

**Town of North Yarmouth
Select Board Meeting Agenda
Tuesday, November 20, 2018
7:00PM - Town Office Meeting Room**

I. Call to Order

- Pledge of Allegiance

II. Minutes of Previous Meeting(s)

- November 7, 2018

III. Public Comment - Non-Agenda Items

Comments regarding issues, concerns, commendations or matters of general public information are welcome. Individuals shall have three (3) minutes to speak and be asked to state their name & legal residence. The public is encouraged when commenting or expressing points of view about an individual(s) that they do so in a respectful and constructive manner. Topics relating to personnel or personnel matters cannot be acknowledged.

IV. Management Reports & Communications

- Communications
 - Parks & Recreation Committee - Bryan Emerson
 - Living Well in North Yarmouth - Steve Palmer
- Town Manager's Report
- Department Head Reports

V. Old Business

- Wescustogo Hall & Community Center Project
 - Change Order #1 - Extension of Community Room
 - Matrix Update
- Recreational Marijuana Laws - Statute Update & Discussion of Next Steps
- Finance Policy - First Draft Review

VI. New Business

- Friends of Wescustogo - Logo Approval

VII. Accounts Payable

- Review & Approval

VIII. Any Other Business

(Board communications of written, electronic, or verbal information to include but not limited to pending or future agenda meeting topics.)

IX. Adjournment

REMINDERS TO THE ATTENDING PUBLIC: Please mute all digital devices; Select Board meetings are open to the public, but the public may not speak unless recognized by the Chairperson first.

**Town of North Yarmouth
Select Board
Meeting Minutes of November 7, 2018**

Call to Order

Members Present: Jennifer Speirs, Stephen Morrison, William Whitten, and James Moulton. Town Manager Rosemary Roy was also present. Anne Graham was absent with notification.

Minutes of Previous Meeting(s)

Selectperson Moulton moved to approve the minutes of October 16, 2018. Vice Chairperson Morrison seconded the motion. Discussion: None. **Vote 4 Yes – 0 No.**

Public Comment - Non-Agenda Items

None.

Management Reports & Communications:

Town Manager's Report Highlights:

- The bond closing for Wescustogo Hall & Community Center took place on the 31st of October, and the funds are now available
- There have been some residents who have expressed concerns with the Timber Harvesting taking place on Oak Hill (second Town Forest parcel.) The main concern is with damage to their privately maintained road. They have been assured them that the Town will repair any damages the may occur.
- Robert Konczal will be ending his contract for assessing services with the Town effective December 31, 2018. Selectperson Whitten moved to contract with another assessor on a temporary basis per Town Manager Roy's request. Selectperson Moulton seconded the motion. Discussion: None. **Vote 4 Yes – 0 No.**
- The Select Board received a list of first and second priority projects that the Town Manager is currently working on.

Old Business

Charitable Fundraising Policy: Selectperson Moulton moved to adopt the policy as presented. Selectperson Whitten seconded the motion. Discussion: None. **Vote: 4 Yes – 0 no**

Vice Chairperson Morrison moved to approve the Wescustogo Hall & Community Center fundraising addendum as amended. Guideline #3 is amended to read "during construction all funds raised up to \$250,000 shall go towards the construction costs of the Wescustogo Hall building". Guideline #4 is amended to read "funds raised over the goal amount or after the completion of the project may go towards additional features upon select board approval" Selectperson Moulton seconded the motion. Discussion: None. **Vote: 4 Yes – 0 no**

Wescustogo Hall & Community Center Project: The Select Board received an updated project matrix and a brief verbal update from Town Manager Roy. It was discovered that there is rot at the rear corner of the building, Barrett Made is working on a plan to remove and replace the rot. A change order will be forthcoming.

New Business

Appoint to Planning Board: Selectperson Whitten moved to appoint Gary Bahlkow to the Planning Board as an alternate. Vice Chairperson Morrison seconded the motion. Discussion: None. **Vote 4 Yes – 0 No.**

Set Annual Town Meeting Date: Vice Chairperson Morrison moved to set the Annual Town Meeting date to Saturday April 6, 2019. Selectperson Whitten seconded the motion. Discussion: None. **Vote 4 Yes – 0 No.**

Accounts Payable – Review & Approval

Chairperson Speirs moved to approve accounts payable warrants 16, 17 & 18 in the amount of \$833,086.29. Selectperson Moulton seconded the motion. Discussion: None. **Vote 4 Yes – 0 No.**

Any Other Business

None.

Adjournment

Chairperson Speirs moved to adjourn.

Ashley P. Roan
Recording Secretary

Select Board

Jennifer Speirs, Chair

Stephen Morrison, Vice Chair

Anne Graham

William Whitten

James Moulton

The information contained in this report is intended to inform the Select Board, staff, and residents, some of the current activities taking place within the manager's office or the Town in general. All topics are open for discussion.

Bus Department / Cumberland Public Works Facilities - I participated in two meetings during this period regarding the possible relocation of the school Bus Department to North Yarmouth's Public Works facilities as well as the sharing of Public Works facilities with the Town of Cumberland at North Yarmouth's location. The first meeting held with Town Manager Bill Shane, our Public Works directors, and Dan Diffin of Sevee & Maher went well. We looked at 2 or 3 possible options and will be meeting again on the 27th for further discussion and to review revised drawings. Our goal is to set a date to meet with the Cumberland Council and the Select Board in December to discuss our findings. The second meeting was held with the school's Finance Committee, Superintendent, and Finance Director. The discussion was only planned for the review of the Bus Department moving to North Yarmouth's Public Works site. It was a very positive meeting although it was felt by those in attendance that a solution to Cumberland's Public Works facilities needs to be resolved. Sevee & Maher also prepared the drawing for this project. I copy of the draft drawing will be in with your paper packet.

Recycling - Good news! The recent contamination report received from ecomaine shows that the Town's percentages have gone down by a good mark. Thank you, residents!

Community Development Block Grants (CDBG) - I attend the workshop held on the upcoming cycle of the county's block grants. I went in with my sights on the Wescustogo Hall & Community Center and am convinced I will file the maximum allowed of three awards; one for the WH&CC, one for the Town Office building front entrance/ADA, and an Economic Development street study of the Village Center. I plan to meet with the representative from the county prior to the final filing.

Summit - Time planning and preparing, by several individuals, has been taking place. Formal invitations come out this week.

Village Center Tax Increment Financing (TIF) District - The district planning is in its final stages and it is the goal to present the TIF to the Select Board at a workshop on December 18th at 6:00 pm with the Economic Development & Sustainability Committee (EDSC), Shana Mueller, Vanessa Farr, and myself.

Action: For the Select Board to confirm workshop request.

Respectfully,

Rosemary

Rosemary E. Roy, Town Manager



Bi-monthly Report - Public Works Department

SEPTEMBER/OCTOBER 2018

General Maintenance of Parks, Cemeteries & Grounds:

- Dump trash cans every Monday
- **Bush hog mowing in parks**
- **Evasive plant removal from Wescustogo park**
- **Help with Kite fest at meeting house park**
- **Help with Funday**

PW Building Maintenance:

Samples of concrete taken from salt shed foundation and sent to lab for annalasis , awaiting results

Heavy Equipment:

- Maintenance of Town fleet; Fire Dept and PW is ongoing
- Opened bids for New Front end loader, Have taken delivery of new case loader.
- Service plow trucks, mount plows and wings, calibrate sanders.
- Assist with service and inspection stickers fire dept vehicles
- Several trips to HP Fairfield in Skowhegan to inspect building of new plow truck

Road Maintenance:

- Dirt roads graded - Sweetser, The Lane, Lufkin, Thunder
- Repair or install 911 Private street and town road signs as needed
- Picked up road kill several times per week
- Picking up bags of dirty adult diapers, 1 per week, mostly on New Gloucester rd. but other locations as well.
- Royal road drainage project, not complete finish in spring.
- Lufkin Rd; ditching project.
- North road ditching and shoulder repair
- Emergency repair of thunder road driveway culvert

Other:

- Flags to Half-mast as needed
- Assist Barret- Made at WH&CC with water tank for asbestoses removal.
- Removed WH&CC underground propane tank with assistance from Dead River
- Assisted with Funday RTE 115 detour
- Helped with Logging project on oak hill rd. as requested by Park & rec committee
- Start work on 19/20 budget

Changes/Updates:

- Working on updating winter road policy, and road ordinance

Projects:

- Speed sign put on; memorial highway (several locations) Walnut hill road (several locations) Doughty road.
- Working on speed project for village ctr. Requested by living well committee
- Scheduled street light at intersection of Parsonage Rd and Memorial Highway (not sure in who's lifetime)
- Painted generator at town office
- Built bins in Salt shed to keep Deicing products separated
- Meadow creek/bayberry lane drainage project.
- Screened loam for future projects
- Relocate screening plant in pit closer to sand bank- screen sand
- Mill road shoulder paving project to help control erosion at pavement edge



Town of North Yarmouth

Bi-monthly Report - Fire Rescue Department

Reporting Period: September 2018 & October 2018 for FY18

Activity

	FY17	FY18
Medical Calls	18	31
Fire Calls	74	37
Patient Evaluations	18	31
Transports	12	17
Public Assistance	6	7
Vehicle Accidents	5	4
Mutual Aid	3	1
Unauthorized Burning	2	2
Total Member Hours on Calls	315.33	426.39
Total Member Hours Training	272.00	626.00
Total Incidents	92	63

Changes/Updates

Our training hours have gone up significantly as we have two members attending a Maine BLS Basic Firefighter program. This program teaches the basic job functions of a firefighter. This includes throwing ground ladders, interior firefighting, and vehicle fires. There is a large variation in call volume for the two time periods. This was due to the October 31, 2017 storm. If we took the number of calls that we responded to during that time period, we would be ahead this year by about 10 calls. The reason for the drastic difference in call hours ties to the search for continued week-long search and response for Kristen Westra. I have one member currently enrolled in a Basic EMT program which will drastically help with EMS responses. Two of our Lieutenants will be starting a Maine State Fire Instructor program. This will allow them to teach state sanction training.

I would like to thank the Select Board members for their support in the purchase of the UTV. The search efforts for Kristen Westra would have been difficult at best without it. We placed over 70 miles on the unit over the weeks' time frame. It was also used as the transport for the victim at the end of the search. Without the unit, members would have needed to hand-carry the victim well over a mile out of the woods through some very thick dense forest.

Project(s) Update

The Chief's Vehicle was taken out of service on October 27th. We lost a transmission on the vehicle, and it is not worth the expense to fix it. The cost to repair is more than what we will receive in funds for the trade. I am utilizing the Service truck until the replacement vehicle comes in. The new command vehicle is expected in the January / February time frame.

Coming Up

I am still working with FEMA on Storm Declaration documents for the October 31, 2017 storm. We are finally making headway with the project and have completed the FEMA side of the Paperwork. I am now waiting on the State to finish their side of the paperwork in which I do not have in hand yet to process.

Submitted by: Gregory Payson, Fire Rescue Chief

Date: 11-08-2018



Town of North Yarmouth

Bi-monthly Report – Municipal Administration Department

Reporting Period: September & October FY19

Collections

	FY18	FY19
• Excise Collection:	\$144,890.20	\$160,420.14
• Inland Fisheries & Wildlife Collections:	\$4,307.95	\$9,437.00
• PAYT Collections:	\$20,325.00	\$23,170.00
• Tax Collections:	\$3,742,563.02	\$4,256,563.93

Voting

FY	Democrat	Green	Libertarian	Republican	Un-Enrolled	Total Voters
2018	1084	143	11	958	1104	3300
2019	1191	136	13	968	1055	3363

Communications

(number of subscribers)

	FY18	FY19
• Reminders From Town Hall	723	755
• Facebook	835	1046
• Instagram	150	216
• Twitter	159	221
• Town Hall Streams	798	NA

Changes/Updates.

- Work continues on the FY18 Annual Town Report, deadline for submissions was 8/24/18 but reports are still funneling in after repeated requests.
- DS200 Ballot Counting machines were serviced by ES&S.
- November Election activities are in full swing. Notice of elections posted at the Town Office, Ames Farm Center, North Yarmouth Variety, Toddy Brook Golf Course and NYFRS Shed. As of 10/31/18 459 requests for Absentee Ballots have been received and honored. Both DS200 machines and the Express Vote Machine have been successfully tested. Currently lining up volunteer election clerks.
- 2019 Dog License became available 10/15/18.
- Elected President of the Maine Cemetery Association for 2018 – 2020.

Project(s) Update

- The 3rd set of vital records were returned, restored and preserved by Kofile Technologies in Vermont. This completes the 3 year restoration and preservation project.
- The 2nd walking tour in Walnut Hill Cemetery; *Stories Past & Passed: Tales from Walnut Hill Cemetery!* hosted by the Cemetery Commission & Historical Society on 10/21/18 was very well attended by many area residents.
- Ecomaine training on recycling with staff was attended by all and I believe we all “learned something new” on the subject of recycling.
- The 2nd Annual Benefit Breakfast for Neuroendocrine Tumor Research Foundation took place on 10/27/18 the net amount raised for the foundation was \$2350.00 a 71% increase over last year.

Coming Up

- November Election
- Cemetery Commission Bi-annual Meeting
- Cheryl and Stacey will be attending BMV training in November
- Vacation.....

Submitted by: Debbie Grover, Assistant Town Manager



BARRETT
MADE

HOMES · SPACES · DETAILS

ADDENDUM NARRATIVE

WESCUSTOGO HALL
120 MEMORIAL HWY | NORTH YARMOUTH, MAINE

PREPARED 2018.11.15

ADDENDUM NARRATIVE

DATE: 2018.11.15
PROJECT: WESCUSTOGO HALL AND COMMUNITY CENTER
120 MEMORIAL HWY., NORTH YARMOUTH, ME, 04097

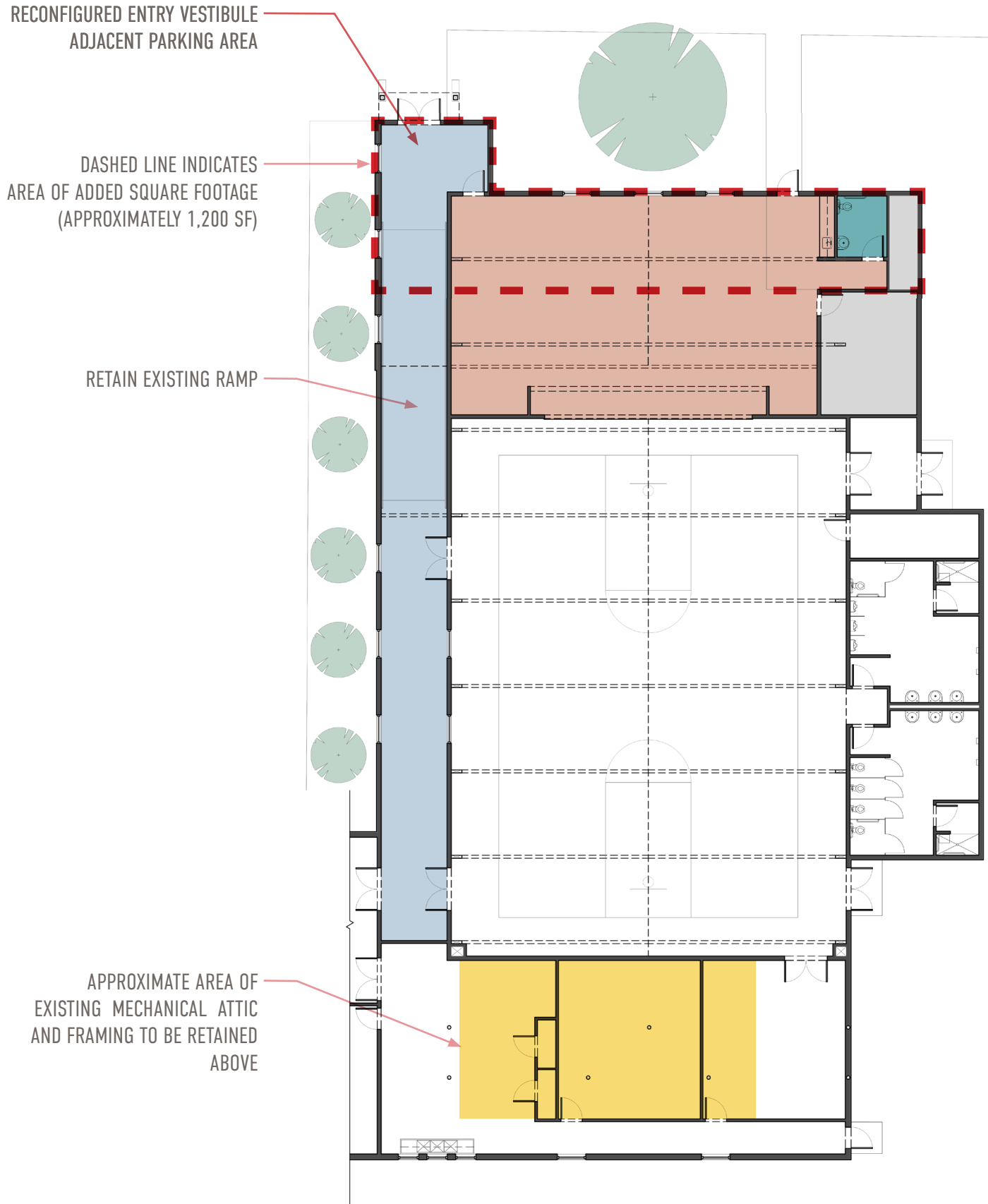
ADDENDUM NO.1 NARRATIVE

Upon demolition of the existing wings of the Memorial School structure an existing foundation/frost wall was discovered (and verified by the project's structural engineer) at the Northwest end of the Gymnasium + Stage that the project team has suggested to retain for the purposes of adding significant program value at a minimal cost. The location of the wall was beyond the footprint of the previously proposed plan for the Community Room and as such alterations to the existing plan were proposed (refer to attached floorplan diagrams). In working with the Town, Barrett Made developed an alternative expanded floor plan that has retained the existing foundation wall while adding an additional +/-1,200 SF to the overall footprint at a fraction of the cost of additional new construction by utilizing existing building elements already in place (foundation wall and footings, roof structure, etc.).

The increase in square footage in Corridor 120 allows for the existing ADA ramp to be retained eliminating the requirement for a wheelchair lift and stair that were previously proposed making the space easily accessible to all occupants without the need for added mechanical equipment resulting in less maintenance and eliminating any associated costs. In retaining the existing ramp, the entry vestibule has been reconfigured to provide a more convenient and attractive entry for the Community Room in anticipation of frequent use for a number of community events and groups. On the opposite end of the existing gym, an existing mechanical 'attic' is being maintained above the Kitchen to house equipment related to the solar array which will aid in freeing up additional space in the Mechanical Room providing further flexibility for future mechanical needs.

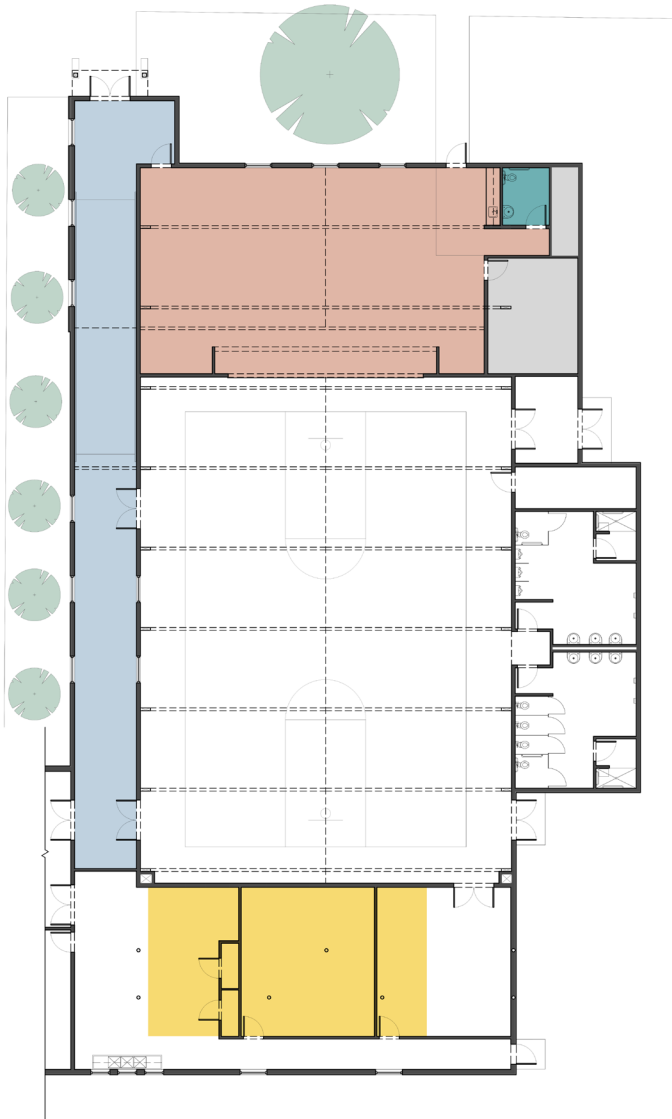
Mechanical system capacity in the expanded Community Room required re-engineering in accordance with the increase in occupancy and as such the unit sizes have increased to accommodate the additional heating and cooling load requirements. Other changes in scope include increased roof and insulation costs as well as additional ceiling, lighting and electrical (due to the increased floor and roof areas). The attached spreadsheet outlines the changes in scope noting both credits and added costs. Ultimately the total added cost is approximately \$48,404.17. As a measure of cost per square foot the additional 1,200 sf being proposed has a cost of \$40.34/sf. By comparison the estimated cost of building construction in other areas of the project average out at approximately \$214/sf which serves as a good illustration of the value in this area.

PLAN DIAGRAM

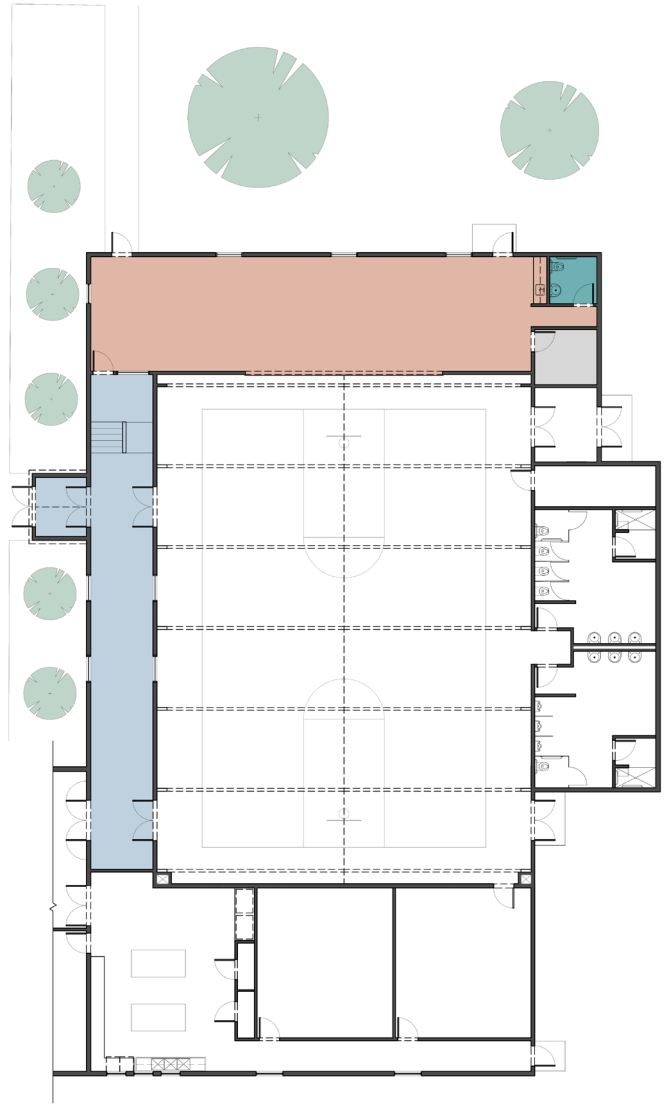


PLAN DIAGRAM | REVISED VS. PREVIOUS

REVISED FOOTPRINT:



PREVIOUS FOOTPRINT:



WH&CC Incurred Expenses Outside of Contract Value

Date	Due To	Invoice	Amount	Description
8/3/2018	Abatement Professionals	18-331	\$ 580.00	Abatement of lead and asbestos prior to demo
9/1/2018	Maine Municipal	P05150PC2018	\$ 854.00	Builders Risk Insurance
10/11/2018	S&P Global Services	11359034	\$ 12,000.00	Bond Rating Service
10/15/2018	IPREO	OP_10033824	\$ 1,500.00	Bond Electronic Distribution of Funds
10/19/2018	Murphy & Company	N5410	\$ 1,264.60	Bond Documents
10/31/2018	Northeast Municipal Advisors	2018-08	\$ 15,000.00	Bond Consultant
11/6/2018	Bernstien Shur	38182	\$ 11,000.00	Bond Legal
11/7/2018	US Bank	5181036	\$ 3,000.00	Bond Financing
	Total		\$ 45,198.60	
	TOWN Contingency		\$ 200,000.00	
	Ending Balance		\$ 154,801.40	
Change Order #1 - Community Room			\$ 48,404.17	
			\$ 106,397.23	Ending Balance w/CO #1

Other possible change orders = \$15,000-\$25,000 on Community Center section of project.

Manager's Recommendation: Accept CO #1 based on the additional space it will provide, square footage cost, and more efficient mechanic space.

20-Nov-18

WESCUSTOGO HALL & COMMUNITY CENTER FACILITY				
Task	Who	Start Date	End Date	Notes
Authorization to Proceed	TM	6/19/18	6/20/18	Letter of authorization for Barrett Made to proceed with the project directed by Select Board. COMPLETE
Local Subcontractor Listing	TM	6/28/18	7/6/18	TM and OR compiling list, to be sent to BM by 7/6. COMPLETE
BM Contract - Commence Construction Pricing	TM/BM	7/7/2018 ONGOING		To be presented to Select Board at 7/7 meeting. Details still being ironed out by BM and NY Attorneys Signed 8/16/18. COMPLETE
Bond Anticipated Note (BAN)/Bond Financing	TM	7/3/18		Financial representative and bond council will be at the 7/3 Select Board meeting. TM has started the bond application process. Interview with S&P was held on 9/25/18; waiting on rating- looks to be favorable. Funding expected end of October. Funds received 10/31/18. COMPLETE.
Master Construction Calendar	BM	7/11/18		Will be available to TM, office staff, Select Board and the public
Bid Solicitation from Subcontractors/Vendors	BM	7/18/18	8/3/18	Bids will be presented by trade and line item. Bids to be presented to SB at 8/28 meeting. Approved by SB 8/28. Electrical subcontractor to be presented at 10/16 SB MTG. COMPLETE
Planning Board Process	BM/CEO	7/10/18	8/7/18	Planning Board Meeting of July 10th. BM information was submitted to CEO 6/20. Next PB Mtg 8/13. PB Approved Plans with a Parking Requirement Waiver at the 8/13 Meeting. COMPLETE
Site Management Plan	BM	7/17/18	8/13/18	Fence location has been finalized. Fence was installed first week in august, Site sign and BM trailer to arrive mid-August. COMPLETED
MMA - Construction Insurance (builder's risk)	TM	Nov-19		Certificates on file, cost \$ 854. for 7/1/18 - 7/1/19.
Close NYMS	TM	7/20/18		Notifications will be sent out 6/29/18. COMPLETED
NYMS - Playground Removal	TM	7/20/18		PWD to remove and store playground. COMPLETED
BM Subcontractor Walkthrough	BM	7/26/18		BM will be onsite with potential subcontractors. COMPLETED
MMA - Remaining Insurance Proceeds	TM	9/17/18		Will not be received until project is complete.
Generator/Grant Funds	Fire Chief	Jul-18		Chief Payson to research grant funds. Application process 7/9-7/25. BM gathering info to fill out paperwork. Submitted 7/25/18. The town received \$20,000 in grant money, to be used for "phase I" of generator installation.

WESCUSTOGO HALL & COMMUNITY CENTER FACILITY				
Task	Who	Start Date	End Date	Notes
Lead and Asbestos Testing	TM	Jul-18		Ashley is coordinating lead testing of the gym roof and asbestos testing inside the building to be done by the end of July. Testing done 7/24. Report and pricing due 7/27. Pricing came in, will be covered under contract.
NYMS - Murals (high resolution pictures)	TM	7/9/18	8/24/18	Ashley to take pictures. Possibility of having canvas prints made for renovated gymnasium 8/22/18. COMPLETE
Clean Out Building / Storage	TM	7/20/18	8/24/18	Storage containers delivered on 7/19. Most of building contents have been moved to storage trailers as of 7/25, Ashley is researching more storage options. 53 FT Container was purchased, Building is empty. COMPLETE
NYMS - Heating/Utilities/Alarms (shutdown)	TM/BM	7/23/18	8/24/18	Oil/boiler, water/sprinklers, propane. Alarm to be disabled 8/24. All utilities are disabled. COMPLETE
Biweekly Meetings with the Select Board	TM/BM	Beginning 8/7/18		OR (Ryan) will have construction reports at each Select Board meeting
Construction Site Signage	BM	Mid- August		BM working on signage and will have for approval by 7/25. Signage Finalized, will be installed along with fencing mid August. COMPLETE
Interior Selective Demolition and Abatement to begin	BM	9/3/18		Interior demolition beginning 9/10/18. 10/9/18 - Interior abatement and demo is complete, exterior demolition starting. Both wings of old building have been removed. Gymnasium interior demo nearing completion
Site Coordination Meeting	BM	9/7/18		Meeting held 9/7 with Dugas, OR, PW Director and BM. COMPLETE
Groundbreaking Ceremony		9/13/18		Ceremony to be held at 10AM - invites going out 8/23/18. COMPLETE
Demo Begins	BM	Sep-18		All possible materials will be transported to the appropriate facilities to be recycled. Demolition beginning week of 10/8/18
Sitework Begins	BM	Nov-18		
Building Weather Tight	BM	12/31/18		
Solar Panels	BM			Ashley coordinating meeting with Revision solar to discuss solar design and financing options week of 10/8/18. Proposals were requested from Sundog Solar, Assured and Revision, Due on 11/7/18.
Bi-Weekly Construction Progress Photos	AA	Ongoing		Construction progress photos will be taken and posted to the Towns Website, Facebook and Instagram. ONGOING
Selection of Fixtures	OR	TBD		Selection to go through OR (Ryan).

Potential Change Orders

1. Install a fire hydrant on the property BM quoting wall mounted unit. BM presented wall mounted unit to TM and Fire Chief. Chief is getting quotes on a stand alone fire hydrant, possibility of a separate project down the road. Chief has concerns regarding the sprinkler system not having enough flow when the wall mounted fire hydrant is in use. 10/3/18 wall mounted unit will stay, at this time the stand alone unit will not be added to the project.

2. BM presented a revision to the current building plans, The existing exterior wall of the "community room" is a frost wall, which will be more cost effective to keep in place and add square footage to the building. BM will present a change order for final approval at 11/6/18 SB MTG.

3. There is a slight change in the heating units being installed in the community room; wall cassettes to be installed in lieu of ceiling cassettes. This will have little impact to the design and minimal cost implications. This change is being reviewed and re-designed by Ripcord.

4. The underlaying roof shingles have tested positive for asbestos. The roofing will be removed and all associated costs will be tracked on a time and material basis with a not to exceed \$15,000 budget. Ashley to have discussion with BM on if this will be a CO or come out of contingency; if contingency, which one.

5. There is rot at the north side of gymnasium, the sheathing and framing needs to be removed and replaced. BM is looking into the best course of action and will provide a quote.

6. During removal of the existing slabs, Dugas discovered additional frost walls supporting slabs that were not included in the original scope of work. Removal of the extra material will be performed, tracked and a change order will be issued.

7. The gable wall in the rear of the building was not originally constructed per code. It will need to be re-framed.

Considerations

1. There is a concrete pad behind the building - it may be possible to cut the pad into pavers, move them and create a patio rather than demolishing and throwing away the material. 7/18 it was determined that the pad is not able to be cut and moved, the SB voted in favor of demolishing the pad as originally planned.

2. Replace electrical panel - current panel is unable to be used due to age. BM had anticipated this and included it in the contract. Not CO work.

3. Water Line. RR looking into cost of putting in smaller line. BM and CEO recommended keeping existing for fire suppression system/future expansion. It was decided to keep the existing water line.

WESCUSTOGO HALL & COMMUNITY CENTER FACILITY

Construction Team

Barrett Made Project Manager: Bruce Hourigan

North Yarmouth - Owner Representative: Ryan Keith

North Yarmouth - Town Manager: Rosemary Roy

North Yarmouth - Administrative Assistant: Ashley Roan

Barrett Made Director of Design Services: Matthew Ahlberg

Barrett Made - Owner: Rob Barrett

Barrett Made - Design Services: Dylan Baker

MEMORANDUM

Date: November 20, 2018

To: Select Board

Fr: Rosemary E. Roy, Town Manager ^{RR}

RE: RETAIL MARIJUANA

The last time the Select Board visited this subject the legislature was still working on the final language to this new law. The Board took action in adopting a town policy which stated that *“Until the State establishes regulations for licensing such establishments, and no earlier than February 1, 2018, no person can operate a retail marijuana establishment or retail marijuana social club in Maine.”*, now that the law has been finalized the Town policy is no longer valid.

I bring this back before the Select Board to what, if any, action the Board would like to take on this matter. I have included with the memorandum a copy of **MRS 7 § 417 § 2449 Local Licensing** for your review.

Part 5: PLANT INDUSTRY
Chapter 417: MARIJUANA LEGALIZATION ACT
§2450

§2449. Local licensing

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

(WHOLE SECTION TEXT EFFECTIVE 2/1/18)

1. Municipality may regulate retail marijuana establishments and retail marijuana social clubs. A municipality may regulate the location and operation of retail marijuana establishments and retail marijuana social clubs pursuant to Title 30-A, chapter 187, subchapter 3. A municipality may adopt and enforce regulations for retail marijuana establishments and retail marijuana social clubs that are at least as restrictive as the provisions of this chapter and any rule adopted pursuant to this chapter. Nothing in this chapter prohibits the registered voters of a municipality from calling for a vote on any regulations adopted by a municipal legislative body.

[IB 2015, c. 5, §1 (NEW) .]

2. Municipal approval required. A retail marijuana establishment or retail marijuana social club may not operate until it is licensed by the state licensing authority pursuant to this chapter and approved by the municipality in which it is located. If an application is denied by the municipality, the licensee has 90 days to locate and obtain legal interest in another property in a municipality that approves of the retail marijuana establishment or retail marijuana social club before the license is revoked.

[IB 2015, c. 5, §1 (NEW) .]

3. Notice and portion of fee must be given to municipality. When the state licensing authority receives an application for original licensing, or renewal of an existing license, for any retail marijuana establishment or retail marijuana social club, the state licensing authority shall, within 7 business days, provide a copy of the application and 50% of the licensing fee to the municipality in which the establishment or club is to be located. The municipality shall determine whether the application complies with the local land use ordinance and any other restrictions on time, place, manner and the number of marijuana businesses within the municipality. The municipality shall inform the state licensing authority whether the application complies with the local land use ordinance and other local restrictions.

[IB 2015, c. 5, §1 (NEW) .]

4. Municipality may impose licensing requirement. A municipality may impose a separate local licensing requirement as a part of its restrictions on time, place, manner and the number of marijuana businesses. A municipality may decline to impose any local licensing requirements, but a municipality shall notify the state licensing authority that it either approves or denies each application forwarded to it within 14 business days.

[IB 2015, c. 5, §1 (NEW) .]

5. Public hearing notice. The following provisions govern local public hearings and notice.

A. If a municipality issues local licenses for a retail marijuana establishment or retail marijuana social club, a public hearing on the application may be scheduled. If the municipality schedules such a hearing, it shall post and publish public notice of the hearing not less than 10 days prior to the hearing. The municipality shall give public notice by posting a sign in a conspicuous place on the premises identified in a local license application and by publication in a newspaper of general circulation in the county in which the premises are located. [IB 2015, c. 5, §1 (NEW).]

B. If a municipality does not issue local licenses, the municipality may give public notice of the state application by posting a sign in a conspicuous place on the premises identified in the application and by publication in a newspaper of general circulation in the county in which the premises are located. [IB 2015, c. 5, §1 (NEW).]

[IB 2015, c. 5, §1 (NEW) .]

6. Effective date. This section takes effect February 1, 2018.

[2017, c. 1, §11 (NEW) .] SECTION HISTORY IB 2015, c. 5, §1 (NEW). 2017, c. 1, §11 (AMD) .

MEMORANDUM

Date: ~~September 29, 2018~~ November 20, 2018

To: Select Board

Fr: Rosemary E. Roy, Town Manager ^{RR}

RE: FINANCIAL POLICIES

Included with this memo are the following Town financial policies:

Fixed Assets
Purchasing
Investments

Following these documents, you will find an amended version and new financial subjects combined into one Financial Policy for the Town. This is the first review with the goal of final approval in ~~October 16th~~ December.

TOWN OF NORTH YARMOUTH'S FIXED ASSET POLICY

This policy establishes the minimum cost value (capitalization amount) that shall be used to determine the capital assets, including infrastructure assets that are to be recorded in the Town's annual financial statements in order to comply with the requirements of GASB Statement No. 34.

Capital Asset Definition:

Capital assets will be defined as tangible and intangible assets that have initial useful lives that extend beyond a single reporting period (1 year)

Capitalization Method:

All capital assets will be recorded at historical costs as of the date acquired or constructed. If historical cost information is not available, assets will be recorded at estimated historical cost by calculating current replacement cost and deflating the cost using the appropriate price-level index.

Capitalization Thresholds:

The Town establishes the following minimum capitalization thresholds for capitalizing fixed assets:

Land and Improvements:	\$ 25,000
Buildings and Improvements:	\$ 50,000
Machinery/Equipment/Vehicles:	\$ 5,000
Infrastructure:	\$150,000

Infrastructure Assets:

In accordance with GASB Statement #34, the Town will record, at a minimum "major" infrastructure assets as defined in Statement #34 that were acquired, constructed or significantly reconstructed, or that received significant improvements after June 30, 1980. Other infrastructure assets may be capitalized as deemed appropriate. The Town does not intend to use the "modified approach" to record infrastructure.

Other Assets:

Detailed records shall be maintained at the discretion of the Administrative Assistant for all items below the capitalization thresholds that should be safeguarded from loss. These items will be part of the annual physical inventory discussed below. These items include firearms and computer equipment that fall below the established thresholds and any other assets specified by the Administrative Assistant.

Depreciation and Useful Life:

The Treasurer will assign an estimated useful life to all assets for the purposes of recording depreciation. The attached "Suggested Useful Lives" schedule will be used to establish lives for most assets. Asset lives will be adjusted as necessary depending on the present condition and use of the asset and based on how long the asset is expected to meet current service demands. Adjustments should be properly documented. Depreciation will be recorded based on the straight line method using actual month convention and depreciated down to the assets salvage value.

Safeguarding and Controlling Fixed Assets:

All machinery and equipment, vehicles and furniture whose values equal or exceed the capitalization thresholds will be assigned an asset number and identified with the fixed asset tab.

As fixed assets are purchased or disposed of, the Department Head in custody of that asset will be responsible for preparing a fixed asset data sheet, which will then be forwarded to the Treasurer to ensure proper recording. A physical inventory will be taken annually on or about June 30th and compared to the physical inventory records. The results will be forwarded to the Treasurer where appropriate adjustments will be made to the fixed asset records.

Adopted: October 9, 2009

Town of North Yarmouth- Investment Policy

SECTION 1. PURPOSE & OBJECTIVES

The Town of North Yarmouth, Maine Investment Management Account (“the IMA”) has been established to segregate all capital reserve and special funds accounts into one investment account so that the funds are invested and managed in a manner consistent with appropriate municipal care. The purpose of this Investment Policy is to provide the Investment Manager with a general framework within which the investment objectives will be defined and general guidelines outlining how the investment portfolio will be structured, the investments will be managed and the performance will be monitored.

The Policy’s specific objectives include:

- Assure policy compliance;
- Developing investment objectives and performance standards which are acceptable to the Town of North Yarmouth’s Board of Selectmen;
- Reviewing asset allocations;
- Reporting to the Board of Selectmen on a regular basis including a face to face meeting at least annually.

SECTION 2. BOARD RESPONSILIBITIES

The Board of Selectmen shall chose and appoint which financial institution shall serve as the Town’s Investment Manager. (As of May 15, 2012, KeyBank National Association (“KBNA”) serves as the Investment Manager as the North Yarmouth Board of Selectmen has appointed KBNA as Investment Manager and Custodian.)

The Board of Selectmen shall periodically review the Investment Policy and make modifications when warranted. Proposed modifications to this Investment Policy will be documented in writing and be put into effect only after an official majority vote of the Board.

SECTION 3. INVESTMENT MANAGER RESPONSILIBITIES

In its fiduciary capacity, the Town’s chosen Investment Manager-will act prudently and implement the policy solely in the interest of the Town of North Yarmouth.

The Investment Manager shall also guard this policy. The policy statement also guards against “Board Risk” – the possibility that the Board of Selectmen members at some stress point (most frequently a low point in the stock or bond markets) will react in a manner detrimental to the long-term health of the IMA. Board members tend to serve only a few years at a time, and those who adopt this Policy Statement today may not be here ten years from now to maintain the steady course that is one prerequisite of a successful investment plan.

The investment manager(s) shall manage the assets of the IMA with the care, skill, prudence, and diligence that a prudent person familiar with such matters would use. Responsibilities include, but are not limited to, providing the Town with strategic investment counsel, custody of securities, income collection, portfolio management (including all buy/sell decisions), trade execution, and cash flow analysis. The investment manager will be available for meetings at such times as the Town Treasurer and or Board of Selectmen Chairman may request.

The investment manager(s) will provide the Town Treasurer with performance data quarterly and will be available to meet with the Town Treasurer and or Board of Selectmen Chair no less than annually. The agenda for meetings with the investment manager will include, at a minimum, the following:

Town of North Yarmouth- Investment Policy

- Current investment strategy;
- Prospective economic climate;
- The Portfolio performance with respect to Investment Objectives and relative benchmarks;
- The expected level of cash flow projected over the next fiscal year.

SECTION 4. INVESTMENT OBJECTIVES

Return Requirements: The Policy's primary return objective is to provide safety of principal through the diversification of the assets of the Town of North Yarmouth's IMA by investing in high quality securities that will provide a high degree of liquidity. The IMA's performance goal is expressed as a total return, without distinction between income and capital gains.

Risk Tolerance: Although the IMA has an infinite time horizon, liquidity needs are scheduled only as needed and thus suggests that the IMA should assume a low risk level.

SECTION 5. INVESTMENT CONSTRAINTS

Liquidity: Prudence dictates maintaining some liquidity for scheduled distributions and emergency expenses. This avoids a sudden need to sell long-term investments to meet unexpected demands for cash.

Time Horizon: A relatively long time horizon can be assumed for planning purposes. The investment portfolio is likely to remain in existence for at least 20 years and beyond.

Taxes: Not applicable. The Town is a tax exempt entity.

Laws/Regulations: Funds may be used only for those purposes that the legislative body of the Town has set for each individual fund.

SECTION 6. INVESTMENT GUIDELINES

The investment manager(s) shall maintain a diversified portfolio employing a fixed income investment strategy to meet the cash flow needs.

Within the parameters below, the investment manager(s) shall have the discretion to allocate funds to fixed income investments or cash reserves depending on the investment manager's outlook for the investment markets. Unless otherwise determined by the Town from time to time, the asset allocation for the funds shall be guided by the following:

Target Allocation (as a % of Fair Market Value)	
Equities	0%
Fixed	85% to 100%
Cash & Cash Equivalents	0% to 15%

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SECTION 7. FIXED INCOME INVESTMENTS

Fixed income investments shall be limited to direct debt obligations of the US Treasury, domestic corporations, securities issued by Federal Agencies and US Government Agencies. In addition, fixed income investments shall be limited to the following guidelines:

- Fixed income securities at the time of purchase must be investment grade or better by Standard & Poor's or Moody's Investor Service.
- Maturities of fixed income securities shall be structured to provide an average life of five (5) to ten (10) years, with an average life of up to fifteen years for mortgage-backed securities.
- Fixed income mutual funds may be used from time to time in order to enhance yield during an interim investing period.

SECTION 8. CASH RESERVES

Investments in cash and cash equivalents shall be limited to insured or collateralized bank deposits, US Treasury Bills, repurchase agreements, or money market funds whose investments are limited to short-term direct obligations of the US Treasury, US Government Agencies or domestic corporations.

SECTION 9. PERFORMANCE BENCHMARKS

Performance will be monitored on a regular basis and evaluated relative to the IMA's long-term objectives using appropriate benchmarks for comparison. The account will be compared against the following indices:

Cash Reserve Component	91 Day Treasury Bill
Convertible Securities	ML Investment Grade Convertibles
International	MSCI EAFE Index
Large Capitalization Equity	Standard & Poor's 500 Index
Mid Cap Equity	Standard & Poor's 400/Russell Midcap
Small Cap Equity	Standard & Poor's 600/Russell 2000
Taxable Fixed Income	Barclays Capital Aggregate Bond Index
Tax Free Fixed Income	Barclay's 5 year Municipal Index

Approved: May 15, 2012

Amendments Approved: April 16, 2013

Town of North Yarmouth Purchasing Policy

Section 1. Purpose

The purposes of this policy are: to set forth the duties and responsibilities of the Town Manager, Department Heads and the Board of Selectmen; to standardize the purchasing policies of the Town of North Yarmouth, thereby securing for the Town the advantages of a centralized and uniform purchasing policy saving the taxpayers money and increasing public confidence in the procedures for municipal purchasing; to establish an overall purchasing policy from which the Town Manager will establish procedures to be utilized by all Town departments, as well as committees that receive budgetary appropriations from the Town; and to promote the fair and equitable treatment of all suppliers of goods and services.

Section 2. Definitions

- A. **Approved vendors and contractors**– means those vendors and contractors identified by each department head to the Town Manager. The Town Manager is responsible for maintaining the list of such approved parties for bidding purposes and for promoting and soliciting North Yarmouth vendors and residents for said list. The Town Manager shall keep detailed lists for each department on file at all times. Such listing shall be reviewed and updated every two fiscal years.
- B. **Bid most advantageous to the Town** – means a bid chosen on the basis of price, quality of merchandise, suitability of merchandise and the service reputation of the vendor, and therefore may not necessarily mean the lowest bid received.
- C. **Competitive bidding** – means the process of obtaining the bid most advantageous to the town for any purchase, whether through formal or informal bidding procedures.
- D. **Field purchase** – means an informal purchase of supplies needed in small quantities for day-to-day operation made directly by a department head or his/her designated representative from an approved vendor.
- E. **Formal bid** – means a written quotation obtained in a sealed envelope from an approved vendor or through advertisement and opened at a specific day, place, and time either by the Town Manager or the Board of Selectmen
- F. **Emergency** – A situation by its nature and severity, that would require an override of the timeframes set out in this policy.
- G. **Informal bid** – means a written or oral quotation obtained from an approved vendor or contractor, but not required to be opened publicly at a specified day, place, and time.
- H. **Purchase** – means buying, contracting, renting, leasing or otherwise acquiring supplies or services for a price.
- I. **Services** – means the lease or rental of all grounds, buildings, offices, space or equipment required by the Town, the repair or maintenance of all equipment or real property owned by or the responsibility of the Town, and all labor furnished to the Town by persons, firms, individuals or corporations not part of or connected with Town Government.

Town of North Yarmouth Purchasing Policy

- J. **Specifications** – means standards, including quality, set by department heads as a guide to the Town Manager and as a measure of that which successful vendors must achieve. Specifications shall be either technical specifications for bids, which shall state formulations as broadly as practicable, yet shall be specific enough to describe the requirements of the department or non-technical specification for bids, which shall state the quality required in general terms.

Section 3. Applicability

This policy shall apply to all purchases and services made by or used by departments and agencies of the Town, except as otherwise specified herein.

Section 4. Purchasing Parameters

A. Spending Authorization

The Town Manager is designated as the Purchasing Agent for the Town. Accordingly, the Manager and Department Heads are authorized to spend within budget appropriations. Purchases within the dollar ranges specified below must meet the requirements listed. Dollar ranges are per piece or in order total, which ever would meet the dollar range last and are meant to be guidelines and not rigidly defined.

B. Products, Goods & Equipment

1. **\$0 - \$499.** Defined as Field purchases
2. **\$500-\$4,999.** Purchase Order authorized in advance is required. Formal competitive bidding is not required. However, the purchaser should endeavor to get the best value for the money spent. Town Manager or designee will approve the purchase.
3. **\$5,000 - \$99,999.** Purchase Order authorized in advance is required. Informal bids will be solicited from a minimum of three bidders, if available. Preferably these bidders will be found on the department list of approved vendors and contractors. The quotes will be attached to the purchase order. If within appropriation amounts, the purchase only needs approval by the Town Manager; if outside the appropriation amounts, needs a recommendation by the Town Manager and approval from the BOS.
4. **\$100,000& Over** Written bid specifications or equivalent shall be created by the Department Head and approved by both the Town Manager and the BOS prior to being advertised. This is a formal bid process the BOS has the final awarding responsibility. The BOS will award to the Bid Most Advantageous to the Town.
5. **Record of Formal Bids.** The Town Manager shall keep a record of all bids submitted, and such record shall be open to proper inspection by any interested party.
6. **Disqualification of Bidders.** The Town Manager shall have the authority to disqualify bidders who default on their bids, quotations, contracts or purchase orders from receiving further

Town of North Yarmouth Purchasing Policy

awards from the Town. Such decisions will be subject to the right of the disqualified bidder to appeal to the BOS for a reversal or reinstatement.

7. **Rejection of Bids.** The Town Manager shall have the authority to reject any and all bids, (or RFPs) received in response to invitations for bids (or RFP) are deemed non-responsive, token, collusive or otherwise non-acceptable and when such action is in the best interests of the Town.
8. **Product & Warranty Information.** The Town Manager shall be responsible for these documents and for ensuring that appropriate insurance coverage is secured.
9. **Authorization of Documentation.** The Town Manager has the authorization to execute such documents that are required to perfect the purchase.

C. Service Contracts

1. **\$0 - \$4,999.** Under 1 year in duration Purchase Order authorized in advance; formal competitive bidding is not required; contractor shall be on the approved vendors and contractors list. Town Manager or designee will approve the contract.
2. **\$5,000 - \$49,999.** Under 2 years in duration. Purchase Order authorized in advance is required. Informal bids shall be solicited from a minimum of three bidders, if available. Preferably these bidders will be found on the department list of approved vendors and contractors. The quotes will be attached to the purchase order. If within appropriation amounts, the contract only needs approval by the Town Manager; if outside the appropriation amounts it needs a recommendation by the Town Manager and approval from the BOS.
3. **\$50,000. & Over- Under 3 years in Duration.** Written RFP specifications or equivalent shall be created by the Town Manager and approved by the BOS prior to being advertised. The RFP shall be advertised by the most efficient means possible, in order to encourage the widest possible competition. Sealed proposals shall be specified and opened at a public meeting by the Town Manager. The BOS has the final awarding responsibility. The BOS may award the service contract to someone other than the lowest bidder if they feel that it is in the best interests of the Town.
4. **\$50,000. & Over 3 years in Duration.** Contract requires ratification of an annual Town meeting vote.
5. **Record of RFPs.** The Town Manager shall keep a record of all RFP submitted, and such record shall be open to proper inspection by any interested party.
6. **Contract Information.** The Town Manager shall be responsible for these documents and for ensuring that appropriate insurance coverage is secured. All contracts shall contain language that it falls under the jurisdiction of the State of Maine legal provisions, and should their duration extend over 1 year, that the contract is subject to a non-appropriation clause.
7. **Authorization of Documentation.** The Town Manager has the authorization to execute such documents that are required to perfect the contract.

Town of North Yarmouth Purchasing Policy

D. Planning Board Peer Review Process

According to Article IV, Section 4-4 D. Fees (or the appropriate corresponding ordinance section of the North Yarmouth Land Use Ordinance). “In addition, the Planning Board may refer the developer to a firm, or individual chosen by the Planning Board, for peer review submissions. The peer review process is part of this policy, though the Chairman of the Planning Board has the authority to make a direct recommendation to the BOS for the approval of the contract.

Section 5. Conflicts of Interest.

- A. Any official, officer or employee of the town who has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation or ownership interest in a business entity, in any contract with the town, or in the sale of any land, material, supplies or services to the town or to a contractor supplying the town shall make known that interest and shall refrain from voting upon or otherwise participating in his/her capacity as an official, officer or employee in making such sale or otherwise in the making or performing of such contract.

Any official, officer or employee who willfully conceals such financial interest or willfully violates the requirement of this section shall be guilty of malfeasance in office or position and shall forfeit his/her office or position. Violation of this section with the express or implied knowledge of the person or business entity contracted with or making a sale to the town shall, at the option of the town, render the contract or sale voidable.

In all proceedings before the town, every municipal official shall attempt to avoid the appearance of a conflict of interest by disclosure or abstention.

Section 6. Miscellaneous

- A. **Emergencies.** In such defined times, the Town Manager may authorize immediate negotiated purchases of supplies or services, not to exceed \$5,000 that are needed to protect the best interests of the Town
- B. **Revision Power in the Town Manager.** The Town Manager shall examine each purchase order and shall have the authority to revise it as to quantity, quality, or estimated cost; but revision as to quality shall be only with the concurrence of the using agency or department.
- C. **Tax Exemptions.** The Town Manager shall act to procure for the town all Federal and State tax exemptions to which the town is entitled.
- D. **Town Credit Cards.** The ability to purchase with the town credit card is allowed only by prior approval. If the purchase is made by a Department Head, then the Town Manager grants the approval. If the purchase is by the Town Manager, then the purchase must be approved by the Board of Selectmen.

Adopted September 2013

I. PURPOSE

The purpose of this policy is to provide objectives, delegation of authority, standards of prudence, reporting requirements, internal controls, eligible investments, transactions, risk tolerance, safekeeping and custodial procedures, and selected guidelines for the financial management of the Town of North Yarmouth.

II. PURCHASING

~~Section 1.~~ Purpose

~~The purposes of this policy are:~~ Purchasing policies to set forth the duties and responsibilities of the Town Manager, Department Heads, and the ~~Board of Selectmen~~ Select Board in; ~~to standardize~~ standardizing the purchasing of goods and services for ~~policies of~~ the Town of North Yarmouth.; ~~thereby~~ ~~Thereby~~ securing for the Town the advantages of a centralized and uniform purchasing ~~policy~~ saving the taxpayers money and increasing public confidence in the procedures for municipal purchasing.; ~~to~~ This policy establishes an overall purchasing policy from which the Town Manager will establish procedures to be utilized by all Town departments, as well as boards and committees that receive budgetary appropriations from the Town; and to promote the fair and equitable treatment of all suppliers of goods and services.

Section 2. — A. Purchasing Definitions

- A1. Approved ~~vendors~~ Vendors and ~~contractors~~ Contractors: ~~—means those~~ Those vendors and contractors identified by each Department Head to the Town Manager. The Town Manager and ~~Department Head~~ Department Head is responsible for maintaining the list of such approved parties for bidding purposes and for promoting and soliciting North Yarmouth vendors and residents for said list. The Town Manager shall keep detailed lists for each department on file at all times. Such listing shall be reviewed and updated every two fiscal years.
- B2. ~~Bid most~~ Most advantageous Advantageous Bid: ~~to the Town~~ —means a A bid chosen on the basis of price, quality of merchandise, suitability of merchandise and the service reputation of the vendor, and therefore may not necessarily mean the lowest bid received.
- C3. Competitive ~~bidding~~ Bidding: ~~—means the~~ The process of obtaining the bid most advantageous to the town for any purchase, whether through formal or informal bidding procedures.
- D4. Field ~~purchase~~ Purchase: ~~—means an~~ An informal purchase of supplies needed in small quantities for day-to-day operation made directly by a department head or his/her designated representative from an approved vendor.
- E5. Formal ~~bid~~ Bid: ~~—means a~~ A written quotation obtained in a sealed envelope from an approved vendor or through advertisement and opened at a specific day, place, and time either by the Town Manager of the Board of Selectmen
- F6. Emergency: —A situation by its nature and severity, that would require an override of the timeframes set out in this policy.
- G7. Informal ~~bid~~ Bid: ~~—means a~~ A written or oral quotation obtained from an approved vendor or contractor, but not required to be opened publicly at a specified day, place, and time.

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- H8. Purchase: ~~—means b~~Buying, contracting, renting, leasing or otherwise acquiring supplies or services for a price.
- I9. Services: ~~—means the~~The lease or rental of all grounds, buildings, offices, space or equipment required by the Town, the repair or maintenance of all equipment or real property owned by or the responsibility of the Town, and all labor furnished to the Town by persons, firms, individuals or corporations not part of or connected with Town ~~g~~Government.
- 10J. Specifications: ~~—means standards~~Standards, including quality, set by ~~department~~Department ~~heads~~Heads as a guide to the Town Manager and as a measure of that which successful vendors must achieve. Specifications shall be either technical specifications for bids, which shall state formulations as broadly as practicable, yet shall be specific enough to describe the requirements of the department or non-technical specification for bids, which shall state the quality required in general terms.

~~Section 3.~~ K11. Applicability: This policy shall apply to all purchases and services made by or used by departments and agencies of the Town, except as otherwise specified herein.

~~Section 4.~~ B. Purchasing Parameters

A1. Spending Authorization - The Town Manager is designated as the Purchasing Agent for the Town. Accordingly, the ~~Town~~ Manager and Department Heads are authorized to spend within budget appropriations. Purchases within the dollar ranges specified below must meet the requirements listed. Dollar ranges are per piece or in order total, which ever would meet the dollar range last and are meant to be guidelines and not rigidly defined.

B2. Products, Goods & Equipment

- 4a. \$0 - ~~\$499~~1,000: Defined as Field purchases
- 2b. ~~\$500~~1,001-\$4,999: Purchase Order authorized in advance is required. Formal competitive bidding is not required. However, the purchaser should endeavor to get the best value for the money spent. Town Manager or designee will approve the purchase.
- 3c. \$5,000 - \$99,999: Purchase Order authorized in advance is required. Informal bids will be solicited from a minimum of three bidders, if available. Preferably these bidders will be found on the department list of approved vendors and contractors. The quotes will be attached to the purchase order. If within appropriation amounts, the purchase only needs approval by the Town Manager; if outside the appropriation amounts, needs a recommendation by the Town Manager and approval from the ~~BOS~~Select Board.
- 4d. \$100,000 ~~& and~~ Over: Written bid specifications or equivalent shall be created by the Department Head and approved by both the Town Manager and the ~~BOS~~Select Board prior to being advertised. This is a formal bid process the ~~BOS~~Select Board has the final awarding responsibility. The ~~BOS~~Select Board will award ~~to the bid Bid- Most-most Advantageous advantageous or in the best interest~~ to the Town.
- 5e. Record of ~~Formal~~Bids: The Town Manager shall keep a record of all bids submitted ~~for a time period of at least three (3) years~~, and such record shall be open to proper inspection by any interested party.

- 6f. Disqualification of Bidders: The Town Manager shall have the authority to disqualify bidders who default on their bids, quotations, contracts or purchase orders from receiving further awards from the Town. Such decisions will be subject to the right of the disqualified bidder to appeal to the ~~BOS~~ Select Board for a reversal or reinstatement.
- 7g. Rejection of Bids: The Town Manager and the Select Board shall have the authority to reject any and all bids, (or ~~RFPs~~ Request for Proposals) received in response to invitations for bids (or ~~RFP~~ Request for Proposals) are deemed non-responsive, token, collusive or otherwise non-acceptable and when such action is in the best interests of the Town.
- 8h. Product & Warranty Information: The Town Manager shall be responsible for these documents and for ensuring that appropriate insurance coverage is secured.
- 9i. Authorization of Documentation: The Town Manager has the authorization to execute such documents that are required to perfect the purchase.

C3. Service Contracts

- 4a. \$0 - \$4,999; Under one (1) year in duration: Purchase Order authorized in advance; formal competitive bidding is not required; contractor shall be on the approved vendors and contractors list. Town Manager or designee will approve the contract.
- 2b. \$5,000 - \$49,999; Under two (2) years in duration: Purchase Order authorized in advance is required. Informal bids shall be solicited from a minimum of three bidders, if available. Preferably these bidders will be found on the department list of approved vendors and contractors. The quotes will be attached to the purchase order. If within appropriation amounts, the contract only needs approval by the Town Manager; if outside the appropriation amounts it needs a recommendation by the Town Manager and approval from the ~~BOS~~ Select Board.
- 3c. \$50,000- and & Over; Under three (3) years in Duration: ~~Written-A written RFP~~ Request for Proposal specifications or equivalent shall be created by the Town Manager and approved by the ~~BOS~~ Select Board prior to being advertised. The ~~RFP-request~~ shall be advertised by the most efficient means possible, in order to encourage the widest possible competition. Sealed proposals shall be specified and opened at a public meeting by the Town Manager. The ~~BOS~~ Select Board has the final awarding responsibility. The ~~BOS~~ Select Board may award the service contract to someone other than the lowest bidder if they feel that it is in the best interests of the Town.
- 4d. \$50,000- & and Over three (3) years in Duration: Contract requires ratification of an annual Town meeting vote.
- 5e. Record of Bids: The Town Manager shall keep a record of all bids submitted for a time period of at least three (3) years, and such record shall be open to proper inspection by any interested party.
~~Record of RFPs. The Town Manager shall keep a record of all RFP submitted, and such record shall be open to proper inspection by any interested party.~~
- 6f. Contract Information: The Town Manager shall be responsible for these documents and for ensuring that appropriate insurance coverage is secured. All contracts shall contain language that it falls under the jurisdiction of the State of Maine legal provisions, and should their duration extend over one (1) year, that the contract is subject to a non-appropriation clause.

- ~~7g.~~ Authorization of Documentation: The Town Manager has the authorization to execute such documents that are required to perfect the contract.

~~D. Planning Board Peer Review Process~~

~~According to Article IV, Section 4-4 D. Fees (or the appropriate corresponding ordinance section of the North Yarmouth Land Use Ordinance). "In addition, the Planning Board may refer the developer to a firm, or individual chosen by the Planning Board, for peer review submissions. The peer review process is part of this policy, though the Chairman of the Planning Board has the authority to make a direct recommendation to the BOS for the approval of the contract."~~

~~Section 5. 4. Conflicts of Interest:~~

- ~~A1.~~ Any official, officer or employee of the ~~town~~-Town who has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation or ownership interest in a business entity, in any contract with the town, or in the sale of any land, material, supplies or services to the town or to a contractor supplying the ~~town~~-Town shall make known that interest and shall refrain from voting upon or otherwise participating in his/her capacity as an official, officer or employee in making such sale or otherwise in the making or performing of such contract.

Any official, officer or employee who willfully conceals such financial interest or willfully violates the requirement of this section shall be guilty of malfeasance in office or position and shall forfeit his/her office or position. Violation of this section with the express or implied knowledge of the person or business entity contracted with or making a sale to the town shall, at the option of the town, render the contract or sale voidable.

In all proceedings before the town, every municipal official shall attempt to avoid the appearance of a conflict of interest by disclosure or abstention.

~~Section 6. 5. Miscellaneous~~

- ~~A1.~~ Emergencies. In such defined times, the Town Manager may authorize immediate negotiated purchases of supplies or services, not to exceed \$5,000 that are needed to protect the best interests of the Town
- ~~B2.~~ Revision Power in the Town Manager. The Town Manager shall examine each purchase order and shall have the authority to revise it as to quantity, quality, or estimated cost; but revision as to quality shall be only with the concurrence of the using agency or department.
- ~~C3.~~ Tax Exemptions. The Town Manager shall act to procure for the ~~town~~-Town all Federal and State tax exemptions to which the town is entitled.
- ~~D4.~~ Town ~~Debit and~~ Credit Cards. The ability to purchase with the town credit card is allowed only by prior approval. If the purchase is made by a Department Head, then the Town Manager ~~or Assistant Town Manager~~ grants the approval. ~~If the purchase is by the Town Manager, then the purchase must be approved by the Board of Selectmen.~~ Debit and Credit Card purchases shall not exceed amounts described here as Products, Goods & Equipment.

~~Adopted September 2013~~

III. FIXED ASSETS

This policy establishes the minimum cost value (capitalization amount) that shall be used to determine the capital assets, including infrastructure assets that are to be recorded in the Town's annual financial statements in order to comply with the requirements of GASB Statement No. 34. [The Town Manager and Department Heads shall be responsible for updating and maintaining asset records on an annual basis or as active occurs.](#)

It is the policy of the Town of North Yarmouth to annually adopt a Capital Improvement Program (CIP) to ensure regularly scheduled maintenance of existing assets and the funding of mandated or much-needed new capital projects. In order to qualify as a CIP item, the project or item must have a minimum value of no less than \$5,000.

- A. Capital Asset Definition: Capital assets will be defined as tangible and intangible assets that have initial useful lives that extend beyond a single reporting period (1 year).
- B. Capitalization Method: All capital assets will be recorded at historical costs as of the date acquired or constructed. If historical cost information is not available, assets will be recorded at estimated historical cost by calculating current replacement cost and deflating the cost using the appropriate price-level index.
- C. Capitalization Thresholds: The Town establishes the following minimum capitalization thresholds for capitalizing fixed assets:

Land and Improvements:	\$ 25,000
Buildings and Improvements:	\$ 50,000
Machinery/Equipment/Vehicles:	\$ 5,000
Infrastructure:	\$150,000 50,000

- D. Infrastructure Assets: In accordance with GASB Statement #34, the Town will record, at a minimum "major" infrastructure assets as defined in Statement #34 that were acquired, constructed or significantly reconstructed, or that received significant improvements after June 30, 1980. Other infrastructure assets may be capitalized as deemed appropriate. The Town does not intend to use the "modified approach" to record infrastructure.
- E. Other Assets: Detailed records shall be maintained at the discretion of the [Administrative AssistantTown Manager](#) for all items below the capitalization thresholds that should be safeguarded from loss. These items will be part of the annual physical inventory ~~discussed below. These items include firearms and computer equipment that fall below the established thresholds and any other assets specified by the Administrative Assistant.~~

~~Depreciation and Useful Life:~~

~~The Treasurer will assign an estimated useful life to all assets for the purposes of recording depreciation. The attached "Suggested Useful Lives" schedule will be used to establish lives for most assets. Asset lives will be adjusted as necessary depending on the present condition and use of the asset and based on how long the asset is expected to meet current service demands. Adjustments should be properly documented. Depreciation will be recorded based on the straight line method using actual month convention and depreciated down to the assets salvage value.~~

~~Safeguarding and Controlling Fixed Assets:~~

~~All machinery and equipment, vehicles and furniture whose values equal or exceed the capitalization thresholds will be assigned an asset number and identified with the fixed asset tab.~~

~~As fixed assets are purchased or disposed of, the Department Head in custody of that asset will be responsible for preparing a fixed asset data sheet, which will then be forwarded to the Treasurer to ensure proper recording. A physical inventory will be taken annually on or about June 30th and compared to the physical inventory records. The results will be forwarded to the Treasurer where appropriate adjustments will be made to the fixed asset records.~~

~~Adopted: October 9, 2009~~

IV. INVESTMENTS

~~SECTION 1. PURPOSE & OBJECTIVES~~

The Town of North Yarmouth, ~~Maine~~ Investment Management Account (~~“the IMA”~~) has been established to segregate all capital reserve and special funds accounts into one investment account so that the funds are invested and managed in a manner consistent with appropriate municipal care. ~~The purpose of t~~ This ~~Investment Policy~~ ~~policy is to~~ shall provide the Investment Manager with a general framework within which the investment objectives will be defined, and general guidelines outlining how the investment portfolio will be structured.; ~~the~~ The investments will be managed and the performance will be monitored ~~by the Town Manager and the Investment Manager.~~

The ~~Board of Selectmen~~ ~~Select Board~~ shall ~~chose and appoint which~~ select a financial institution ~~shall to~~ serve as the Town’s Investment Manager.

~~The Policy’s specific~~ ~~Specific~~ objectives include:

- A. Assure policy compliance;
- B. Developing investment objectives and performance standards which are acceptable to the Town of North Yarmouth’s ~~Board of Selectmen~~ ~~Select Board~~;
- C. Reviewing asset allocations;
- D. Reporting to the ~~Board of Selectmen~~ ~~Select Board~~ and or ~~Town Manager~~ on a regular basis including a face to face meeting at least annually.

~~SECTION 2. BOARD RESPONSIBILITIES~~

~~(As of May 15, 2012, KeyBank National Association (“KBNA”) serves as the Investment Manager as the North Yarmouth Board of Selectmen has appointed KBNA as Investment Manager and Custodian.)~~

~~The Board of Selectmen shall periodically review the Investment Policy and make modifications when warranted. Proposed modifications to this Investment Policy will be documented in writing and be put into effect only after an official majority vote of the Board.~~

~~SECTION 3. A. Investment Manager Responsibilities~~

In its fiduciary capacity, the Town’s chosen Investment Manager will act prudently and implement the policy solely in the interest of the Town of North Yarmouth.

The Investment Manager shall also guard this policy. The policy statement also guards against “Board Risk” the possibility that the ~~Board of Selectmen~~ ~~Select Board~~ members at some stress point (most frequently a low point in the stock or bond markets) will react in a manner detrimental to the long-term health of the ~~investment management account~~ ~~IMA~~. Board members tend to serve only a few years at a

time, and those who adopt this ~~Policy~~ ~~policy~~ ~~Statement~~ today may not be here ten years from now to maintain the steady course that is one prerequisite of a successful investment plan.

The investment manager(s) shall manage the assets of the ~~IMA~~ ~~investment account~~ with the care, skill, prudence, and diligence that a prudent person familiar with such matters would use. Responsibilities include, but are not limited to, providing the Town with strategic investment counsel, custody of securities, income collection, portfolio management (including all buy/sell decisions), trade execution, and cash flow analysis. The investment manager will be available for meetings at such times as the Town ~~Treasurer~~ ~~Manager~~ and or ~~Board of Selectmen~~ ~~Select Board~~ ~~Chairman~~ may request. The investment manager(s) will provide the Town ~~Treasurer~~ ~~Manager~~ with performance data quarterly and will be available to meet with the Town ~~Treasurer~~ ~~Manager~~ and or ~~Board of Selectmen~~ ~~Chair~~ ~~Select Board~~ no less than annually. The agenda for meetings with the investment manager will include, at a minimum, the following:

- Current investment strategy;
- Prospective economic climate;
- ~~The~~ Portfolio performance with respect to ~~Investment~~ ~~investment~~ ~~Objectives~~ ~~objectives~~ and relative benchmarks;
- ~~The expected~~ ~~Expected~~ levels of cash flow projected over the next fiscal year.

~~SECTION 4.~~ B. Investment Objectives

Return Requirements: The ~~Policy's~~ ~~policy's~~ primary return objective is to provide safety of principal through the diversification of the assets of the Town of North Yarmouth's ~~IMA~~ ~~Investment Management Account~~ by investing in high quality securities that will provide a high degree of liquidity. The ~~IMA's~~ ~~investment account~~ performance goal is expressed as a total return, without distinction between income and capital gains.

Risk Tolerance: Although the ~~IMA~~ ~~investment account~~ has an infinite time horizon, liquidity needs are scheduled only as needed and thus suggests that the ~~IMA~~ ~~investment account~~ should assume a low risk level.

~~SECTION 5.~~ C. Investment Constraints

Liquidity: Prudence dictates maintaining some liquidity for scheduled distributions and emergency expenses. This avoids a sudden need to sell long-term investments to meet unexpected demands for cash.

Time Horizon: A relatively long time horizon can be assumed for planning purposes. The investment portfolio is likely to remain in existence for at least ~~twenty~~ (20) years and beyond.

Taxes: Not applicable. The Town is a tax exempt entity.

Laws/Regulations: Funds may be used only for those purposes that the legislative body of the Town has set for each individual fund.

~~SECTION 6.~~ D. Investment Guidelines

The investment manager(s) shall maintain a diversified portfolio employing a fixed income investment strategy to meet the cash flow needs.

Within the parameters below, the investment manager(s) shall have the discretion to allocate funds to fixed income investments or cash reserves depending on the investment manager's outlook for the investment markets. Unless otherwise determined by the Town from time to time, the asset allocation for the funds shall be guided by the following:

Target Allocation (as a % of Fair Market Value)	
Equities	0%
Fixed	85% to 100%
Cash & Cash Equivalents	0% to 15%

~~SECTION 7.~~—E. Fixed Income Investments

Fixed income investments shall be limited to direct debt obligations of the US Treasury, domestic corporations, securities issued by Federal Agencies and US Government Agencies. In addition, fixed income investments shall be limited to the following guidelines:

- A. Fixed income securities at the time of purchase must be investment grade or better by Standard & Poor's or Moody's Investor Service.
- B. Maturities of fixed income securities shall be structured to provide an average life of five (5) to ten (10) years, with an average life of up to fifteen (15) years for mortgage-backed securities.
- C. Fixed income mutual funds may be used from time to time in order to enhance yield during an interim investing period.

~~SECTION 8.~~—E. Cash Reserves

Investments in cash and cash equivalents shall be limited to insured or collateralized bank deposits, US Treasury Bills, repurchase agreements, or money market funds whose investments are limited to short-term direct obligations of the US Treasury, US Government Agencies or domestic corporations.

~~SECTION 9.~~ F. Performance Benchmarks

Performance will be monitored on a regular basis and evaluated relative to the IMA's long-term objectives using appropriate benchmarks for comparison. The account will be compared against the following indices:

Cash Reserve Component	91 Day Treasury Bill
Convertible Securities	ML Investment Grade Convertibles
International	MSCI EAFE Index
Large Capitalization Equity	Standard & Poor's 500 Index
Mid Cap Equity	Standard & Poor's 400/Russell Midcap
Small Cap Equity	Standard & Poor's 600/Russell 2000
Taxable Fixed Income	Barclays Capital Aggregate Bond Index
Tax Free Fixed Income	Barclay's Five (5) year Municipal Index

~~Approved: May 15, 2012~~

~~Amendments Approved: April 16, 2013~~

V. CASH MANAGEMENT

Establishes uniform procedures to be followed in the collection, custody, reporting and deposit of cash receipts for all departments within the Town of North Yarmouth (the Town). "Cash," as referenced herein, includes coin, currency, checks, cashier's checks, travelers checks, money orders, and debit/credit card transactions.

A. Cash Policy - Cash received at each department shall be adequately safeguarded at all times, and properly receipted and/or documented. Until deposited, all cash collections shall be kept in locked drawers, cash boxes, or cash registers. All cash kept overnight will be moved into the safe and locked. All customer checks, cashier's checks, traveler checks, and money orders will be restrictively endorsed immediately upon receipt. Restrictive endorsement will be made with stamped imprint indicating "For Deposit Only, Town of North Yarmouth".

The Town Manager (or his/her designee) will be responsible for depositing cash received by the Town to the proper bank depository account on a daily basis, with the exception of Thursday's deposit which may be deposited on the next available business day. During transport of deposits, prudent measures shall be taken to assure that funds are adequately safeguarded.

Under no circumstances should disbursements be made from cash receipts. Cash receipts should be accounted for in detail and reconciled against the corresponding source journal(s). No checks are to be cashed from the cash receipt coin/currency originally collected. Refunds may only be authorized by only by the Town Manager (or his/her designee) against like-tender; currency for currency, credit card for credit card, etc.

No employee is authorized to receipt any transaction for themselves.

B. Transactions Policies

1. Currency, Personal Checks, Bank Checks, Money Orders, and Debit/Credit Cards are all acceptable forms of payment for any transaction.
2. Coinage payment shall not exceed \$10 per transaction.
3. Checks should be made payable to the Town of North Yarmouth.
4. Any check presented shall have a full name, current address, phone number and license/id number written or listed on the check.
5. No check may be written for cash or in excess of the amount of the transaction.
6. Tax payments made in the form of a check that are inadvertently written in excess of the amount owed, the Town Manager (or his/her designee) shall authorize a refund once the check has passed through the Town bank's clearing house.
7. Visa, MasterCard, Discover and American Express are accepted.
8. The name on the debit/credit card must be verified that it matches the receipted name along with verifying the signature upon receipt.
9. All debit/credit card payments shall be processed immediately through the third party card authorization system and a receipt showing the transaction is accepted must be printed and signed by the cardholder.
10. A third party card convenience fee as set by the authorization company shall be added to each transaction processed.
11. A printed receipt shall be provided to all customers showing the amount tendered.

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12. The Town Manager (or his/her designee) shall be responsible for the collection of checks returned for non-sufficient funds. Non-sufficient fund procedures are followed until collection is obtained.

VI. UNDESIGNATED FUND BALANCE

The undesignated fund balance or unreserved General Fund balances are reflected on the balance sheet of the Town of North Yarmouth. All surplus policy formulas and discussions refer specifically to the undesignated and unreserved fund balance at year-end (June 30) as reported in the audited financial statements of the Town. Excluded from the calculations and policy formulas are fund balances in designated capital reserve or special fund accounts, or any funds other than the General Fund.

A. Targeted Undesignated Fund Balance: The Town's management objective is to carry a fund balance of 17.5% (3/12) of the total annual budget. The "total annual budget" would include education, contributions to capital reserves, special funds, county taxes, and any debt service.

A fund balance of less than 17.5% is cause for some concern except in unusual and deliberate circumstances. Fund balance in excess of 19%, although attractive features on a balance sheet, are generally considered excessive, and should be applied to capital projects, debt reduction or in certain cases, to reduce the annual tax requirements of the Town (when surplus fund balances are likely to be reliably available each year).

B. Undesignated Fund Balance Appropriations: On or about February 1st of each year, the Select Board shall determine the amount to be taken from surplus fund balance, if any, that may be applied as a "revenue" for purposes of developing the subsequent municipal budget. The Town Manager is responsible to project such year-end balances and recommend an amount of surplus fund balance, if any, that may be applied to the budget proposal consistent with this policy.

C. Investment of Undesignated Fund Balance: Undesignated fund balance amounts represent an accounting balance and not necessarily a segregated investment account or pool of funds (idle cash) waiting to be expended or invested. The Town Manager/Treasurer is responsible in forecasting cash flow requirements for all town purposes and to safely invest any idle cash or capital reserve balances prudently and properly. As such, surplus fund balance investment does not have an investment policy distinct from the general investment guidance and objectives for all Town Funds as contained in these financial policies. (Certain trust accounts, accounts held under grant agreements, and escrow type funds, such as security deposits may have special investment rules or limitations, but otherwise all town investments are subject to the general rules of prudence and state law. The Town, in that policy, seeks to provide security, liquidity, and return, in that order.)

D. Reserve Funds/Capital Improvement Plan: It is the policy of the Town of North Yarmouth to limit tax fluctuations by annually setting aside capital purchase reserve funds (designated by use). The Town Manager recommends amounts and uses in the annual proposed budget, which is then reviewed and recommended to Town Meeting by the Select Board and the Budget Committee. The Town Meeting vote establishes final amounts and uses for those reserve funds.

The Select Board and Town Manager/Treasurer are authorized to sell, on behalf of the Town, at public or private sale, used town vehicles and or equipment and to see that said sales are placed into the equivalent reserve fund. Additionally, the Selectpersons are authorized to expend amounts previously placed into reserve accounts only for purposes that are consistent with the intent of the reserve fund when created and funded.

VII. POLICY AMENDMENTS

The Board of Selectmen shall periodically review the Financial Policies and make modifications when warranted. Proposed modifications to this policy will be documented in writing and be put into effect only after an official majority vote of the Board.



Revised Mission Statement

To instill a sense of COMMUNITY by engaging friends and neighbors in the building of a new Community Center that honors the traditions of Wescustogo Hall while embracing the future.

Logo to be used on all marketing documents, including social media, as well as on promotional items such as t-shirts, hats, etc. It is simple and easy to identify with. It was inspired by our town seal and the building of a community center. Designed by Ashley Durgin with input by the Friends of Wescustogo Committee.

Logo and Revised Mission Statement to be submitted for approval by the Select Board on Tuesday, November 20, 2018.

Note: Mission statement is 'revised slightly to replace the word "restore' with the word 'insill'.