

**BUCKSPORT TOWN COUNCIL MEETING  
7:00 P.M., THURSDAY, AUGUST 10, 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**
  - a. Finance Committee Minutes 7-27-17
5. **Receive and review correspondence and documents**
  - a. Donation – Verona Wine & Design – Pool Repairs
  - b. Olver Associates – Letter Sent in response to CSO Permit Requirements
  - c. Olver Associates – Letter to residents impacted by interceptor sewer inspection
  - d. Weekly Construction Memo 8-4-17
  - e. Letter re: Hiring for personnel with Safer Grant
  - f. Old Chapman Farm Grand Opening August 19, 2017
6. **New Ordinances to Consider/Introduce**
  - a. Shall an ordinance be introduced 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 introduced 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changing the name of the chapter to clarify its purpose; reformatting the chapter, improving syntax; removing several outdated workplace safety regulations; clarifying employment classifications and benefits, updating the workplace smoking policy; and removing benefit conflicts with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.
7. **Discussion Items (Manager Clarification and Direction, or Council Discussion and/or Input on Issues)**
  - a. **Downeast Transportation** - \$900 error in appropriation request
  - b. **Wilson Hall**
8. **Agenda Items**
  - a. To adopt Resolve #2018-12 to approve purchase and outfit a new police cruiser with up to \$32,500 to be used from Police Equipment Reserve
  - b. To adopt Resolve #2018-13 to approve the 5 year lease/purchase of a highway truck.
  - c. To adopt Resolve #2018-14 to approve Pay Requisition #24 for the Sewer Treatment Plant Project in the amount of \$215,124.30 to be paid from grant proceeds.
9. **Resignations, Appointments, Assignments, and Elections**
10. **Approval of Quit Claims, Discharges, and Deeds**

- a. Quitclaim – 21 Colby Crossing to Krystal Duda

**11. Town Manager Report**

- a. Department Head Reports

**12. Set Public Hearings, and/or Hold Public Hearings and Approval of any Licenses or Permits**

- a. **Public Hearing on** Shall an ordinance be adopted titled “Amendments to Appendix K of the Bucksport Town Code” such ordinance being for the purpose of bringing Appendix K into compliance with changes made to DEP Chapter 1000 Guidelines for Municipal Shoreland Zoning Ordinances in January of 2015, making changes to dimensional standards and to certain zoning boundary lines in the DTS District, and to revise timber harvest standards.

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

14. Executive Session pursuant to Title 1 §405 (6) (H) to consult with the code enforcement officer regarding the prosecution of an enforcement matter pending in District Court

**15. Designation of Topics for Committee Assignment, and Scheduling of Committee Meeting**

**16. Adjournment**

**FINANCE COMMITTEE MEETING MINUTES  
6:30 P.M., THURSDAY, JULY 27, 2017  
COUNCIL CHAMBERS – BUCKSPORT TOWN OFFICE**

**AGENDA**

1. **Call meeting to order** - *The meeting was called to order at 6:30 p.m. by Chairman Stewart.*
2. **Roll call** – *Councilor Gauvin and Councilor Stewart, present. Councilor Carmichael, absent. Also attending was Councilor Rabs*
3. **Signage** – *The Town Manager explained that the Economic Development Director had been discussing signs at the Economic Development Committee level for some time for the Heritage Park sign, as well as for improvements to the entrance signs to the community. Councilor Rabs indicated that the subject needed to be addressed through the establishment of a reserve or use of some other funding stream because no resolution seemed to be happening despite lots of discussion. Since the Economic Development Director has the information on the signs and he was on vacation this week, motion by Councilor Gauvin, seconded by Councilor Stewart to table until the next meeting when the Economic Development Director could be in attendance. Unanimous vote in favor.*
4. **Adjournment** – *Motion by Councilor Gauvin, seconded by Councilor Stewart to adjourn at 6:40 p.m. Unanimous vote to approve.*

**Respectfully submitted,**

**Susan Lessard  
Town Manager**

**Finance Committee  
Peter Stewart, Chairperson  
Paul Gauvin  
Robert Carmichael, Jr.**

To Whom It May Concern, 5A-Rec'd 8/3/17

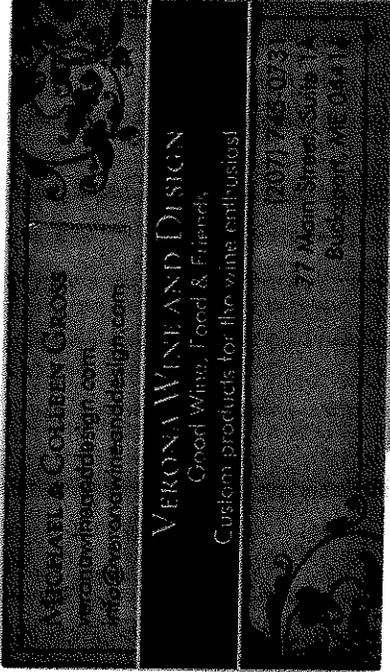
Verona Wine and Design recently held a wine tasting event and asked that a donation of \$2 be given to help support the Bucksport Recreation Department. We understand the swimming pool is in need of some repair.

We are enclosing this check to you so it can be applied toward the repair work.

Thank you for the wonderful job this department does for this Community

Sincerely,

Mike & Colleen Gross  
Verona Wine and Design  
15 East Side Drive  
Verona Island, ME 04416



**OLVER ASSOCIATES INC.**

**ENVIRONMENTAL ENGINEERS**

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August 4, 2017

Mr. Michael Riley P.E., CSO Coordinator  
Bureau of Land and Water Quality  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333

Dear Mike:

On behalf of the Town of Bucksport, we are writing as a follow-up to our meeting of July 19, 2017 at which the status of the Town's CSO Abatement Program was discussed. The Department had requested this meeting to determine if the Town is on schedule to complete a CSO Master Plan Update by April, 2018. As you know, the Town's current wastewater discharge permit, which was issued on April 10, 2012, contained a requirement that the Town submit an updated CSO Master Plan by December 31, 2013. The permit referenced CSO #013 (Town Dock CSO) as the only remaining active CSO discharge point in the Town's sewer system. The Town subsequently requested, and received, approval from DEP to extend the December, 2013 date to April, 2018 in order to further evaluate overflow events from CSO #013 and to allow the secondary treatment plant upgrade to be completed prior to submitting an update report.

As discussed at our recent meeting, the Town has continued to monitor CSO #013 and has not measured an overflow event at this location for the last ten years. The Town believes that it now has sufficient data to allow it to safely abandon and block off CSO #013 and, in fact, has done so since our meeting. Accordingly, the Town believes that it has eliminated the remaining CSO point listed in its current discharge permit. Instead of submitting an updated CSO Master Plan next April, it was the Town's intention to request that DEP remove Bucksport from the list of active CSO communities.

The focus of our discussion at the recent meeting then shifted to the swirl concentrator which the Town installed about ten years ago as part of its CSO abatement efforts. The swirl concentrator provides preliminary treatment, primary treatment, and disinfection to peak wet weather flows that exceed the hydraulic capacity of the downstream pump stations, interceptor sewers, and wastewater treatment plant. The current wastewater

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discharge permit allows the swirl concentrator to be activated whenever peak sewer system flows exceed a peak hourly flow rate of 0.55 MGD at Pump Station No. 2. This apparently correlated to the sustained treatment capacity of the downstream primary wastewater treatment plant. The upgraded secondary treatment plant was sized with capacity values that were negotiated with DEP during the consent agreement process. This includes a new average daily flow of 0.50 MGD and a peak hourly flow of 1.00 MGD. As part of the ongoing relicensing process for the secondary plant, we understand that language changes are forthcoming that will modify the swirl concentrator discharge values to coincide with the new secondary treatment plant's capacity.

The Town was surprised to learn of the Department's suggestion that the presence of the swirl concentrator may cause Bucksport to remain in the CSO Abatement Program with the continued designation as a CSO community. As discussed at the meeting, this would still require the Town to submit an updated CSO Master Plan every five years in order to justify the continued use of the swirl concentrator. We understand from our discussions that such justification every five years would need to include a cost-effectiveness review of other alternatives as compared to the continued use of the swirl concentrator, such as further excess flow removal in the sewer system. The Town understands that its continued classification as a CSO community may afford it legal protection from EPA regulations for the occasional discharge of the swirl concentrator's effluent; however, it is very concerning that such a classification may make it subject to a continued CSO Master Plan Update requirement every five years to justify its continued use of the swirl concentrator.

As you know, the Town has been working with the Department for over twenty years to abate its CSO discharges. Previous efforts have included sewer remediation work and catchbasin separation. These efforts greatly reduced, but did not fully eliminate, all CSO activity. In 2003, the Town submitted a report to the Department that concluded that the most cost-effective alternative to address the remaining CSO discharges was to construct a swirl concentrator. This led to the eventual construction of the concentrator a few years later in 2007 at a cost of over \$3.1 million dollars. The Town implemented this project, with DEP approval, with the understanding that this alternative had been collectively accepted as the most cost-effective approach to address Bucksport's remaining CSO issues. The Town was not aware that it would have to continue completing a detailed CSO Master Plan every five years thereafter simply to justify the continued use of the swirl concentrator that it had just built at great expense.

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After further discussion at our meeting, we understand that the Department may be agreeable to simplifying the requirements of future CSO Master Plan Updates as they pertain to the swirl concentrator. The Town currently submits annual reports to DEP that summarize swirl concentrator activity in the previous twelve months. The Town would not object to issuing a summary report every five years providing detailed swirl concentrator usage data, but it would strongly object to having to justify the continued use of the concentrator by considering other alternatives. The Town would like the Department to officially acknowledge that the swirl concentrator was implemented in Bucksport in concurrence with DEP as the final step in addressing Bucksport's CSO issues. From that point on, the Town believes that, with the closure of CSO #013, its ongoing CSO abatement obligations have been met. The Town feels that it is appropriate to provide DEP with periodic information on the operation of the concentrator, but it does not feel appropriate to have to continually justify why the swirl concentrator exists.

In that regard, we agreed at our meeting to provide DEP with a summary of swirl concentrator activation data over the last nine years. A review of swirl concentrator activity from 2008 to 2016 provides the following data:

**BUCKSPORT'S SWIRL CONCENTRATOR OPERATING DATA (2008 to 2016)**

DATE*	SWIRL VOLUME (GAL)		SWIRL EFFLUENT (mg/l)		POTW FLOW (MGD)	
			TSS	BOD	DAILY	PEAK HOURLY
4-29-08	770,000		54	33	0.96	1.04
9-7-08	160,000		80	74	0.50	1.07
9-28-08	640,000		51	48	0.61	1.11
10-02-08	90,000		50	58	0.73	1.00
11-16-08	130,000		49	36	0.70	1.05
11-26-08	420,000		36	19	0.79	1.07
12-12-08	390,000		71	50	0.94	1.02
2008 (7 events)	2,600,000	AVG =	56	45	0.75	1.05
4-7-09	280,000		81	31	0.82	0.99
4-22-09	310,000		10	35	0.78	0.95
6-20-09	1,660,000		16	37	0.84	1.01
11-14-09	310,000		19	34	0.87	1.04
12-03-09	260,000		21	16	0.73	1.05
2009 (5 events)	2,820,000	AVG =	29	31	0.81	1.01
1-25-10	710,000		55	42	0.46	1.05
2-26-10	70,000		10	29	0.21	0.81

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3-24-10	190,000		35	53	0.48	0.80
3-29-10	1,070,000		16	23	0.99	1.02
11-07-10	450,000		24	29	0.98	1.13
12-13-10	1,100,000		18	36	0.93	1.06
2010 (6 events)	3,590,000	AVG =	26	35	0.67	0.98
3-6-11	1,780,000		13	15	1.00	1.13
3-11-11	1,240,000		27	22	0.72	1.05
4-16-11	130,000		44	59	0.60	1.01
8-28-11	40,000		63	20	0.62	1.06
2011 (4 events)	3,190,000	AVG =	37	29	0.73	1.06
5-10-12	150,000		29	57	0.72	0.97
6-4-12	550,000		49	41	0.87	1.08
6-26-12	190,000		37	29	0.77	1.05
11-8-12	90,000		41	39	0.73	1.05
12-22-12	60,000		9	23	0.71	0.99
2012 (5 events)	1,040,000	AVG =	33	38	0.76	1.03
3-12-13	260,000		32	30	0.80	1.00
8-9-13	80,000		54	38	0.52	1.04
11-27-13	400,000		7	15	0.55	0.99
2013 (3 events)	740,000	AVG =	31	28	0.62	1.01
1-6-14	520,000		30	27	0.60	1.01
1-11-14	390,000		38	29	0.46	0.88
1-14-14	450,000		25	20	0.65	0.94
3-30-14	330,000		42	16	0.70	1.00
4-8-14	60,000		18	41	0.65	0.96
7-5-14	480,000		29	25	0.78	0.89
10-23-14	260,000		52	42	0.57	0.97
12-10-14	530,000		10	20	0.77	0.85
2014 (8 events)	3,020,000	AVG =	31	28	0.65	0.94
4-4-15	110,000		9	48	0.71	0.82
9-30-15	1,760,000		90	38	0.69	1.02
11-1-15	170,000		56	49	0.32	0.61
2015 (3 events)	2,040,000	AVG =	52	45	0.57	0.82
1-11-16	1,020,000		13	26	0.77	1.02
2-16-16	640,000		15	31	0.46	0.94
2-25-16	260,000		6	18	0.63	0.95
2016 (3 events)	1,920,000	AVG =	11	25	0.62	0.95

\*Some listed events occurred over multiple consecutive days.

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A review of the above data, in conjunction with a review of the plant's daily operating logs, suggests the following:

- The swirl concentrator activates on average 4.8 times per year. This means that 99% of the time, all flow can be processed at the treatment plant.
- The swirl concentrator's treated effluent volume has averaged about 2,330,000 gallons annually. This averages out to about 475,000 gallons per event.
- Over the past nine years, the Bucksport treatment plant has processed over 933.75 MG of flow while the swirl concentrator has processed about 20.97 MG of flow. This indicates that about 98% of all flow generated in Bucksport is conveyed to the treatment plant.
- The effluent produced by the swirl concentrator has averaged 34 mg/l TSS and 34 mg/l BOD. This level of effluent quality is excellent and is well within the 50 mg/l maximum daily TSS and BOD limit allowed for a secondary treatment plant. About 75% of all swirl concentrator TSS events have produced effluent below 50 mg/l. About 89% of all swirl concentrator BOD events have produced effluent below 50 mg/l. This suggests that the swirl concentrator effluent meets secondary treatment standards much of the time even though it is not required to do so.
- About 57% of all swirl concentrator events occur during the winter or high flow spring months between December and April when water contact activity is negligible.

In summary, the construction of the swirl concentrator at Bucksport represented a determination by multiple parties, including DEP, that this was the most cost-effective alternative to address Bucksport's remaining CSO issues. The Town incurred debt to finance the over \$3.1 million dollar project with the expectation that the swirl concentrator would complete its CSO abatement program. The Town is very concerned that recent statements from DEP appear to suggest that the Department is shifting its view of the swirl concentrator. What was once thought to be a final CSO abatement solution agreed upon by all parties is now being suggested as only a temporary solution that the Town will have to keep defending in the years ahead.

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The current wastewater discharge permit, that was issued back in 2012, required a CSO Master Plan Update, but seems to have acknowledged (on Page 2 of 17) that this requirement was carried forward only because the Town had not yet fully blocked off CSO #013. The Town, at that time, did not feel that it had sufficient data to fully close CSO #013, so it made sense to keep the CSO Master Plan requirement in the permit while CSO #013 remained open. Now that this remaining CSO has been sealed, it is not clear why the requirement for a full and comprehensive CSO Master Plan Update with alternatives analysis should be carried forward every five years in the new permit. Instead, it would make more sense if the Department simply required an update of the swirl concentrator's performance and operation similar to the data provided in this letter.

This does not seem to be the direction that the Department is taking with regard to the swirl concentrator. At our recent meeting, you indicated that the purpose of the CSO Master Plan Update was to review alternative technologies to determine if the use of the swirl concentrator was still justified. This view of the swirl concentrator's continued use appears to be echoed in draft language contained on Page 15 of the initial discharge renewal permit sent to the Town a few weeks ago. The draft language stated "*Future CSO abatement efforts will include focusing on building sufficient capacity into the wastewater treatment facility upgrade to handle any wet weather flows which remain in the system. Once the new wastewater treatment facility goes online, the Town will have to defend the continued use of its swirl concentrator since the upgrade should provide sufficient secondary treatment capacity to handle all wet weather flows*". This statement is concerning since the 1.0 MGD peak hourly design capacity of the upgraded secondary treatment plant was negotiated with DEP during the consent agreement process and clearly does not address all peak wet weather flows in the sewer system. The Town's expectation has always been that the continued use of the swirl concentrator, in conjunction with the upgraded treatment plant, will address all of the Department's regulatory concerns regarding Bucksport.

The Town was given the opportunity to comment on the above draft permit language and objected. Since then, the Department has made the following change: "*Future CSO abatement efforts will include an evaluation of the continued use of the swirl separator*". The Town cannot agree to this revised language since it continues to imply that the ultimate goal of the ongoing CSO Master Plan Update requirement is to continually evaluate whether or not the swirl concentrator can remain in operation. Further, it

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references the term "CSO" when all active CSO points listed in the Town's current permit have been eliminated with the closure of CSO #013.

The Town of Bucksport has worked diligently and cooperatively with DEP over the last twenty years to address its CSO abatement and primary treatment plant issues. The Town completed previous CSO abatement projects prior to 2007. This reduced CSO activity in Bucksport, but did not completely eliminate all discharges on a few days each year. The Town considered the cost-effectiveness of further sewer separation and storage, of increasing the treatment plant capacity, and of building the swirl concentrator to treat the remaining excess flows in the system. With the concurrence, agreement, and approval of DEP, the swirl concentrator was built in 2007 to complete the Town's CSO abatement program in what all parties agreed was the most cost-effective manner. The over \$3.1 million dollar expenditure was made prior to the Town learning that it had to spend an additional \$14 million dollars to upgrade its primary treatment plant to the secondary treatment level even though, by the Department's own admission, the secondary upgrade will have a negligible impact on the Penobscot River's water quality. The Town complied with these requirements at great expense to its sewer users in spite of the reality that it has lost 25% of its sewer user base as a result of the Verso mill's closure. In addition, even though the Town of Bucksport had until 2020 to complete the upgrade of its secondary treatment plant, it moved forward in a proactive manner and will have the plant completely online three years ahead of schedule in 2017.

Given the Town's history of cooperation in trying to meet DEP regulations and costly requirements with a small sewer user base, the Town finds it disturbing to learn that just as it nears the completion of the current treatment plant upgrade project, it now is being asked to go back and justify the continued use of the swirl concentrator which it believed, in good faith, was installed to complete its CSO abatement program. Given this history, we hope that you can appreciate the difficulty that the Town has in accepting the Department's apparent position that the continued use of the swirl concentrator, which is not yet paid for, may be up for further discussion through the CSO Master Plan Update process. If the Department must continue to classify Bucksport as a CSO community by virtue of the presence of the swirl concentrator, we request that the Department acknowledge that the continued use of the swirl concentrator is appropriate for Bucksport and need not be continually justified by further alternative analysis and comprehensive CSO Master Plan Updates. We also request that language in the Town's proposed

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discharge permit renewal be modified to remove the suggestion that the swirl concentrator is subject to further ongoing justification.

As shown by the data presented above, the swirl concentrator is doing the job that it was intended to do. It operates only a few days each year and provides secondary quality effluent most of the time. There are many other CSO communities in Maine that have not yet obtained this level of CSO abatement. The Town of Bucksport has worked with the Department to reach this level of success and has spent millions of dollars to do so. It is unclear why the discussion at our recent meeting, and the Department's language in the recent draft permit, appears to suggest that the Town has not yet done enough. At some point in time, the Town feels that the Department should be acknowledging the success that has been achieved in Bucksport instead of suggesting that not enough has been done.

We certainly appreciate your consideration of this issue and would welcome the opportunity to meet for further discussion.

Very truly yours,

OLVER ASSOCIATES INC.



William M. Olver P.E., President  
Senior Managing Partner



WMO/sb  
1541/090

CC: Ms. Susan Lessard, Town Manager  
Mr. David Michaud, Superintendent  
Mr. Corey Lewis, DEP  
Mr. Gregg Wood, DEP  
Mr. William Taylor, Pierce-Atwood

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**OLVER ASSOCIATES INC.**

ENVIRONMENTAL ENGINEERS

July 31, 2017

«Title» «First» «Last»  
«Mailing»  
«Second»  
«City», «State» «Postal»

RE: Interceptor Sewer Television Inspection

Dear «Title» «Last»:

We are writing on behalf of the Town of Bucksport regarding upcoming maintenance to the sanitary sewer that crosses your property. As you may know, the Town is required by the Maine Department of Environmental Protection to clean and inspect the condition of sanitary sewer lines of the Town. To fulfill this responsibility, the Town has retained Ted Berry Inc to conduct cleaning and internal video inspection of the sewer system which runs along the Penobscot River from Nicholson Street to the Wastewater Treatment Plant to determine its condition. This will involve flushing and cleaning of the lines and then the use of a camera system to go inside the pipes and look for issues such as roots or cracks. This area of the Town's sewer system is suspected of having high rates of leakage of groundwater into the sewer pipes. This work will determine the condition of the lines and result in recommendations to address any issues that are found. Olver Associates Inc. has been retained by the Town to coordinate this investigation. This work is scheduled to be performed the week of August 7, 2017 and will take several days to complete.

This process involves accessing the sewer through manhole covers, flushing the sewer mains with water, then completing internal video inspection of the pipes. The sewer system will be available for use during this process. Primarily the access will occur along the Town's sewer easement, however, due to the cross-country location of the interceptor sewer line behind houses and businesses, the inspection contractor will need to coordinate access across several properties to the interceptor sewer line easement area to conduct the work. A map of the project area and the proposed access points is attached for your reference. The larger sized main cleaning equipment will be parked along the side of U.S. Route 1 with required signage and traffic control. Smaller, lighter equipment will be used to extend the cleaning hoses down

**OLVER ASSOCIATES INC.**

«Title» «First» «Last»

July 31, 2017

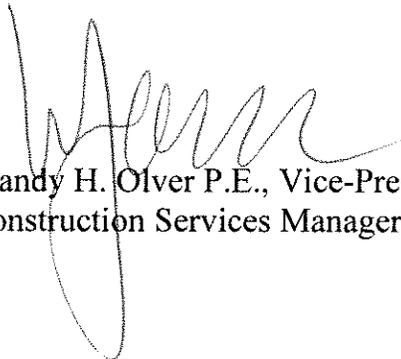
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to the interceptor sewer line. Smaller equipment will also be used for the television investigation equipment.

If you have any questions or concerns about the proposed investigation work and or access to the work area, please call me at 223-2232 to discuss them in detail or set up a date and time to meet onsite and review your concerns. Thank you in advance for your cooperation as the Town completes this work.

Very truly yours,

OLVER ASSOCIATES INC.



Mandy H. Olver P.E., Vice-President  
Construction Services Manager

MHO/ewh

1541/000

CC: Ms. Susan Lessard, Town Manager  
Mr. David Michaud, Maine Water Company

**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 4, 2017

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

Work Completed Week of July 31, 2017

- Continued installation of the chain link fence.
- Completed raising structure frames/covers.
- Completed majority of grading, loaming and start seeding.
- Continued painting in the Operations building.
- Continued electrical in the Operations and Blower buildings.
- Completed final pave.
- Began installation of the kitchen cabinets and countertop.
- Completed installation of the VCT flooring.

Work Scheduled for Week of August 7, 2017

- Complete installation of the chain link fence.
- Complete the kitchen cabinets and countertop.
- Complete abandonment of the underground fuel tank.
- Install manhole drops.
- Complete majority of grading, loaming and start seeding.
- Continue painting in the Operations building.
- Continue electrical in the Operations and Blower buildings.
- SCADA training scheduled.

**NEXT MONTHLY CONSTRUCTION MEETING IS SCHEDULED FOR  
WEDNESDAY, AUGUST 9, 2017 AT 11:00AM.**

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To Susan Lessard

Bucksport Town Manager

Bucksport Maine 04416

August 1 2017

The town of Bucksport now has the opportunity with the money awarded to fill the void in the number of ambulance attendants. This is where the need is as it is often not possible to fill the shifts for ambulance 1 and 2 and rescue 3 if necessary.

These positions should go out with a detailed job description for Fire Fighter Paramedic Not Firefighter EMT. An EMT is licensed to the basic level and cannot do advanced life support. They cannot start an IV, administer cardiac medications, do advanced intubations, etc. There is no reason not to hire at the Paramedic level. EMTs are necessary and can help the Paramedic but are limited in their duties detailed by EMS protocols.

The State only requires one licensed medical person in the back of the ambulance. The citizens of Bucksport are entitled to the best care available. FF-Paramedic is common. Check with Blue Hill or Bangor.

Volunteers will not continue to fill in the voids of the ambulance as the paid for a run or stand by is not adequate.

This is a winning situation for the town. With the aging population, the number of runs will continue as well as the medical needs of the patients.

With proper discussion and education this can happen.

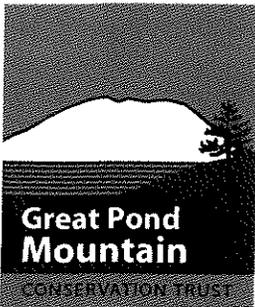
Susan Lessard

Town Manager 50 Main Street

PO Box X

Bucksport Maine 04416

Sue Lessard  
5f



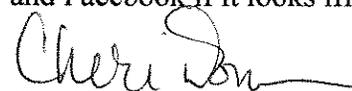
## Old Chapman Farm Grand Opening Aug. 19— You're Invited!

You are cordially invited to attend our Old Chapman Farm Grand Opening, **Saturday, August 19, 2017 10-noon** (rain date Aug. 20), on the Upper Long Pond Road in Bucksport. We'll have a ribbon-cutting at 10:30 am, guided hikes leaving at intervals, and refreshments available. This 65-acre parcel, donated to GPMCT in 2015, hosts the remains of an old farm built in 1834 by the Chapman family—as well as a 5.5-acre managed blueberry field with a spectacular view toward Peaked Mountain, and a new ¾-mile hiking trail through a diverse forest with more than 200 plant species, towering trees and fern-covered boulders.

**Why conserve this land?** This property is an important buffer for lovely Colby Brook, which flows just downhill through beaver meadows and over granite ledge to Long Pond. It's also a great spot from which to explore the beauty and history of the Upper Long Pond Road area of Bucksport, variously called the "Long Pond Settlement" or "Santiago." The Upper Long Pond Road today travels through one of the wildest and most beautiful areas of Bucksport, well-used for recreation in all seasons and offering incredible views. Visitors to the Old Chapman Farm—the only conserved property along the road—will be able to enjoy hiking, birdwatching, picnicking and hunting on the property, which is accessible by bike, ATV or snowmobile, as well as on foot or by car in season.

**How do I get there?** The Old Chapman Farm is located on Upper Long Pond Road, ~2.5 miles north of the intersection of Mast Hill Road & Moosehorn Drive in Bucksport. Upper Long Pond Road leaves Moosehorn Drive and is easily navigable to the Town of Bucksport sludge storage facility. From there the road becomes rough for 1.1 miles to the property. Good ground clearance will get you there; or you can park at the Town site or the DiVincenzo property 0.4 miles farther north, and walk from there (look for signs). **WE'LL ALSO HAVE SHUTTLES RUNNING FROM THE TOWN FACILITY IF YOU GET THERE BY 10:15.** Please carpool from the head of Upper Long Pond Road at Moosehorn Drive if you can for this event; parking is limited. Please don't attempt to drive to the property from the north. For more info, call 469-6929, e-mail [info@greatpondtrust.org](mailto:info@greatpondtrust.org) or visit [www.greatpondtrust.org](http://www.greatpondtrust.org).

Looking forward to seeing you August 19 (rain date Aug. 20 – check web and Facebook if it looks iffy)!

  
Cheri Domina  
Executive Director

Sue—hope you can  
make it!

P.O. Box 266  
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207 469 6929  
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Shall an ordinance be introduced 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.

~~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 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 introduced 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.

#### 1.31 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 1<sup>st</sup> or December 1<sup>st</sup>, 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.

~~c~~ 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.~~
  - ~~c—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. ~~Voiceemail is used to leave messages for employees regarding matters of a business nature. Voiceemail 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~~

**RESOLVE #R-2018-12 TO PURCHASE A POLICE CRUISER**

Whereas, the Town of Bucksport maintains a full time police department, and

Whereas, the department replaces police cruisers on a scheduled basis to insure operational efficiency and personnel safety, and

Whereas, the 2011 Police Cruiser will be used as a trade-in for the new cruiser, and

Whereas, bids were obtained for a new 2017 Utility Ford Interceptor cruiser as follows:

Quirk Ford of Augusta Net Price \$30,800 including a \$1,149.28 trade in

Darling's Ford of Bangor Net Price \$31,189 including a \$1,250 trade in

Yankee Ford of South Portland Net Price \$28,074 including a \$2,000 trade in

Whereas, Yankee Ford is the low bidder,

Be it resolved by the Bucksport Town Council in town council assembled to award the bid for a new 2017 Ford Interceptor Cruiser to Yankee Ford for an equipped price of \$32,500 to be funded Police Equipment Reserve.

**Acted on August 10, 2017**

**Yes \_\_\_ No \_\_\_ Abstained \_\_\_**

**Attested by Kathy Downes, Town Clerk**

---

**RESOLVE #R-2018-13 TO PURCHASE A HIGHWAY TRUCK FOR THE PUBLIC  
WORKS DEPARTMENT**

Whereas, the Town of Bucksport maintains a full time Public Works Department for maintenance of all streets, roads, and publicly owned properties, and

Whereas, a major responsibility of the department is plowing snow and maintaining roadways, and

Whereas, the 2003 Sterling will be retired from use and sold by bid due to lack of interest by dealers as a trade-in, with the proceeds deposited to the Highway Equipment Reserve account, and

Whereas, bids were obtained for a new 2018 Snowplow/Dumptruck are as follows:

Daigle & Houghton 2018 Western Star 4700SF	\$147,976
Daigle & Houghton 2018 International 7500SFA	\$145,801
Freightliner of Maine 2018 Freightliner 108SD	\$144,715
Daigle & Houghton 2018 Western Star 4700SF (red)	\$148,201
Daigle & Houghton 2017 International 7400SBA	\$146,201
O'Conner 2016 Western Star 4700	\$152,600

Whereas, Freightliner, Freightliner 108SD is the low bidder for the specified vehicle, therefore

Be it resolved by the Bucksport Town Council in town council assembled to award the bid for a new 2018 Freightliner 108SD to Freightliner for \$144,715 to be funded by a 5 year lease/purchase paid from Highway Equipment Reserve

**Acted on August 10, 2017**

**Yes \_\_\_ No \_\_\_ Abstained \_\_\_**

**Attested by Kathy Downes, Town Clerk**

---

**RESOLVE #R-2018-14 TO APPROVE PAYMENT REQUISITION 24 FOR  
PROFESSIONAL SERVICES ASSOCIATED WITH THE SECONDARY TREATMENT  
PLANT UPGRADE BIDDING/ADDED FUNDING ASSISTANCE AND  
CONSTRUCTION CONTRACTS**

Whereas, the Town of Bucksport has contracted with Olver Associates with Resolve #R-2012-38 for Administration and Inspection services related to the construction of the secondary treatment facility and with Apex Construction for the construction of said facility, and

Whereas Apex Construction is the contractor selected for construction of the secondary treatment facility, and

Whereas Payment Requisition 24 for this project has been reviewed and authorized by the contractor, the engineers, the owner and Rural Development,

Be it resolved by the Bucksport Town Council in Town Council assembled to approve the payment of \$21,490 to Olver Associates, Inc. found on invoice #8255, and \$181,732.78 to Apex Construction found on Contractor's Application for Payment No 23.

Be it further resolved that the \$215,124.30 for these services be paid from grant funding received for the project.

**Acted on August 10, 2017**

**Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_**

**Attested by: Kathy Downes, Town Clerk**

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Pay Req 24

NAME OF SYSTEM: TOWN OF BUCKSPORT WASTEWATER TREATMENT PROCESS UPGRADE

Original:	Contract #1	Contract #2	Contract #3	Contract #4
Revised:	Date of Completion 7/5/2017	Date of Completion	Date of Completion	Date of Completion
	Contract Amount \$ 11,872,600.00	Contract Amount	Contract Amount	Contract Amount
	Original: \$ 11,988,928.41	Original:	Original:	Original:
	Revised: 9/13/2017	Revised:	Revised:	Revised:

Description of Project: Wastewater Treatment Process Upgrade  
 Dates of Request - From: 7-13-17 To: 8-9-17

Item	Test	Description	Total Project				RD									
			Budget	Previously Paid	This Pay Period	Total To Date	Balance	Budget	Previously Paid	This Pay Period	Total To Date	Balance				
1	T	Development														
1a	F	Construction	\$11,988,928.40	\$11,076,207.98	\$181,732.78	\$11,257,940.76	\$730,988.04	\$11,963,561.50	\$11,050,840.68	\$181,732.78	\$11,232,573.46	\$730,988.04				
2	T	Misc. Equipment	\$11,901.52	\$0.00	\$11,901.52	\$11,901.52	\$0.00	\$11,901.52	\$0.00	\$11,901.52	\$0.00	\$0.00				
3	T	Land & Rights	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
4	T	Legal & Admin	\$16,418.18	\$16,418.18	\$0.00	\$16,418.18	\$0.00	\$8,014.18	\$8,014.18	\$0.00	\$8,014.18	\$0.00				
5	T	Engineering	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
5a	T	Constr. Admin.	\$80,000.00	\$7,138.35	\$1,035.00	\$78,173.35	\$1,826.65	\$62,850.00	\$59,988.35	\$1,035.00	\$61,023.35	\$1,826.65				
5b	T	Design	\$460,000.00	\$460,000.00	\$0.00	\$460,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
5c	T	Inspection	\$472,000.00	\$405,200.00	\$20,105.00	\$425,305.00	\$46,695.00	\$431,110.00	\$364,310.00	\$20,105.00	\$384,415.00	\$46,695.00				
5d	T	Inspection Expenses	\$10,000.00	\$221.10	\$350.00	\$571.10	\$9,428.90	\$9,778.90	\$0.00	\$350.00	\$9,428.90	\$9,428.90				
5e	T	CMP Fee	\$35,704.01	\$35,704.01	\$0.00	\$35,704.01	\$0.00	\$35,704.01	\$35,704.01	\$0.00	\$35,704.01	\$0.00				
6	T	Contingency	\$486,536.43	\$0.00	\$0.00	\$486,536.43	\$0.00	\$486,536.43	\$0.00	\$0.00	\$486,536.43	\$0.00				
7	T	Interest	\$30,543.46	\$30,543.46	\$0.00	\$30,543.46	\$0.00	\$30,543.46	\$30,543.46	\$0.00	\$30,543.46	\$0.00				
8	T	Permit Fees	\$2,968.00	\$2,968.00	\$0.00	\$2,968.00	\$0.00	\$2,968.00	\$0.00	\$0.00	\$2,968.00	\$0.00				
	T	TOTAL	\$13,595,000.00	\$12,104,400.68	\$215,124.30	\$12,319,524.98	\$1,275,475.02	\$13,040,000.00	\$11,589,400.68	\$ 215,124.30	\$11,764,524.98	\$1,275,475.02				

No other monies or benefits may be paid out under this program unless this report is completed as required by existing law and regulations (7 C.F.R. Part 1924).

Loan \$7,800,000 Grant \$5,240,000

I certify to the best of my knowledge and belief that the billed costs or disbursements requested are in accordance with the terms of the project and have not been previously requested and that all work is in accordance with the contract documents.

The review and acceptance of this estimate by USDA-RD or DEP does not attest to the correctness of the quantities shown or that the work has been performed in accordance with the contract documents.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Engineer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

RD Signature: \_\_\_\_\_ Date: \_\_\_\_\_





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INVOICE NO.	PAGE NO.
319010	2 of 2
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59076	07/24/17

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USA

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BUCKSPORT ME 04416  
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Ordered by: 0020 DAVID MICHAUD

Attention: 0020 DAVID MICHAUD

CUSTOMER P.O. NO.	SHIP DATE	SLP	TERMS	TAX CODE	SALES ORDER NO.	W/H	FREIGHT	SHIP VIA		
MICHAUD	07/21/17	MFF	NET 30	ME	929864	33	FXD/PPD	NEMF		
USA STOCK NO.	DESCRIPTION			ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION
SC 39097	GRAVITY CONVECT 120V Ship Complete Precision Model 815 BOD Incubator 120V (PR505755R)			1 1	0 1	1 0	EA EA	0.00 3,797.96	EA EA	0.00 3,797.96

THANK YOU for your business!  
1.6% MONTHLY FINANCE CHARGE  
ON AMOUNTS 30 DAYS PAST DUE  
Discounts Apply to Merchandise Only

MERCHANDISE	MISCELLANEOUS	DISCOUNT	TAX	FREIGHT	TOTAL
3,797.96	0.00	0.00	<del>208.89</del>	149.67	4,156.52

Should it become necessary to refer your unpaid balance to a collection agency, a collection fee, not to exceed 25% of the balance referred; plus reasonable attorney's fees; and court costs when necessary, will be added to the balance due.

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\$ 4,156.52  
MFF

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319010	59076	07/24/17	4,156.52

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SALES ORDER #	929864
PAGE	4 of 4
DATE	07/21/17



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ATTN: 0020 DAVID MICHAUD  
205 US ROUTE 1  
BUCKSPORT, ME 04416  
USA

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MAINE WATER COMPANY  
93 INDUSTRIAL PARK RD 07/21  
SACO, ME 04072 14:50

USA

CUSTOMER P.O. #	ORDER DATE	ASAP or	SLP.	TERMS	WH	FREIGHT	SHIP VIA		
MICHAUD	07/13/17	07/20/17	MFF	NET 30	33	FXD/PPD	NEMP		
USA STOCK #	DESCRIPTION			ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC.
39097	Precision Model 815 BOD Incubator 120V (PR505755R)			1	DIRECT	1	EA	MAS	DIRECT

Thank you for your order. MIKE FURMAN

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INVOICE NO.	PAGE NO.
323670	1 of 1
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USA

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205 US ROUTE 1  
BUCKSPORT ME 04416  
USA

Ordered by: 0020 DAVID MICHAUD

Attention: 0020 DAVID MICHAUD

CUSTOMER P.O. NO.	SHIP DATE	SLP	TERMS	TAX CODE	SALES ORDER NO.	W/H	FREIGHT	SHIP VIA		
MICHAUD	07/27/17	MFF	NET 30	ME	930865	01	FXD/PPD	UPS		
USA STOCK NO.	DESCRIPTION			ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION
3911-11020	1102008; DELTA VEST-STYLE POS HARNES BK & SIDE D-RING UNI			1	1	0	EA	155.00	EA	155.00
3911-35905	3590540; REBEL SRL LEADING EDGE 20FT GALV CABLE			1	1	0	EA	552.00	EA	552.00
3220-VDKRP	VDKR-P101; VESTIL PIPE SAFETY RAILING SINGLE SOCKET ESTIMATED LEAD TIME IS 2-3 WEEKS			2	2	0	EA	31.95	EA	63.90
96986	Glyder 2 Sliding Beam Anchor			1	1	0	EA	211.46	EA	211.46
SC	Ship Complete			1	1	0	EA	0.00	EA	0.00

THANK YOU for your business!  
1.5% MONTHLY FINANCE CHARGE  
ON AMOUNTS 30 DAYS PAST DUE  
Discounts Apply to Merchandise Only

MERCHANDISE	MISCELLANEOUS	DISCOUNT	TAX	FREIGHT	TOTAL
982.36	0.00	0.00	54.03	39.43	1,075.82

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323670	59076	07/27/17	1,075.82

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SALES ORDER #	930865
PAGE	1 of 2
DATE	07/27/17



19

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 ATTN: 0020 DAVID MICHAUD  
 205 US ROUTE 1  
 BUCKSPORT, ME 04416  
 USA

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MAINE WATER COMPANY  
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USA

CUSTOMER P.O.#	ORDER DATE	ASAP or	SLP.	TERMS	WH	FREIGHT	SHIP VIA		
MICHAUD	07/14/17	07/28/17	MFF	NET 30	01	FXD/PPD	UPS		
USA STOCK #	DESCRIPTION			ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC.
3911-1102	1102008; DELTA VEST-STYLE POS HARNESS, BK & SIDE D-RING, UNI THE ABOVE ITEM WAS CUSTOM ORDERED FOR YOUR APPLICATION AND IS NON-RETURNABLE.			1	1		EA		NONSTK
3911-3590	3590540; REBEL SRL LEADING EDGE, 20FT GALV CABLE THE ABOVE ITEM WAS CUSTOM ORDERED FOR YOUR APPLICATION AND IS NON-RETURNABLE.			1	1		EA		NONSTK
3220-VDKR	VDKR-P101; VESTIL PIPE SAFETY RAILING SINGLE SOCKET THE ABOVE ITEM WAS CUSTOM ORDERED FOR YOUR APPLICATION AND IS NON-RETURNABLE.			2	2		EA		NONSTK
96986	ESTIMATED LEAD TIME IS 2-3 WEEKS Glyder 2 Sliding Beam Anchor			1	1		EA	MAS	1F-02-1G

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PAGE	2 of 2
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MAINE WATER COMPANY  
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 SACO, ME 04072 16:16

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CUSTOMER P.O. #	ORDER DATE	ASAP or	SLP.	TERMS	WH	FREIGHT	SHIP VIA		
MICHAUD	07/14/17	07/28/17	MPF	NET 30	01	FXD/PPD	UPS		
USA STOCK #	DESCRIPTION			ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC.
SC	Ship Complete			1	1		EA		72-00-00

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BUCKSPORT ME 04416  
USA

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Attention: 0020 DAVID MICHAUD

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MICHAUD	07/27/17	MFF	NET 30	ME	939062	33	FXD/PPD	UPS		
USA STOCK NO.	DESCRIPTION			ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION
39842	Welch Piston-Style Vacuum Pump 1.2 CFM			1	1	0	EA	634.46	EA	634.46

THANK YOU for your business!  
1.5% MONTHLY FINANCE CHARGE  
ON AMOUNTS 30 DAYS PAST DUE  
Discounts Apply to Merchandise Only

MERCHANDISE	MISCELLANEOUS	DISCOUNT	TAX	FREIGHT	TOTAL
634.46	0.00	0.00	34.90	29.36	698.72

Should it become necessary to refer your unpaid balance to a collection agency, a collection fee, not to exceed 25% of the balance referred; plus reasonable attorney's fees; and court costs when necessary, will be added to the balance due.

Please Detach and Return Bottom Portion to Insure Proper Credit to Your Account

# USABlueBook®

Get the Best Treatment™

\*\*\*\*IMPORTANT\*\*\*\*

Please include this customer #  
on the face of your remittance check.

INVOICE NO.	CUSTOMER NO.	DATE	TOTAL
323734	59076	07/27/17	698.72

MAINE WATER COMPANY  
93 INDUSTRIAL PARK RD  
SACO ME 04072  
USA

### REMITTANCE ADDRESS

  
USABlueBook  
P.O. Box 9004  
Gurnee, IL 60031-9004

# USABlueBook

P.O. Box 9004  
Gurnee, IL 60031-9004

CALL BEFORE RETURNING PRODUCTS.

Customer# 59076  
**PACKING LIST**

www.usabluebook.com  
FAX: (847) 689-3030  
TOLL FREE: 1-800-548-1234  
F.E.I.N.: 52-2418852  
INTERNATIONAL DIRECT: (847) 689-3000

SALES ORDER #	939062
PAGE	1 of 1
DATE	07/27/17



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THE BUCKSPORT DIVISION  
ATTN: 0020 DAVID MICHAUD  
  
205 US ROUTE 1  
BUCKSPORT, ME 04416  
USA

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MAINE WATER COMPANY  
  
93 INDUSTRIAL PARK RD 07/27  
SACO, ME 04072 09:28

USA

CUSTOMER P.O. #	ORDER DATE	ASAP or	SLP.	TERMS	WH	FREIGHT	SHIP VIA		
MICHAUD	07/27/17	08/01/17	MFF	NET 30	33	FXD/PPD	UPS		
USA STOCK #	DESCRIPTION			ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC.
39842	Welch Piston-Style Vacuum Pump, 1.2 CFM			1	1		EA	MAS	84-02-C2

Thank you for your order. MIKE FURMAN

LBS

Picked by: \_\_\_\_\_ Checked by: \_\_\_\_\_ Packed by: \_\_\_\_\_

**CUSTOMER COPY**

# USABlueBook

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Remit To:  
 P.O. Box 9004  
 Gurnee, IL 60031-9004  
 TEL: (847) 689-3000  
 FAX: (847) 689-3001  
 TOLL FREE: 1-800-493-9876  
 F.E.I.N.: 62-2418852

## INVOICE

INVOICE NO.	PAGE NO.
323397	2 of 2
CUSTOMER NO.	DATE
59076	07/27/17

View online at: <http://usabluebook.billtrust.com>  
 Web Enrollment Token: PKV VPM HVH

BILL TO: 59076

SHIP TO: 19

MAINE WATER COMPANY  
 93 INDUSTRIAL PARK RD  
 SACO ME 04072  
 USA

THE BUCKSPORT DIVISION  
 205 US ROUTE 1  
 BUCKSPORT ME 04416  
 USA

Ordered by: 0020 DAVID MICHAUD

Attention: 0020 DAVID MICHAUD

CUSTOMER P.O. NO.	SHIP DATE	SLP	TERMS	TAX CODE	SALES ORDER NO.	W/H	FREIGHT	SHIP VIA		
MICHAUD	07/27/17	MFF	NET 30	ME	929864	33	FXD/PPD	NEMF		
USA STOCK NO.	DESCRIPTION			ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION
10418	3' x 1' 72/pk ADVANC PROTOCL OVEN 2.15CU FT GRAVITY CONVECT 120V			1	1	0	EA	2,213.96	EA	2,213.96
SC	Ship Complete			1	1	0	EA	0.00	EA	0.00

THANK YOU for your business!  
 1.5% MONTHLY FINANCE CHARGE  
 ON AMOUNTS 30 DAYS PAST DUE  
 Discounts Apply to Merchandise Only

MERCHANDISE	MISCELLANEOUS	DISCOUNT	TAX	FREIGHT	TOTAL
5,659.20	0.00	0.00	311.26	0.00	5,970.46

Should it become necessary to refer your unpaid balance to a collection agency, a collection fee, not to exceed 25% of the balance referred; plus reasonable attorney's fees; and court costs when necessary, will be added to the balance due.

Please Detach and Return Bottom Portion to insure Proper Credit to Your Account

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\*\*\*\*IMPORTANT\*\*\*\*

Please include this customer #  
 on the face of your remittance check.

INVOICE NO.	CUSTOMER NO.	DATE	TOTAL
323397	59076	07/27/17	5,970.46

MAINE WATER COMPANY  
 93 INDUSTRIAL PARK RD  
 SACO ME 04072  
 USA

### REMITTANCE ADDRESS

USABlueBook  
 P.O. Box 9004  
 Gurnee, IL 60031-9004

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## INVOICE

Remit To:  
P.O. Box 9004  
Gurnee, IL 60031-9004  
TEL: (847) 689-3000  
FAX: (847) 689-3001  
TOLL FREE: 1-800-493-9876  
F.E.I.N.: 52-2418862

INVOICE NO.	PAGE NO.
323397	1 of 2
CUSTOMER NO.	DATE
59076	07/27/17

View online at: <http://usabluebook.billtrust.com>  
Web Enrollment Token: PKV VPM HVH

BILL TO: 59076

SHIP TO: 19

MAINE WATER COMPANY  
93 INDUSTRIAL PARK RD  
SACO ME 04072  
USA

THE BUCKSPORT DIVISION  
205 US ROUTE 1  
BUCKSPORT ME 04416  
USA

Ordered by: 0020 DAVID MICHAUD

Attention: 0020 DAVID MICHAUD

CUSTOMER P.O. NO.	SHIP DATE	SLP	TERMS	TAX CODE	SALES ORDER NO.	W/H	FREIGHT	SHIP VIA		
MICHAUD	07/27/17	MFF	NET 30	ME	929864	33	FXD/PPD	NEMF		
USA STOCK NO.	DESCRIPTION			ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION
AYG	FREE BACKPACK W/ \$499 PURCH SHEPHERD'S MEN - EXP 9/5/2017			1	1	0	EA	0.00	EA	0.00
72318	YSI 5010 BOD Probe for Model 5000 and 5100 Meters SDS VISIT WWW.USABLUEBOOK.COM			1	1	0	EA	581.40	EA	581.40
40162	YSI Pro 20 DO Meter Only *Requires Cable & Probe*			1	1	0	EA	478.80	EA	478.80
40167	Galvanic DO Sensor for YSI Pro Series Meters 605202 SDS VISIT WWW.USABLUEBOOK.COM			1	1	0	EA	158.18	EA	158.18
41081	Easy-Read General Purpose 'Thermometer -20 to 150C' SDS VISIT WWW.USABLUEBOOK.COM DAVID MICHAUD - 207-974-6970			1	1	0	EA	17.09	EA	17.09
40164	30-ft (10-m) DO/Temp Cable For Pro series YSI# 60520-10			1	1	0	EA	269.33	EA	269.33
40113	YSI 5100 Dissolved Oxygen (DO) Meter 115 VAC			1	1	0	EA	1,509.08	EA	1,509.08
41369	Imhoff Settling Cones Wheaton Pack of 4			1	1	0	PK	127.76	PK	127.76
35596	Microscope Optics Cleaning Kit SDS VISIT WWW.USABLUEBOOK.COM			1	1	0	EA	83.66	EA	83.66
40134	YSI 5906 Cap Membrane Kit Black 1mil Teflon 6 Caps w/KCl SDS VISIT WWW.USABLUEBOOK.COM			1	1	0	EA	54.00	EA	54.00
41420	USABlueBook 1.3 L Settleometer kit			2	2	0	EA	62.96	EA	125.92
36710	Imhoff Cone Brush 24'			1	1	0	EA	17.09	EA	17.09
33279	Cover Slips for Microscope Slides 22 mm 1 oz.			1	1	0	PK	13.04	PK	13.04
33276	Microscope Slides Plain			1	1	0	PK	9.89	PK	9.89

**ThermoFisher**  
SCIENTIFIC

Thermo Fisher Scientific (Asheville) LLC  
401 Mill Creek Road  
MARIETTA OH 45750  
USA  
+1 866 984 3766

Carrier : FEDEX FREIGHT

**PACKING LIST**

Delivery No : 88884900  
TU Number : 15708  
Date : Jul 21, 2017

Delivery Address :  
THE BUCKSPORT DIVISION  
ATTN: DAVID MICHAUD  
205 US ROUTE 1  
BUCKSPORT ME 04416

Pallet				LBS	KGS	DIMS	
Sales Order	Cust PO/Item	Cust. Matl. No.	Part No	Description	Qty	Serial Number	
801374097				298.00	135.2	38 X 40 X 82 IN	
4382220	783345	PR505755R	GTPR505755	PREC INC 815 LOWTEMP 1		300154020	

Total Pieces
1

Total Cubic Feet	Total Weight	
	LBS	KGS
72.13	298	135.292

This shipment does not contain any solid wood packaging material that is in violation of the International Standards of Phytosanitary Measures (ISPMs) No. 15. Guidelines for Regulating Wood

Packaging Material in International Trade

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TOLL FREE: 1-800-548-1234  
F.E.I.N.: 52-2418852  
INTERNATIONAL DIRECT: (847) 689-3000

SALES ORDER #	929864
PAGE	1 of 4
DATE	07/21/17



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THE BUCKSPORT DIVISION  
ATTN: 0020 DAVID MICHAUD  
  
205 US ROUTE 1  
BUCKSPORT, ME 04416  
USA

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MAINE WATER COMPANY  
  
93 INDUSTRIAL PARK RD 07/21  
SACO, ME 04072 14:50

USA

CUSTOMER P.O.#	ORDER DATE	ASAP or	SLP.	TERMS	WH	FREIGHT	SHIP VIA		
MICHAUD	07/13/17	07/20/17	MFF	NET 30	33	FXD/PPD	NEMF		
USA STOCK #	DESCRIPTION			ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC.
AYG	FREE BACKPACK W/ \$499 PURCH SHEPHERD'S MEN - EXP 9/5/2017			1	1		EA		- -
72318	YSI 5010 BOD Probe for Model 5000 and 5100 Meters (72318) SDS VISIT WWW.USABLUEBOOK.COM			1	1		EA	MAS	01-05-C1
40162	YSI Pro 20 DO Meter Only *Requires Cable & Probe*			1	1		EA	MAS	04-10-B2
40167	Galvanic DO Sensor for YSI Pro Series Meters 605202 (40167) SDS VISIT WWW.USABLUEBOOK.COM			1	1		EA	MAS	04-14-F5
41081	Easy-Read General Purpose "Thermometer, -20 to 150C" (41081) SDS VISIT WWW.USABLUEBOOK.COM			1	1		EA	MAS	04-15-C2
40164	DAVID MICHAUD - 207-974-6970 30-ft (10-m) DO/Temp Cable For Pro series YSI# 60520-10			1	1		EA	MAS	04-36-C1

CONTINUED

LBS

Picked by: \_\_\_\_\_ Checked by: \_\_\_\_\_ Packed by: \_\_\_\_\_

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TOLL FREE: 1-800-548-1234  
F.E.I.N.: 52-2418852  
INTERNATIONAL DIRECT: (847) 689-3000

SALES ORDER #	929864
PAGE	2 of 4
DATE	07/21/17



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THE BUCKSPORT DIVISION  
ATTN: 0020 DAVID MICHAUD  
  
205 US ROUTE 1  
BUCKSPORT, ME 04416  
USA

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MAINE WATER COMPANY  
  
93 INDUSTRIAL PARK RD 07/21  
SACO, ME 04072 14:50

USA

CUSTOMER P.O.#	ORDER DATE	ASAP or	SLP.	TERMS	W/H	FREIGHT	SHIP VIA		
MICHAUD	07/13/17	07/20/17	MFF	NET 30	33	FXD/PPD	NEMF		
USA STOCK #	DESCRIPTION			ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC.
40113	YSI 5100 Dissolved Oxygen (DO) Meter, 115 VAC			1	1		EA	MAS	07-09-D3
90114	Khaki Backpack Shepherds Men 2017 Shepherd's Men Promo			1	1		EA		31-04-A1
41369	Imhoff Settling Cones, Wheaton Pack of 4			1	1		PK	MAS	33-06-B3 33-06-C3
35596	Microscope Optics Cleaning Kit			1	1		EA	MAS	22-07-E4
40134	(35596) SDS VISIT WWW.USABLUEBOOK.COM YSI 5906 Cap Membrane Kit Black, 1mil Teflon, 6 Caps w/KCl			1	1		EA	MAS	22-08-D1
41420	(40134) SDS VISIT WWW.USABLUEBOOK.COM USABlueBook 1.3 L Settleometer kit			2	2		EA	MAS	23-09-C1 23-09-H1
36710	Imhoff Cone Brush, 24"			1	1		EA	MAS	24-10-D3

CONTINUED

LBS

Picked by: \_\_\_\_\_ Checked by: \_\_\_\_\_ Packed by: \_\_\_\_\_



P.O. Box 6004  
Gurnee, IL 60031-9004

CALL BEFORE RETURNING PRODUCTS.

Customer# 59076

# PACKING LIST

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INTERNATIONAL DIRECT: (847) 689-3000

SALES ORDER #	929864
PAGE	3 of 4
DATE	07/21/17



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THE BUCKSPORT DIVISION  
ATTN: 0020 DAVID MICHAUD  
  
205 US ROUTE 1  
BUCKSPORT, ME 04416  
USA

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MAINE WATER COMPANY  
  
93 INDUSTRIAL PARK RD 07/21  
SACO, ME 04072 14:50

USA

CUSTOMER P.O. #	ORDER DATE	ASAP or	SLP.	TERMS	WH	FREIGHT	SHIP VIA		
MICHAUD	07/13/17	07/20/17	MFF	NET 30	33	FXD/PPD	NEMF		
USA STOCK #	DESCRIPTION			ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC.
33279	Cover Slips for Microscope Slides, 22 mm, 1 oz.			1	1		PK	MAS	25-03-E1
33276	Microscope Slides, Plain 3" x 1", 72/pk			1	1		PK	MAS	25-10-B2
10418	ADVANC PROTOCL OVEN 2.15CU FT GRAVITY CONVECT 120V			1	1		EA	MAS	1A-NE-W1
SC	Ship Complete			1	1		EA		72-00-00

CONTINUED

LBS

Picked by: \_\_\_\_\_ Checked by: \_\_\_\_\_ Packed by: \_\_\_\_\_

CUSTOMER COPY

**mandy**

---

**From:** Emery, Scott - RD, Bangor, ME [scott.emery@me.usda.gov]  
**Sent:** Monday, August 07, 2017 7:21 AM  
**To:** mandy  
**Subject:** RE: Lab and safety equipment order Bucksport Wastewater

Mandy,

I'm fine with that. Please include this email with the invoice on the requisition.

Scott

---

**From:** mandy [mailto:mandy@olverassociatesinc.com]  
**Sent:** Friday, August 04, 2017 4:45 PM  
**To:** Emery, Scott - RD, Bangor, ME <scott.emery@me.usda.gov>  
**Subject:** FW: Lab and safety equipment order Bucksport Wastewater

HI SCOTT-

SO IT OCCURRED TO ME IF I SIMPLY DEDUCT THE SALES TAX AS I HAD STATED TO YOU, THEN MAINE WATER WILL BE STUCK FOR THAT AMOUNT. I ASKED DAVE TO GIVE ME SOME INFO ABOUT HOW MUCH WAS SAVED, WHICH IS BELOW. BLUE BOOK SAYS THAT THE OVER WAS \$671.51 LESS BY MW ORDERING IT VS THE TOWN INCLUDING THE TAX-SO CAN WE REIMBURSE THE FULL AMOUNT TO THE TOWN, THEN THEY PAY MAINE WATER?

MANDY

MANDY HOLWAY OLVER, P.E.  
OLVER ASSOCIATES INC.  
P.O. BOX 679  
290 S MAIN STREET  
WINTERPORT, MAINE 04496  
(207)223-2232

---

**From:** David Michaud [mailto:DMichaud@mainewater.com]  
**Sent:** Friday, August 04, 2017 4:01 PM  
**To:** mandy  
**Subject:** Fwd: Lab and safety equipment order Bucksport Wastewater

sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** "Furman, Mike" <mfurman@usabluebook.com>  
**Date:** 8/4/17 3:57 PM (GMT-05:00)  
**To:** David Michaud <DMichaud@mainewater.com>  
**Subject:** RE: Lab and safety equipment order Bucksport Wastewater

Good Afternoon David,

No problem at all!

So based on total for Maine water with **tax included** vs the towns **tax free** version the savings would be:

Lab Order - \$602.60  
Safety Order – 68.91

Total Savings \$671.51

I hope this helps – let me know if you have more questions.

Thanks again David

Mike Furman  
Account Manager  
**USABlueBook**  
***Get the Best Treatment!***

Direct: phone # 847-689-7363  
Office: 847 689-3000 ext. 75193  
Fax fax # 855-312-2656  
[mfurman@usabluebook.com](mailto:mfurman@usabluebook.com)  
<http://www.usabluebook.com>  
[Facebook](#) • [Linkedin](#) • [Youtube](#)

This message is for intended addressee(s) only and may contain confidential, proprietary or privileged information, exempt from disclosure, and subject to terms at <http://www.usabluebook.com/email>



---

**From:** David Michaud [<mailto:DMichaud@mainewater.com>]  
**Sent:** Friday, August 04, 2017 2:22 PM  
**To:** Furman, Mike <[mfurman@usabluebook.com](mailto:mfurman@usabluebook.com)>  
**Subject:** RE: Lab and safety equipment order Bucksport Wastewater

Mike, could you send me an email stating how much was saved on these two orders with Maine water making the purchase instead of the town.  
Thanks Dave

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

To: Town of Bucksport  
 PO Drawer X  
 Bucksport ME 04416

Application Period: Through 7/28/17  
 From: Apex Construction Inc.  
 Contract: Wastewater Treatment Process Upgrade  
 Bucksport WWTF  
 Contractors Project No.: 1509

Contractor's Application for Payment No. 23  
 Application Date: 8/9/2017  
 Via Engineer: Oliver Associates  
 Engineer's Project No.:

Owner's Contract No:

**Application for Payment**

Change Order Summary		Payment Summary	
Approved Change Orders		1. Original Contract Price	
Number	Additions	Deductions	
1		\$6,700.00	\$11,872,600.00
2	\$63,293.10		\$116,328.41
3	\$31,909.59		\$11,988,928.41
4	\$27,925.72		
Totals		\$123,028.41	\$11,850,463.54
Net Change by Change Order		\$116,328.41	\$0.00
			\$11,850,463.54
			\$0.00
			\$11,850,463.54
			\$592,523.18
			\$0.00
			\$592,523.18
			\$11,237,940.36
			\$11,076,207.58
			\$181,732.78

**Contractor's Certifications**

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: Jeffrey R. Todd Date: 8/7/17

Payment of the above AMOUNT DUE THIS APPLICATION is

Recommended by: [Signature] 8/10/17 DATE  
 ENGINEER (Authorized Signature)

Approved By: \_\_\_\_\_ DATE  
 OWNER (Authorized Signature)

ACCEPTED BY FUNDING AGENCY: The review and acceptance of this application for payment does not attest to the correctness of the quantities shown or that the work has been performed in accordance with the Contract Documents.

Accepted By: \_\_\_\_\_ DATE  
 AGENCY (Authorized Signature)

**Wastewater Treatment Plant Upgrade  
Bucksport ME**

**Payment Application #23  
Through 7/28/17**

	Description	Scheduled Value	Previous Completed	Current Completed	Stored Materials	Total Completed & Stored	% Complete	Balance to Finish
1	General							
2	Bonds and Insurance	\$ 125,000.00	\$ 125,000.00	\$ -	\$ -	\$ 125,000.00	100%	\$ -
3	General Requirements	\$ 400,000.00	\$ 384,000.00	\$ 20,000.00	\$ -	\$ 384,000.00	96%	\$ 16,000.00
4	Mobilization	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	100%	\$ -
5	Demobilization	\$ 5,000.00	\$ 3,500.00	\$ 500.00	\$ -	\$ 4,000.00	80%	\$ 1,000.00
6	<b>Sitework-WWTP Upgrade</b>							
7	Mobilization	\$ 51,000.00	\$ 51,000.00	\$ -	\$ -	\$ 51,000.00	100%	\$ -
8	Erosion control	\$ 10,000.00	\$ 9,650.00	\$ 350.00	\$ -	\$ 10,000.00	100%	\$ -
9	Clear & grub	\$ 15,450.00	\$ 15,450.00	\$ -	\$ -	\$ 15,450.00	100%	\$ -
10	Pavement removal	\$ 5,900.00	\$ 5,900.00	\$ -	\$ -	\$ 5,900.00	100%	\$ -
11	Temporary force main and effluent sewer	\$ 36,000.00	\$ 36,000.00	\$ -	\$ -	\$ 36,000.00	100%	\$ -
12	Selector Basin/Aerator							
13	Foundation excavation	\$ 55,000.00	\$ 55,000.00	\$ -	\$ -	\$ 55,000.00	100%	\$ -
14	Slab base	\$ 9,400.00	\$ 9,400.00	\$ -	\$ -	\$ 9,400.00	100%	\$ -
15	Foundation backfill	\$ 34,500.00	\$ 34,500.00	\$ -	\$ -	\$ 34,500.00	100%	\$ -
16	Foundation drains	\$ 7,300.00	\$ 7,300.00	\$ -	\$ -	\$ 7,300.00	100%	\$ -
17	Blower Building/Digester							
18	Foundation excavation	\$ 45,000.00	\$ 45,000.00	\$ -	\$ -	\$ 45,000.00	100%	\$ -
19	Slab base	\$ 6,800.00	\$ 6,800.00	\$ -	\$ -	\$ 6,800.00	100%	\$ -
20	Foundation backfill	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	100%	\$ -
21	Foundation drains	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00	100%	\$ -
22	Disinfection/Contact Chamber							
23	Foundation excavation	\$ 16,000.00	\$ 16,000.00	\$ -	\$ -	\$ 16,000.00	100%	\$ -
24	Slab base	\$ 4,200.00	\$ 4,200.00	\$ -	\$ -	\$ 4,200.00	100%	\$ -
25	Foundation backfill	\$ 19,000.00	\$ 19,000.00	\$ -	\$ -	\$ 19,000.00	100%	\$ -
26	Foundation drains	\$ 3,100.00	\$ 3,100.00	\$ -	\$ -	\$ 3,100.00	100%	\$ -
27	Clarifier 1 & 2							
28	Foundation excavation	\$ 65,000.00	\$ 65,000.00	\$ -	\$ -	\$ 65,000.00	100%	\$ -
29	Slab base	\$ 12,000.00	\$ 12,000.00	\$ -	\$ -	\$ 12,000.00	100%	\$ -
30	Foundation backfill	\$ 132,500.00	\$ 132,500.00	\$ -	\$ -	\$ 132,500.00	100%	\$ -
31	Foundation drains	\$ 8,300.00	\$ 8,300.00	\$ -	\$ -	\$ 8,300.00	100%	\$ -
32	Splitter Box							
33	Foundation excavation	\$ 6,000.00	\$ 6,000.00	\$ -	\$ -	\$ 6,000.00	100%	\$ -
34	Slab base	\$ 2,100.00	\$ 2,100.00	\$ -	\$ -	\$ 2,100.00	100%	\$ -
35	Foundation backfill	\$ 8,200.00	\$ 8,200.00	\$ -	\$ -	\$ 8,200.00	100%	\$ -
36	Inter-slab fill	\$ 2,100.00	\$ 2,100.00	\$ -	\$ -	\$ 2,100.00	100%	\$ -
37	Foundation drains	\$ 1,900.00	\$ 1,900.00	\$ -	\$ -	\$ 1,900.00	100%	\$ -
38	Scum Tank							
39	Foundation excavation	\$ 13,000.00	\$ 13,000.00	\$ -	\$ -	\$ 13,000.00	100%	\$ -
40	Slab base	\$ 2,600.00	\$ 2,600.00	\$ -	\$ -	\$ 2,600.00	100%	\$ -
41	Foundation backfill	\$ 16,800.00	\$ 16,800.00	\$ -	\$ -	\$ 16,800.00	100%	\$ -
42	Foundation drains	\$ 2,550.00	\$ 2,550.00	\$ -	\$ -	\$ 2,550.00	100%	\$ -

	Description	Scheduled Value	Previous Completed	Current Completed	Stored Materials	Total Completed & Stored	% Complete	Balance to Finish
43	Maintenance Building							
44	Foundation excavation	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -
45	Slab base	\$ 3,600.00	\$ 3,600.00	\$ -	\$ -	\$ 3,600.00	100%	\$ -
46	Foundation backfill	\$ 12,000.00	\$ 12,000.00	\$ -	\$ -	\$ 12,000.00	100%	\$ -
47	Foundation drains	\$ 3,500.00	\$ 3,500.00	\$ -	\$ -	\$ 3,500.00	100%	\$ -
48	Decant tank	\$ 13,500.00	\$ 13,500.00	\$ -	\$ -	\$ 13,500.00	100%	\$ -
49	Storm drain (profile A-C, Z)	\$ 78,000.00	\$ 62,840.00	\$ 15,360.00	\$ -	\$ 78,000.00	100%	\$ -
50	Influent pipe (profile D)	\$ 95,000.00	\$ 95,000.00	\$ -	\$ -	\$ 95,000.00	100%	\$ -
51	Effluent sewer (profile E)	\$ 23,500.00	\$ 23,500.00	\$ -	\$ -	\$ 23,500.00	100%	\$ -
52	Tank drain piping (profile F, J, RR)	\$ 145,000.00	\$ 145,000.00	\$ -	\$ -	\$ 145,000.00	100%	\$ -
53	Raw wastewater (profile G)	\$ 40,500.00	\$ 40,500.00	\$ -	\$ -	\$ 40,500.00	100%	\$ -
54	Mixed liquor (profile H)	\$ 32,000.00	\$ 32,000.00	\$ -	\$ -	\$ 32,000.00	100%	\$ -
55	Mixed liquor (profile I, J)	\$ 34,000.00	\$ 34,000.00	\$ -	\$ -	\$ 34,000.00	100%	\$ -
56	Mixed liquor (profile K, L)	\$ 22,500.00	\$ 22,500.00	\$ -	\$ -	\$ 22,500.00	100%	\$ -
57	RAS piping (profile M-O)	\$ 83,000.00	\$ 83,000.00	\$ -	\$ -	\$ 83,000.00	100%	\$ -
58	Scum piping (profile P-S)	\$ 18,000.00	\$ 18,000.00	\$ -	\$ -	\$ 18,000.00	100%	\$ -
59	WAS (profile T, U)	\$ 22,500.00	\$ 22,500.00	\$ -	\$ -	\$ 22,500.00	100%	\$ -
60	TAS (profile V-X)	\$ 36,000.00	\$ 36,000.00	\$ -	\$ -	\$ 36,000.00	100%	\$ -
61	DAS (profile Z)	\$ 22,000.00	\$ 22,000.00	\$ -	\$ -	\$ 22,000.00	100%	\$ -
62	Supernatant (profile Z)	\$ 12,500.00	\$ 12,500.00	\$ -	\$ -	\$ 12,500.00	100%	\$ -
63	Chemical feed conduit (profile AA-CC, HH-II)	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	100%	\$ -
64	Air piping (profile DD-GG)	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	100%	\$ -
65	Floor drains (profile SS, TT)	\$ 8,200.00	\$ 8,200.00	\$ -	\$ -	\$ 8,200.00	100%	\$ -
66	Tank drains (profile UU-YY)	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	100%	\$ -
67	Water service	\$ 48,000.00	\$ 48,000.00	\$ -	\$ -	\$ 48,000.00	100%	\$ -
68	PVC tank drains (profile XX, YY)	\$ 8,500.00	\$ 8,500.00	\$ -	\$ -	\$ 8,500.00	100%	\$ -
69	Site Electrical							
70	Excavation & backfill	\$ 22,500.00	\$ 22,500.00	\$ -	\$ -	\$ 22,500.00	100%	\$ -
71	Install transformer pad	\$ 2,900.00	\$ 2,900.00	\$ -	\$ -	\$ 2,900.00	100%	\$ -
72	Install light bases	\$ 4,000.00	\$ 3,750.00	\$ 250.00	\$ -	\$ 4,000.00	100%	\$ -
73	General site cut & fill	\$ 35,300.00	\$ 35,300.00	\$ -	\$ -	\$ 35,300.00	100%	\$ -
74	Aggregate subbase	\$ 15,800.00	\$ 15,800.00	\$ -	\$ -	\$ 15,800.00	100%	\$ -
75	Aggregate base	\$ 10,500.00	\$ 10,500.00	\$ -	\$ -	\$ 10,500.00	100%	\$ -
76	Concrete stairs-Prep	\$ 3,300.00	\$ 3,000.00	\$ 300.00	\$ -	\$ 3,300.00	100%	\$ -
77	Boilards-install	\$ 16,300.00	\$ 16,300.00	\$ -	\$ -	\$ 16,300.00	100%	\$ -
78	Sitework-Treatment Plant Headworks							
79	Foundation excavation	\$ 159,780.00	\$ 159,780.00	\$ -	\$ -	\$ 159,780.00	100%	\$ -
80	Foundation backfill	\$ 135,000.00	\$ 135,000.00	\$ -	\$ -	\$ 135,000.00	100%	\$ -
81	Slab base	\$ 2,100.00	\$ 2,100.00	\$ -	\$ -	\$ 2,100.00	100%	\$ -
82	Sub-slab base	\$ 7,350.00	\$ 7,350.00	\$ -	\$ -	\$ 7,350.00	100%	\$ -
83	Inter-slab fill	\$ 6,615.00	\$ 6,615.00	\$ -	\$ -	\$ 6,615.00	100%	\$ -
84	Footing drain	\$ 4,170.00	\$ 4,170.00	\$ -	\$ -	\$ 4,170.00	100%	\$ -
85	Oil separator	\$ 5,565.00	\$ 5,565.00	\$ -	\$ -	\$ 5,565.00	100%	\$ -
86	Manholes	\$ 75,000.00	\$ 75,000.00	\$ -	\$ -	\$ 75,000.00	100%	\$ -
87	Yard piping - Material	\$ 165,000.00	\$ 165,000.00	\$ -	\$ -	\$ 165,000.00	100%	\$ -
88	Yard valves - Material	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	100%	\$ -
89	Fence	\$ 25,000.00	\$ -	\$ 15,000.00	\$ -	\$ 15,000.00	60%	\$ 10,000.00
90	Rebar-material	\$ 330,000.00	\$ 330,000.00	\$ -	\$ -	\$ 330,000.00	100%	\$ -

	Description	Scheduled Value	Previous Completed	Current Completed	Stored Materials	Total Completed & Stored	% Complete	Balance to Finish
91	Rebar-Labor							
92	Headworks	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	100%	\$ -
93	Clarifier	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	\$ 30,000.00	100%	\$ -
94	Splitter box	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	100%	\$ -
95	Aeration	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	100%	\$ -
96	Blower/digester	\$ 35,000.00	\$ 35,000.00	\$ -	\$ -	\$ 35,000.00	100%	\$ -
97	Chlorine	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	100%	\$ -
98	Maintenance garage	\$ 6,000.00	\$ 6,000.00	\$ -	\$ -	\$ 6,000.00	100%	\$ -
99	Misc.	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00	100%	\$ -
100	Headworks slabs	\$ 280,000.00	\$ 280,000.00	\$ -	\$ -	\$ 280,000.00	100%	\$ -
101	Headworks walls	\$ 290,000.00	\$ 290,000.00	\$ -	\$ -	\$ 290,000.00	100%	\$ -
102	Headworks elevated slab	\$ 90,000.00	\$ 90,000.00	\$ -	\$ -	\$ 90,000.00	100%	\$ -
103	Frostwall & footer	\$ 35,000.00	\$ 35,000.00	\$ -	\$ -	\$ 35,000.00	100%	\$ -
104	Slab on grade	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	100%	\$ -
105	Clarifier encasement	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	100%	\$ -
106	Clarifier slabs	\$ 140,000.00	\$ 140,000.00	\$ -	\$ -	\$ 140,000.00	100%	\$ -
107	Clarifier walls	\$ 70,000.00	\$ 70,000.00	\$ -	\$ -	\$ 70,000.00	100%	\$ -
108	Clarifier launder	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	100%	\$ -
109	Splitter box slab	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	100%	\$ -
110	Splitter box walls	\$ 25,000.00	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	100%	\$ -
111	Disinfection slab	\$ 80,000.00	\$ 80,000.00	\$ -	\$ -	\$ 80,000.00	100%	\$ -
112	Disinfection walls	\$ 130,000.00	\$ 130,000.00	\$ -	\$ -	\$ 130,000.00	100%	\$ -
113	Aeration basin slabs	\$ 280,000.00	\$ 280,000.00	\$ -	\$ -	\$ 280,000.00	100%	\$ -
114	Aeration basin walls	\$ 280,000.00	\$ 280,000.00	\$ -	\$ -	\$ 280,000.00	100%	\$ -
115	Selector slab	\$ 35,000.00	\$ 35,000.00	\$ -	\$ -	\$ 35,000.00	100%	\$ -
116	Selector walls	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	100%	\$ -
117	Elevated trough & walkway	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	100%	\$ -
118	Blower building slab	\$ 75,000.00	\$ 75,000.00	\$ -	\$ -	\$ 75,000.00	100%	\$ -
119	Blower building walls	\$ 80,000.00	\$ 80,000.00	\$ -	\$ -	\$ 80,000.00	100%	\$ -
120	Blower building elevated slab	\$ 40,000.00	\$ 40,000.00	\$ -	\$ -	\$ 40,000.00	100%	\$ -
121	Digester slab	\$ 100,000.00	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00	100%	\$ -
122	Digester walls	\$ 120,000.00	\$ 120,000.00	\$ -	\$ -	\$ 120,000.00	100%	\$ -
123	Digester elevated slab	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	100%	\$ -
124	Sludge thickener elevated slabs	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	100%	\$ -
125	Decant tank walls & slab	\$ 20,000.00	\$ 19,500.00	\$ -	\$ -	\$ 19,500.00	98%	\$ 500.00
126	Operations building	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	\$ 30,000.00	100%	\$ -
127	Maintenance building slab	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	100%	\$ -
128	Maintenance building walls	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	100%	\$ -
129	Paids	\$ 10,000.00	\$ 9,750.00	\$ 250.00	\$ -	\$ 10,000.00	100%	\$ -
130	Masonry	\$ 12,000.00	\$ 11,500.00	\$ 250.00	\$ -	\$ 11,750.00	98%	\$ 250.00
131	Metals							
132	Shop drawings	\$ 16,100.00	\$ 16,100.00	\$ -	\$ -	\$ 16,100.00	100%	\$ -
133	Site	\$ 9,200.00	\$ 8,618.00	\$ 581.00	\$ -	\$ 9,200.00	100%	\$ -
134	Operations building	\$ 19,500.00	\$ 19,500.00	\$ -	\$ -	\$ 19,500.00	100%	\$ -
135	Headworks	\$ 50,600.00	\$ 50,100.00	\$ -	\$ -	\$ 50,100.00	99%	\$ 500.00
136	Aeration basin	\$ 50,600.00	\$ 50,600.00	\$ -	\$ -	\$ 50,600.00	100%	\$ -
137	Clarifiers	\$ 40,250.00	\$ 40,250.00	\$ -	\$ -	\$ 40,250.00	100%	\$ -
138	Disinfection building	\$ 18,400.00	\$ 18,400.00	\$ -	\$ -	\$ 18,400.00	100%	\$ -
139	Blower building	\$ 25,300.00	\$ 24,900.00	\$ 400.00	\$ -	\$ 25,300.00	100%	\$ -
140	Metals - labor	\$ 45,000.00	\$ 44,500.00	\$ 500.00	\$ -	\$ 45,000.00	100%	\$ -

	Description	Scheduled Value	Previous Completed	Current Completed	Stored Materials	Total Completed & Stored	% Complete	Balance to Finish
141	Weirs & baffles - labor	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -
142	Carpentry-Headworks	\$ 45,000.00	\$ 45,000.00	\$ -	\$ -	\$ 45,000.00	100%	\$ -
143	Trusses-Headworks	\$ 12,000.00	\$ 12,000.00	\$ -	\$ -	\$ 12,000.00	100%	\$ -
144	Roofing-Headworks	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	100%	\$ -
145	Siding-Headworks	\$ 12,000.00	\$ 12,000.00	\$ -	\$ -	\$ 12,000.00	100%	\$ -
146	Interior carpentry-Headworks	\$ 8,000.00	\$ 7,000.00	\$ -	\$ -	\$ 7,000.00	88%	\$ 1,000.00
147	Carpentry-Disinfection	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	100%	\$ -
148	Trusses-Disinfection	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00	100%	\$ -
149	Roofing-Disinfection	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	100%	\$ -
150	Siding-Disinfection	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	100%	\$ -
151	Interior carpentry-Disinfection	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -
152	Architectural demo-Operations building	\$ 15,000.00	\$ 14,750.00	\$ 150.00	\$ -	\$ 14,900.00	99%	\$ 100.00
153	Carpentry-Operations building	\$ 15,000.00	\$ 14,000.00	\$ 1,000.00	\$ -	\$ 15,000.00	100%	\$ -
154	Interior carpentry-Operations building	\$ 5,000.00	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00	80%	\$ 1,000.00
155	Carpentry-Blower building	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	100%	\$ -
156	Roofing-Blower building	\$ 20,000.00	\$ 17,500.00	\$ 2,500.00	\$ -	\$ 20,000.00	100%	\$ -
157	Siding-Blower building	\$ 6,000.00	\$ 5,500.00	\$ -	\$ -	\$ 5,500.00	92%	\$ 500.00
158	Interior carpentry-Blower building	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -
159	Metal siding-Blower building	\$ 10,000.00	\$ 5,000.00	\$ 4,500.00	\$ -	\$ 9,500.00	95%	\$ 500.00
160	Carpentry-Maintenance garage	\$ 20,000.00	\$ 19,000.00	\$ -	\$ -	\$ 19,000.00	95%	\$ 1,000.00
161	Trusses-Maintenance garage	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -
162	Roofing-Maintenance garage	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00	100%	\$ -
163	Siding-Maintenance garage	\$ 6,000.00	\$ 6,000.00	\$ -	\$ -	\$ 6,000.00	100%	\$ -
164	Interior carpentry-Maintenance garage	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00	100%	\$ -
165	Dampproofing	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	100%	\$ -
166	Rigid insulation	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	100%	\$ -
167	Batt insulation	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	100%	\$ -
168	Tectum	\$ 22,000.00	\$ 22,000.00	\$ -	\$ -	\$ 22,000.00	100%	\$ -
169	Caulking	\$ 2,000.00	\$ 1,350.00	\$ 250.00	\$ -	\$ 1,600.00	80%	\$ 400.00
170	Doors, frames & hardware	\$ 55,000.00	\$ 54,591.00	\$ -	\$ -	\$ 54,591.00	99%	\$ 409.00
171	Install doors	\$ 12,000.00	\$ 11,850.00	\$ 50.00	\$ -	\$ 11,900.00	99%	\$ 100.00
172	Hatches	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	100%	\$ -
173	Overhead doors	\$ 18,000.00	\$ 18,000.00	\$ -	\$ -	\$ 18,000.00	100%	\$ -
174	Windows	\$ 8,000.00	\$ 7,500.00	\$ 500.00	\$ -	\$ 8,000.00	100%	\$ -
175	Glass & glazing	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	100%	\$ -
176	Metal studs	\$ 6,000.00	\$ 4,000.00	\$ 1,500.00	\$ -	\$ 5,500.00	92%	\$ 500.00
177	Drywall	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ -	\$ 2,000.00	100%	\$ -
178	Acoustical ceilings	\$ 2,000.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00	75%	\$ 500.00
179	Vinyl floor	\$ 2,000.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00	75%	\$ 500.00
180	Paint	\$ 54,730.00	\$ 52,500.00	\$ 2,000.00	\$ -	\$ 54,500.00	100%	\$ 230.00
181	Headworks Building	\$ 18,245.00	\$ 18,245.00	\$ -	\$ -	\$ 18,245.00	100%	\$ -
182	Clarifiers	\$ 22,295.00	\$ 21,500.00	\$ 795.00	\$ -	\$ 22,295.00	100%	\$ -
183	Blower building	\$ 44,595.00	\$ 28,500.00	\$ 10,000.00	\$ -	\$ 38,500.00	86%	\$ 6,095.00
184	Operations Building	\$ 10,135.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	99%	\$ 135.00
185	Balance of plant painting	\$ 18,000.00	\$ 18,000.00	\$ -	\$ -	\$ 18,000.00	100%	\$ -
186	Specialties	\$ 7,000.00	\$ 7,000.00	\$ -	\$ -	\$ 7,000.00	100%	\$ -
187	Fixed tank mixer	\$ 18,000.00	\$ 18,000.00	\$ -	\$ -	\$ 18,000.00	100%	\$ -
188	Floating mechanical mixer	\$ 18,000.00	\$ 18,000.00	\$ -	\$ -	\$ 18,000.00	100%	\$ -
189	Sump pump	\$ 7,000.00	\$ 7,000.00	\$ -	\$ -	\$ 7,000.00	100%	\$ -
190	RAS sludge pumps	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	100%	\$ -
191	Double disc sludge pumps	\$ 65,000.00	\$ 65,000.00	\$ -	\$ -	\$ 65,000.00	100%	\$ -

	Description	Scheduled Value	Previous Completed	Current Completed	Stored Materials	Total Completed & Stored	% Complete	Balance to Finish
192	Vertical sewage pumps	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	100%	\$ -
193	Submersible scum pumps & mixer	\$ 50,000.00	\$ 36,665.00	\$ 13,335.00	\$ -	\$ 50,000.00	100%	\$ -
194	Chem metering	\$ 85,000.00	\$ 85,000.00	\$ -	\$ -	\$ 85,000.00	100%	\$ -
195	Grit process system	\$ 90,000.00	\$ 90,000.00	\$ -	\$ -	\$ 90,000.00	100%	\$ -
196	Sludge plunger pump	\$ 40,000.00	\$ 40,000.00	\$ -	\$ -	\$ 40,000.00	100%	\$ -
197	Clarifiers	\$ 170,000.00	\$ 170,000.00	\$ -	\$ -	\$ 170,000.00	100%	\$ -
198	Step screen	\$ 140,000.00	\$ 140,000.00	\$ -	\$ -	\$ 140,000.00	100%	\$ -
199	Blowers	\$ 175,000.00	\$ 175,000.00	\$ -	\$ -	\$ 175,000.00	100%	\$ -
200	Coarse and fine bubble aeration	\$ 130,000.00	\$ 130,000.00	\$ -	\$ -	\$ 130,000.00	100%	\$ -
201	Screw press-shop drawings	\$ 22,500.00	\$ 22,500.00	\$ -	\$ -	\$ 22,500.00	100%	\$ -
202	Screw press	\$ 267,500.00	\$ 267,500.00	\$ -	\$ -	\$ 267,500.00	100%	\$ -
203	UV	\$ 170,000.00	\$ 170,000.00	\$ -	\$ -	\$ 170,000.00	100%	\$ -
204	Covers	\$ 185,000.00	\$ 185,000.00	\$ -	\$ -	\$ 185,000.00	100%	\$ -
205	Samplers	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	100%	\$ -
206	DO sensors	\$ 10,000.00	\$ 9,400.00	\$ 600.00	\$ -	\$ 10,000.00	100%	\$ -
207	Mag flow meters	\$ 11,000.00	\$ 11,000.00	\$ -	\$ -	\$ 11,000.00	100%	\$ -
208	Ultr. flow meters	\$ 12,000.00	\$ 12,000.00	\$ -	\$ -	\$ 12,000.00	100%	\$ -
209	Parshall flumes	\$ 7,000.00	\$ 7,000.00	\$ -	\$ -	\$ 7,000.00	100%	\$ -
210	Flow instrumentation	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	100%	\$ -
211	Polymer	\$ 28,000.00	\$ 28,000.00	\$ -	\$ -	\$ 28,000.00	100%	\$ -
212	Belt conveyor	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	100%	\$ -
213	Moists	\$ 16,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 16,000.00
214	Grit screw	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	100%	\$ -
215	Sluice & silt gates	\$ 100,000.00	\$ 99,510.00	\$ 490.00	\$ -	\$ 99,910.00	100%	\$ 90.00
216	Interior DI pipe	\$ 115,000.00	\$ 114,875.11	\$ 124.89	\$ -	\$ 115,000.00	100%	\$ -
217	Interior valves	\$ 90,000.00	\$ 90,000.00	\$ -	\$ -	\$ 90,000.00	100%	\$ -
218	Chemical piping	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -
219	Small piping	\$ 20,000.00	\$ 19,700.00	\$ 300.00	\$ -	\$ 20,000.00	100%	\$ -
220	Steel piping	\$ 40,000.00	\$ 40,000.00	\$ -	\$ -	\$ 40,000.00	100%	\$ -
221	Plumbing & HVAC							
222	General conditions	\$ 15,770.00	\$ 12,504.00	\$ 2,000.00	\$ -	\$ 14,504.00	92%	\$ 1,266.00
223	Plumbing-materials	\$ 49,180.00	\$ 48,165.00	\$ 995.00	\$ -	\$ 49,160.00	100%	\$ -
224	Plumbing-labor	\$ 30,850.00	\$ 30,020.00	\$ -	\$ -	\$ 30,020.00	98%	\$ 630.00
225	Shop drawings	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	\$ 30,000.00	100%	\$ -
226	HVAC-materials							
227	Trane equipment package	\$ 425,240.00	\$ 425,240.00	\$ -	\$ -	\$ 425,240.00	100%	\$ -
228	Boiler and pump package	\$ 73,535.00	\$ 73,535.00	\$ -	\$ -	\$ 73,535.00	100%	\$ -
229	General HVAC materials	\$ 86,600.00	\$ 86,600.00	\$ -	\$ -	\$ 86,600.00	100%	\$ -
230	HVAC-labor	\$ 91,110.00	\$ 90,200.00	\$ -	\$ -	\$ 90,200.00	99%	\$ 910.00
231	Crane & rigging	\$ 4,700.00	\$ 4,700.00	\$ -	\$ -	\$ 4,700.00	100%	\$ -
232	Insulation	\$ 55,265.00	\$ 53,760.00	\$ 1,505.00	\$ -	\$ 55,265.00	100%	\$ -
233	Temperature controls	\$ 158,585.00	\$ 148,800.00	\$ 3,500.00	\$ -	\$ 152,300.00	98%	\$ 3,285.00
234	Sheet metal	\$ 190,565.00	\$ 190,565.00	\$ -	\$ -	\$ 190,565.00	100%	\$ -
235	Test & balance	\$ 5,435.00	\$ 4,180.00	\$ -	\$ -	\$ 4,180.00	77%	\$ 1,255.00
236	Electrical							
237	Division 16							
238	Submittals	\$ 6,385.00	\$ 6,385.00	\$ -	\$ -	\$ 6,385.00	100%	\$ -
239	Electrical gear including MCC-1/MCC-2, TVSS units,blower VFDs,	\$ 244,335.00	\$ 244,335.00	\$ -	\$ -	\$ 244,335.00	100%	\$ -
240	Lighting panels, disc. breakers	\$ 8,400.00	\$ 8,178.00	\$ 222.00	\$ -	\$ 8,400.00	100%	\$ -
241	Intrusion alarm	\$ 50,180.00	\$ 45,800.00	\$ 4,000.00	\$ -	\$ 49,800.00	99%	\$ 380.00
242	Lighting package							

	Description	Scheduled Value	Previous Completed	Current Completed	Stored Materials	Total Completed & Stored	% Complete	Balance to Finish
243	Local control stations	\$ 4,325.00	\$ 3,200.00	\$ 1,000.00	\$ -	\$ 4,200.00	97%	\$ 125.00
244	Underground conduit on site plan	\$ 57,060.00	\$ 49,900.00	\$ 7,160.00	\$ -	\$ 57,060.00	100%	\$ -
245	Power, control and signal wiring (not headworks)	\$ 141,070.00	\$ 137,762.00	\$ 2,500.00	\$ -	\$ 140,262.00	99%	\$ 808.00
246	Receptacles, switches, network wiring	\$ 22,660.00	\$ 21,650.00	\$ 500.00	\$ -	\$ 22,150.00	98%	\$ 510.00
247	FO cable, terminations, enclosures	\$ 5,150.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	97%	\$ 150.00
248	O&M/As built	\$ 2,370.00	\$ 2,370.00	\$ -	\$ -	\$ 2,370.00	100%	\$ -
249	<b>PLC &amp; SCADA</b>							
250	Submittals	\$ 4,650.00	\$ 4,650.00	\$ -	\$ -	\$ 4,650.00	100%	\$ -
251	PLC-1 ops/telemetry panel	\$ 23,175.00	\$ 23,175.00	\$ -	\$ -	\$ 23,175.00	100%	\$ -
252	PLC-2 IAS panel	\$ 27,190.00	\$ 27,190.00	\$ -	\$ -	\$ 27,190.00	100%	\$ -
253	PLC-3 Blower/IAS/DAS panel	\$ 22,040.00	\$ 22,040.00	\$ -	\$ -	\$ 22,040.00	100%	\$ -
254	PLC-PS	\$ 19,775.00	\$ 19,200.00	\$ 575.00	\$ -	\$ 19,775.00	100%	\$ -
255	FO/ethernet bridge for UV panel	\$ 8,385.00	\$ 6,385.00	\$ -	\$ -	\$ 6,385.00	100%	\$ -
256	2 SCADA hardware computers/printers/LP-SS	\$ 9,200.00	\$ 9,200.00	\$ -	\$ -	\$ 9,200.00	100%	\$ -
257	Software	\$ 35,555.00	\$ 34,500.00	\$ 1,055.00	\$ -	\$ 35,555.00	100%	\$ -
258	Programming	\$ 21,630.00	\$ 21,000.00	\$ -	\$ -	\$ 21,000.00	97%	\$ 630.00
259	Startup	\$ 8,240.00	\$ 8,000.00	\$ -	\$ -	\$ 8,000.00	97%	\$ 240.00
260	<b>Generator Supply</b>							
261	Headworks	\$ 107,120.00	\$ 107,120.00	\$ -	\$ -	\$ 107,120.00	100%	\$ -
262	Submittals	\$ 3,920.00	\$ 3,920.00	\$ -	\$ -	\$ 3,920.00	100%	\$ -
263	Gear including MCC, panels, TVSS, VFDs, starter, disc.	\$ 97,645.00	\$ 97,645.00	\$ -	\$ -	\$ 97,645.00	100%	\$ -
264	Lighting package	\$ 51,490.00	\$ 51,490.00	\$ -	\$ -	\$ 51,490.00	100%	\$ -
265	Local control stations	\$ 4,945.00	\$ 4,945.00	\$ -	\$ -	\$ 4,945.00	100%	\$ -
266	Underground conduit on site plan	\$ 38,540.00	\$ 38,540.00	\$ -	\$ -	\$ 38,540.00	100%	\$ -
267	Power, control and signal wiring for headworks	\$ 60,380.00	\$ 60,380.00	\$ -	\$ -	\$ 60,380.00	100%	\$ -
268	Receptacles, switches, network wiring	\$ 9,015.00	\$ 9,015.00	\$ -	\$ -	\$ 9,015.00	100%	\$ -
269	FO cable, terminations, enclosures	\$ 5,665.00	\$ 5,665.00	\$ -	\$ -	\$ 5,665.00	100%	\$ -
270	PLC-4AB influent/light blower panel	\$ 37,575.00	\$ 37,575.00	\$ -	\$ -	\$ 37,575.00	100%	\$ -
271	PLC and SCADA and OIT programming	\$ 8,785.00	\$ 8,785.00	\$ -	\$ -	\$ 8,785.00	100%	\$ -
272	IS relay panel	\$ 1,440.00	\$ 1,440.00	\$ -	\$ -	\$ 1,440.00	100%	\$ -
273	O&M/As built	\$ 1,545.00	\$ 1,545.00	\$ -	\$ -	\$ 1,545.00	100%	\$ -
274	Headworks HVAC electrical conduit, starters, disc.	\$ 17,925.00	\$ 17,925.00	\$ -	\$ -	\$ 17,925.00	100%	\$ -
275	Owner's testing Allowance	\$ 20,000.00	\$ 44,058.06	\$ 720.80	\$ -	\$ 44,778.86	224%	\$ (24,778.86)
276	<b>Unit Price Items (see attached detail)</b>							
277	2" rigid insulation	1600 sf @ \$2	\$ 3,200.00	\$ 2,700.00	\$ -	\$ 2,700.00	84%	\$ 500.00
278	Ledge excavation & removal	3300 cy @ \$32	\$ 105,600.00	\$ 129,312.00	\$ -	\$ 129,312.00	122%	\$ (23,712.00)
279	Machine placed pavement	530 tons @ \$120	\$ 63,600.00	\$ -	\$ 25,800.00	\$ 25,800.00	41%	\$ 37,800.00
280	Hand placed pavement	120 tons @ \$185	\$ 22,200.00	\$ -	\$ -	\$ -	0%	\$ 22,200.00
281	Excavate & replace unsuitable fill	100 cy @ \$30	\$ 3,000.00	\$ -	\$ -	\$ -	0%	\$ 3,000.00
282	Debris removal from process tanks	100 cy @ \$100	\$ 10,000.00	\$ 4,355.00	\$ -	\$ 4,355.00	44%	\$ 5,645.00
283	Rip rap	700 cy @ \$50	\$ 35,000.00	\$ 22,600.00	\$ -	\$ 22,600.00	83%	\$ 6,050.00
284	Rock anchors	1800 wf @ \$110	\$ 198,000.00	\$ 177,733.60	\$ -	\$ 177,733.60	90%	\$ 20,266.40
285	<b>Change Order 1</b>							
286	Modify sludge press room/modify stairs	\$ (5,200.00)	\$ (5,200.00)	\$ -	\$ -	\$ (5,200.00)	100%	\$ -
287	Waive Oxygen Transfer Test-Sanitaire equipment	\$ (1,500.00)	\$ (1,500.00)	\$ -	\$ -	\$ (1,500.00)	100%	\$ -
288	<b>Change Order 2</b>							
289	Add excavation/concrete-rock anchors	\$ 16,172.77	\$ 16,172.77	\$ -	\$ -	\$ 16,172.77	100%	\$ -
290	Delete concrete wall coating-headworks/blower bldg	\$ (12,665.43)	\$ (12,665.43)	\$ -	\$ -	\$ (12,665.43)	100%	\$ -
291	Vinyl siding-operations building gable ends	\$ 9,524.49	\$ 9,524.49	\$ -	\$ -	\$ 9,524.49	100%	\$ -
292	Modify influent pumps controls	\$ 10,230.62	\$ 10,230.62	\$ -	\$ -	\$ 10,230.62	100%	\$ -

	Description	Scheduled Value	Previous Completed	Current Completed	Stored Materials	Total Completed & Stored	% Complete	Balance to Finish
293	Change existing pump stations telemetry	\$ 28,147.84	\$ 28,147.84	\$ -	\$ -	\$ 28,147.84	100%	\$ -
294	Change 2 doors to roll-up	\$ 11,882.81	\$ 11,882.81	\$ -	\$ -	\$ 11,882.81	100%	\$ -
295	Change Order 3							
296	Redundant MCC-3 mounted dual power supply	\$ 9,597.99	\$ -	\$ 9,597.99	\$ -	\$ 9,597.99	100%	\$ -
297	Add 2 electric valve actuators	\$ 22,211.60	\$ 5,000.00	\$ 14,000.00	\$ -	\$ 19,000.00	86%	\$ 3,211.60
298	Change Order 4							
299	Additional louver in sludge garage	\$ 2,045.51	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	49%	\$ 1,045.51
300	Alkalinity & chlorine sleeves-RAS lines	\$ 8,551.56	\$ -	\$ 8,551.56	\$ -	\$ 8,551.56	100%	\$ -
301	SCADA programming for alkalinity pump control	\$ 1,184.22	\$ -	\$ 1,184.22	\$ -	\$ 1,184.22	100%	\$ -
302	UPS for grit control panel	\$ 885.21	\$ -	\$ 885.21	\$ -	\$ 885.21	100%	\$ -
303	RACO dialer for SCADA computer crash notification	\$ 2,557.29	\$ -	\$ -	\$ -	\$ -	0%	\$ 2,557.29
304	Replace manual OH door in chemical room	\$ 6,384.40	\$ -	\$ -	\$ -	\$ -	0%	\$ 6,384.40
305	Electric control for sludge garage ceiling doors	\$ 3,048.88	\$ -	\$ 2,500.00	\$ -	\$ 2,500.00	82%	\$ 548.88
306	Additional cabinets & countertop-lunch room	\$ 3,288.65	\$ -	\$ -	\$ -	\$ -	0%	\$ 3,288.65
	<b>TOTAL</b>	\$ 11,988,928.41	\$ 11,659,165.87	\$ 191,297.67	\$ -	\$ 11,850,463.54	99%	\$ 138,464.87

Wastewater Treatment Plant Upgrade  
Bucksport ME

Unit Price Items

	Qty	unit	unit price	Value	Qty previous		Value previous		Qty current		Value current		Qty total		Value total		Qty remaining	Value remaining
1	1600	sf	\$2.00	\$ 3,200.00	1,350	\$ 2,700.00	0	\$ -	1,350	\$ 2,700.00	250	\$ 500.00	1,350	\$ 2,700.00	250	\$ 500.00		
2	3300	cy	\$32.00	\$ 105,600.00	4,041	\$ 129,312.00	0	\$ -	4,041	\$ 129,312.00	(741.0)	\$ (23,712.00)	4,041	\$ 129,312.00	(741.0)	\$ (23,712.00)		
3	530	ton	\$120.00	\$ 63,600.00	0	\$ -	215	\$ 25,800.00	215	\$ 25,800.00	315	\$ 37,800.00	215	\$ 25,800.00	315	\$ 37,800.00		
4	120	ton	\$185.00	\$ 22,200.00	0	\$ -	0	\$ -	0	\$ -	120	\$ 22,200.00	120	\$ 22,200.00	120	\$ 22,200.00		
5	100	cy	\$30.00	\$ 3,000.00	0	\$ -	0	\$ -	0	\$ -	100	\$ 3,000.00	100	\$ 3,000.00	100	\$ 3,000.00		
6	100	cy	\$100.00	\$ 10,000.00	43.55	\$ 4,355.00	0.00	\$ -	43.55	\$ 4,355.00	56.45	\$ 5,645.00	43.55	\$ 4,355.00	56.45	\$ 5,645.00		
7	700	cy	\$50.00	\$ 35,000.00	140	\$ 22,600.00	127	\$ 6,350.00	267	\$ 28,950.00	433	\$ 6,050.00	267	\$ 28,950.00	433	\$ 6,050.00		
8	1800	vlf	\$110.00	\$ 198,000.00	1,816	\$ 177,733.60	0	\$ -	1,815.76	\$ 177,733.60	184	\$ 20,266.40	1,815.76	\$ 177,733.60	184	\$ 20,266.40		



www.swcole.com

**INVOICE**

Remit Payment to:  
S. W. Cole Engineering, Inc.  
37 Liberty Drive  
Bangor, ME 04401-5784  
207-848-5714  
EIN: 01-0383633

MANDY OLVER  
OLVER ASSOCIATES, INC.  
P.O. BOX 879  
WINTERPORT, ME 04496-0679

invoice: 81261  
invoice Date: 7/18/2017  
P.O. Number:

Project: 13-1318.4 Bucksport ME - Waste Water Treatment Facility - Construction Materials Testing Services

Project Manager: Bragg, Russell L.

For Professional Services Provided Through 07/15/2017

	Hours	Amount
CONSTRUCTION SERVICES TECHNICIAN	7.00	\$364.00
SECRETARY	.50	\$20.00
	Qty	Amount
FIELD DENSITY TEST - ASTM D6938	28.00	\$280.00
MILEAGE	46.00	\$25.76
	PROJECT SUBTOTAL	\$689.76
	COMMUNICATION FEE	\$31.04
	INVOICE AMOUNT	\$720.80

RECEIVED JUL 22 2017

**OLVER ASSOCIATES INC.**

ENVIRONMENTAL ENGINEERS

INVOICE

Ms. Susan Lessard, Town Manager  
Bucksport Town Office  
P.O. Drawer X  
Bucksport, Maine

Account No. 1541  
Date: August 9, 2017  
Invoice No. 8255

PROJECT: Town of Bucksport  
Secondary Treatment Plant Upgrade  
Contract Administration/Construction Phase

FOR PROFESSIONAL SERVICES THROUGH PERIOD ENDING July 29, 2017

Ongoing coordination with Rural Development regarding funding  
Ongoing contract administration  
Ongoing review of material submittals  
Full time on site inspection of construction  
Conducted monthly construction meeting  
Resolution of pending change orders  
Continued review on site of SCADA system functions  
Added training and assistance related to transition to secondary treatment  
Ongoing preparation of O& M manual  
Assistance in evaluation of toxic event impacting the WWTP

Labor Charges:

Contract Administration	\$ 1,035.00
Inspection hours 241.5@\$70/hr	16,905.00
Added on site assistance with operations/startup	3,200.00

Expenses:

Michael Richard-microbiological analysis	350.00
--	--------

Current Charges \$ 21,490.00

Approved by:



William M. Olver

Municipal  
QUITCLAIM DEED

10a

*Know all Persons by these Presents,*

*That* the Inhabitants of -----TOWN OF BUCKSPORT-----  
A body corporate and politic, located at-----BUCKSPORT-----  
in the County of ----HANCOCK---- and State of Maine,  
in consideration of one dollar and other valuable consideration paid by

KRYSTAL M. DUDA

whose mailing address is

51 HERITAGE PARK ROAD, BUCKSPORT, ME 04416

the receipt whereof it does hereby acknowledge, does hereby *remise, release, bargain,*  
*sell and convey*, and forever *quitclaim* unto the said

KRYSTAL M. DUDA

heirs and assigns forever, all its right, title and interest in and to the following described  
real estate situated at 51 HERITAGE PARK ROAD, BUCKSPORT-----  
in the County of---HANCOCK--- and State of Maine:

LOCATED ON MAP 03 LOT 01 OF THE ASSESSORS TAX MAPS FOR THE TOWN  
OF BUCKSPORT, CONSISTING OF 54 MAPS NUMBERED FROM 1 THRU 53  
INCLUSIVE, WHICH ARE ON FILE AT THE TOWN OF BUCKSPORT MUNICIPAL  
OFFICE, 50 MAIN STREET, BUCKSPORT, MAINE.  
(TRIO REAL ESTATE ACCT#3363)

Meaning and intending to convey and hereby conveying any interest the Grantor herein  
may have in the foregoing property by virtue of unpaid taxes for the tax year(s)

TAX LIEN RECORDED ON 06/17/2014 BK 6238 PG 36  
TAX LIEN RECORDED ON 06/16/2015 BK 6408 PG 272  
TAX LIEN RECORDED ON 06/22/2016 BK 6588 PG 133  
TAX LIEN RECORDED ON 06/21/2017 BK 6781 PG 14

**ALL AT THE HANCOCK COUNTY REGISTRY OF DEEDS  
(UNDER THE NAME: DWAYNE A. WESTON)**

*To have and to hold* the same, together with all the privileges and appurtenances there unto belonging to the said

KRYSTAL M. DUDA

heirs and assigns forever.

*In Witness Whereof*, the said Inhabitants of ---TOWN OF BUCKSPORT--- has caused this instrument to be sealed with its corporate seal and signed in its corporate name by its COUNCILORS thereunto duly authorized, this 10 TH day of the month of AUGUST A.D. 2017.

*Signed, Sealed and Delivered  
in presence of*

Inhabitants of TOWN OF BUCKSPORT

.....  
Susan Lessard (Witness to All)

.....  
Robert G. Carmichael Jr.  
.....  
Paul R. Gauvin  
.....  
David W. Kee  
.....  
David G. Keene  
.....  
Paul F. Rabs  
.....  
Peter L. Stewart  
.....  
Joseph N. York

*STATE OF MAINE, COUNTY OF* HANCOCK ss. AUGUST 10, 2017.

Then personally appeared the above named COUNCILORS  
And acknowledged the foregoing instrument to be THEIR free act and deed in  
THEIR said capacity, and the free act and deed of said body corporate.

Before me,

.....  
Kathy L. Downes, Notary Public  
State of Maine – Hancock County  
My commission expires: May 15, 2023

11a

TO: SUSAN LESSARD, TOWN MANAGER  
FROM: JAY LANPHER, PUBLIC WORKS DIRECTOR  
SUBJECT: JULY 2017 MONTHLY REPORT  
DATE: August 7, 2017

The month of July was a busy month. The Public Works crew spent days working on the following projects:

- 8 days mowing roadsides and cemeteries
- 5 days patching potholes and trimming limbs blocking signs around town
- 3 days filling shoulders and driveways of newly paved sections of roads
- 2 days supporting the bay festival
- 1 day clearing blow downs on the Silver Lake Trails
- 4 days ditching Bucksmills Road
- 1 day paving Turkey Path cross pipe and parking spaces at Public Safety
- 1 day replacing a driveway culvert on Mast Hill Road
- 1 day building and installing a section of guardrail at the Transfer Station

On the 31<sup>st</sup>, a new fuel monitoring key system was installed on the town's fuel pumps. This new system will monthly reports to be drawn remotely from computers at the Town Office.

5 loads of trash were hauled to the PERC plant this month.

**Community & Economic Development  
Waterfront & Marina  
July 2017 Activities  
Submitted by Rich Rotella**

**Meetings & Trainings:**

- Met with interested party in regards to 1 of town owned properties.
- Met with current Bucksport business owner in regards to future of their business.
- Met with ReVision Energy in regards to proposal for solar project in Bucksport.
- Met in Bangor with EMDC.
- Phone Training for new phones at Public Safety Building.
- Attended Town Council Meeting on July 13.
- Met with group for final 225<sup>th</sup> meeting before the event.
- Attended 130<sup>th</sup> Celebration for the Buck Memorial Library on July 19<sup>th</sup>.
- Attended 225<sup>th</sup> Celebration for the Town on July 21<sup>st</sup> & July 22<sup>nd</sup>.

**ACTIVITIES:**

- Wednesday on Main hosted 4 events during the month of July. Assisted with set up of WOM event located on Main St.
- We had a 2 day visit from the new American Cruise Line ship that replaced the American Glory.
- Purchased and placed flowers on the new trash receptacles on Main St.
- Buck Memorial Library held an ice cream social as part of their 130<sup>th</sup> Celebration
- Town of Bucksport celebrated its 225<sup>th</sup> Birthday for 3 days on July 21<sup>st</sup> – July 23<sup>rd</sup> with activities on the waterfront, Main St, Elm St, Route 1, Route 46 & Silver Lake.
- The town crew and marina crew power washed all the benches on the waterfront.
- New lights were installed at the Gazebo.
- New grass was planted on the northern side of the marina parking lot.
- The drinking fountain at the town dock restrooms was repaired.
- Bucksport hosted the 10-11 State Little League Championship July 28<sup>th</sup> – August 2<sup>nd</sup> with Saco winning the championship.

**What Lies Ahead:**

- Bucksport Arts Festival on August 12<sup>th</sup>
- More improvements to town dock restrooms August - September
- ReVision Energy proposal to be forwarded to Finance Committee in August.
- Visit from Le Grand Bleu in August.
- EPA Grant Kick-Off Meeting with Elan and stakeholders in August.
- Broadband Grant Follow up meeting in August.
- Gateway signs & Attraction Signs to Finance Committee in August.
- Main St Bucksport hosting Fundraising Dinner on August 11<sup>th</sup>.
- Installation of Bucksport's 1<sup>st</sup> Electric Vehicle Charging Station on Main St in August.

## Bucksport Fire & Rescue July 2017 Monthly Report

Calls	July	FYTD
EMS	90	90
Fire	13	13
Inspections* Incl. Smoke Alarm Program	25	25
Fire Permits	43	43
EMS Calls/Extra Crew	9	9

### Projects & Personnel

- Fire Fighters Chris Grindle and Shane Bowden assisted the YMCA “Young Bucks” summer camp during their “Emergency Services Week”. The kids came in and had a tour of the Public Safety Building and went through all of the apparatus, ambulances and police cars and saw all the equipment used in our responses. The next day we took the ambulance to them and showed them everything on board that rig and how it is used on patients and let them run the stretcher and other items. That was followed up the day after with a visit with a fire truck, where each kid got to spray water with the hose, try on fire fighter gear and see how the tools worked. All involved had a great time!
- Crews worked on and participated in the Bucksport 225 Celebration. All fire & EMS apparatus, along with 5 of our antique units were included in the parade and extra crews were on duty throughout the day and evening for the events. We handled several EMS calls during the day Saturday and a couple of minor fire calls over the weekend, but all seemed to go very well and we received numerous compliments from festival goers regarding our equipment and the antiques.
- We met with the Town of Union regarding the SHAPE program, as they are considering participating and wanted to find out what that entailed.

### Emergency Calls

- For the second straight month, EMS crews responded to 90 or more ambulance runs.
- Area departments responded to a 2-story home located off Rt. 46 past Hancock Pond that was reported on fire with flames showing outside. Bucksport, Orland, Dedham and Orrington Fire all responded and found one end of the house fully involved. Although more than 7 miles from the station and no nearby accessible water supply, crews made an aggressive interior attack and were able to have “knockdown” of the main fire within about 15 minutes. Because of the mutual aid and the tanker shuttle system, crews never ran out of water, even while flowing over 500 gallons per minute onto the fire. While the structure and upstairs belongings received heavy fire and heat damage, the fire fighters at the scene made an incredible stop of a large, growing fire. Great work by all!

### Grants

- We purchased the Water Rescue gear with the Safety Grant from the Maine Municipal Association program, which covered about \$2,000.00.
- We received approval for a time period extension to the FEMA Smoke Alarm program and will have until March 2, 2018 to complete the program.

### The Year in Review (highlights from the past year)

- BFD received FEMA grants for equipment, Fire Prevention & Safety and personnel totaling more than \$510,000.00 towards a defibrillator, fans, pagers, smoke alarms for every home and 2 new fire fighters.
- We also received several grants and donations from the MMA, Maine Forest Service & others for nearly \$10,000.00.
- We coordinated the efforts that led to the Town of Bucksport receiving the Department of Labor’s SHAPE Award for workplace safety, only the 8<sup>th</sup> community in the state to do so, which will result in lower insurance costs for the town.
- Our departments scored well during the Maine Municipal Associations annual review as part of their LEADER program, which checks municipal safety equipment, facilities and records through their insurance rating system.
- We instituted a training program through which we provide for all town employees to receive the mandatory annual training required by law.

- The town retained our designation as a “Heart Safe Community” because of the community outreach programs from our staff.
- Captains Chris Connor and Pam Payson, along with assistance from other staff, instructed a Fire Instructor I & II class hosted here for fire fighters from the region and also taught a Fire Officer class in Ellsworth for area departments. We currently have 10 instructors in-house that provide numerous training locally and across the region.
- FF Eugene Bass instructed a CDL Driver’s Course that led to several members receiving their Maine Class B License. While not required by the state, our department policy requires operators of the larger apparatus to obtain their CDL and we have nearly 20 fire fighters that have received that through our in-house training program. Training centers charge over \$2,500.00 per person for this class, we do it for “free”.
- Bucksport received an upgrade to their ISO (insurance) rating due to the many positive efforts, improvements and hard work put forth by the Bucksport Fire Department, Bucksport Dispatch Center and the Maine Water Company. Home owners should see a decrease in their annual insurance premiums, which will further offset any tax based costs they supply towards our services.
- Several of our fire fighters continue to stay active in the Juvenile Fire Setter Program that educates children and their families of the dangers with children playing with fire. This successful program has been in place here for nearly 30 years and has helped dozens of families. We currently have a few kids enrolled in the program at this point.
- Our department started a Junior Fire Fighter program last fall that will be enhanced and improved upon this year.
- We received approval from the RSU 25 to instruct a Fire Fighter I & II program as part of the High School curriculum, for which the students will receive school and college credits. The program will start with the fall semester and we understand that it is one of the first in the state.
- Our Fire & Rescue Associations provide scholarships annually to local students going into the Fire Science or EMS programs at EMCC. An Orland fire fighter received last year’s scholarship for \$250.00 towards his degree program.
- Several fire & EMS members coordinated and taught Fire Prevention and Education classes to more than 400 students at the RSU 25 schools, daycares and preschools, along with presenting several other FPE classes for adults and seniors throughout the community.
- Fire & EMS continues to participate and support the efforts of the “Thriving in Place” program for the elderly.
- We continue to honor our former fire fighters and EMT’s that have passed by placing Fire Fighter Flags and Grave markers at more than 30 plots in local cemeteries each Memorial day.
- FF/EMT-P John Gavelek was awarded the Maine Chiefs of Police “Life Saving Award’ and was also recognized by the Town for going into the Penobscot River on May 1 of last year to successfully retrieve a man who had ended up in the cold waters off the municipal dock area, ultimately saving the man’s life. Congratulations, John!
- Captain Chris Connor was awarded the “Fire Instructor of the Year” by the Maine Fire Service Institute for his efforts in providing exceptional training to fire fighters across the state, great job Chris!
- Chief Craig Bowden received a Legislative Sentiment acknowledging the awards received from the Red Cross, Maine Chiefs of Police and the Maine State Police for his efforts during the rescue attempts during the previous year’s river drowning incident involving a child and his grandfather.
- Chief Bowden was re-elected to the Board of Directors of the Hancock County Fire Fighters Association. He has been a BOD member or elected officer of the HCFFA for 30 years and has served on multiple committees over that time.
- Five fire fighters were recognized at our Annual Fire & Rescue Banquet for 30 years of service and 1 for more than 35 years! Assistant Fire Chief Michael Denning, Captains Stephen Bowden and Dave Denis, and Fire Fighters Mark Bowden and Eugene Bass all received their 30 year pins and Chief Craig Bowden reached his 37<sup>th</sup> year as a member of the Bucksport Fire Department.
- Our crews also participated in numerous other events during the year including, but not limited to, Wednesdays on Main, Bucksport Regional Health Center’s Annual Health Fair, Bucksport Bay Healthy Communities Children’s Fair, Wreaths Across America Event, Guns & Hoses Events, Touch-a-Truck, Live Burn Smoke Detector Demonstration, Bucksport’s 1<sup>st</sup> Christmas Parade, Bucksport’s First New Year’s Eve Ball-Drop & Celebration, Bucksport Community Concerns Holiday events, Bike Rodeos, Annual Halloween Party for Kids and much more!

# TRANSFER STATION MONTHLY REPORT

MONTH

July

YEAR

2017

TRIPS

5

BUCKSPORT - TOTAL WEIGHT 168,084 LBS 84.35 TONS

TRIPS

5

ORLAND - TOTAL WEIGHT 47,576 LBS 23.79 TONS

## SHIPPED

4

0 SORT RECYCLING

TOTAL WEIGHT 42,200 LBS 21.13 TONS

6

LOADS OF DEMO

TOTAL WEIGHT 56,680 LBS 28.134 TONS

2

LOADS OF METAL

TOTAL WEIGHT 15,100 LBS 7.55 TONS

0

REFRIGERATORS

TOTAL WEIGHT 0 LBS 0 TONS 0 UNITS

## SHIPPED

13

BATTERIES

0

PROPANE TANKS

200

WASTE OIL - PUMPED GALLONS

2500

LBS - ITEMS GIVEN AWAY

## MONEY IN:

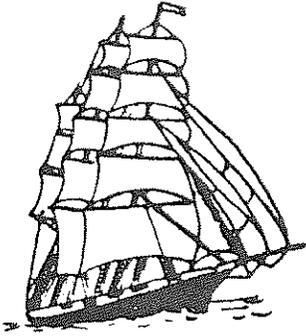
D M & J

\$ 244.00

TRANSFER STATION

\$ 2,048.60

TOTAL: \$ 2,292.60



Chief Sean P. Geagan

# BUCKSPORT POLICE DEPARTMENT

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

## BUCKSPORT POLICE DEPARTMENT

### MONTHLY REPORT

JULY 2017

#### Chief Sean Geagan:

In the month of July the Guns and Hoses group pulled off another great event on Main Street with Wednesdays on Main. I would like to thank all of the public safety personnel that volunteered for this event. It was very well attended and everyone had a great time.

I attended a Thriving in Place board meeting this month. This group continues to look out for the individuals in the town that need assistance to stay in their homes. The group does a very good job and is a big asset to the town. There are several citizen in town that utilize this program.

The town replaced the telephone system this month. This was a major project that was well overdue. The system is up and running in the public safety building and is light years beyond the old system. We are able to patch callers from this system directly to the patrolman in the cruisers.

I attended an RCC board meeting this month. It has been on the table to send the PSAP end of things ie: 911 to Penobscot County. The board met and voted against this and made a recommendation to the County Commissioners and they voted to keep the PSAP.

I had the opportunity to assist and work a few hours of the early morning road shifts this month. This was enjoyable for me to get out of the office and assist when needed. I do get out and assist on the road and patrol when I can but filling a shift was enjoyable.

The town celebrated its 225 anniversary this month. There was a street dance along with the Bay Festival. The event went on for three days and went very well. There were added events this year like the street dance and the beer tasting event. All went well.

The town of Hampden has rescinded their partnership with the town for Animal Shelter Services. This was a decision that was made due to their operations, it had

nothing to do with the service that we were providing. The town of Winterport is interested in our services and we are in talks with them.

I received a letter of thanks from Sheriff Scott Kane this month. He thanked the Police Department for our assistance on a shots fired complaint in Orland. The letter is attached to this report.

**Sergeant David Winchester:**

The month of July marked the 225 celebration of Bucksport and the Bucksport Bay Festival. The Bucksport Police Department staffed the event including the Friday night street dance that required Main Street to be shut down. There were a few parking issues and only minor events that required police action. Over all the event went very well and the Police Department received many kind words and "thank you" over the weekend.

Sergeant Winchester teamed up with new YMCA Director, Nick Tymoczko for a safety weight lifting camp at the Jewett School weight room. Several young people interested in learning the proper form and weight lifting routines attended. The kids had a great time and showed great improvement over the week!

Sergeant Winchester completed a grant application for the purchase of new ballistic vests for all of the Department's officers. This same grant was awarded several years ago and was used to purchase 7 new vests. The body armor that each officer is required to wear has a life span of 5 years and then is required to be replaced. The current vests are reaching the 4 year mark.

He also applied for another Safety Equipment grant through Maine Municipal for the purchase of transport cage for the cruiser. A similar grant was obtained this year and the cage is currently in the newest cruiser. The grant will be awarded in October.

Sergeant Winchester had several arrests and summonses this month during his patrol shifts. They are as follows:

Bruce Corrigan (70 of Bucksport). Arrested on outstanding warrant.

Nathan Drost (24 of Sullivan). Arrested for violation of conditional release

Nicholas Flores (18 of Bucksport). Arrested for disorderly conduct and possession of liquor by minor.

Jacob Bowden (28 of Brewer). Arrested on outstanding warrant.

Philip Garlarnea (51 of Dedham). Arrested on outstanding warrant.

Margaret Mcinnich (42 of Stockton Springs). Summoned for possession of drug paraphernalia.

Ashley Harpher (34 of Ellsworth). Summoned for possession of drug paraphernalia.

Lindsay Swanson (25 of Verona). Summoned for operating after suspension.

Amy Utley (43 of Bucksport). Summoned for violation of conditional release.

He also completed 2 arrest warrants for suspects in ongoing investigations.

He is currently working on several investigations including: theft, burglary, criminal mischief, sex offenses and drug incidents.

**Patrol:**

The patrol division had 14 arrests, 17 citations and 163 warnings for a total of 194 violations. There were 466 CAD calls for police services this month. The Patrol Division handled 12 motor vehicle accidents this month. I have included a map of all the calls for service for the Police Department this month.

Sergeant Winchester had 47 violations, Officer Schmidt had 44 violations, Officer Marcel had 20 violations, Officer VanBuckley had 21 violations, Officer Bishop had 13 violations, ACO Joy had 11 violations, Officers Findlay and Officer Sullivan had 8 violations each, Officer Knight and Officer Welch had 7 violations each, Officer Harlan had 3 violations and Officer Fitch had 1 violation. A partial list of complaints handled along with percentage of time spent for the month are attached to this report.

I received a Thank You this month on behalf of Officer Matt Schmidt. A lady called me to advise me of a vehicle stop in which she was having a medical episode. She advised that Officer Schmidt was to be commended for the way that he handled the stop. She advised that he handled the stop in a very professional manner and assisted her in every way that he could and he put the violation on the back burner due to the situation.

The Department has six areas of crime that are reported each month to the uniform crime reporting system. These areas cover; Criminal Homicide, Forcible Rape, Robbery, Assault, Burglary and Theft. In the month of July we had 0 Criminal Homicides, 0 Forcible Rape, and 0 Robbery. We had 0 assaults, 1 burglary, we had 10 thefts. We had 11 actual cases, 0 were unfounded which left us with 11 actual cases. Cases can be cleared by an arrest or exceptional means. This means that the case was solved in one form or another. Keep in mind that cases from previous months that we clear will show up on this months report.

**Dispatch:**

In the month of July, the dispatch center made 6018 radio log entries. A total list from the new system is attached to this report, this includes percentages. All of these calls are taken by the dispatch and put into the computer aided dispatch system and dispatch to the appropriate units. The dispatch center completed 43 burn permit this month all of these include meeting with individuals in the building to complete these; they completed 2 concealed weapons permits. They also completed Court Work, Payroll, and Purchase Orders for billing purposes along with answering all calls and greeting the public at the Public Safety Building. This department continues to be very busy in all areas.

*Animal Control:*

In the month of July, Officer Joy handled 40 animal complaints. Officer Joy took in 2 dogs and 4 cats from Bucksport, 1 dog and 1 cat from Orland, He had 3 dogs reclaimed, 2 cats were adopted and 1 cat was transferred to another facility

*Police Advisory Committee:*

The Police Advisory Committee is on summer break and did not meet this month.

Respectfully submitted,



Sean P. Geagan  
Chief of Police



# Bucksport Police Department

## Total CAD Calls Received, by Nature of Call

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<u>Nature of Call</u>	<u>Total Calls Received</u>	<u>% of Total</u>
911 Call	11	2.37
Agency Assistance	26	5.59
Alarm	11	2.37
Alcohol Offense	3	0.65
Animal Problem	40	8.60
Assault	3	0.65
Attempt to Locate	1	0.22
Bail Check	1	0.22
Burg-Res Unlaw Entry	2	0.43
Check Well-Bein	14	3.01
Citizen Assist	12	2.58
Citizen Dispute	6	1.29
Civil complaints	10	2.15
Criminal Mischief	1	0.22
Concealed Weapons Permit	2	0.43
Deliver Message	1	0.22
Disabled Motorist	1	0.22
Domestic Argument	8	1.72
Drug Intell	1	0.22
Poss. of drug paraphernalia	1	0.22
Escort	3	0.65
Fireworks	6	1.29
Found Property	18	3.87
Fraud	1	0.22
Shots Fire, Shots Heard	1	0.22
Phone or Other	6	1.29
Information Report	21	4.52
Intoxicated Person	3	0.65
Lost Property	5	1.08
Medical Emergency	10	2.15
Miscellaneous	2	0.43
Missing Person	1	0.22
Motor Vehicle Complaint	27	5.81
Noise Complaint	2	0.43
Parking Problem	6	1.29
Traffic Accident w/ Damage	12	2.58
Traffic Accident, w/ Injuries	3	0.65
Property Damage, Non Vandalism	1	0.22
Registered Sex Offender	2	0.43
Security Check	12	2.58
Serve Protection Orders	8	1.72
Serve Subpoena	1	0.22
Shellfish Violation	1	0.22
Special Detail	3	0.65

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<u>Nature of Call</u>	<u>Total Calls Received</u>	<u>% of Total</u>
Suspicious Person/Circumstance	22	4.73
Theft	11	2.37
Theft-Automobil	1	0.22
Threatening	1	0.22
Traffic Control	1	0.22
Traffic Hazard	3	0.65
Traffic Violation	98	21.08
Trespassing	2	0.43
Unattended Deat	1	0.22
Vandalism	1	0.22
Vehicle Off Rd.	1	0.22
Viol.Cond.Rel.	3	0.65
Violation of Protection Order	6	1.29
Warrant Arrest	4	0.86

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Total reported: 465

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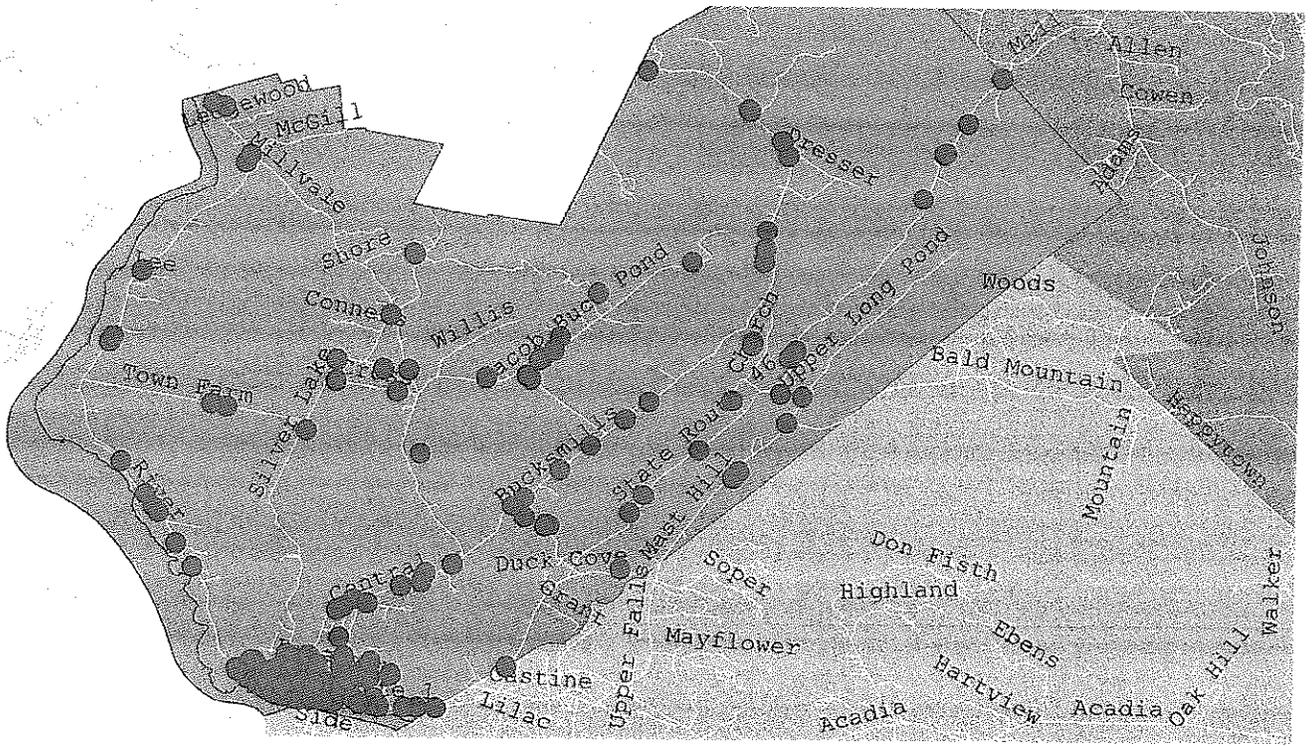


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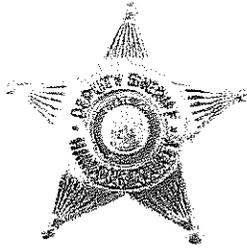
**Report Includes:**

All dates between `00:01:00 07/01/17` and `00:01:00 08/01/17`, All nature of incidents, All cities matching `BUC`, All types, All priorities, All agencies matching `BKPD`

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Scott A. Kane  
*Sheriff*



Patrick W. Kane  
*Chief Deputy*

Hancock County Sheriff's Department  
50 State Street, Suite 10  
Ellsworth, Maine 04605  
(207) 667-7575  
Fax (207) 667-7516

July 3, 2017

Chief Sean P. Geagan  
Town of Bucksport  
Bucksport, Maine 04472

Dear Chief Geagan,

Please consider this a Thank You for the assistance your department gave on June 27, 2017 on Acadia with a "shots fired" complaint. As you well know most law enforcement resources were just clearing a similar situation on the far east side of the county and there were few officers left to respond to the Orland complaint.

The willingness and support you department gave was invaluable. For far too many years the word has been that Bucksport PD will not leave town for any reason to assist another agency. This incident is proof that it is not true, but in fact Bucksport PD can be counted on to assist fellow law enforcement if a request comes to them. We have come a long way from those days and I look forward to a continuing strong relationship between the Hancock County Sheriff's Office and the Bucksport Police Departments.

Again Sean, thank you and your department for the support and professionalism they show. I am proud to call you friends and fellow law enforcement officers.

Take care and be safe.

Sincerely,

A handwritten signature in cursive script that reads "Scott A. Kane".

Scott A. Kane  
Sheriff, Hancock County

Report to Bucksport Town Council  
Bucksport Heart and Soul  
July 2017 report

**What do you love about Bucksport?**

“Well, I grew up near the ocean and going to college farther away from the ocean was kind of hard for me because it was something that I really missed, so it makes me happy, especially, to have this view of the bridge and the water. It’s so beautiful. I love the downtown and the historical aspects, like the theatre and meeting everyone on the streets, everyone is so friendly. It’s really home-like here which I love.” . . .

**What changes would you like to see happen in Bucksport?**

“It seems like right now there’s a lot of things for the older generation. We were talking the other day about the movies that they show at the theatre are all geared towards the older generation and that’s not a bad thing but I think it would be good if maybe we could find a way to balance out movies that show or different events in the community for younger people as well and I think that would be a good way to bring everybody together a little bit more rather than have it separated.”

***Comments from Bucksport***

***Employee***

Bucksport Heart and Soul - July activities

- Completed story gathering process in order to move forward with listening!
- Weekly listening sessions held at the headquarters- Tuesdays 9-11am - Open to everyone!!
- Organizing Listening House Parties for August to broaden the number of people who listen to recorded stories and decide what matters to people.
- July 13; Hosted the public at our headquarters for Wednesday on Main event
- July 21, 22, 23: Headquarters open during Bucksport Bay Festival; Bucksport's 225 year old birthday!

- July 24 and July 31: Data Team reviewed the resource *"Making Meaning from Qualitative Data"*. We mapped our way further in this Heart and Soul process.
- Open door at the headquarters (to let a breeze in!) has resulted in a great community building tool. . . many drop-ins from local folks but many from away, also . . . opportunity to spread knowledge of Heart and Soul and the work we're doing here in Bucksport!
- Bucksport Heart and Soul volunteers are amazing! Photo attached of Bob and Cleo Cottree who jumped into our work after attending our Farm, Food, and Flower event in March! Regulars at our core meetings, listening sessions, data meetings, and now I'm meeting with Bob this morning to discuss a powerpoint presentation he will create to use as a community educational tool in our community!
- Community groups continue to hold their meetings at H&S headquarters.
- Next Core Meeting - September 11, 5:30pm at the headquarters - All are welcome!
- Next training with Jane Lafleur - September 16, 9-12am.

See our website and facebook page for further updates of our work:

<http://www.bucksportheartandsoul.com>

<http://www.facebook.com/BucksportHeartandSoul>

Thanks, Nancy Minott

Coordinator, Bucksport HEart and Soul

Shall an ordinance be adopted titled “Amendments to Appendix K of the Bucksport Town Code and the Official Zoning Map of Bucksport Maine” such ordinance being for the purpose of bringing Appendix K into compliance with changes made to DEP Chapter 1000 Guidelines for Municipal Shoreland Zoning Ordinances in January of 2015, making changes to dimensional standards and to certain zoning boundary lines in the DTS District, and to revise timber harvest standards. Such ordinance shall read as follows:

(Text in italics is for explanation purposes only and will not be included in the adopted amendments.)

*The amendment to Section 1 clarifies what is included in Appendix K. Addendum 3 is a proposed addition.*

**APPENDIX K  
LAND USE ORDINANCE**

**SECTION 1 APPLICABILITY**

- 3.1 This ordinance applies to the use of all land areas within the boundaries of the Town of Bucksport. No land may be occupied with any land use, except in conformance with the applicable requirements of this ordinance.
- 3.2 This ordinance applies to the construction, alteration, enlargement, relocation, replacement or use of all buildings and structures within the boundaries of the Town of Bucksport. No such construction, change or use of any building or structure may be conducted, except in conformance with the applicable requirements of this ordinance.
- 3.3 This ordinance applies to the creation of any lot. No new lot may be created, except in conformance with the applicable requirements of this ordinance.
- 3.4 This ordinance shall include Sections 1 through 20 as identified in the Table of Contents, and Addendums 1, 2, and 3, as adopted and amended by the Bucksport Town Council.

*The amendment to Section 12.4 adds a provision from DEP Chapter 1000 that allows extra clearing if necessary to complete a shore stabilization project.*

**SECTION 12 GENERAL LAND USE STANDARDS**

**ENVIRONMENT STANDARDS**

**12.4 SOIL EROSION AND SEDIMENTATION**

**OBJECTIVE:** To ensure that exposed soils are adequately protected from unreasonable erosion and sedimentation.

- 12.4.1 All activities involving filling, grading, excavation, or other similar soil disturbance activities must be conducted so as to prevent soil erosion and to prevent soil sediments from entering water bodies, tributary streams, wetlands or adjacent properties.
- 12.4.2 All erosion and sedimentation control measures must be in conformance with or equivalent to the best management practices identified in the *Maine Erosion and Sedimentation Control Best Management Practices, Maine DEP, March 2003* or as amended (BMP Manual). Any excavation contractor that disturbs or displaces more than one cubic yard of soil within any

- shoreland district is subject to compliance with 38 M.R.S.A. § 439-B.
- 12.4.2.1 Vegetation may be removed in excess of the clearing standards in Section 12.8 of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the reviewing authority. Construction equipment must access the shoreline by barge when feasible as determined by the reviewing authority.
- 12.4.2.2 When the removal of trees and other vegetation is necessary to allow for construction equipment access to a stabilization site via land, the access way must be limited to no more than 12 feet in width. When the stabilization project is complete, the construction equipment access way must be restored. Revegetation must comply with the applicable requirements in Appendix K, Addendum 3, Section 3.
- 12.4.3 In order to create the least potential for erosion, land uses must be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required must be avoided wherever possible and natural contours must be followed as closely as possible.
- 12.4.4 Erosion and sedimentation control measures must be in operation during all stages of any soil disturbance activity. The amount of exposed soil at every phase of the activity must be minimized to reduce the potential for erosion.
- 12.4.5 Any exposed ground area must be temporarily or permanently stabilized within one week from the time it was last actively worked by use of riprap, sod, seed and mulch or other effective measures in accordance with the BMP Manual. Permanent stabilization must occur within 9 months of the initial date of exposure.
- 12.4.6 The reviewing authority may require secondary documentation for any land use that involves soil disturbance in a shoreland district or any land use subject to Level 2 review that involves soil disturbance in any district, if it is determined in either case that the risks of environmental harm warrant detailed professionally prepared erosion and sedimentation control measures.
- 12.4.7 Soil disturbance of less than 10 cubic yards in the RPO, SPO or TBO District, when such activity is not part of a permitted project, may not be conducted until required erosion and sedimentation control documentation outlined in the BMP Manual has been submitted to and approved by the code enforcement officer.
- 12.4.8 Soil disturbance involving 10 cubic yards or more in any shoreland district, when such activity is not part of a permitted project, may not be conducted until required erosion and sedimentation control documentation outlined in the BMP Manual has been submitted to and approved by the code enforcement officer.
- 12.4.9 Secondary documentation required by the reviewing authority may include, but is not limited to:
- 1) A detailed erosion and sedimentation control plan prepared by a qualified professional.

*The amendment to Section 12.8 identifies the location in Appendix K of exemptions to the clearing standards, as well as the location of additional provisions for hazardous tree removal and revegetation to address clearing violations. Section 12.8.7 is amended to clarify that the cleared opening limits do not apply in some areas.*

## 12.8 CLEARING OR REMOVAL OF VEGETATION, EXCLUDING TIMBER HARVESTING

- 12.8.7 Cleared openings in any shoreland district may not exceed in the aggregate, 25% of the lot area in a shoreland district, or 10,000 square feet, whichever is greater, including land previously cleared; ~~This provision does not apply to cleared openings except in the DTS District, CFMA District or the IDO District. Cleared openings on lots in any of these 3 districts may not exceed in the aggregate, 75% of the lot area or 30,000 square feet, whichever is greater, including land previously cleared.~~ Cleared openings include, but are not

limited to:

- 1) principal and accessory structure footprints,
  - 2) driveways and parking lots,
  - 3) lawns and
  - 4) sewage disposal areas.
- 12.8.8 Legally existing, nonconforming cleared openings may be maintained but may not be enlarged, except as allowed by this ordinance.
- 12.8.9 Fields and other cleared openings that have reverted primarily to shrubs, trees, or other woody vegetation are regulated under the provisions of Section 12.8.
- 12.8.10 Clearing or removal of vegetation subject to compliance with the requirements of Section 12.8 and which is not subject to permitting, may not be conducted until required documentation has been submitted to and approved by the code enforcement officer.
- 12.8.11 Exemptions to the clearing and vegetation removal requirements contained in Section 12.8 are located in Appendix K, Addendum 3, Section 1.
- 12.8.12 Regulations for Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal are located in Appendix K, Addendum 3, Section 2.
- 12.8.13 Revegetation Requirements to address clearing violations are located in Appendix K, Addendum 3, Section 3.
- 12.8.44 14 In the LRO District adjacent to Hancock Pond, all land uses that involve soil disturbance or use of undeveloped land must take appropriate measures to protect threatened plant species, as identified in the town's comprehensive plan. The reviewing authority for a proposed land use may require a botanical survey of the area to identify the presence of such plant species.
- 12.8.42 15 The reviewing authority may require secondary documentation in the event of a proposal requiring the cutting or removal of vegetation throughout an area of 40,000 sq. ft. or more in any shoreland district.
- 12.8.43 16 Secondary documentation required by the reviewing authority may include, but is not limited to:
- 1) A cutting or clearing plan prepared by a qualified professional.

*The amendment to Section 13.2 adds a setback for decks and porches from the Waterfront Walkway. This setback is added as part of an agreement with DEP that allows for a reduction of shoreland dimensional standards.*

## SECTION 13 SPECIFIC LAND USE STANDARDS

- 13.2 ACCESSORY USES [AMENDED 4-14-11, EFFECTIVE 5-14-11]
- 13.2.4 DECKS, PORCHES, STAIRS, RAMPS
- 13.2.4.1 Decks and porches are subject to a 10' minimum front, side and rear setback in any zoning district. In the DTS District, decks and porches are also subject to a 25' minimum setback from the Waterfront Walkway.

*The amendment to Section 13.2.13.1 brings the minimum lot area needed for a campsite into compliance with DEP Chapter 1000.*

- 13.2.13 OUTDOOR RECREATION
- 13.2.13.1 Individual private campsites in any shoreland district must comply with the following conditions:
- 1) One campsite is allowed for every 30,000 square feet of lot area or one campsite on a nonconforming lot with less than 30,000 square feet of lot area. When an individual private campsite is proposed on a lot that contains another principal use and/or structure,

the lot must contain the minimum dimensional requirements for the principal structure and/or use, and the individual private campsite separately.

*The amendment to Section 13.15.8.1 adds a setback for parking lots and off-street parking spaces from the Waterfront Walkway. This setback is added as part of an agreement with DEP that allows for a reduction of shoreland dimensional standards.*

13.15 **SITE WORK USES**

13.15.8 **PARKING LOTS** ~~[AMENDED 5-13-10, EFFECTIVE 6-12-10]~~

13.15.8.1 Parking lots and off-street parking spaces must meet the minimum setback requirements for structures in the district where such uses are located, except as follows:

- 6) In any non-shoreland district, the minimum setback for parking lots and off-street parking spaces is 10 feet from any property line, except parking spaces for one-family, one 1/2-family and two-family dwellings are not subject to any minimum setback.
- 7) In the DTS District, the minimum setback for parking lots and off-street parking spaces is 25 feet from the Waterfront Walkway and 10 feet from property lines, in addition to the minimum shoreline setback identified in Section 14.9.7.

*The amendment to Section 13.15.13.1 brings the regulation of piers, docks and wharves into compliance with DEP Chapter 1000.*

13.15.13 **ZERO SETBACK SHORELINE STRUCTURES**

13.15.13.1 Zero setback shoreline structures must comply with the following requirements, as applicable:

- 10) No more than one pier, dock, wharf or similar structure extending or located below the normal high-water line of a water body or within a wetland is allowed on a single lot, except that when a single lot contains at least twice the minimum shore frontage as specified in Section 14, a second structure may be allowed and may remain as long as the lot is not further divided.

*The amendment to Section 14.1.5 adds a provision that exempts dwelling units in the DTS District from compliance with dimensional standards.*

**SECTION 14 DIMENSIONAL STANDARDS** ~~[AMENDED 04-14-11, EFFECTIVE 05-14-11]~~

14.1.5 In any shoreland district, if more than one principal commercial or noncommercial structure or use, or more than one residential dwelling unit is constructed or established on a single lot, all applicable dimensional requirements must be met for each additional dwelling unit, principal structure or use or combination thereof.

14.1.5.1 Notwithstanding the provisions in Section 14.1.5, dwelling units in a commercial or noncommercial structure in the DTS District are not subject to compliance with dimensional standards, as identified in Section 14.9.

*The amendment to Section 14.8 brings maximum structure heights provisions into compliance with DEP Chapter 1000.*

14.8 **STRUCTURE HEIGHT:** All principal and accessory structures are subject to compliance with maximum structure heights, as identified in Section 14.9.9. Any structure with no floor

area, such as a transmission tower, chimney, windmill, or antenna, cupola, dome, widow's walk or other similar feature, is not subject to maximum structure heights.

The amendment to Section 14.9 brings lot coverage provisions into compliance with DEP Chapter 1000.

14.9 **LOT COVERAGE:** The total footprint of all structures, impervious surfaces such as Non-vegetated surfaces including, but not limited to, structures, driveways, roads, parking areas, and other non-vegetated surfaces on a lot areas from which vegetation has been removed from a lot, is are subject to maximum lot coverage requirements, as identified in Section 14.9.8. For the purposes of determining lot coverage, a leasehold interest, mortgage interest, or other estate less than fee simple does not create a separate lot.

The amendment to Table 14.9.1 reduces the minimum land area required for commercial and noncommercial principal structures to 1,000 sq. ft. in the DT and DTS Districts, and applies the same requirement even if there are any dwelling units in the structure.

14.9.1 **MINIMUM LAND AREA** (See also Section 14.2)

DISTRICTS	DT	DTS	C1	C2	C3	CF MA	ID	ID O	LR O	LRP O	RG	RP O	RT 1S	RT 15 RC	R1	R2	SP O	TB O	VIL
NO MINIMUM						1.13													
1,000 SQ. FT.	1.17	1.17																	
5,000 SQ. FT.	1.1	1.1																	1.3
10,000 SQ. FT.	1.2	1.2	1.3	1.3	1.3														
20,000 SQ. FT.			1.4	1.4	1.4						1.5								1.4
30,000 SQ. FT.										1.14		1.14	1.6						
40,000 SQ. FT.							1.5	1.5	1.9	1.15		1.15	1.7	1.5			1.9	1.9	
60,000 SQ. FT.									1.10	1.16		1.16	1.8				1.10	1.10	
1 ACRE															1.11				
2 ACRES															1.12	1.11			
4 ACRES																1.12			

14.9.1.1 **MINIMUM LAND AREA NOTES**

- 1.1 Per one-family dwelling or one & 1/2-family dwelling. 7,500 square feet per two-family dwelling.
- 1.2 A- Per principal structure for commercial or noncommercial occupancy. 2,500 square feet per each dwelling unit in the structure.  
B- Per 3-unit multi-family dwelling. 2,500 square feet per each additional dwelling unit.
- 1.17 Per principal structure for commercial or noncommercial occupancy, including any dwelling

units in the structure.

*The amendment to Table 14.9.2 reduces the minimum street frontage required for commercial and noncommercial principal structures to zero feet in the DT and DTS Districts, and applies the same requirement even if there are any dwelling units in the structure.*

**14.9.2 MINIMUM STREET FRONTAGE** (See also Section 14.3)

DISTRICTS	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LRP O	RG	RP O	RT 1S	RT 15 RC	R1	R2	SP O	TB O	VIL
NO MINIMUM	☐ 2.7	☐ 2.7				☐ 2.6		☐ 2.6	☐ 2.6	☐ 2.6		☐ 2.6					☐ 2.6	☐ 2.6	
50 FT.	☐ 2.1	☐ 2.1																	☐ 2.5
100 FT.	☐ 2.2	☐ 2.2	☐ 2.5	☐ 2.5	☐ 2.5		☐ 2.5				☐ 2.5		☐ 2.5	☐ 2.5	☐ 2.3				
200 FT.															☐ 2.4	☐ 2.3			
400 FT.																☐ 2.4			

**14.9.2.1 MINIMUM STREET FRONTAGE NOTES**

- 2.1 A. Per one-family dwelling or one & ½-family dwelling, 75 feet per two-family dwelling.  
 B. ~~Per principal structure for commercial or noncommercial occupancy, 10 feet per each dwelling unit in the structure.~~
- 2.2 Per 3-unit multi-family dwelling, 10 feet per each additional dwelling unit.
- 2.7 Per principal structure for commercial or noncommercial occupancy, including any dwelling units in the structure.

*The amendment to Table 14.9.3 reduces the minimum shoreline frontage required for commercial and noncommercial principal structures to zero feet in the DTS District, and applies the same requirement even if there are any dwelling units in the structure.*

**14.9.3 MINIMUM SHORELINE FRONTAGE** (See also Section 14.4)

DISTRICTS	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LRP O	RG	RP O	RT 1S	RT 15 RC	R1	R2	SP O	TB O	VIL
NO MINIMUM	☐	☐ 3.12	☐	☐	☐	☐	☐				☐			☐	☐	☐			☐
75 FT.		☐ 3.1																	
125 FT.		☐ 3.2																	
150 FT.										☐ 3.9		☐ 3.9	☐ 3.3						
200 FT.								☐ 3.6	☐ 3.7	☐ 3.10		☐ 3.10	☐ 3.4				☐ 3.3	☐ 3.3	
300 FT.									☐ 3.8	☐ 3.11		☐ 3.11	☐ 3.5				☐ 3.4	☐ 3.4	

**14.9.3.1 MINIMUM SHORELINE FRONTAGE NOTES**

- 3.1 A. Per one-family dwelling or one & ½-family dwelling, 100 feet per two-family dwelling.

- ~~B. Per commercial or noncommercial principal structure, 25 feet per each dwelling unit in the structure.~~
- 3.2 Per 3-unit multi-family dwelling, 25 feet per each additional dwelling unit.
- 3.12 Per principal structure for commercial or noncommercial occupancy, including any dwelling units in the structure.

The amendment to Table 14.9.6 adds a note referring to the minimum setback required from the waterfront Walkway.

**14.9.6 MINIMUM REAR SETBACK** (See also Section 14.5)

DISTRICTS	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LRP O	RG	RP O	RT 1S	RT 15 RC	R1	R2	SP O	TB O	VIL
10 FT.	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐			☐	☐	☐
25 FT.		☐ 6.2													☐	☐			
50 FT.							☐ 6.1	☐ 6.1											

**14.9.6.1 MINIMUM REAR SETBACK NOTES**

- 6.1 If the rear lot line abuts a lot in the RT15RC, R1 or VIL District.
- 6.2 Minimum setback from the Waterfront Walkway. See also Section 13.2.4 and 13.15.8.1.

The amendment to Table 14.9.8 increases the maximum lot coverage in the DTS District to 100% for commercial and noncommercial uses.

**14.9.8 MAXIMUM LOT COVERAGE** (See also Section 14.7)

DISTRICTS	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LRP O	RG	RP O	RT 1S	RT 15 RC	R1	R2	SP O	TB O	VIL
NO MAXIMUM	☐	☐ 8.1	☐	☐	☐		☐				☐			☐	☐	☐			☐
20%									☐	☐		☐	☐				☐	☐	
80%		☐				☐		☐											

**14.9.8.1 MAXIMUM LOT COVERAGE NOTES**

- (No notes in this section)
- 8.1 Applies only to lots developed for a commercial or noncommercial use.

The amendment to Section 16.3.1 adds a recording requirement for expansion plans, as required by DEP Chapter 1000.

**SECTION 16 NONCONFORMANCE**

**16.3 NONCONFORMING STRUCTURES**

16.3.1 Any nonconforming principal or accessory structure may be added to or expanded subject to compliance with the applicable lot coverage limits in Section 14.9.8 and the following restrictions, as applicable:

- 1) Any structure or portion thereof located less than 100 feet from the shoreline of a great pond or a river flowing to a great pond, may be expanded to the extent that the total combined floor area of all structures or portions thereof so located, including expansions, is no greater than 1,500 square feet. Of that amount, no more than two thirds of the floor area may be located less than 75 feet from the same referenced shoreline.

- 2) The total combined floor area of all structures or portions thereof, including expansions, located less than 75 feet from the shoreline of all other water bodies, tributary streams or the upland edge of any wetland, may be no greater than 1,000 square feet.
- 3) The maximum height of any structure or portion thereof located less than 100 feet from the shoreline of a great pond or a river flowing to a great pond, may be no higher than 25 feet or the height of the existing structure, whichever is greater. The height of any structure or portion thereof, located less than 75 feet from the same referenced shoreline may be no higher than 20 feet or the height of the existing structure, whichever is greater.
- 4) The maximum height of any structure or portion thereof, located less than 75 feet from the shoreline of all other water bodies, tributary streams or wetlands, may be no higher than 20 feet or the height of the existing structure, whichever is greater.
- 5) No expansion may result in a structure height greater than the maximum allowed in Section 14.9.9.
- 6) No structure or portion thereof located less than 25 feet from the shoreline of any water body, tributary stream or upland edge of a wetland may be expanded.
- 7) No accessory structure located closer to the shoreline of a water body, tributary stream or wetland than the principal structure may be expanded.

16.3.1.1 An approved plan for the expansion of a nonconforming structure must be recorded by the property owner with the Hancock County Registry of Deeds, within 90 days of the date of approval. The recorded plan must show the existing and proposed footprint of the non-conforming structure, the existing and proposed structure height, the footprint of any other structures on the parcel, the shoreland zone boundary and evidence of approval by the reviewing authority.

*The amendment to Section 20 adds definitions from DEP Chapter 1000.*

## **SECTION 20 DEFINITIONS**

**HAZARD TREE:** A tree with a structural defect, combination of defects, or disease resulting in a structural defect that under the normal range of environmental conditions at the site exhibits a high probability of failure and loss of a major structural component of the tree in a manner that will strike a target. A normal range of environmental conditions does not include meteorological anomalies, such as, but not limited to: hurricanes; hurricane-force winds; tornados; microbursts; or significant ice storm events. Hazard trees also include those trees that pose a serious and imminent risk to bank stability. A target is the area where personal injury or property damage could occur if the tree or a portion of the tree fails. Targets include roads, driveways, parking areas, structures, campsites, and any other developed area where people frequently gather and linger.

**NON-NATIVE INVASIVE SPECIES OF VEGETATION:** Species of vegetation listed by the Maine Department of Agriculture, Conservation and Forestry as being invasive in Maine ecosystems and not native to Maine ecosystems.

**OUTLET STREAM:** Any perennial or intermittent stream, as shown on the most recent highest resolution version of the national hydrography dataset available from the United States Geological Survey on the website of the United States Geological Survey or the national map, that flows from a freshwater wetland.

**SAPLING:** A tree species that is less than 2 inches in diameter at 4.5 feet above ground level.

**SEEDLING:** A young tree species that is less than 4.5 feet in height above ground level.

**STORM-DAMAGED TREE:** A tree that has been uprooted, blown down, is lying on the ground, or that remains standing and is damaged beyond the point of recovery as the result of a storm event.

**TREE:** A woody perennial plant with one or more well-defined trunks at least 2 inches in diameter at 4.5 feet above the ground, with a more or less definite crown, and reaching a height of at least 10 feet at maturity.

**TRIBUTARY STREAM:** A channel between defined banks created by the action of surface water and which is connected hydrologically with other water bodies. The channel is characterized by the lack of terrestrial vegetation or by the presence of a bed that is devoid of topsoil, contains waterborne deposits or contains exposed soil, parent material or bedrock. Water may flow in the channel on a perennial or intermittent basis.

- Rills or gullies formed by accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity are not considered to be tributary streams.

*Addendum 3 is added to include additional standards from DEP Chapter 1000.*

### **ADDENDUM 3** **Supplemental Shoreland Vegetation Standards.**

#### **1. Exemptions to Clearing and Vegetation Removal Requirements in Appendix K, Section 12.8.**

**1.1** The activities described in Section 1 are exempt from the clearing and vegetation removal standards set forth in Appendix K, Section 12.8, provided that all other applicable requirements of Appendix K are met, and the removal of vegetation is limited to that which is necessary.

**1.1.1** Exemption #1: The removal of vegetation for the maintenance of legally existing areas that do not comply with the vegetation standards in this chapter, such as but not limited to cleared openings in the canopy or fields. Such areas shall not be enlarged, except as allowed by this section. If any of these areas reverts back to primarily woody vegetation due to the lack of removal of vegetation at least every 2 years, the requirements of Appendix K, Section 12.8 shall apply.

**1.1.2.** Exemption #2: The removal of vegetation from the location of allowed structures or allowed uses, when the shoreline setback requirements of Appendix K, Section 14 are not applicable.

**1.1.3.** Exemption #3: The removal of vegetation from the location of public swimming areas associated with an allowed public recreational facility.

**1.1.4.** Exemption #4: The removal of vegetation associated with allowed agricultural uses, provided best management practices are utilized, and provided all requirements of Appendix K, Section 13.13.2 are met.

**1.1.5.** Exemption #5: The removal of vegetation associated with brownfields or voluntary response action program (VRAP) projects provided that the removal of vegetation is necessary for remediation activities to clean-up contamination on a site in a general development district, commercial fisheries and maritime activities district or other equivalent zoning district approved by the Commissioner that is part of a state or federal brownfields program or a voluntary response action program pursuant 38 M.R.S.A section 343-E, and that is located along a coastal wetland or a river that does not flow to a great pond classified as GPA pursuant to 38 M.R.S.A section 465-A.

**1.1.6.** Exemption #6: The removal of non-native invasive vegetation species, provided the following minimum requirements are met:

- 1.** If removal of vegetation occurs via wheeled or tracked motorized equipment, the wheeled or tracked motorized equipment is operated and stored at least 25 feet from the shoreline, except

that wheeled or tracked equipment may be operated or stored on existing structural surfaces such as pavement or gravel;

2. Removal of vegetation within 25 feet from the shoreline occurs via hand tools; and
3. If applicable clearing and vegetation removal standards are exceeded due to the removal of non-native invasive species vegetation, the area shall be revegetated with native species to achieve compliance.

1.1.7. Exemption #7: The removal of vegetation associated with emergency response activities conducted by the Maine Department of Environmental Protection, the U.S. Environmental Protection Agency, the U.S. Coast Guard, and their agents.

## 2. Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

2.1. Hazard trees in the shoreland zone may be removed without a permit after consultation with the code enforcement officer, if the following requirements are met.

2.1.1 If the removal of a hazard tree results in a cleared opening in the tree canopy greater than 250 square feet within the shoreline buffer, replacement with native tree species is required unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least 2 inches in diameter, measured at 4.5 feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least 4 feet in height, and be no less than 2 inches in diameter. Stumps may not be removed.

2.1.2 Outside of the shoreline buffer, when the removal of hazard trees exceeds 40 percent of the volume of trees 4 inches or more in diameter, measured at 4.5 feet above ground level in any 10 year period, and/or results in cleared openings exceeding 25 percent of the lot area within the shoreland zone, or 10,000 square feet, whichever is greater, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least 2 inches in diameter, measured at 4.5 feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least 2 inches in diameter, measured at 4.5 feet above the ground level.

2.1.3 The removal of standing dead trees, resulting from natural causes, is permissible without the need for replanting or a permit, as long as the removal does not result in the creation of new lawn areas, or other permanently cleared areas, and stumps are not removed. For the purposes of this provision dead trees are those trees that contain no foliage during the growing season.

2.1.4 The code enforcement officer may require the property owner to submit an evaluation from a licensed forester or arborist before any hazard tree can be removed within the shoreland zone.

2.1.5 The code enforcement officer may require more than a one-for-one replacement for hazard trees removed that exceed 8 inches in diameter measured at 4.5 feet above the ground level.

2.2 Storm-damaged trees in the shoreland zone may be removed without a permit after consultation with the code enforcement officer, if the following requirements are met.

2.2.1 When the removal of storm-damaged trees results in a cleared opening in the tree canopy greater than 250 square feet within the shoreline buffer, replanting is not required, but the area shall be required to naturally revegetate, and the following requirements must be met:

1. The area from which a storm-damaged tree is removed may not result in new lawn areas, or other permanently cleared areas;
2. Stumps from the storm-damaged trees may not be removed;
3. Limbs damaged from a storm event may be pruned even if they extend beyond the bottom one-third of the tree; and
4. If after one growing season, no natural regeneration or regrowth is present, replanting of native tree seedlings or saplings is required at a density of one seedling per every 80 square feet of lost canopy.

- 2.2.2 Outside of the shoreline buffer, native tree seedlings or saplings shall be replanted on a one-for-one basis if the removal of storm damaged trees causes any of the following to occur:
1. More than 40% of the volume of trees 4 inches or more in diameter, measured at 4.5 feet above the ground level have been removed in any 10 year period; or
  2. Cleared openings exceed 25% in the aggregate of the lot area within the shoreland zone or 10,000 square feet, whichever is greater, and no natural regeneration occurs within one growing season.

### 3 **Revegetation Requirements**

- 3.1 When revegetation is required in response to violations of the vegetation standards set forth in Appendix K, Section 12.8, to address the removal of non- native invasive species of vegetation, or as a mechanism to allow for development that may otherwise not be permissible due to the vegetation standards, including removal of vegetation in conjunction with a shoreline stabilization project, the revegetation must comply with the following requirements.
- 3.1.1 The property owner must submit a revegetation plan prepared and signed by a qualified professional that describes revegetation activities and maintenance. The plan must include a scaled site plan, depicting where vegetation was, or is to be removed, where existing vegetation is to remain, and where vegetation is to be planted, including a list of all vegetation to be planted.
- 3.1.2 Revegetation must occur along the same segment of shoreline and in the same area where vegetation was removed and at a density comparable to the pre-existing vegetation, except where a shoreline stabilization activity does not allow revegetation to occur in the same area and at a density comparable to the pre-existing vegetation, in which case revegetation must occur along the same segment of shoreline and as close as possible to the area where vegetation was removed.
- 3.1.3 If part of a permitted activity, revegetation shall occur before the expiration of the permit. If the activity or revegetation is not completed before the expiration of the permit, a new revegetation plan shall be submitted with any renewal or new permit application.
- 3.2 Revegetation activities must meet the following requirements for trees and saplings:
1. All trees and saplings removed must be replaced with native noninvasive species;
  2. Replacement vegetation must at a minimum consist of saplings;
  3. If more than 3 trees or saplings are planted, then at least 3 different species shall be used;
  4. No one species shall make up 50% or more of the number of trees and saplings planted;
  5. If revegetation is required for a shoreline stabilization project, and it is not possible to plant trees and saplings in the same area where trees or saplings were removed, then trees or sapling must be planted in a location that effectively reestablishes the screening between the shoreline and structures; and
  6. A survival rate of at least 80 percent of planted trees or saplings is required for a minimum 5 years period.
- 3.3 Revegetation activities must meet the following requirements for woody vegetation and other vegetation under 3 feet in height:
1. All woody vegetation and vegetation under 3 feet in height must be replaced with native noninvasive species of woody vegetation and vegetation under 3 feet in height as applicable;
  2. Woody vegetation and vegetation under 3 feet in height shall be planted in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
  3. If more than 3 woody vegetation plants are to be planted, then at least 3 different species shall be planted;
  4. No one species shall make up 50% or more of the number of planted woody vegetation plants; and
  5. Survival of planted woody vegetation and vegetation under three feet in height must be sufficient to remain in compliance with the standards contained in this Addendum for a minimum of 5 years.
- 3.4 Revegetation activities must meet the following requirements for ground vegetation and ground

cover:

1. All ground vegetation and ground cover removed must be replaced with native herbaceous vegetation, in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
2. Where necessary due to a lack of sufficient ground cover, an area must be supplemented with a minimum 4 inch depth of leaf mulch and/or bark mulch to prevent erosion and provide for effective infiltration of stormwater; and
3. Survival and functionality of ground vegetation and ground cover must be sufficient to remain in compliance with the standards contained within this Addendum for a minimum of 5 years.

*The following changes are proposed in order to turn over timber harvest regulations to the Bureau of Forestry.*

### 9.5 TABLE OF LAND USES

#### 9.5.12 RURAL LAND USES [AMENDED 01-13-11 EFFECTIVE 02-12-11]

DISTRICTS →	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LR PO	RG	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19
12.4 TIMBER HARVESTS §13.13.4	X ↓ O L.2	X ↓ O L.2	O L.2	O L.2	O L.2	X ↓ O L.2	O L.2	O L.2	O L.2	O L.2	O L.2	L.1 O L.2	O L.2	O L.2	O L.2	O L.2	X ↓ O L.2	X ↓ O L.2	O L.2
12.4.1 FIREWOOD HARVESTS	Ø L.4	Ø L.4	Ø	Ø	Ø	Ø L.4	Ø	Ø L.4	Ø L.4	Ø L.4	Ø	L.1 L.4	Ø L.4	Ø	Ø	Ø	Ø L.4	Ø L.4	Ø

#### 9.5.12.1 RURAL LAND USE NOTES

- L.1 The land use is limited to flower, vegetable, fruit or herb gardens and the production of products from those gardens.
- L.2 ~~Selective cutting exceeding a maximum volume of trees, as identified in Section 13.13.4.2, is subject to Level 2 review.~~ All timber harvests are regulated by the Maine Forest Bureau.
- L.3 The land use is not allowed in R1(DCR).
- L.4 The land use is subject to compliance with Section 12.8.
- L.5 The land use is limited to lots with frontage on River Road and must be located within 4 miles from the beginning of River Road.

#### ~~13.13.4 TIMBER HARVESTING~~

~~13.13.4.1 In any RPO District abutting a great pond, there may be no timber harvesting within the strip of land extending 75 feet inland from the shoreline, except to remove safety hazards. Beyond the 75 foot strip of land, timber harvesting is permitted in accordance with Section 13.13.4.2, except that in no case may the average residual basal area of trees over 4 1/2 inches in diameter at 4 1/2 feet above ground level be reduced to less than 30 square feet per acre.~~

~~13.13.4.2 Except in areas where timber harvesting is not allowed, as described in Section 13.13.4.1, timber harvesting in any shoreland district is subject to compliance with the following requirements:~~

- ~~1) Selective cutting of no more than 40 percent of the total volume of trees 4 inches or more in diameter, measured at 4 1/2 feet above ground level on any lot in any 10-year period, is permitted. Timber harvesting operations exceeding the 40 percent limitation may be allowed by the reviewing authority if it is necessary for good forest management and will~~

- be carried out in accordance with a forest management plan signed by a Maine licensed forester. The reviewing authority must notify the Commissioner of the Department of Environmental Protection of each exception allowed, within 14 days of the decision.
- 2) Within 100 feet of the shoreline of a great pond or a river flowing to a great pond, and within 75 feet of the shoreline of any other water body, tributary stream, or wetland, there may be no clear cut openings. A well distributed stand of trees and other vegetation, including existing ground cover, must be maintained.
  - 3) At distances greater than 100 feet from a great pond or a river flowing to a great pond, and greater than 75 feet from the shoreline of other water bodies or wetlands, harvesting operations may not create single clear cut openings greater than 10,000 square feet in the forest canopy. Where such openings exceed 5,000 square feet they must be at least 100 feet apart. Such clear cut openings must be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.
  - 4) No accumulation of slash may be left within 50 feet of the shoreline of a water body. In all other areas slash must either be removed or disposed of in such a manner that it lay on the ground and no part thereof extends more than 4 feet above the ground. Any debris that falls below the shoreline of a water body or tributary stream must be removed.
  - 5) Timber harvesting equipment may not use stream channels as travel routes except when surface waters are frozen and the activity will not result in any ground disturbance.
  - 6) All crossings of flowing water must be over a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or any similar hard surface that would not be eroded or otherwise damaged.
  - 7) Skid trail approaches to water crossings must be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and culverts must be removed and areas of exposed soil must be revegetated.
  - 8) An unscarified strip of vegetation of at least 75 feet in width for slopes up to 10 percent must be retained between the shoreline and exposed mineral soil on skid trails and other sites. For each 10 percent increase in slope, the unscarified strip must be increased by 20 feet. The provisions of this paragraph apply only to a face sloping toward the water body or wetland. However, no portion of such exposed mineral soil on a back face may be closer than 25 feet from the shoreline. This section does not apply to water crossings.

**DBH:** The abbreviation for diameter breast height, which is the diameter of a standing tree measured at 4 1/2 feet above ground level

**FIREWOOD HARVESTING:** The cutting and removal of timber for the primary purpose of producing firewood for the personal use of the property owner.

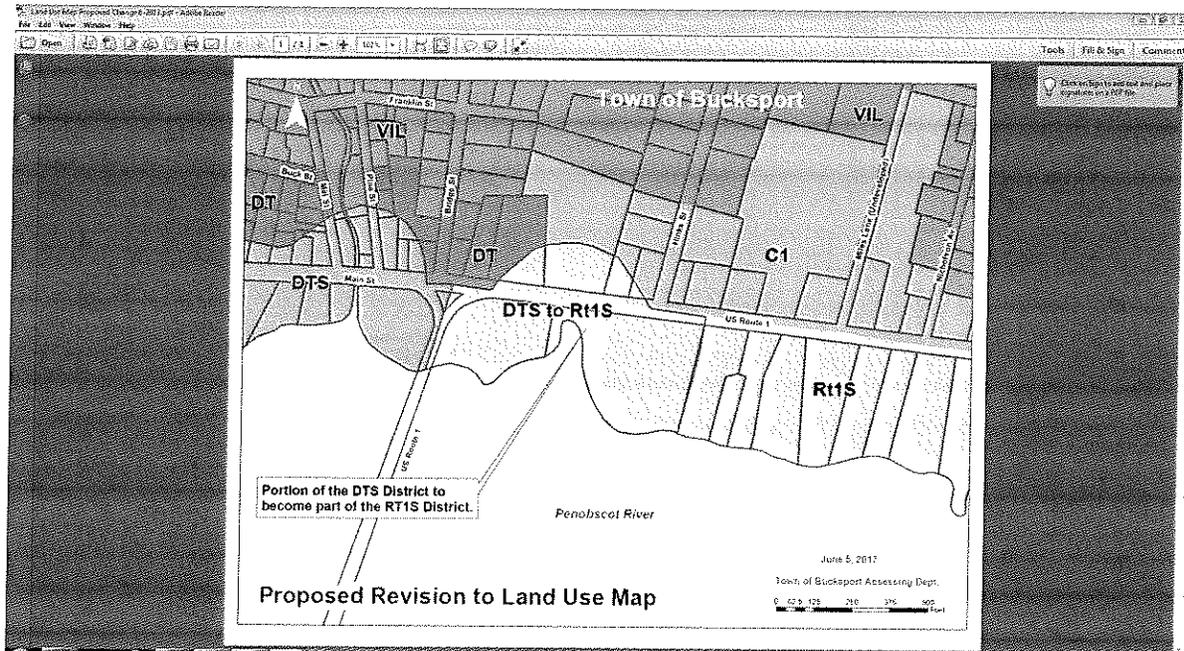
**FOREST MANAGEMENT ACTIVITIES:** Forest resource evaluation activities, including:

- timber cruising,
  - pesticide or fertilizer application,
  - management planning activities,
  - timber stand improvement,
  - pruning, regeneration of forest stands, and
  - other similar or associated activities.
- Timber harvesting and the related construction, creation or maintenance of roads are not included in forest management activities

### **TIMBER HARVESTING:**

- The cutting and removal of timber for the primary purpose of selling or processing forest products.
- The cutting or removal of vegetation in the shoreland district that is associated with any other land use activity, and the cutting or removal of trees in a shoreland district on a lot that has less than 2 acres within the shoreland district is not considered timber harvesting.

*The proposed change to the town's zoning map removes the DTS District designation from certain lots east of the Verona bridge. These lots are placed in the RT1 Shoreland District, which currently applies to all other lots on the southerly side of Route 1. This change is made as part of an agreement with DEP to allow a reduction in shoreland dimensional requirements.*



# Maine Revised Statutes

## Title 1: GENERAL PROVISIONS

### Chapter 13: PUBLIC RECORDS AND PROCEEDINGS

#### Subchapter 1: FREEDOM OF ACCESS

#### §405. Executive sessions

Those bodies or agencies falling within this subchapter may hold executive sessions subject to the following conditions. [1975, c. 758, (NEW) .]

**1. Not to defeat purposes of subchapter.** An executive session may not be used to defeat the purposes of this subchapter as stated in section 401.

[ 2009, c. 240, §2 (AMD) .]

**2. Final approval of certain items prohibited.** An ordinance, order, rule, resolution, regulation, contract, appointment or other official action may not be finally approved at an executive session.

[ 2009, c. 240, §2 (AMD) .]

**3. Procedure for calling of executive session.** An executive session may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies.

[ 2009, c. 240, §2 (AMD) .]

**4. Motion contents.** A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.

[ 2003, c. 709, §1 (AMD) .]

**5. Matters not contained in motion prohibited.** Matters other than those identified in the motion to go into executive session may not be considered in that particular executive session.

[ 2009, c. 240, §2 (AMD) .]

**6. Permitted deliberation.** Deliberations on only the following matters may be conducted during an executive session:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal; [2009, c. 240, §2 (AMD) .]

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire; [2009, c. 240, §2 (AMD) .]

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency; [1987, c. 477, §3 (AMD) .]

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions; [1999, c. 144, §1 (RPR) .]

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage; [2009, c. 240, §2 (AMD) .]

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute; [1999, c. 180, §1 (AMD) .]

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and [1999, c. 180, §2 (AMD) .]

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an

**enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.** [1999, c. 180, §3 (NEW).]

[ 2009, c. 240, §2 (AMD) .]

SECTION HISTORY

1975, c. 758, (RPR). 1979, c. 541, §A3 (AMD). 1987, c. 477, §§2,3 (AMD). 1987, c. 769, §A1 (AMD). 1999, c. 40, §§1,2 (AMD). 1999, c. 144, §1 (AMD). 1999, c. 180, §§1-3 (AMD). 2003, c. 709, §1 (AMD). 2009, c. 240, §2 (AMD).

**The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.**

**If you need legal advice, please consult a qualified attorney.**

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TOWN OF BUCKSPORT  
CODE ENFORCEMENT/PLANNING OFFICE  
REPORT  
July 2017

**PERMITS ISSUED**

13 building/land use permits were issued, no new dwellings.  
3 plumbing permits were issued.

**ADDRESSING ACTIVITY:** No activity

**BOARD OF APPEALS ACTIVITY:** No activity

**PLANNING BOARD ACTIVITY**

At their July 5th meeting, the planning board had no official business to conduct. Minutes were reviewed and topics of interest were discussed.

**ENFORCEMENT ACTIVITY**

- Update: The mobile home land use violations on Bucksmills Road continue after a court-ordered 60-day time period to resolve the issues. The plan now is to return to court for further action.
- Update: The junkyard violation on Duck Cove Road will be addressed as part of the disposition of the tax-acquired property.
- Update: The issue with a Thurston Pond camp that is violating state plumbing codes is being addressed with a consent agreement, subject to town council approval.
- A letter was sent to a State Route 46 property owner about an unpermitted deck. No response has been received yet.
- A letter was sent to another State Route 46 property owner about an unpermitted lodging business. No response has been received yet.
- A letter was sent to an Edgewater Lane property owner about an unpermitted lodging business. The owner responded, filed an application and a permit was issued.

**OTHER ACTIVITY**

- Updated information on the town's website.
- Worked on an amendment to Chapter 2 of the Town Code.
- Worked on an amendment to Appendix I and a revision to Transfer Station rules and fees.
- Worked on an amendment to the Town Charter to address how ordinance changes are handled.
- Attended an economic development committee meeting.
- Attended a town council meeting.
- Attended an ordinance committee meeting.
- Attended a finance committee meeting.
- Conducted building and plumbing inspections.
- Typical office work maintaining records, answering calls and emails, meeting with citizens, answering questions, providing copies of documents.