

2.1.5 Public Works Director

The Public Works Director will substitute Columbus Day for Veterans' Day.

2.2 VACATION

14.2 VACATION: Each regular full-time or part-time employee Full-time employees and part-time employees who work 20 or more hours per week shall earn annual vacation time with pay in proportion to the hours worked in accordance with the employee's current term of continuous employment and pursuant to the following schedule in accordance with the provisions of this section. Temporary and on-call employees are not entitled to vacation time with pay. Contracted employees may be provided with vacation time with pay in accordance with the terms of their contract.

1. Completion of one year's service or over 2 weeks

2. Completion of eight years service or over 3 weeks

3. Completion of fifteen years service or over 4 weeks

4. Completion of twenty years service or over 5 weeks

14.2.1 Full-time and part-time employees shall earn a maximum amount of vacation days per calendar year based on their year of employment as follows:

1. Year 1 through year 8 10 days per year

2. Year 9 through year 15: 15 days per year

3. Year 16 through year 20: 20 days per year

4. Year 21 and over: 25 days per year

14.2.2 Earned annual vacation days will be credited monthly to an employee's payroll records, and expressed as hours. The amount of hours credited shall be determined with the following formula: [D times H divided by 12 = V] where D = the number of vacation days an employee is entitled to per year, H = the regular hours in a workday for the employee, 12 = the number of months per year, and V = the number of vacation hours earned per month.

14.2.2.1 If an employee's regular workday hours vary during the work week, the value H for the formula shall be the average of the total work week hours for the employee.

14.2.3 Earned annual vacation time may not accrue to more than 25 work days. After the maximum vacation time has been accrued, the employee may not accrue any additional vacation time until a part of the maximum accrued time has been used. It will be the responsibility of every employee to be aware of their accumulated vacation time.

14.2.4 Requests for vacation must be made on properly executed vacation request forms and approved by the immediate supervisor and in accordance with operational needs. It is the responsibility of the supervisor to insure that the employee has adequate earned vacation hours available to cover the vacation period requested. To maintain high levels of job performance, employees are encouraged to take vacation every year.

14.2.4.1 Once per fiscal year, on July 1st or December 1st, any employee with at least 40 hours of accumulated vacation time may elect to be compensated for 40 hours of vacation time in lieu of taking the vacation.

14.2.5 Vacation hours shall be deducted from an employee's payroll records after the vacation time is used. A vacation day deduction shall be equivalent to the regular hours in a work day for the employee, or the average of work hours as addressed in Section 14.2.2.1. A deduction of vacation time taken of less than one work day shall be the actual hours taken by the employee.

2.2.1 Absences

14.2.6 Annual vacation shall not be earned during a period an employee is absent from work due to a work related injury, or sick leave, and not working his/her regular work schedule for more than four consecutive weeks, but such absence will not effect years of service.

Vacation hours will not accrue under any of the following circumstances:

1. An employee is on leave of absence without pay pursuant to Section 14.5.

2. An employee is under suspension without pay.

2.2.2 Request for Vacation

Request for vacation time must be made on properly executed Vacation Request Sheets and approved by the immediate supervisor and in accordance with operational needs. It is the responsibility of the supervisor to insure that the employee has adequate earned vacation hours available to cover the vacation period requested. To maintain high levels of job performance, employees are encouraged to take leave on an annual basis.

14.2.7 As a general rule, annual leave ~~vacation~~ shall ~~may~~ not be taken by any employee for more than ~~two (2)~~ 2 consecutive weeks. Vacation requests in excess of ~~two (2)~~ 2 weeks must be requested well in advance of the desired time and may be denied if such time off constitutes a hardship to the Town. The supervisor's determination as to scheduling of annual leave shall be final.

2.2.3 Vacation Leave

In case a holiday falls within the vacation period, the vacation time will not be charged for that day as long as the employee is eligible for holiday pay.

2.2.4 Earning and Accrual

Earned annual vacation leave will be prorated on a monthly basis to and will accrue not to exceed twenty five days (25) at any one time. After the maximum annual leave accumulation limit has been reached, the employee shall forfeit any right to accumulate additional leave until he/she has been charged with at least a part of the leave so accumulated. It will be the responsibility of every employee to be aware of his/her accumulated leave.

14.2.8 ~~No employee shall receive payment in lieu of annual leave other than upon separation from the Town. Accrued vacation time shall be paid to an employee upon separation after one year's employment or upon death with no minimum employment, to the employee's beneficiary. The payment will be made in one lump sum.~~

14.2.9 Any employee who separates from town service, and is subsequently rehired, shall ~~begin vacation accrual at the minimum rate set forth above~~ be considered a new employee for the purposes of accruing and using vacation time.

~~2.2.5~~ Vacation Leave Restrictions

14.2.10 No ~~regular full-time or part-time~~ employee is eligible to take ~~annual~~ vacation leave with pay until completion of their first ~~six~~ 6 months of ~~employment continuous service with the Town.~~ No employee may take any vacation leave that has not been earned or while the employee is ~~on~~ under suspension or on leave of absence without pay.

~~2.2.6~~ Payment upon Separation or Death

~~Accumulated vacation leave, subject to the maximum allowed, shall be paid to an employee upon separation after one year's employment or upon death with no minimum employment, to his or her beneficiary. The payment will be made in one lump sum.~~

2.3 SICK LEAVE

14.3 SICK LEAVE: Full-time employees and part-time employees working at least 20 hours per week shall earn paid sick leave in accordance with the provisions of this section. No other employee is entitled to paid sick leave, except a contracted employee may be provided with paid sick leave in accordance with the terms of their contract.

14.3.1 ~~Paid sick leave for each regular full-time employee is earned at the rate of fifteen (15) days per year shall accrue at a rate of 1 ¼ days per month accrued on a prorated monthly basis. The sick leave will be credited to an employee's payroll records, and expressed as hours. The amount of hours credited shall be determined with the following formula: [1.25 times H = L] where 1.25 = the number of sick leave days an employee earns per month, H = the regular hours in a workday for the employee, and L = the number of sick leave hours earned per month.~~

14.3.1.1 If an employee's regular workday hours vary during the work week, the value H for the formula shall be the average of the total work week hours for the employee.

14.3.2 Paid sick leave may not accrue to more than 90 work days. After the maximum annual leave has been accrued, the employee may not accrue any additional leave until a part of the maximum accrued leave has been used. It will be the responsibility of every employee to be aware of their accumulated leave.

14.3.3 ~~No employees shall be eligible for paid sick leave unless accrued that has not been earned. Sick leave will accrue, but will not be paid until a regular,~~ Paid sick leave may not be used until an full-time employee has completed six (6) their first 6 months of continuous service employment.

14.3.4 Sick leave will not accrue under any of the following circumstances:

1. An employee is on leave of absence without pay pursuant to Section 14.5.

2. An employee is under suspension without pay.

~~2.3.1~~ Use of Sick Leave

14.3.5 Paid sick leave may only be used only in the following cases for the following purposes:

a 1. Personal illness or physical incapacity of such a degree as to render that renders the employee unable to perform the work assigned to their position or other work in the department. Sick leave shall include only those instances when an employee is

confined by illness or physical incapacity to ~~his/her~~ their home, ~~or is they are~~ hospitalized, or ~~there are~~ other justifiable situations. Accrued sick leave may also be used upon during recovery from the birth of a child ~~with a doctor's certification stating that the employee is capable of performing her duties~~.

- ~~b~~ 2. Attending to members of the employee's immediate family (spouse, children, step children) who are ill and require care by the employee, ~~if approved by the Town Manager.~~ The Town Manager must approve the leave, the leave must meet ~~meets~~ the requirements of the Family Medical Leave, and a doctor's certificate ~~is~~ must be provided. Sick leave for this purpose is not to exceed ~~forty (40)~~ 40 hours per fiscal year.
- ~~e~~ 3. Attending routine appointments that can only be scheduled during work times relating to an employee's personnel health care or preventive care such as doctors, dentists or other professional health providers, including travel time to and from appointments and any additional time off on the day of the appointment an employee may take. The employee shall immediately return to his/her place of work with the town once the appointment is completed, if time remains
- ~~d~~ Sick leave may ~~be used in accordance with the Family Medical Leave provision as specified in this section.~~

14.3.5.1 An employee may use up to 3 days of accumulated sick leave for any personal reason, provided the following conditions are met:

- 1. The employee used less than 6 days of sick leave in the prior fiscal year for any purpose identified in Section 14.3.5 (1-3).
- 2. The leave is used before the end of the current fiscal year.
- 3. The leave is used when it is convenient for the smooth operation of the department.

14.3.5.2 The actual time allowed to be used in accordance with this section shall be calculated as follows:

<u>Sick days used in the prior fiscal year</u>	<u>Personal days earned pursuant to this section</u>
<u>0</u>	<u>3</u>
<u>1</u>	<u>2.5</u>
<u>2</u>	<u>2</u>
<u>3</u>	<u>1.5</u>
<u>4</u>	<u>1</u>
<u>5</u>	<u>.5</u>
<u>6 or more</u>	<u>0</u>

14.3.5.3 Sick leave used in accordance with Section 14.3.5.1 shall not be counted when determining sick days used in accordance with Section 14.3.5.2

14.3.5.4 The personal use of sick leave allowed in accordance with Section 14.3.5.1 may not be carried forward into the next fiscal year. Any unused time remaining at the end of the year shall be credited to the employee's accrued sick leave, provided that the maximum amount of accrued sick leave allowed is not exceeded. Any unused time that cannot be credited to an employee's accrued sick leave shall be forfeited.

2.3.2 Computation of Sick Leave

Sick leave will be accrued to the employee at a rate of one and one-quarter (1 1/4) days per calendar month of continuing full-time service to the Town. Sick leave will not be accrued by employees during the following:

- a — Leave absence without pay pursuant to Section 2.5 of this policy.
 - b — Suspension without pay.
 - e — Absent from work due to a work related injury or sick leave and not working his/her regular work schedule for more than four consecutive weeks.
- Unused sick leave may accumulate from year to year, but shall not exceed ninety (90) days.

~~2.3.3 Sick Leave Bonus~~

~~Full-time employees who use less than six (6) days of sick leave during the fiscal year (July to June) shall receive one half (1/2) of any balance under six (6) days as earned time off to be taken the following fiscal year with the approval of the supervisor, and at times when convenient for the smooth operation of the Department. Time taken under this provision will be charged to accumulated sick time, but will not be used to determine eligibility under this section. An employee must work the entire fiscal year in order to qualify for these bonus hours and all earned time under this section cannot be carried forward into a new fiscal year.~~

~~2.3.4 Sick Leave Request~~

14.3.6 The employee shall have the responsibility of notifying their immediate supervisor or Department Head promptly of any illness, disability, or medical appointment and shall keep his/her their supervisor advised of the status of the illness, disability or medical appointment. Proof of illness or disability may be required at any time by the supervisor or Town Manager at the employee's cost. Falsification of such proof of sick leave may be justifiable cause for dismissal.

14.3.7 Sick leave granted shall be recorded biweekly on the payroll records of the Town. The supervisor shall review such leave records periodically and investigate any cases when questions of eligibility or abuse arise.

~~2.3.5 Extended Sick Time Requirement~~

14.3.8 After any extended sick leave, it may be required by the supervisor that the absent employee obtain a physician's statement at his or her the employee's own cost, stating that he or she is they are physically capable to return to normal duty. It shall be the responsibility of the department head Department Head to insure that this requirement is appropriately followed before the employee is allowed to return to his or her their regular duties.

~~2.3.6 Entitlement upon Separation, Retirement or Death~~

14.3.9 At the time of separation by the employee, accumulated sick leave shall be paid to the employee as follows:

~~10 years of service and in good standing 25%~~

~~20 years of service or over and in good standing 40%~~

~~Upon retirement or death 40%~~

1. Year 1 through year 10: 10% of accumulated sick leave

2. Year 11 through year 20: 25% of accumulated sick leave

3. Year 21 and over: 40% of accumulated sick leave

14.3.9.1 No employee separating from their employment without good standing may be paid any accumulated sick leave.

2.4 FAMILY MEDICAL LEAVE

- 14.4 FAMILY MEDICAL LEAVE: An employee who has been employed by the Town of Bucksport for 12 months (this does not need to be consecutive) and who has worked at least 1,250 hours during the year preceding the start of the leave, is entitled to a family medical leave of up to ~~twelve (12)~~ 12 weeks per fiscal year for the birth, adoption of a child 16 years of age or less, or serious illness of the employee, child, spouse, or parent. Serious illness means an accident or disease or condition that:
1. poses imminent danger of death;
 2. requires hospitalization involving an organ transplant, limb amputation, or other procedure of similar severity; or
 3. requires constant in-home care due to a mental or physical condition.

2.4.1 Eligibility

- 14.4.1 To be eligible for a family medical leave, the employee must give at least 30 days notice of the intended date upon which family medical leave will commence and terminate, unless the employee is prevented from giving notice because of a medical emergency. The employee requesting family medical leave must do so on a preprinted form available in the Town Manager's office.

2.4.2 Doctor's Statement

- 14.4.2 The Town may require certification from a physician to verify the amount of leave requested by the employee.

2.4.3 Pay and Benefits While on Family Medical Leave

- 14.4.3 Family medical leave is without pay. If the employee is enrolled in group medical insurance prior to utilizing unpaid leave, the Town of Bucksport will pay for the employer's share of the medical insurance premium for the period of the unpaid family medical leave; said period not to exceed 12 weeks. The employee's share of medical insurance, life insurance, income protection, and retirement benefits will continue during the period of unpaid leave at the cost of the employee.

2.4.4 Use of Accrued Time for Family Medical Leave

- 14.4.4 The employee may use accrued vacation, ~~earn sick time,~~ and sick leave in accordance with the policies concerning such leaves, to cover ~~his or her~~ their absences related to family medical leave; however, the total amount of family medical leave may not exceed ~~twelve (12)~~ 12 weeks per fiscal year of which no more than 40 hours per fiscal year may be used for a qualifying family member.

2.4.5 Holidays

- 14.4.5 Vacation and sick leave ~~do not~~ shall accrue during a family medical leave period ~~if it exceeds four consecutive weeks~~ in accordance with the accrual limits established in this chapter.

2.4.6 Reinstatement

- 14.4.6 Upon the end of the family medical leave, an employee will be restored to the position occupied by the employee immediately prior to the commencement of the leave, or to an equivalent position with the same employee benefits and pay as existed immediately prior to the commencement of the leave, ~~except in the event of~~ unless conditions unrelated to the employee's taking of a family medical leave ~~which~~ prevent the restoration to the same or equivalent position.

2.4.7 Return to work

- 14.4.7 An employee should return to work from the family medical leave no later than the first working day following the expiration of the leave. If the employee has not returned at the expiration of their leave, ~~his/her~~ their termination date will be the last day ~~she/he~~ they were ~~was~~ entitled to group coverage.

~~2.4.8 Reduced Schedule~~

14.4.8 An employee may take leave on an intermittent basis or by working a reduced schedule with prior written approval by the Town Manager.

~~2.5 LEAVE OF ABSENCE~~

14.5 LEAVE OF ABSENCE: An employee of regular standing may be granted a leave of absence without pay by the Town Manager on recommendation of the ~~department head~~ Department Head, with such leave not to exceed one year in length. The granting of the leave shall protect the employee's existing continuous service for the leave period, but shall not count as service time for Maine State Retirement, nor shall vacation or sick leave accrue during the absence, nor will the employee receive pay for municipal holidays.

~~2.6 MILITARY LEAVE~~

14.6 MILITARY LEAVE OF ABSENCE: A full-time employee or a part-time employee who work 20 or more hours per week that is called to duty by any branch of the United States Military ~~who, by reason of membership in one of the United States Military Reserve Components or the National Guard, is required to perform field duty or attend training sessions,~~ shall be granted a military leave of absence upon presentation of a copy of official orders. Such leave may be with pay up to ~~two (2)~~ 2 workweeks in any ~~one~~ calendar year. Leave granted under this section shall not be charged against the employee's accumulated annual leave.

14.6.1 To be eligible for ~~two (2)~~ 2 weeks paid leave, the employee shall reimburse the Town in an amount up to the total amount of compensation received by the employee from the military during such paid leave up to the amount of pay received from the Town. Any additional leave shall be without pay.

14.6.2 All employees who take leave in accordance with this section shall notify their Department Head or supervisor within ~~forty-eight (48)~~ 48 hours after being notified by the appropriate authority as to the dates they ~~shall~~ will be absent from their employment.

~~2.6.1 Rights of Reemployment~~

14.6.3 Military leave and rights of re-employment after such leave are available to employees in accordance with applicable Federal and State law. Any person eligible for re-employment under such law shall be restored with no loss of seniority.

~~2.7 JURY DUTY~~

14.7 JURY DUTY: A leave of absence with pay shall be granted to regular employees required to perform jury duty. Such leave of absence shall not be charged against the employee's accumulated annual leave.

14.7.1 The Town shall pay the difference between the total compensation received from the Court for the jury duty and the employee's regular rate of pay.

14.7.2 Employees required to report for jury duty shall inform their supervisor as soon as possible of any notice to report or subsequent obligations. Further, if not required by the Court for jury duty, the employee shall immediately return to ~~his/her~~ their place of work with the town.

~~2.8 BEREAVEMENT LEAVE~~

14.8 BEREAVEMENT: Special leave with pay shall be granted to regular employees for up to ~~three~~ 3 days for absence caused by the death of a member of the immediate family. "Immediate family" means parents, spouse, brother, sister, child, stepchild,

grandmother, grandfather, mother-in-law, grandchild, and father-in-law. Special exceptions to this rule may be made by the Town Manager.

~~2.9 ALL LEAVE UTILIZED~~

14.9 CONSUMPTION OF LEAVE: When all leave, including sick and vacation leave, has been utilized by an employee, salary payments to the employee shall cease immediately, unless the employee has returned to work. The Town will no longer pay any amount toward life and medical insurance. The employee will then have the opportunity to continue the benefits by paying the cost themselves.

14.9.1 No employee may be paid for more than one type of paid leave on any day.

~~2.10 HEALTH INSURANCE~~

14.10 HEALTH INSURANCE: The Town offers group hospital, surgical, and medical benefits to employees in regular full-time positions. In addition to traditional health insurance, the Town may also offer a non-traditional plan, such as a Health Maintenance Organization (HMO). Employees should consult their health insurance booklets for details on their chosen plan. The town and the employees share in the cost of the premium with the employee's share being contributed through payroll deduction. ~~Dependent coverage (+19)~~ Coverage for dependents age 19 and older is available, if so elected. The cost-sharing levels for plans offered by the Town shall be determined on an annual basis by the Town Council. The Town's contribution rate for HMO coverage shall be no higher than its contribution toward traditional coverage.

~~2.10.1 Effective Date~~

14.10.1 Town participation in the cost of coverage begins the first full month following the employee's date of hire. Coverage by the health insurance plan is not automatic and employees must initiate a request for benefits according to their eligibility in order to obtain coverage.

~~2.10.2 Spouse Coverage~~

14.10.2 The Town shall not share in the cost of the premium for a spouse who is afforded health insurance through ~~his/her~~ their employer.

~~2.11 LIFE INSURANCE~~

14.11 LIFE INSURANCE: The Town will provide ~~regular~~ full-time employees with Basic, Supplemental and/or Dependent Life Insurance through Maine State Retirement System.

~~2.12 CAFETERIA PLAN~~

14.11.1 The Town of Bucksport will provide a premium conversion cafeteria plan for eligible full-time employees. Only employee benefit account dollars are provided for under this plan. Employees must elect to participate on an annual basis.

~~2.13 WORKER'S COMPENSATION~~

14.12 WORKERS' COMPENSATION: Workers' Compensation benefits are governed by State Law as supplemented herein. Such benefits may be provided when an employee has sustained a job-related injury or illness.

14.12.1 All job-related injuries and illnesses shall be immediately reported to the employee's supervisor who, with the employee's assistance, shall submit the first report of injury.

14.12.2 Supervisors are responsible for reporting an injury within ~~twenty-four (24)~~ 24 hours of its occurrence, or their knowledge of the occurrence, regardless of the timing of the employee's first written report.

14.12.3 Full-time employees are eligible to receive an amount equal to but not more than their regular net pay and benefits for a period not to exceed ~~eight~~ 8 weeks of normal work time. If Workers' Compensation coverage continues after this period, then the employee shall receive pay in accordance with State Law and may receive benefits as may be otherwise described in ~~these Rules and Regulations~~ this chapter.

~~2.13.1 One Year Absence~~

14.12.4 After one (1) year of absence from the date of initial work related injury, the employee shall be examined by a physician mutually acceptable to the Town and to the employee for the purpose of determining if the employee will regain the ability to perform the normal duties of the position for which he/she was hired. If the physician determines that the employee will not be able to return to ~~his/her~~ their normal duties, the Town shall have the right to evaluate or determine the employee's employment status.

~~2.14 UNEMPLOYMENT COMPENSATION~~

14.13 UNEMPLOYMENT COMPENSATION: Unemployment compensation benefits are governed by State Law. The Town contributes these benefits to employees in accordance with the Unemployment Compensation Insurance laws.

~~2.15 RETIREMENT~~

14.14 RETIREMENT: The following retirement plans are available as follows:

~~2.15.1 Social Security~~

1. The Town is a participating member of the Social Security Retirement System. Any person who becomes an employee of the Town must participate as a condition of employment.

~~2.15.2 Maine State Retirement System~~

2. The Town is a participating member of the Consolidated Maine State Retirement Program. Only ~~regular~~ full-time and ~~regular~~ part-time employees may participate in the plan. Employees who elect to participate will be required to contribute the employee share as set by the system.

~~2.15.3 Deferred Compensation Plan~~

3. The Town is a participating member of the International City Management Association-Retirement Corporation (ICMA-RC a Section 457 deferred compensation plan). Participation in this plan is voluntary and may allow qualifying employees the option of deferring a portion of their salary to be invested by the plan administrators, which will be paid back to the employee at a future date.

~~2.16 DISABILITY INSURANCE~~

14.15 DISABILITY INSURANCE: The Town offers disability insurance coverage to ~~regular~~ full-time employees. The cost of this insurance shall be borne by the employer. Employees whose premiums are paid by the employer cannot exceed the regular week's pay for any combination of sick leave pay and/or income protection.

(Content from Article 2 Section 1.27 DISCIPLINARY ACTIONS moved to new SECTION 15 EMPLOYEE DISCIPLINARY PROCEDURES and amended)

SECTION 15 EMPLOYEE DISCIPLINARY PROCEDURES

15.1 Whenever, in the supervisor's judgment, employee performance, attitude, work habits, or personal conduct at any time ~~falls below a suitable level~~ fails to meet the minimum requirements of the job, the supervisor shall inform the employee promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action.

- 15.2 Disciplinary action shall consist of the following steps:
Step 1. Verbal warning
Step 2. Written warning
Step 3. Suspension up to 10 days/~~withholding or defer~~ or delaying or denying a pay increase
Step 4. ~~Dismissal~~ Termination of employment
- 15.3 Suspension or ~~dismissal~~ termination shall only be done with the prior knowledge of the Town Manager. Notice of such action shall be given in writing to ~~such~~ the employee, with a copy to the Town Manager. ~~Such~~ The notice shall specify the action taken, the reason therefore, and the extent and duration of the penalty. This notice shall be given to the employee at the time of the disciplinary action.
- 15.4 Notwithstanding the disciplinary procedures identified in this section, any employee that has been charged with a criminal act may be immediately suspended by the Town Manager until such time the charges have been adjudicated. A conviction by a court of law may be cause for termination of employment or other penalty.

(Content from Article 2 Section 1.28 GRIEVANCE PROCEDURE moved to new SECTION 16 EMPLOYEE GRIEVANCE PROCEDURES (NON-ADA) and amended)

SECTION 16 EMPLOYEE GRIEVANCE PROCEDURES (NON-ADA)

- 16.1 Any employee may initiate a grievance in accordance with the procedures outlined in this section.
- 16.2 For the purposes of this section, the term "grievance" means any dispute between an employee and management concerning the effect, interpretation, application, or claim of breach of violation of Town of Bucksport Employment Rules and Regulations this chapter.
- 16.3 Excluded from consideration of grievance are those matters pertaining to hiring, promotion of personnel, and compensation adjustments, except that regular employees may appeal a performance evaluation.
- 16.4 Every attempt ~~should~~ shall be made to resolve any dispute as soon as possible to the satisfaction of all parties.
- 16.5 Steps in the grievance procedure shall be as follows:
1. An attempt should be made for an oral agreement between the individual and ~~his/her~~ their supervisor or ~~department head~~ Department Head.
 2. If an oral agreement is not reached, the aggrieved may within ~~five (5)~~ 5 working days after knowledge of the grievance file a written complaint to the supervisor or ~~department head~~ Department Head. The ~~department head~~ Department Head or supervisor is required to make a determination of the merits of the complaints and give a written reply within ~~three (3)~~ 3 working days after receiving the grievance.
 3. If the individual is dissatisfied with the ~~department head~~ Department Head or supervisor's written decision, the aggrieved may within ~~ten (10)~~ 10 working days after the decision was rendered, make a formal written appeal to the Town Manager.
- 16.6 In the case that the Town Manager has rendered the decision as outlined by item 2 of ~~this section~~ Section 16.5, the Town Council ~~will~~ shall, upon receipt of the written appeal, return a formal written decision within ~~five (5)~~ 5 working days. In all cases the decision of the Town Manager, or when applicable, the Town Council will be final and binding.

(Content from Article 9 ADA GRIEVANCE PROCEDURE moved to new SECTION 17
EMPLOYEE GRIEVANCE PROCEDURES (ADA) and amended)

Article 9 ADA GRIEVANCE PROCEDURE

SECTION 17 EMPLOYEE GRIEVANCE PROCEDURES (ADA)

- 17.1 The following grievance procedures are established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, and benefits by the Town of Bucksport.
- 17.2 The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
~~The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation to:~~
Roger Raymond, Town Manager ~~469-7368 (voice) — 469-1178 (TDD)~~
P. O. Drawer X, Bucksport, ME 04416
- 17.3 The complaint ~~should~~ must be submitted by the grievant and/or ~~his/her~~ their designee as soon as possible ~~but no later than sixty (60) calendar days after the alleged violation to the Bucksport Town Manager, who serves as the Town's ADA Coordinator. The complaint must be submitted as soon as possible, but no later than 60 calendar days after the alleged violation.~~
- 17.4 Within ~~fifteen (15)~~ 15 calendar days after receipt of the complaint, ~~Roger Raymond, the Town Manager, (ADA Coordinator),~~ will meet with the complainant to discuss the complaint and possible resolutions. Within ~~fifteen (15)~~ 15 calendar days after the meeting, ~~Roger Raymond, the Town Manager (ADA Coordinator)~~ will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Bucksport and offer options for substantive resolution of the complaint.
- 17.5 If the response by ~~Roger Raymond, the Town Manager (ADA Coordinator)~~ does not satisfactorily resolve the issue, the complainant and/or ~~his/her~~ their designee may appeal the decision of the ADA Coordinator to the Town Council or their designee within ~~fifteen (15)~~ 15 calendar days after receipt of the response ~~to the Town Council or designee~~.
- 17.6 Within ~~fifteen (15)~~ 15 calendar days after receipt of the appeal, the Town Council or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within ~~fifteen (15)~~ 15 calendar days after the meeting, the Town Council or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, such as audio tape, with a final resolution of the complaint.
- 17.7 All complaints received by ~~Roger Raymond, the Town Manager (ADA Coordinator),~~ appeals to the Town Council or their designee, and responses from the ADA Coordinator and Town Council or their designee will be kept by the Town of Bucksport for at least ~~three (3)~~ 3

(Content from Article 2 Section 2.17 POLICY ON HARASSMENT moved to new SECTION 18 HARASSMENT POLICY and amended)

~~2.17 POLICY ON HARASSMENT~~

SECTION 18 HARASSMENT POLICY

18.1 It is the policy of the Town of Bucksport that all our employees should be able to work in an environment free from all forms of harassment. Harassment, as defined by this ~~policy~~ policy, is prohibited. This policy refers not only to supervisor-subordinate actions, but also to actions between co-workers. Any complaints of harassment will be investigated promptly.

~~2.17.1 Definition~~

18.2 Sexual harassment is the attempt to control, influence, or affect the career, salary, or job of an individual in exchange for sexual favors. Sexual harassment can also be conducted which creates a hostile or offensive work environment, or unreasonably interferes with a person's ability to perform ~~his/her~~ their job. Sexual harassment is an extremely serious matter. It is prohibited in the workplace by any person, and in any form.

18.3 Specific conduct which is prohibited includes, but is not limited to:

1. threats or insinuations, implicit or explicit, that any employee's refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties, or any other condition of employment;
2. unwelcome sexual flirtations, advances or propositions;
3. verbal or written abuse of a sexual nature;
4. graphic verbal comments about an individual's body;
5. sexually degrading words used to describe an individual; or
6. the display in the workplace of sexually suggestive objects or pictures.

18.4 Verbal Harassment is derogatory or vulgar comments regarding a person's sex, religion, age, ethnic origins, physical appearance, or the distribution of written or graphic materials having such an effect, ~~are prohibited~~. Verbal harassment is an extremely serious matter. It is prohibited in the workplace by any person, and in any form. Any employee who believes ~~he/she has~~ they have been the subject of such harassment should report the alleged conduct to their ~~department head~~ Department Head or the Town Manager. Any ~~department head~~ Department Head or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, including discharge.

~~2.17.2 Notification~~

18.5 The employer will provide, annually, a copy of the Town's policy regarding harassment to all employees, provide training to all new employees on harassment before their first anniversary of employment, and provide training to all supervisors on their responsibility to take immediate and corrective action in addressing sexual harassment complaints.

~~2.17.3 Anti-retaliation Statement~~

18.6 Under the law, ~~you~~ an employee may not be punished or penalized in any way for reporting, complaining about, or filing a claim concerning unlawful harassment, regardless of the nature or category, or for cooperating with or testifying in any proceeding brought by anyone else. An employee who believes ~~has~~ they have been retaliated against for opposing or reporting what ~~he/she~~ they reasonably believes

believe to be unlawful harassment, or ~~for~~ cooperating in any harassment investigation ~~or the same~~, may follow the same Internal Complaint Procedure set forth below. The Town will not tolerate any act of unlawful retaliation against employees who have reported, complained about, or filed a complaint of unlawful harassment.

~~2.17.4 Reporting a Complaint~~

18.7 Any employee who believes ~~he/she~~ they have been the subject of harassment should report all alleged acts to their ~~department head~~ Department Head or the Town Manager. Any ~~department head~~ Department Head or employee who is found after appropriate investigation to have engaged in harassment will be subject to discipline, up to and including discharge. An employee may also file a complaint with the Maine Human Rights Commission. The commission may be contacted at 51 State House Station, Augusta, Maine 04333-0051. The contact phone number and website address for the Commission may be referenced from notices that are posted on the employee bulletin boards located at the Bucksport Public Safety Building, Bucksport Town Office, Bucksport Town Garage, Bucksport Wastewater Facility, and Bucksport Transfer Station.

(Content from Article 2 Section 2.18 WORKPLACE SMOKING POLICY moved to new SECTION 19 WORKPLACE SMOKING POLICY and amended)

~~2.18 WORKPLACE SMOKING POLICY~~

SECTION 19 WORKPLACE SMOKING POLICY

~~2.18.1 Smoking Prohibited~~

~~Smoking shall be prohibited within any municipal or school building and on any school grounds.~~

19.1 To protect non-smoking employees from exposure in the workplace to tobacco smoke and other types of smoke or vapors intended to be inhaled, employees that smoke shall be subject to the following restrictions:

1. Smoking is prohibited in any municipal building.
2. Smoking is prohibited in any municipal vehicle.
3. Smoking is prohibited during an employee's work day, except when the employee is on an approved work break.
4. Smoking is prohibited on any municipal property, except inside an employee's personal vehicle that is parked no closer than 20 feet from an entryway, door, window or vent of a municipal building.

19.2 All cigarettes, tobacco, matches and other materials used for smoking must be extinguished and properly disposed of.

19.3 The Town Council may also prohibit smoking by the public on any municipal property. Signage shall be posted in those areas where smoking is prohibited.

19.4 For the purposes of this section, the terms "smoke" and "smoking" shall mean the possession of any ignited tobacco, marijuana or herb, an activated electronic cigarette, or any other product producing vapor or smoke intended to be inhaled.

19.5 For the purposes of this section, the term "municipal property" does not include any town street or road.

(Content from Article 7 Policy on Alcoholism and/or Drug Abuse moved to new SECTION 20 ALCOHOL AND DRUG ABUSE POLICY and amended)

~~Article 7 Policy on Alcoholism and/or Drug Abuse~~

SECTION 20 ALCOHOL AND DRUG ABUSE POLICY

~~SEC. 2-701 Policy~~

20.1 In the interest of maximizing employee performance, productivity, utilization, and retention, it is the policy of the Town to recognize alcohol and drug abuse as a treatable disease. Alcohol or drug abuse is defined as the consumption of alcohol or drugs in a manner that interferes with ~~the employees'~~ an employee's ability to perform their job. The Town will therefore maintain a continuing effort to identify and facilitate treatment of drug and alcohol abuse in dealing with employee performance problems. It is not the intent of the Town to accept below standard performance nor to restrict supervisors in dealing with performance problems, but rather to increase available alternatives.

~~SEC. 2-702 Procedures~~

20.2 Supervisors ~~will~~ shall receive instructional materials on the identification of alcohol and drug abuse problems. If a supervisor has cause to believe that employee performance is deteriorating due to alcohol and drug abuse, the supervisor will suggest professional diagnosis and treatment as part of any disciplinary action that may be required. If the suggestion is accepted, then the supervisor will attempt to accommodate such diagnosis and any subsequent treatment. This may involve providing a list of treatment resources, informing the employee of benefits available through the Town's Health Plan, and making reasonable accommodation to the employee's work duties and schedule, which may include the use of sick leave or personal leave of absence. An employee who has undergone or is undergoing treatment may return to work after providing professional certification of his ability to do so. All relevant personnel records and discussions will be kept in the strictest confidence. If the employee chooses not to accept professional diagnosis or assistance, the supervisor shall take any appropriate action ~~as provided in the Town's Personnel Policy~~ in accordance with the provisions of this chapter.

~~SEC. 2-703 Policy Superseded~~

20.3 This policy shall be superseded by any applicable Federal law, State statute, Municipal ordinance, and any collective bargaining agreements ~~which~~ that may exist. The Bucksport Town Council does pledge to work toward incorporating provisions of this policy into the ~~three (3)~~ 3 latter categories.

~~SEC. 2-704 Conclusion~~

20.4 At no time shall the safety of fellow workers or citizens or the efficiency of municipal operations be compromised by the policy.

(Content from Article 12 VIDEO DISPLAY TERMINAL OPERATOR POLICY moved to new SECTION 21 VIDEO DISPLAY TERMINAL OPERATOR POLICY and amended)

~~Article 12 Video Display Terminal Operator Policy~~**SECTION 21 VIDEO DISPLAY TERMINAL OPERATOR POLICY**~~SEC. 12-101 Requirement~~

21.1 In accordance with State law, the Town will inform all employees whose primary task is to operate a terminal for more than ~~four (4)~~ 4 consecutive hours, exclusive of breaks, on a daily basis, of health and safety aspects of using a video display terminal (VDT). A notice will be posted in a prominent location in the workplace which informs the employee of the rights and duties for a qualified employee.

~~Section 12-201 Training and Education~~

21.2 A training and education program will be established by the Town for qualified employees. The program will be provided annually both orally and in writing, except in locations where there are fewer than ~~five (5)~~ 5 terminals the information will be given to qualified employees in writing. New qualified employees will receive the training within the first month of employment.

21.3 The training at minimum will include:

1. an explanation or description of the proper use of terminals and the protective measures that the operator may take to avoid or minimize symptoms or conditions that may result from extended or improper use of terminals; and
2. instruction related to the importance of maintaining proper posture during terminal operation and a description of methods to achieve and maintain this posture, including the use of any adjustable work station equipment used by the operator.

(Content from ARTICLE 17 ELECTRONIC COMMUNICATION POLICIES moved to new SECTION 22 ELECTRONIC COMMUNICATION POLICY and amended)

~~ARTICLE 17 ELECTRONIC COMMUNICATION POLICIES~~

SECTION 22 ELECTRONIC COMMUNICATION POLICY

22.1 The Town of Bucksport (“the Town”), in an age of growing technology and electronic communication, is implementing a policy to clearly define expectations and responsibilities that apply to all employees, contractors, part-time employees, volunteers and other individuals who are provided access to the e-mail system. Third parties will only be provided access to the e-mail system as necessary for their business purpose with the Town, and only if they abide by all applicable rules.

~~“System” means all telephones, computers, facsimile machines, voicemail, e-mail, and other electronic communication, copying or data storage systems or equipment leased, owned or in the possession of the Town, including, but not limited to, any computer, computer system, or any storage device or medium that the Town provides to an employee or that is physically or electronically connected to any other part of the System.~~

~~“Electronic Communication” means all electronic communications, data, software, files, and other information created, modified, located upon, received or transmitted by, or stored upon, and part of the System, including, but not limited to e-mail, voicemail, and internet usage.~~

22.2 All parts of the System are owned by the Town and/or are provided solely for use in the Town’s business activities. All Electronic Communications are the Town’s property.

22.3 The Town has the right and the ability to monitor and review all Electronic Communications at any time without notice to its employees or any other party and for any purpose whatsoever.

22.4 Under certain circumstances, e-mail messages have been found to be public record and may be subject to right-to-know laws, depending on their content.

22.5 While users may have a confidential password, users should be aware that this does not mean that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the user.

- 22.6 The use of the e-mail system is for Town business. Passwords should be periodically changed to ensure security of the System. Users should not share passwords with anyone else, other than his or her supervisor or as applicable state and federal laws may require. A computer user who has been authorized to use a password-protected account may be subject to civil and criminal liability if the user discloses their password or otherwise makes the account available to others without express permission of the Town Manager.
- 22.7 Users may not utilize the System, or send, receive, create or store Electronic Communications upon the System, in a manner that is illegal, disruptive to others, or that interferes with the Town's business activities. ~~All users are prohibited from utilizing any part of the System to harass others, or to download, obtain, display, store, receive or transmit: (a) any information that is sexually explicit, obscene, or of a sexual nature, that contain libelous or defamatory material, or that would not be permitted on any bulletin located on Town property; (b) any ethnic, racial or religious slurs, or anything that is, or may be construed as, disparagement of others based on race, color, national origin, ancestry, gender, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by law; or (c) any communications that are derogatory of fellow users (except as may be required as part of the Town's business activities).~~
- 22.8 All users are prohibited from utilizing any part of the System to harass others, or to download, obtain, display, store, receive or transmit any information that:
1. is sexually explicit, obscene, or of a sexual nature;
 2. contains libelous or defamatory material;
 3. would not be permitted on any bulletin located on Town property;
 4. contains ethnic, racial or religious slurs, or that is, or may be construed as, disparagement of others based on race, color, national origin, ancestry, gender, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by law; or
 5. is derogatory of fellow users (except as may be required as part of the Town's business activities).
- 22.9 The System may ~~also~~ not be used to solicit anyone for any commercial, religious, charitable, or political causes, or for outside organizations.
- 22.10 Except as otherwise provided below, the System may not be used for any purpose that is not related to Town business.
- 22.11 E-mail is used to transmit and receive messages internally and externally on matters of business connected to the Town. The occasional use of e-mail with permissible content for personal matters is not prohibited, but is discouraged. ~~Voicemail is used to leave messages for employees regarding matters of a business nature. Voicemail boxes will occasionally be emptied to free up System space. Internet usage is to be limited to matters of business connected to the Town. The occasional use of the Internet for otherwise permissible personal matters is not prohibited, but is discouraged. Any downloading of materials or loading of programs/software onto any part of the System without permission from the Town Manager is prohibited.~~

- 22.11.1 ~~In addition, E-mail messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to the Town's record retention schedule. As such, these e-mail messages are similar to printed communication and should be written with the same care. Emails in the possession of employees and appointed or elected officials that concern the transaction of town business are public records and must be retained according to state retention schedules in either electronic form or a printed copy.~~
- 22.11.2 ~~Users should also be aware that when they delete a message from their workstation mailbox it might not have been deleted from the System. The message may reside in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period. Again, note that e-mail has been classified as a public document, i.e., available to the media, in at least one state. Keep this in mind when you create or store e-mail. E-mails that are deleted from an employee's computer remain in the town's back-up system until removed in accordance with a routine schedule. E-mails stored in an employee's E-mail in-box or other folder on their computer remains there until removed at the appropriate time. Users should store and/or delete e-mail messages as soon as possible after reading, as System disk space is limited. The Town Manager or his/her designee will automatically delete all messages after 60 days, unless archived by the user. Contact the Town Manager if you are unsure as to how to archive messages.~~
- 22.12 Voicemail is used to leave messages for employees regarding matters of a business nature. Voicemail boxes will occasionally be emptied to free up System space.
- 22.13 Internet usage is to be limited to matters of business connected to the Town. The occasional use of the Internet for otherwise permissible personal matters is not prohibited, but is discouraged. Any downloading of materials or loading of programs/software onto any part of the System without permission from the Town Manager is prohibited.
- 22.14 The workplace activities of System users reflect upon, and may create liability for, the Town. The Town may take disciplinary action, up to and including termination of employment, against a user who violates the terms of this policy as those terms may be changed and/or supplemented from time to time by the Town.
- 22.15 The Town Manager will be responsible for overseeing the implementation of this policy and the accompanying rules, and for advising the Town Council of the need for any future amendments or revisions to the policy. The Town Manager may develop procedures governing the day-to-day management and operations of the Town's System as long as they are consistent with the Council's policy. The Town manager may delegate specific responsibilities to others as deemed appropriate.
- 22.16 For the purposes of this section, the following definitions are provided:
1. System means all telephones, computers, facsimile machines, voicemail, e-mail, and other electronic communication, copying or data storage systems or equipment leased, owned or in the possession of the Town, including, but not limited to, any computer, computer system, or any storage device or medium that the Town

provides to an employee or that is physically or electronically connected to any other part of the System.

2. Electronic Communication means all electronic communications, data, software, files, and other information created, modified, located upon, received or transmitted by, or stored upon, and part of the System, including, but not limited to e-mail, voicemail, and internet usage.

(Content from ARTICLE 14 EMERGENCY RESPONSE PLAN moved to new SECTION 23 EMERGENCY RESPONSE PLAN and amended)

~~ARTICLE 14 EMERGENCY RESPONSE PLAN~~

SECTION 23 EMERGENCY RESPONSE PLAN

~~Section 14-101 Purpose~~

- 23.1 The purpose of this plan is to outline the procedures employees must follow should an emergency occur within any facility owned by the Town.
- 23.2 If any emergency should occur at any town owned facilities, such emergencies including fire, explosion, gas leak, and smoke, employees are required to leave the building immediately and organize in ~~the~~ a designated parking(s) lot which that serves that building. Employees will exit the building using the closest exit within the building. No employee will stay behind to perform any shut down before evacuation.
- 23.3 The supervisor in charge within the facility at the time of the emergency, will account for all employees after the emergency evacuation has been completed. The supervisor will then assign one of the employees ~~to go to the nearest phone away from the facility~~ to contact emergency personnel at 911 from the nearest phone outside the facility. The Town Manager will be notified as soon as all employees have been evacuated and emergency personnel have been contacted.

~~Section 14-102 Training~~

- 23.3 All employees will receive a copy of the Emergency Response Plan once adopted. New employees will receive a copy of the plan during their first day of employment. Department ~~heads~~ Heads or facility supervisors will be responsible to review the plan with all employees on an annual basis or upon any change with the plan.

~~Section 14-103~~

- 23.4 Floor plans will be posted in a visible location next to each ~~exist~~ exit in each building where employee are required to work. ~~which~~ The plans will identify the exits and the area where employees will be required to assemble in case of an emergency. Buildings where floor plans will be posted include the Town Office, Transfer Station, Public Safety Building, Town Garage, Swimming Pool Bath House, and Treatment Plant.

(Content from Article 4 SAFETY POLICIES AND REGULATIONS moved to new SECTION 24 WORKPLACE SAFETY PROGRAMS, PLANS AND POLICIES and amended)

~~Article 4 – Safety Policies and Regulations~~

SECTION 24 WORKPLACE SAFETY PROGRAMS, PLANS AND POLICIES

~~SEC. 2-401 Responsibilities~~

- 24.1 The Town Manager is responsible for the development, organization, coordination and implementation of the Town's safety program. Responsibilities also include work site

inspections, hazard reduction and/or elimination, and accident/injury investigation, reporting and management. The Town Manager will advise Department Heads of unsafe conditions, problems related to accident prevention and recommendations for loss control.

24.2 Department Heads ~~Supervisors~~ are responsible for fulfillment of departmental goals and objectives as well as the health and welfare of each employee in the department. In the adopted safety policy program, the highest priority ~~has been~~ is placed on employee safety which becomes the responsibility of the respective administration. It is normal practice for Assistants or Foremen to be delegated the authority to carry out safety ~~policy policies~~ in their departments, but the responsibility for meeting objectives and the protection of employees in performance of their assignments cannot be transferred. Department Heads or Assistants or Foremen will assume responsibility of thoroughly instructing their personnel in the safe practice to be observed in their work situation. They will consistently enforce safety standards and will act positively to eliminate potential hazards within the activities under their jurisdiction and they will set the example of good safety practice in all shares of their endeavors.

24.3 The principle duty of Department Heads and Assistants or Foremen is in discharging their responsibilities as follows:

1. Enforcing all safety regulations in effect and make employees aware that violations of safety rules will not be tolerated.
2. Making sure all injuries are reported promptly and treated properly and all accidents are reported even if an injury is not apparent.
3. Conducting thorough investigations of all accidents and taking necessary steps to prevent reoccurrence through employee safety education, operating procedures or modification of equipment.
4. Providing employees with complete safety instructions regarding their duties prior to the employees actually starting to work.
5. Conducting regular safety checks, including a careful examination of all new and relocated equipment before it is placed in operation.
6. Properly maintaining equipment and issuing instructions for the elimination of fire and safety hazards.
7. Continuously inspecting for unsafe practices and conditions and promptly undertaking any necessary corrective action.
8. Developing and administering an effective program of good housekeeping and maintaining high standards of personal and operational cleanliness throughout all operations.
9. Providing safety equipment and protective devices for each job based on knowledge of applicable standards or on recommendation of the Town Manager, Safety Committee or outside sources.
10. Conducting safety meetings and encouraging the use of employee safety suggestions.
11. Giving full support to all safety procedures, activities, and programs.

24.4 Employees ~~as part of the safety program~~ are expected to place safe work practices and to identify the identification of unsafe conditions as the highest priority while

performing assigned daily tasks. Each employee's safety responsibilities must include but are not limited to the following:

1. Following State, Federal and Municipal safety rules, regulations and laws.
2. Using the safety equipment which has been provided for use in performing daily work assignments.
3. Wearing the prescribed uniform and safety shoes as required.
4. Not operating equipment for which training or orientation has not been received.
5. Warning coworkers of unsafe conditions or practices they are engaged in which could lead to or cause an accident.
6. Reporting defective equipment immediately to Department Heads or Assigned Assistants or Foremen.
7. Reporting dangerous or unsafe conditions that exist in the workplace as well as throughout the Municipality. These would include defective sidewalks, broken curbs, hanging tree limbs, open manholes, sunken basins and sewers; missing or damaged traffic signs.
8. Reporting of all injuries and accidents regardless of severity.
9. Protection of unsafe conditions resulting from ~~municipality~~ work conducted by the Town that could present a hazard to the public.
10. Taking care not to abuse tools and equipment so that those items will be in usable condition for as long as possible as well as to ensure that they are in the best possible condition while being used.

~~SEC. 2-402 Safety Equipment~~

~~It is the municipality's intent to provide all necessary personal protective equipment required in performing routine operations. Those items include but are not limited to:~~

- ~~1. Safety shoes*~~
- ~~2. Rain gear**~~
- ~~3. Gloves*~~
- ~~4. Boots*~~
- ~~5. Protective head gear~~
- ~~6. Eye protection (face shields, safety glasses, goggles)~~
- ~~7. Hearing protection~~
- ~~8. Visibility vest~~
- ~~9. Welding shields~~
- ~~10. Respiratory protection~~
- ~~11. Special application tools~~

~~(* to be purchased by each employee with annual clothing allowance)~~

~~(** to be provided by Police Annual Clothing Allowance)~~

~~Requests for equipment not immediately available should be directed to the responsible Department Head. Use of required personal protective equipment is the employee's responsibility and ignoring this requirement will not be tolerated.~~

~~SEC. 2-403 Training~~

24.5 TRAINING: Each Department Head has the responsibility of providing on-the-job training to each employee on the topics that will enable the employee to do ~~his or her~~ their job safely and efficiently. The training shall include but is not limited to:

1. Orientation to departmental and overall municipal safety and health rules.
2. Instruction in State and Federal safety regulations specific to particular tasks.

3. Procedures for reporting on the job injuries and Worker's Compensation claims.
4. Requirements for use of vehicles.
5. Reporting of unsafe conditions.
6. Reviewing Hazardous Chemical Ordinance and procedures.

~~SEC. 2-404 Accident, Injury and Incident Reporting~~

24.6 ACCIDENT, INJURY AND INCIDENT REPORTING: In the event of accident or injury to a municipal employee, injury to a citizen by municipal operations, or damages to property related to municipal operations, the Town Manager and Department Head ~~will~~ must be notified immediately. This includes any fatalities occurring on municipal property whether an employee or not. The Department Head is responsible for proper handling of the details of such cases. This requires those involved to remain calm and in control of the situation, to make the necessary request for emergency assistance and to collect vital information so that effective case management can take place. The home and work phone number of the Town Manager will be available for all Department Heads or Assistants. The home phone number of the Department Head will also be available to all employees of the Department. There should be no hesitation or reluctance in calling for information or to ~~advise of~~ report an unusual or serious circumstance.

~~SEC. 2-405 On The Job Procedures~~

24.7 ON THE JOB INJURY REPORTING PROCEDURES: The following procedures apply to all employees, both full and part time. In addition to these procedures, department rules may apply. Whenever questions arise which are not covered by the outlined procedures, these questions should be referred to the Town Manager.

1. The employee ~~will~~ must report an injury to the Department Head or the Assistant or Foreman immediately. If the injury is serious or the extent of injury is unknown, medical attention should be sought immediately.
2. Employees Report of Injury or Illness ~~MUST~~ must be submitted within ~~twenty-four (24)~~ 24 hours after the occurrence to the Payroll Clerk.
3. In addition to the first report of injury, an accident investigation report must be completed and signed by the Department Head. The Town Manager ~~will~~ must receive a copy within ~~twenty-four (24)~~ 24 hours after the incident occurred. Investigation reports will be discussed by the Safety Committee.

~~SEC. 2-406 Purchasing Procedures and Safety~~

24.8 PURCHASING PROCEDURES AND SAFETY: The Department Head must make sure that equipment commodities and services that are purchased for use by municipal employees conform to industry standards as well as Federal and State safety manufacturing requirements.

~~SEC. 2-407 Driving Rules and Regulations~~

24.9 DRIVING RULES AND REGULATIONS: All drivers of municipal vehicles and those using their personal vehicles in pursuit of municipal business will comply with all applicable laws of the State as well as any additional regulations of the municipality. The Town Manager's office will be responsible for checking annually all driver records for employees who operate town owned vehicles or equipment or who use their personal vehicles for town business.

1. Municipal vehicles are to be parked in accordance with all municipal parking regulations with the exception of emergencies.

2. No municipal vehicle is to be left unattended with ignition key left in the ignition.
3. All municipal vehicles should be locked when not in use.
4. Before initial use of any vehicle each day, the driver will inspect the vehicle for damage, inoperable lights, loose hardware, under-inflated tires, or any other condition which may create an unsafe situation.
5. Any deficiency encountered will be reported to the Department Head or designated supervisor immediately. It will be the Department Head's or assigned supervisor's responsibility to insure that appropriate action is taken to correct the problem.
6. Safety belts will be worn at all times by drivers and passengers, for all equipment and vehicles equipped with safety belts.
7. Vehicles with movable windshields are to have these windshields in the up position while in operation.
8. Protective or detachable doors may not be removed from a vehicle unless it is a necessity in order to perform the job and mirrors remain usable when the doors are off. Similarly, vehicle doors are not to be tied open.
9. Turn signals will be utilized by all drivers at all times in ample time to warn oncoming or following vehicles of the intent.
10. Drivers will insure that the windows, headlights, emergency lights, taillights and windshield wipers are clean and operational at all times.
11. If the vehicle does not have a tailgate but is loaded, the driver of the vehicle will insure that the load is secure on the truck, and that overhangs are properly marked in accordance with applicable State Laws.
12. Triangular orange-colored slow moving vehicle signs will be displayed on the rear of the vehicle.
13. No vehicle with an obstructed view to the rear will be backed unless an observer signals that it is safe to do so or the vehicle has a reverse signal and audible alarm which can be heard above the surrounding noise level. All trucks, and equipment will be equipped with audible backup alarms. Employees shall not switch off, remove or render inoperable any audible or visual safety device. Drivers will visually inspect the area around a parked vehicle before moving the vehicle.
14. No private vehicle will be towed or pushed at any time by any ~~publicly-owned~~ town vehicle or equipment.
15. The driver shall be responsible for assuring that all passengers are seated and properly secured before moving the vehicle. Passengers will not ride on a vehicle unless a seat is provided by the manufacturer. Under no circumstances shall passengers ride on fenders, running boards, tops of vehicles, or any place not designed for passengers.
16. Drivers will carry their valid State driver's license at all times when operating motor vehicles. All restrictions noted on the driver's license will be adhered to. No employee will be allowed to operate a vehicle which ~~he or she~~ is they are not licensed to operate.
17. Each employee who operates a vehicle regularly or occasionally is required to report any suspension or revocation of ~~his or her~~ their license to the Department Head.
18. Posted speed limits will be strictly adhered to.

19. During periods of limited visibility or any time windshield wipers are in use, vehicle headlights will be turned on.
20. The consumption, use and/or possession of alcoholic beverages or illegal drugs on Town property or while on duty is strictly forbidden. Employees shall not report to work while under the influence of alcohol or drugs.
21. Trailers are to be fastened securely to hitches. Safety chains will be crossed under the hitch and securely fastened before moving the vehicle.
22. All items to be transported either in a truck or trailer which may move around during transport will be secured.
23. No more than ~~three (3)~~ 3 persons will ride in the front seat of any vehicle. Where only ~~two (2)~~ 2 single seats exist there is to be only one (~~1~~) rider per seat.
24. An employee who uses a personal or town owned vehicle or equipment is prohibited from using a cellular phone, hands on, while driving or operating on duty unless the vehicle or equipment is stationary. A cellular phone is any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet or downloads and allows for the reading of and responding to email whether the device is town supplied or personally owned.

~~SEC. 2-408 Use of Hard Hats~~

~~Hard hats will be worn by municipal personnel when involved in the following situations:~~

- ~~1. Present for any reasons on construction sites where hard hat signs are posted.~~
- ~~2. All water, sewer, street and road construction operations, except when operator of equipment or truck driver is inside the cab. This does not apply to passengers.~~
- ~~3. All forestry operations including cutting brush along the roadside.~~
- ~~4. Any task by any municipal employee where potential for head injury exists.~~
- ~~5. In locations damaged by disaster, fire, flood or other causes which could result in structural damage or falling material.~~
- ~~6. All Department Heads and the Town Manager involved in the above types of work.~~
- ~~7. All work where personnel are working above other workers or where any other potential head injury may occur.~~

~~SEC. 2-409 Use of Hearing Protection~~

~~Hearing protection in the form of ear plugs or muff style hearing protectors will be worn when known noise levels exceed eighty five (85) decibels (db.). This includes but is not limited to the following tasks: Chain saw work, jackhammer operations, prolonged operations of heavy equipment, use of wood chipper, etc.~~

~~SEC. 2-410 Use of Steel-toed Shoes~~

~~Steel toed work shoes of good quality leather shall be worn by all employees. At no time will sneakers, sandals, or other forms of unpermitted footwear be worn.~~

~~SEC. 2-411 Use of Eye and Face Protection~~

~~Employees shall wear eye and face protection when machines or operations present potential eye or face injury from physical, chemical or radiation agents. This includes but is not limited to the following tasks: working with rotary power tools, abrasive wheels, pneumatic tools, chain saw work, handling chemicals, working with wood chipper, using baler or glass and can crusher, etc.~~

~~SEC. 2-412 Maintenance of Facilities~~

- ~~1. All aisles and passageways shall be kept clear to provide free and safe movement of material handling equipment or employees. Such areas shall be kept in good repair. Aisles, doorways, fronts of electrical panels, and access areas to emergency equipment~~

such as fire extinguishers and alarms will not be used for storage and will be kept clear at all times.

2. ~~Oil, grease, gasoline, and other chemical products spilled on floors and walkways shall be cleaned up immediately. Approved noncombustible absorbent shall be used to dry up spills before cleaning. Flammable liquids shall not be used. Loose materials or waste shall not be allowed to accumulate in the work area. Adequate housekeeping shall be maintained to assure freedom from slip, trip and fall type hazards.~~
3. ~~Disposable combustible waste and flammable materials subject to spontaneous combustion shall only be deposited in noncombustible metal containers with self-closing lids.~~
4. ~~Any source of ignition, including smoking, is prohibited in any area where a match, flame, spark or careless disposal of lighted material constitutes a fire hazard.~~
5. ~~Flammable or combustible liquids shall not be stored in areas in use for exits, stairways, or normally used for the safe passage of people.~~

SEC. 2-413 Operations in the Public Way

~~Whenever operations are taking place in streets, on sidewalks, or other places where citizens as well as employees may be endangered, the Department Head or his/her assignee is as responsible for the safety of the public in this type of operation as for getting the job done. The Department Head or his/her assignee must spend ample time before, during and after the work to protect employees and the public from the hazards created by this work. The following procedures are to be followed:~~

1. ~~If street construction or repair work is to be done, preparation will be made to assure vehicle/pedestrian safety before such work is allowed.~~
2. ~~If traffic is affected by the operation, proper signing must be used to warn in advance of the work area and traffic control signs in and around the affected area are to be correctly placed and maintained through the period when work is being performed and traffic obstructions exist.~~
3. ~~Where barricades and signs are used overnight, Department Heads will examine the work area for proper placement at the end of the work day.~~
4. ~~Lighted barricades will be used whenever possible for overnight protection.~~
5. ~~Where traffic must be periodically stopped or obstructed by workers or equipment in the traveled portion of a roadway, a flagman wearing a protective vest will be stationed.~~
6. ~~All workers in or near the roadway will wear reflective vests or cross straps on their clothing while at the work site.~~
7. ~~Flagmen will be used to slow or direct traffic where the approach to the work area does not provide adequate visibility to drivers.~~
8. ~~In any case where streets are significantly obstructed or closed for any period of time, the Police Department and Fire Department will be notified of the situation and told approximately how long the closure will be in effect.~~
9. ~~If pedestrian traffic must be routed off sidewalks and into the street, protection will be provided by cones, barricades and signs to guard from vehicular traffic.~~
10. ~~Holes in the sidewalk or parkway which must be left open will be covered whenever possible along with perimeter protection. Every possible means of preventing accidental entry into the hole should be used.~~

11. When an unusual situation exists that cannot be easily resolved or when personal injury or damage to equipment or property occurs as a result of operation, the responsible Department Head should be contacted.
12. Employees working on the roadside shall post "Men Working" signs in both directions to inform oncoming traffic of the work area.

~~SEC. 2-414 Chlorine Handling and Use~~

All personnel involved with using chlorine must have a clear understanding of the consequences of a chlorine leak and its effects on the body.

All personnel involved must be aware of the operation of the detection and alarm system within a chlorine affected space—how it functions and what to do when an alarm does sound.

All personnel involved must be trained in the proper handling and use of the required safety equipment available and ready for use, such as self-contained breathing apparatus.

All personnel must be made aware that chlorine tank changing and any chlorine tank or piping repair must never be attempted alone.

The attending employee must be made aware that if the person within the chlorine affected space is rendered helpless the first thing to do is to communicate with the Fire Department. A rescue should never be attempted without a self-contained breathing apparatus that has been tested on site.

The documented confined chlorine emergency entry procedure must be reviewed step by step and each involved party must be asked to perform the procedure properly, providing all necessary equipment.

Each new employee no matter how experienced must be trained in this chlorine emergency entry procedure and have performed it at a training session before being allowed to enter a chlorine space.

~~SEC. 2-414A Handling and Use of Sodium Metabisulfite~~

All personnel involved with using sodium metabisulfite must have a clear understanding of the consequences for handling and using metabisulfite. Personnel involved must be trained in the proper handling and use of the required equipment needed to handle and use metabisulfite.

~~SEC. 2-415 Use of Chain Saws~~

All personnel involved in using a chain saw will be required to:

1. ~~Wear hard toed shoes~~
2. ~~Wear approved chin guard (fiberglass)~~
3. ~~Wear gloves~~
4. ~~Wear protective eye glasses or goggles~~
5. ~~Wear hearing protection.~~

~~SEC. 2-416 Excavations~~

The following requirements must be adhered to when any employee is involved in excavation:

1. ~~Prior to beginning excavation a competent person will prepare a written pre-plan of the site to determine the conditions, to identify the equipment necessary, to assure the safety of each employee and to make sure the OSHA regulations are followed. A copy of all pre-plans will be maintained at the Town Garage.~~
2. ~~Daily inspections of excavations, the adjacent areas and protective system shall be made by a competent person for evidence of a situation that could result in the possible cave-ins, indication of failure of protective system, hazardous atmosphere or other hazardous conditions.~~

3. ~~The estimated location of utility installations such as water, telephone, fuel, electric or underground installations that reasonable may be expected to be encountered during excavation work shall be determined prior to opening an excavation.~~
4. ~~Utility companies or owners shall be contacted within established or customary local response times, advised of the proposed work and asked to establish the location of the utility underground installations prior to the start of actual excavation.~~
5. ~~Require testing of any excavations greater than four (4) feet in depth as well as ones where oxygen deficiency or a hazardous atmosphere exists or could reasonably be expected to exist before an employee enters the excavation. If hazardous conditions exist, emergency rescue equipment such as breathing apparatus, a safety harness and line shall be readily available.~~
6. ~~Utilize a shoring system, trench box or sloping sides which meets OSHA regulations whenever the sides are more than five (5) feet and deemed by a competent person to be a risk to employees.~~
7. ~~If water has accumulated or is accumulating, use adequate equipment to control water from accumulating. The equipment and operations of the equipment must be monitored by a competent person to ensure proper use.~~
8. ~~When the trench is four (4) feet or more an adequate means of exit, such as a ladder or steps shall be provided and located so as to require no more than twenty five (25) feet of lateral travel.~~
9. ~~Boulders, stumps or other materials within two (2) feet of the trench that may roll or slide into the excavation shall be removed or made safe.~~
10. ~~Guardrails, fences or other barricades shall be placed at all excavations which are adjacent to paths, walkways, sidewalks, driveways or other pedestrian or vehicular thoroughfares. Adequate barriers shall be provided at all remotely located excavations.~~
11. ~~Excavations or hoisting equipment shall not be allowed to raise, lower or swing loads over workmen in the excavation.~~

Sec.2-416A Fire Extinguishers

- 24.10 **FIRE EXTINGUISHERS:** All fire extinguishers located within town owned buildings, working equipment or vehicles ~~will~~ shall be visually inspected each month by one or more employee that has been designated to conduct these inspections. In case of a working vehicle or equipment, the primary driver or operator will be responsible to complete the monthly visual inspection.
- 24.10.1 ~~Within town owned buildings, the Public Works Director will be responsible to do the visual check at the town garage, the operators at the transfer station and waste water treatment plant, the janitor at the town office and public safety building and the Recreation Director at the swimming pool bath house and skating rink building. The monthly visual inspection will be determine whether the fire extinguishers have been damaged or discharged. Such inspection will be noted on a tag attached to the extinguisher.~~
- 24.10.2 Yearly inspections of fire extinguishers will be completed by the Fire Chief or his designee. Tags attached to each fire extinguisher will identify the name of the person from the Fire Department who conducted the test and the date of inspection.
- 24.10.3 Employees who might be expected to use a fire extinguisher include all permanent employees at the wastewater treatment facility, recreation department buildings, transfer station, highway department, police officers and firemen. Employees will be

provided with an educational program to familiarize the employee with the general principles of fire extinguishers use and the hazards involved in incipient stage fire-fighting. The training will be provided annually thereafter. The Fire Chief or his designee will be responsible to provide for providing such training.

~~SEC. 2-416B Overhead and Floor Cranes~~

~~Daily, before operation or monthly if the crane has not been used, inspect all functional operational mechanisms of overhead or floor cranes for excessive wear and for maladjustment that would interfere with proper operation. Inspect hooks to be assured that those with cracks having more than 15% in excess of normal throat opening or twisted more than 10 degrees from the plane of the unbent hook should be taken out of service. Inspect hoist chains and end connections for excessive wear, twist, distorted links, or stretch beyond the manufacturer's recommendations. Records of daily and monthly inspections must be kept that include at least the date, the inspectors signature and items checked. Daily and monthly inspections sheets will be provided by the town for use of inspection purposes.~~

~~SEC. 2-417 Work on Truck Bodies~~

~~No truck body should be worked on in a lifted up position unless it has been blocked so that it cannot come down.~~

~~SEC. 2-418 Mower/Yard Work~~

~~Employees operating or working in the immediate area where operations of gasoline or electricity driven brush trimmers or weed cutters are being used shall wear protective clothing. This shall include, but not be limited to, full length pants and appropriate safety footwear. Employees shall not reach into the discharge chute or under the safety shroud of any operating hand powered or "ride-on" power mower. Mowers will be completely stopped and switched off or spark plug wire removed prior to performing maintenance or inspection work in the cutting area of the mower. Under no conditions will employees remove any safety equipment from powered mowers.~~

~~SEC. 2-419 Operating Balers or Compactors~~

~~No baler or compactor will be operated without having in operation all the safety switches and stops which were part of the compactor or baler when manufactured. Employees will not start the equipment unless all safety doors have been properly closed. Safety glasses will be worn by any employee working within twenty five (25) feet of any compactor or baler. Only employees trained in the use of a compactor or baler will be allowed to operate such. Training will include specific location of hands placement while operating the equipment. No employee will be allowed to service or maintain any compactor or baler without first following the proper lockout/tagout procedures.~~

~~SEC. 2-420 Use of Extension Cords and Cords to Small Power Tools~~

~~Employees using extension cords or plug connected electric equipment must visually inspect the cord for external defects such as loose parts, deformed or missing pin, damage to the outer jacket or insulation and for evidence of possible internal damage such as a pinched or crushed outer jacket. If defects are noted the cord or power tool should not be used until the cord has been repaired or replaced.~~

~~SEC. 2-421 Operating the Tin Can and Glass Crusher~~

~~No employee will operate the glass or tin can crusher unless that employee has received training in the safe use of such equipment. A full face shield, gloves, ear protection, and a~~

long-sleeve shirt will be worn by any employee operating the glass and tin can crusher. When the crusher is in operation, safety glasses will be worn by all employees working in the disposal area of the transfer station and no citizens will be allowed within twenty five (25) feet of the crusher.

SEC. 2-422 Compliance

COMPLIANCE: Because of the importance for all employees to abide by the provisions of the safety program, including articles 4, 5, 6, 11, 12, 13, 14, 15, 16 of Chapter II of the Bucksport Town Code, it becomes necessary to establish procedures by which employees will be disciplined should components of the program be violated or not be followed. It is important for all employees to realize that the following are general steps of discipline and the degree of disciplinary action will be determined based on the severity of the violation; however, generally the following steps will apply:

1. ~~First violation — verbal warning.~~
2. ~~Second violation — written notice.~~
3. ~~Third violation — written notice, three (3) day suspension without pay.~~
4. ~~Fourth violation — written notice, ten (10) day suspension without pay.~~
5. ~~Fifth violation — termination.~~

Violation notices will be written by Department Heads and provided to the disciplined employee. Department Heads who are found to be in violation of the policy will be disciplined by the Town Manager. Records of all notices will be included in the employee's file. Employees will follow the applicable grievance procedures as outlined in the work agreement or Town Personnel Policy if they feel that they have been grieved as a result of the disciplinary action taken

24.11 Department Heads shall ensure their departments are in compliance with the applicable requirements of Section 24 and all applicable State and Federal safety regulations, including but not limited to:

1. Hazard Communication
2. Control of Hazardous Energy Lockout/Tagout
3. Confined Spaces
4. Operations in a Public Way
5. Personal Safety Protection
6. Equipment Operation Procedures
7. Facilities Maintenance
5. Bloodborne Pathogen Exposure Control
6. Alcohol and Drug Policy and Testing Procedures for the Omnibus Transportation Employee Testing Act of 1991
7. Identity Theft Prevention

(Deletions below also include all content in each Article, if any)

Article 3 ——— (Reserved) — This article has no content.

Article 5 ——— (Reserved) This article has no content.

Article 8 ——— Alcohol and Drug Policy and Testing Procedures for the Omnibus Transportation Employee Testing Act of 1991

Article 6 ——— Hazard Communication Program

~~Article 10 (Reserved) This article has no content.~~
~~Article 11 Bloodborne Pathogen Exposure Control Plan~~
~~Article 13 Control of Hazardous Energy Lockout
Tagout Written Program~~
~~Article 15 Confined Spaces Program~~
~~Article 16 Respirator Policy~~
~~Article 18 Identity Theft Prevention Program~~

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Form 4503

Notification: 10300379334

Work Order: 801000158736

LOCATION PERMIT

Upon the Application of Center Maine Power Company and Northern New England Telephone Operations LLC,
 dated Aug 8, 2017, asking for permission, in accordance with law, to construct and
 maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances
 over, under, along or across certain highways and public roads in the location described in said application,
 permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,
 said facilities and appurtenances in the City / Town of Buckeport,
 approximately located as follows:

1. Starting Point: Bucks Mills Road
2. Road (State & CMP): Church Rd (CMP = Meetinghouse Rd)
3. Direction: South
4. Distance: 2,400 feet
5. Number of Poles: 3

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

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____ Page _____

Attest: _____

Clerk

Form 4501

Notification: 10300379334

Work Order: 201000153736

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of Bucksport } Maine

To the: City
 Town
 County of: Hancock } Maine

- Central Maine Power hereby applies for permission to:
 - Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.
 - Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, outcans, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

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

1. Starting Point: Bucks Mills Road
2. Road (State & CMP): Church Rd (CMP = Meetinghouse Rd)
3. Direction: South
4. Distance: 2,400 feet
5. Number of Poles: 3

- Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.
- Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

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

Public Notice of this application has been given by publishing the text of the same Not Published

In: _____

On: _____

CENTRAL MAINE POWER COMPANY

Northern New England Telephone Operations LLC

By: Jordan Drake

Date: Aug 9, 2017

By: Donnell Godwin 8/9/17
for Stephen Polgar
Senior Network Engineer

Form 4502

Notification: 10300379334

CENTRAL MAINE POWER COMPANY

Work Order: 801000163735

SKETCH TO ACCOMPANY APPLICATION FOR POLE OR UNDERGROUND LOCATIONS

Page 1 of 1

City/Town: Bucksport
 Street: Church Rd (CMP = Meetinghouse Rd)

Date: Aug 8, 2017
 By: Jordan Drake

Facilities to consist of wood poles and appurtenances with a minimum clearance of wire and cables not less than 21 feet over the public highway, and/or underground facilities to consist of buried cables, conduits, transformers and manholes for operation at 7200 volts to ground single phase. Construction to be suitable for future operation at a voltage not to exceed 22KV to ground single phase. Right-of-way limits indicated are based on the best field information available. Poles/Pads are staked. For further information call: Jordan Drake at Central Maine Power Company tel: 829-1789. Pole/Pad spans shown are approximate.

