

**TOWN OF
HARPSWELL
POLICY
MANUAL**

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PREAMBLE

The Harpswell Board of Selectmen hereby adopts the following policy for the administration of personnel activities of the employees of the Town of Harpswell. These rules shall supersede any policy(s) previously adopted by the Selectmen.

The Board of Selectmen may delete, modify or add to this policy at any time.

The provisions of this policy are not contractual, but rather, are general guidelines for the Town in its relationship with its employees.

This policy does not apply to elected Town officials.

SEVERABILITY

If any article, section or provision of this policy should be found to be invalid or unenforceable by decision of the courts, only that article, section or provision specified shall be of no force and effect, and such decision shall not invalidate any other article, section or provision.

AFFIRMATIVE ACTION

As an Equal Opportunity Employer, The Town of Harpswell shall employ and promote employees without discrimination as to religion, race, age, sex, disability, physical or mental handicap, marital status, national origin, political affiliation or sexual orientation except as a bona fide occupational qualification.

HIRING

The Town shall employ the best qualified persons who are available at the salary levels established for the position. All other consideration being equal, preference will be given first to present employees, and then to residents of Harpswell. Final decisions for hiring will be the responsibility of the Board of Selectmen. As part of the hiring process for all positions, such positions shall be advertised.

PHYSICALS

As a condition of employment, the Town may require a physical exam, appropriate to the position, at the expense of the Town by a physician of the Town's choice.

PERSONNEL FILE

Personnel record files are maintained for each employee of the Town. Any employee may, upon reasonable notice, review his/her file during normal working hours.

CONFIDENTIALITY

During the course of their duties, employees of the Town are privy to information which is sensitive, confidential and/or personal in nature. Employees are required to respect the confidential nature of such information. [See "Freedom of Access Policy"].

PERFORMANCE EVALUATIONS

All employees will receive an annual performance review, in writing, by their supervisor and will have an opportunity to discuss their evaluation with their reviewer.

CONFLICT OF INTEREST

No Town employee who is authorized to make purchases shall have any interest directly or indirectly in any contract with the Town.

GIFT

No Town employee shall accept a gift exceeding \$10.00 in value of any type from any person or organization with whom the Town deals.

TOWN PROPERTY & EQUIPMENT

Employees must not, directly or indirectly, use or allow the use of Town property or equipment of any kind for other than official activities, except as authorized by the Board of Selectmen or their designee.

EMPLOYEE CLASSIFICATION (as assigned by Board of Selectmen)

- A. **Regular Full-time** - Regular full-time employees work an annual average of 37.5 hours per week. Regular full-time employees are entitled to the benefits provided to Town employees as described in this policy manual, subject to eligibility requirements and any applicable waiting periods.

<u>*Hrs. Worked</u>	<u>Benefit (Holiday, Sick & **Vacation)</u>
37.5 or more	8 hours

- B. **Regular Part-time** – A regular part-time employee works an annual average of fewer than 37.5 hours per week.

Regular part-time employees who work an annual average of twenty (20) hours or more per week are entitled to the benefits provided to part-time Town employees as described in this policy manual. Any such benefits are subject to eligibility requirements and any applicable waiting periods.

Regular part-time employees who work an annual average of less than twenty (20) hours per week are not entitled to benefits except as required by law.

Vacation, sick leave and holidays shall be determined on a pro rata basis.

<u>*Hrs. Worked</u>	<u>Benefit (Holiday, Sick & **Vacation)</u>
30.00 – 37.49	6 hours
20.00 – 29.99	4 hours

- C. **Temporary/Seasonal** – All other employees are considered temporary/seasonal. Typically temporary/seasonal employees are employees hired for special projects, to fill-in for an absent employee, or for a limited duration of time. Temporary/seasonal employees are not entitled to benefits except as required by law.

*Hours worked must be determined using average hours worked during the preceding calendar year. Benefits eligibility will only be adjusted annually unless an employee's classification status changes. Health insurance benefits will not be affected if a regular full-time employee's annual average is less than 37.5 hours per week but not less than 35 hours per week.

**Vacation benefit is adjusted depending upon number of years of employment (See page 8)

Revised by the Board of Selectmen March 28, 2013 and September 28, 2017

PROBATIONARY

All new hires are considered probationary for the first six (6) months of employment. The employee may be dismissed at any time during the probationary period without cause and without appeal.

HOURS OF WORK

The Town's normal work week will be Sunday through Saturday. Hours of work start and quitting time, and break periods will be established by the Department Head. The normal, maximum work week will be forty (40) hours per week. The Town will pay time and a half for hours actually worked in excess of forty (40) in a

given week for non-exempt employees. Overtime hours must be approved by the employee's supervisor and should be approved in advance insofar as possible.

Salaried employees, exempt from overtime, will accomplish the work assigned to their position regardless of hours, within reasonable limits.

It is the employee's, and his/her supervisor's, responsibility to verify and sign their time sheets weekly.

OVERTIME/COMPENSATORY TIME

Occasionally, it may be necessary to ask employees to work beyond the maximum hourly work week. If employees are asked by an appropriately authorized individual to work in excess of 40 hours regardless of the day or time, then compensation will be at the rate of time and one-half for those hours worked over 40 in the work week (Sunday through Saturday).

Overtime will be kept at a minimum and will only be requested after careful analysis of overall Town workload and priorities and with written approval by the Administrative Assistant and the respective Department Head. Hours related to any type of leave are not time worked, and these hours will not be used in computing overtime. Overtime is paid only to hourly employees such as secretarial, clerical, and research assistant staff.

Salaried staff members are expected to work extra hours as necessary to accomplish the overall objectives of their areas of responsibility which may exceed 40 hours per week.

Compensatory time may be granted in lieu of overtime pay with the written approval of the Department Head and the Administrative Assistant. Compensatory time only applies to hourly-paid employees. Salaried employees are not eligible except in unusual circumstances which must be approved in advance with the Selectmen.

WAGES

Wage adjustments shall be effective January 1 of each year, but shall not be paid to an employee until (1) annual budgets have been approved by Town meeting and (2) the Board of Selectmen votes to authorize the increase. A wage or salary adjustment may occur during the year, upon approval of the Board of Selectmen, for reasons such as a significant change in job responsibilities or successful completion of a probationary period.

Adopted April 15, 2004 by the Board of Selectmen as an Addition to the Personnel Policy

APPOINTED OFFICIALS POLICY

Adopted March 2, 2000 by Board of Selectmen

Amended May 11, 2000 by Board of Selectmen

The Selectmen annually appoint officials to carry out various tasks and responsibilities for the Town of Harpswell on an occasional basis. Each appointment carries with it duties to be performed, some year-round and some for a specific part of the year.

At the time of appointment, Town must provide appointees with written job descriptions setting forth specific tasks to be accomplished, anticipated number of hours to be worked, if payment is to be made on an hourly basis, or stipend to be paid. Stipends and/or hourly wages are set by the Selectmen, and Town contributes appropriate taxes as required by law. Under established Town policies, part-time appointed officials are not eligible for other benefits such as medical coverage, retirement, disability or leave of any kind unless such coverage existed prior to January 1, 2000.

Each appointed official shall maintain a daily record showing any travel expenses incurred for which reimbursement is requested. Each appointed official shall provide Town with a written progress report quarterly outlining progress and problems to date. Appointed officials shall be paid monthly, the last pay period of each month, unless otherwise arranged.

Appointed officials are directly accountable to the Town Administrator for day-to-day supervision and must cooperate fully with him/her and the Selectmen in the conduct of Town business. Appointed officials shall be evaluated at least semi-annually, the second evaluation must be at least ninety days prior to expiration of appointment.

Annual appointment carries no implied contract for continuation beyond a one-year appointment regardless of evaluation. All positions will be advertised prior to new appointments being made.

This policy is effective beginning with appointment of May 1, 2000 and thereafter.

HEALTH INSURANCE

All elected officials, regular full-time employees and regular part-time employees, shall be eligible at the first day of the next month after hire for health, hospitalization and basic life insurance under the Maine Municipal Employees Health Trust (MMEHT) or other insurer providing comparable coverage. An employee who does not elect to enroll in medical insurance, remains eligible for basic life insurance (equal to one time annual salary) at his/her own expense. Effective March 28, 2013, the Town will pay 80% of the single premium only for regular part-time employees. Employee contribution will be by payroll deduction. Effective January 1, 2007, the Town will offer health insurance on a pre-tax basis. With respect to the elected positions of Selectmen and Road Commissioner and the appointed position of Treasurer, the Town will pay 80% of the Single premium only. Effective May 1, 2016, the Town will offer a health reimbursement account as an option.

Effective December 1, 2022, the Town shall offer a stipend in lieu of health insurance to reimburse eligible employees for health insurance buy-back. Proof of alternate, qualifying insurance under a different group health plan is required in such form as the Town may require. Annual payment shall be 40% of the single PPO 500 health insurance premium, and payable to eligible employees on a monthly basis. An employee shall not be eligible for the stipend if the employee is either: (1) an elected Select Board member or (2) married to, a dependent of, or otherwise eligible to be covered under the Town's health plan by another Town employee.

Available Premium Levels:

- **Single:** The Town will pay 80% and the employee will pay the remainder.
- **Single with Child(ren):** The Town will pay 80% of the Single premium and 65% of the remaining Children premium, and the employee will pay the remainder.
- **Family (including Spouse; Domestic Partner; Spouse and children):** The Town will pay 80% of the Single premium and 65% of the remaining Family premium, and the employee will pay the remainder.

LIFE INSURANCE

All elected officials, regular full-time employees and regular part-time employees (who work an annual average of twenty (20) hours or more per week), shall be eligible on the first day of the next month after hire for supplemental and/or dependent life insurance through MMEHT or other insurer providing comparable coverage. Supplemental Life Insurance allows any employee enrolled in the Basic Life Insurance to increase that coverage by an additional 1X, 2X or 3X. (Note any employee electing to increase the coverage by 2X or 3X will be subjected to an Evidence of Insurability review for that coverage). The cost of the Supplemental Life Insurance and Dependent Life Insurance will be 100% at the employee's expense.

DENTAL INSURANCE

Employees and/or their family may participate on a voluntary basis at their own expense if dental is offered as an option under the Town's Health Insurance.

WORKER'S COMPENSATION

The Town provides Worker's Compensation benefits to all employees, at no cost. Employees who sustain work-related injuries or illnesses (no matter how minor) must inform their supervisor immediately.

SOCIAL SECURITY

The Town and the employee shall contribute to Social Security as required by law.

Revised by the Board of Selectmen December 14, 2006 and February 22, 2007, effective date April 1, 2007; December 27, 2007, October 1 and 15, 2009, March 14 and 28, 2013; September 14, 2017, November 10, 2022

MAINE STATE RETIREMENT SYSTEM

The Town of Harpswell is a participant in the Maine State Retirement System (MSRS) and all employees and elected officials are eligible for membership. Employee contribution (6.5%) is optional and contribution will be made by payroll deduction. The Town's contribution is set annually by the MSRS. Effective 3/14/98, this benefit is no longer available to Town employees. Those already in the plan may continue under the same terms or may terminate and join the Deferred Compensation Plan.

DEFERRED COMPENSATION PLAN

A Deferred Compensation Plan ("Plan") has been established by the Town of Harpswell (Town) to provide retirement benefits for its employees. The implementation date of the Plan is April 1, 1998 and shall be the only retirement Plan offered to newly-hired employees. All full-time and regular, part-time employees who work twenty (20) hours or more a week on a regularly-scheduled basis are eligible for participation in the Plan.

Employee contributions may begin on the first day of employment, and employees may contribute up to the Plan's limits. Contributions to the Plan by the Town for eligible employees shall begin upon completion of six months of service. The Town will then contribute an amount equal to employee's contribution up to a maximum of 6% per year of their annual salary. Contributions are not retroactive. Employees shall receive a contribution from the Town for only one retirement plan. Travel stipends are not considered salary.

The Plan has been approved by the Internal Revenue Service. Amounts contributed to the Plan by the Town and employee shall comply with Federal and State tax laws. The Plan is fully vested meaning that employees will not forfeit any portion of the total monies contributed by them or on their behalf in case of employment termination. In case of termination, monies will be distributed in accordance with the Plan's terms. The Plan is administered by a third party. Additional information on the Plan is provided to each individual upon acceptance of employment including request to designate employee's beneficiary. It is the responsibility of the participant to see that this designation is kept current.

Amended by the Board of Selectmen September 5, 2024 and August 3, 2017, effective July 1, 2017

HOLIDAYS

A. Subject to these rules, the following holidays shall be paid holidays for regular Town employees:

*New Year's Day

Martin Luther King, Jr. Day

Presidents' Day

*Labor Day

Columbus Day

Veterans' Day

Juneteenth

Patriots' Day
*Memorial Day
*Independence Day

*Thanksgiving
Day After Thanksgiving
*Christmas Day

(½ days on Christmas Eve and New Year's Eve remain at the discretion of the Board of Selectmen)

- A. If a regular holiday falls on a Saturday, it will be observed on the preceding Friday; holidays that fall on Sunday will be observed on the following Monday.
- B. A person on a leave of absence without pay shall not be entitled to holiday pay.
- C. Holiday pay will be computed on the basis of an 8-hour day or pro rata share thereof for regular, part-time employees as previously defined.
- D. When occasion or call in warrants, employees may be required to work whole or part of a holiday. Employee must receive a minimum of two (2) hours pay for same. Hourly wage benefit-eligible employees working a holiday shall receive their regular pay for time worked plus their applicable holiday pay except as indicated in E.
- E. *Regular part-time fire-fighters working these holidays shall receive double time pay. Regular part-time fire-fighters working the other holidays shall receive time and half pay. Regular part-time fire-fighters who work an average of more than twenty (20) hours per week shall also receive their applicable holiday pay.

VACATION

- A. Vacation privileges are available to regular, full-time employees. Such privileges are also available, pro rata, to regular, part-time employees working no less than 20 hours per week. Employees are urged to schedule and use their vacation time to be away from their job for rest and relaxation. Regular, full-time employees will accrue vacation eligibility at the following rates:

0 – Three months of employment	None
After three months	1.00 day per month
After five years	1.25 days per month
After ten years	1.50 days per month
- B. Vacation will be scheduled in advance with the employee's supervisor and approved by the Board of Selectmen, or their designee. Seniority and the needs of the Town will be given due regard. Vacation of more than two weeks duration will not be granted other than under extraordinary circumstances.
- C. Employees may carry forward up to one-half of their annual vacation accrual. This carry forward is not cumulative. Unused vacation time will be paid to employees upon resignation or retirement up to the amount accrued.
- D. Employees may receive vacation pay prior to the start of their vacation, but must request payment from the Treasurer at least five (5) business days in advance of the pay day preceding the start of their vacation.

SICK LEAVE

- A. Sick leave will accrue at the rate of .585 day per month effective with the employee's date of hire. Sick leave may be accrued up to a maximum of thirty (30) days. Sick leave may be taken in increments of two hours or greater.
- B. Sick leave may be used for personal illness or physical incapacity of such degree as to render the employee unable to perform the duties of his/her position unless the employee is capable of other work for the Town; for personal medical or dental appointments; or to care for members of his/her immediate family and/or household affected by serious illness.
- C. When all accrued sick leave is used, time off due to illness may be charged to vacation leave upon request, otherwise time absent will be classified as leave without pay.
- D. Employees will be expected to inform their supervisor of their absence as early as possible on the first day of their absence. Employees will inform their supervisor no later than the start of their scheduled shift for each succeeding day of their absence.
- E. If requested by the employee's supervisor, the employee shall furnish the Town with a certificate from his/her physician for any absence of more than three (3) days duration.
- F. Sick leave will not be used to extend a vacation period.
- G. There is no compensation for accumulated sick leave upon termination of employment for any reason.

PAID LEAVE POLICY

- A. Effective, January 1, 2021, employees shall accrue paid leave, for any reason, at the rate of one hour for every 40 hours paid.
- B. Employees cannot begin using paid leave until after they have been employed for at least 120 days.
- C. Employees should give at least four weeks' notice of their intent to use paid leave except for an emergency, illness or other sudden necessity.
- D. Employees may use only up to 40 hours per year.
- E. Employees may carry forward earned but unused leave time up to 40 hours.
- F. Upon separation or termination, the employee will not be paid for earned but unused leave.

Adopted December 31, 2020 and amended May 27, 2021

SHORT-TERM DISABILITY

Effective July 1, 1998, short-term disability benefits will be available to all regular full-time and part-time Town employees working 20 hours or more per week who have completed their six month probationary period. Elected officials are not eligible.

Each eligible employee shall be covered for short-term disability benefits at the rate of 60% of employee's regular salary. This benefit is payable, up to a maximum of nine (9) weeks, as long as an employee

is under the care of a physician who certifies that employee is not able to return to work. The Town reserves the right to request a second medical opinion. No sick leave or vacation credits accrue while an employee is receiving extended short-term disability benefits.

Benefits begin the day after the elimination period is completed. The elimination period for short-term disability benefits shall be the later of:

- A. 30 days after the date disability occurs due to an injury or sickness.

An employee absent for illness or disability should notify the Administrative Assistant as early as possible on the first day of absence and shall keep that office informed as to probable length of absence. Benefits are payable only for actual illness or non-work related disability preventing attendance at work and not resulting from misconduct. In every instance of extended disability (over three days), the attendance of a physician and evidence thereof may be requested.

LEAVES OF ABSENCE

- A. **Bereavement Leave.** An employee may be excused from work for up to three (3) work days because of death in his/her immediate family, as outlined below, and shall be paid his/her regular rate of pay for the scheduled work hours missed. It is intended that this time off be used for the purpose of handling necessary arrangements and attendance at the funeral.

For purposes of this article only, immediate family is defined to mean spouse, parents, children, brothers, sisters, mother-in-law, father-in-law, grandfather, grandmother, grandchildren or other household members.

One (1) work day may be granted to employees at the sole discretion of the Board of Selectmen or their designee for attendance at funerals of persons not covered under the above definition.

- B. **Leave Without Pay.** A full-time employee may be granted a leave of absence without pay by the Board of Selectmen, after consultation with the employee's supervisor, for a period necessary for the purpose of the leave, but not to exceed sixty (60) calendar days. The employee is expected to return to work upon the expiration of a granted leave or to have arranged an extension of a leave, not to exceed thirty (30) days, granted at the discretion of the Board of Selectmen. Continued absence without having arranged for an extension of leave may be deemed a resignation from the service. Employees may choose to continue insurance benefits for the duration of the leave by assuming the employer contribution. Vacation, sick leave and other benefits will not accrue during the leave.

JURY DUTY

The Town shall pay to an employee called for jury duty the difference between his/her regular pay and juror's pay provided the employee presents an official statement of jury pay received.

HAZARDOUS WEATHER

Unless otherwise notified prior to the normal office hours, Town offices will be open for work. Any employee choosing to be absent at his/her own discretion may use vacation time accrued or be on leave without pay. Each employee bears the responsibility of where he/she lives in relation to the office location.

When the weather is judged to be too hazardous for travel, employees will be notified not to come in to work or the office will be officially closed at the direction of the Selectmen or their delegate so employees may go home early with no loss of salary and/or leave time. Only employees scheduled to work on such days shall be eligible for pay. (Employees scheduled for leave—vacation, sick or other—or on leave status are not eligible). Employees leaving before this time may use accrued vacation leave or be on leave without pay.

FAMILY AND MEDICAL LEAVE ACT OR 1993 YOUR RIGHTS

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

REASONS FOR TAKING LEAVE: Unpaid leave must be granted for any of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the employee's job;

At the employee's or employer's option, certain kinds of *paid* leave maybe substituted for unpaid leave.

ADVANCE NOTICE AND MEDICAL CERTIFICATION: The employee may be required to provide advance leave notice and medical certification. Taking leave may be denied if requirements are not met.

- The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable" .
- An employer, may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

JOB BENEFITS AND PROTECTION:

- For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan".
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

UNLAWFUL ACTS BY EMPLOYERS: FMLA makes it unlawful for any employee to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

ENFORCEMENT:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FOR ADDITIONAL INFORMATION: Contact the nearest office of the Wage and Hour Division listed in most telephones directories under U.s. Government, Department of Labor.
Revised 1993

DISCIPLINE

The Board of Selectmen may demote, suspend or dismiss any employee when it has been determined to be in the best interest of the Town. The employee's supervisor and/or the Town's Administrative Assistant will specify in writing to the employee the cause of any disciplinary action and the recommended action prior to the discipline taking effect.

Disciplinary action may call for any of Four Steps – verbal warning, written warning, suspension (with or without pay) or termination. Each of the steps will be documented and are appealable. There may be circumstances when, due to the severity of the infraction, one or more of the above steps are bypassed.

The Town recognizes that by using progressive discipline most employee problems can be corrected at an early stage, thereby benefiting both the employee and the Town. However, the Town also recognizes that certain problems will be severe enough to justify suspension or termination without going through the usual progressive steps.

The employee has the right of appeal to the Board of Selectmen, if requested in writing within three (3) working days. The Board of Selectmen will hold a hearing no later than their next scheduled meeting and will return a decision no later than the next regularly scheduled meeting following the appeal hearing.

The Town's Administrative Assistant may suspend with pay, for a period not to exceed fifteen (15) working days, any employee whose continued presence at work may be a threat to persons or property, whose presence might hinder the investigation of misconduct or be a detriment to the conduct of Town business. This action must be confirmed by the Selectmen within two (2) business days and a report must be placed in employee's file thereupon.

GRIEVANCE PROCEDURE

Should an employee feel aggrieved concerning the effect, interpretation, meaning or application by the Board of Selectmen of any provision of the Town's rules, regulations, policies and/or terms of employment, the following steps will be utilized to resolve the dispute.

- A. The employee will orally discuss the dispute with his/her supervisor.
- B. If an agreement is not reached, the employee may, within three (3) working days of the initial oral discussion, file a written complaint with the Town's Administrative Assistant who must return a formal, written decision within three (3) working days.
- C. The decision of the Town's Administrative Assistant may be appealed, within three (3) working days, to the Board of Selectmen who will hold an appeal hearing at their next regularly scheduled meeting, and will return a formal decision no later than their next regularly scheduled meeting following the appeal hearing.

EMPLOYMENT SEPARATION

Separation is any action taken which ends the working relationship between an employee and the Town of Harpswell (Town). Resignation is a separation initiated by the employee. Termination is separation initiated by the Town and may result from, but is not limited to, any of the following:

- A. Reduction in work volume and/or funding.
- B. Failure to meet required work standards.
- C. Inability to maintain proper working relationships.
- D. Conduct prejudicial to the interests of the Town.

A decision to terminate the employment of a staff member is made by the Selectmen after discussion with an employee's immediate supervisor and the employee. The final decision relative to termination is, however, the sole responsibility of the Selectmen, and they will authorize termination letters.

Any employee whose performance is judged unsatisfactory will be notified in writing of the nature of the deficiency. If improvement is not forthcoming within a four-week period, employment may be terminated without additional notice. In other instances when it is necessary to terminate employment, not for cause, staff members will be given one month's notice contingent on the availability of funds. In lieu of notice, pay may be given at the Town's option. Similar notice is expected from all Town employees in cases of resignation, unless specifically waived by the Selectmen. If employment is less than six months, only two weeks' notice will be required.

SEXUAL HARASSMENT POLICY

It is the policy of Harpswell that all employees have the right to work in an environment free of discrimination, which includes freedom from sexual harassment. Harpswell will not accept any form of sexual harassment by supervisors, co-workers, customers or suppliers. This policy is intended to prohibit offensive conduct, either physical or verbal, that threatens human dignity and employee morale, and which interferes with a positive and productive work environment.

Sexual harassment is illegal and, as outlined in the EEOC Sexual Discrimination Guidelines and the Maine Human Rights Act, includes:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (ii) submission to or rejection of such by an individual is used as the basis for employment decisions affecting such individual, (iii) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The following examples are common types of conduct that may constitute sexual harassment:

- slurs, jokes or degrading comments of a sexual nature
- unwelcome sexual advances
- suggestive or lewd remarks
- unwelcome hugging, touching or kissing

- requests for sexual favors
- repeated offensive sexual flirtation or propositions
- the display of sexually suggestive pictures or objects
- repeated unwelcome physical contact or touching such as patting, pinching or constant brushing against another's body

Consistent with above guidelines, this policy prohibits any overt or subtle pressure for sexual favors including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or lack thereof) will have any effect on the person's employment, job assignment, wage, promotion, or any other condition of employment or future job opportunities. This policy also prohibits any conduct which would tend to create an intimidating, hostile or offensive work environment.

Managers and supervisors are responsible for monitoring conduct which can be construed to be harassment and for initiating necessary action to eliminate such behavior. Any employee who feels that he or she is the victim of sexual harassment should immediately report the matter to his or her supervisor or, if the employee would prefer, to Selectmen.

Selectmen will immediately investigate any complaint of sexual harassment and, where warranted, take disciplinary action against any employee engaging in sexual harassment. Depending on the circumstance, such disciplinary action may include suspension or termination of employment.

Any questions regarding this policy should be addressed to the Selectmen. Any employee who believes that he or she has been a victim of sexual harassment, or who has knowledge of that kind of behavior, is urged to report such conduct immediately. Employees will be requested, but not required, to put their complaints in writing. No employee will be retaliated against for complaining about sexual harassment.

MAINE HUMAN RIGHTS COMMISSION 624-6050

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT THE COMMISSION OFFICE, STATE HOUSE STATION 31, AUGUSTA, MAINE 04333

OR CONTACT TOWN ADMINISTRATOR OR SELECTMEN, 833-5771.

ANNUAL WRITTEN NOTIFICATION OF SEXUAL HARASSMENT POLICY SEXUAL HARASSMENT IS ILLEGAL UNDER STATE AND FEDERAL LAW

It is illegal for any employee to sexually harass another employee and for any supervisory employee to permit any act of sexual harassment in the workplace by anyone whether or not an employee.

DEFINITION OF SEXUAL HARASSMENT UNDER STATE LAW

Unwelcome sexual advances requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with a individual's work performance or creating an intimidating, hostile, or offensive working environment.

DESCRIPTION OF SEXUAL HARASSMENT

The following type of conduct is considered to be sexual harassment and is not permitted:

- A. Physical assaults of a sexual nature such as:
 - (1) rape, sexual battery, molestation or attempts to commit these assaults; and
 - (2) intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
- B. Unwanted sexual advances, propositions or other sexual comments, such as:
 - (1) sexually-oriented gestures; no remarks jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way that such conduct in his or her presence is unwelcome;
 - (2) preferential treatment or promise or preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward; and
 - (3) subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of that employee's job more difficult because of that employee's sex.
- C. Sexual or discriminatory displays or publications anywhere in the company by employees, such as:
 - (1) displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic, or bringing into the work environment or possessing any such material to read, display or view at work.

A picture will be presumed to be sexually suggestive if it depicts a person of either sex who is not fully clothed or in clothes that are not suited to or ordinarily accepted for the accomplishment of routine work in and around the company and who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.
 - (2) reading or otherwise publicizing in the work environment materials that are in any way sexually revealing sexually suggestive, sexually demeaning or pornographic; and
 - (3) displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semiprivate lockers/changing rooms).

INTERNAL COMPLAINT PROCEDURE

Any employee who believes he or she has been the subject of sexual harassment should report the incident or act immediately to his or her supervisor or to one of the following individuals: (list at least two individuals, preferably one of each sex). The company will promptly investigate all complaints. Each employee alleging sexual harassment will be requested to put the specifics in writing. All information will be held in confidence and will be discussed only with those who have a need to know in order to either investigate or resolve the complaint. Any employee who the company determines has engaged in sexual harassment will be promptly disciplined. Disciplinary measures may consist of suspension or termination depending upon the severity of the offense.

LEGAL RECOURSE THROUGH THE MAINE HUMAN RIGHTS COMMISSION

The Commission can be contacted at State House Station 51, Augusta, Maine 04333, telephone: 624-6050. Any employee who believes he or she has been subjected to sexual harassment may call or write the Maine Human Rights Commission to register a complaint. Any complaint must be filed with the Commission within 180 days of the act of harassment. Once a signed charge form has been received by the Commission, an investigation will be conducted and a determination will be made by the Commission of whether or not there are reasonable grounds to believe sexual harassment occurred.

If the Commission determines that sexual harassment did occur, it will attempt to resolve the situation between you and your employer through informal means. If informal means of resolution are unsuccessful, the Commission counsel may file a civil action on your behalf in the Superior Court, seeking appropriate relief.

MAINE HUMAN RIGHTS ACT PROTECTION AGAINST RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

Under the law, you may not be punished or penalized in any way for reporting, complaining about or filing a claim concerning sexual harassment, or for testifying in any proceeding brought by anyone else.

This notice is provided to all employees in compliance with 26 M.R.S.A. §807(2). If you have any questions regarding this notification, please ask your supervisor, Selectperson _____ or Town Office Manager _____ (Insert names of individuals listed under the complaint procedure). SEMOOI

POLICY ON WORKPLACE THREATS AND VIOLENCE

The safety and security of employees of the Town of Harpswell (hereinafter referred to as "the Town"), and also the public who conducts business in the various municipal buildings, is of paramount importance to the Town. Therefore, threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Town property will not be tolerated. Violations of this policy will lead to disciplinary action which may include dismissal, arrest, and prosecution.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on Town property shall be removed from the premises as quickly as safety permits, and shall remain off Town premises pending the outcome of an investigation. The Town will initiate an appropriate response. This response may include, but is not limited to, suspension and/or termination of employment, and/or criminal prosecution of the person or persons involved.

No existing Town policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life threatening situation from developing.

All Town personnel are responsible for notifying the Town representative designated below of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Town-owned site, or is connected to Town employment.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. If the designated Town Representative is not available, personnel should report the threat to their supervisor or any Selectman.

All individuals who apply for or obtain a protective or restraining order which list any Town location as being a protected area, must provide to the designated Town Representative a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

The Town of Harpswell understands the sensitivity of the information and has developed confidentiality procedures which recognize and respect the privacy of the reporting employee(s).

The Designated Town Representative is: Selectperson 833-5772

Effective: 1-16-97

THREAT INCIDENT REPORT

To be completed by designated Town Representative (Personnel Director) or Department Head if Personnel Director is not available.

Employee Name: _____ Date of Incident: _____

1. Name of threat-maker: _____

Address of threat-maker: _____

Telephone #- of threat-maker: _____

2. Relationship to organization/recipient: _____

3. Name(s) of victim(s) or potential victim(s): _____

4. Briefly describe the incident:

5. When and where incident occurred:

6. What happened immediately prior to the incident:

7. Language of the threat (be specific):

8. Was there any physical conduct that would substantiate an intention to follow through on the threat: YES NO

If yes, please explain: _____

9. Please indicate how the threat-maker appeared, physically and emotionally: °

10. List others who were directly involved and any actions they took:

11. Indicate how the incident ended:

12. List names and telephone numbers of witnesses:

13. What happened to threat-maker after the incident?:

14. What happened to other employees directly involved after the incident?:

15. Names of supervisory staff involved, if any, and how they responded:

16. What event(s) triggered the incident:

17. Is there any history leading up to the incident?:

18. What steps have been taken to ensure that the threat will not be carried out?:

19. Indicate any suggestions you may have for preventing this type of incident in the future:

Name of person completing form: _____

Signature of person completing form: _____

Date: _____

****If needed, additional comments may be attached.****

POLICY ON THE USE OF INFORMATION TECHNOLOGY RESOURCES

Adopted August 18, 2005

The Town of Harpswell provides its Town Employees with a variety of information technology resources (hereinafter, "Information Resources"). Those Information Resources include computers, computer programs, printers, facsimile machines, voice mail, and on-line capabilities such as electronic mail (hereinafter, "e-mail") and the Internet. The Town of Harpswell provides those Information Resources in order to permit the delivery of better and more efficient services to the Town and its residents. Town Employees are encouraged to use those Information Resources to their fullest extent in connection with the official duties and responsibilities of their employment. This Policy applies to all full- and part-time Town Employees, special Employees, contract Employees and all elected, appointed and volunteer Town officials (hereinafter "Town Employees.") It is intended to prevent the illegal and/or improper use or abuse of the Town's Information Resources.

NOTICE: USE OF ANY OF THE TOWN'S INFORMATION RESOURCES BY ANY TOWN EMPLOYEE SHALL CONSTITUTE ACCEPTANCE OF THE TERMS OF THIS POLICY AND OF ANY FUTURE AMENDMENTS THERETO.

I. TOWN EMPLOYEE RESPONSIBILITIES

It is the responsibility of all Town Employees to read, understand, and comply with the terms of this Policy. Town Employees are expected to exercise reasonable judgment in interpreting this Policy and in making decisions about the use of the Town's Information Resources. Any Town Employee with questions about the application or interpretation of this Policy should seek clarification from the Town Administrator.

II. ACCEPTABLE USES OF THE TOWN'S INFORMATION

RESOURCES

- A. Town Employees may use the Town's Information Resources for the following purposes only:
 - 1. Uses that (a) are directly related to a Town Employee's official duties and responsibilities, or (b) directly further a particular Town goal in providing its citizens with better and more efficient services.
- B. It is a violation of this Policy for a Town Employee to use the Town's Information Resources in any manner that interferes with the Town Employee's work performance, as determined by the Town Administrator.
- C. Notwithstanding the foregoing, the prohibitions set forth in Section III below apply at *all* times, to *all* uses of the Town's Information Resources.

III. PROHIBITED USES OF THE TOWN'S INFORMATION RESOURCES

Town Employees are strictly prohibited from using the Town's Information Resources for any of the following activities:

- A. Sending, receiving, downloading, displaying, forwarding, printing, or otherwise disseminating material that is profane, obscene, harassing, fraudulent, offensive, discriminatory, or defamatory;
- B. Disseminating or storing destructive programs (viruses or self-replicating codes) or other unauthorized material;
- C. Sending mass mailings or chain letters, spending excessive amounts of time on the Internet, printing multiple copies of documents, or otherwise creating unnecessary network traffic. For the purposes of this section, "excessive amounts of time" is time that interferes with the Town Employee's official duties and responsibilities;
- D. Using or copying software in violation of a license agreement or copyright;
- E. Copying or distributing computer programs or information that is copyrighted without the consent of the owner;
- F. Intercepting communications intended for other persons, except for the limited purposes set forth in Section VII, below;
- G. Gaining or attempting to gain unauthorized access to any computer or network;
- H. Violating any international, federal, state or local law; and/or
 - I. Conducting a private business.
 - J. Sending, receiving, transmitting or reviewing electronic information for any personal use. "Personal use" is any use other than that described in Paragraph II(A)(1) of this Policy.
 - K. Violating state law by using a state computer system to prepare materials with the intent to expressly advocate the election or defeat of any candidate for federal office, a state constitutional office, or any elective municipal, county or state office, including leadership positions in the Maine House or Senate, or with the intent to solicit political contributions that are reportable under the state's campaign finance laws.

IV. CONFIDENTIALITY AND PRESERVATION OF TOWN INFORMATION

- A. E-mail messages dealing with official Town business are generally considered to be "public records" that are subject to public inspection and copying under Maine's Freedom of Access Law, 5 M.R.S.A. Section

402. Moreover, e-mail messages can be stored, copied, printed, or forwarded by any intended or unintended recipient. Therefore, Town Employees *cannot* expect their e-mail messages to remain either private or confidential relative to the public.

- B. Town Employees who, as part of their official duties, have access to confidential or proprietary information (such as personal data about identifiable individuals or commercial information about business organizations) are strictly prohibited from acquiring access to and/or disseminating such confidential information unless access to and/or dissemination of such confidential information is both authorized and required as part of their job descriptions.
- C. Information and/or documents contained in or attached to e-mail sent or forwarded to the Town by any attorney representing the Town shall not be disclosed by any Town Employee without the prior express approval by the attorney who sent or forwarded the e-mail document to the Town.
- D. Because e-mail is the equivalent of traditional correspondence dealing with official Town business, e-mail messages must be preserved in accordance with the public record retention standards set forth in 5 M.R.S.A. Section 95-B and the Maine State Archive Rules For Disposition Of Local Government Records.

V. LANGUAGE STANDARDS

E-mail, like other forms of written communication, reflects upon the Town of Harpswell. Town Employees shall communicate by e-mail only in a professional manner, and with proper spelling and grammar. Any and all forms of profanity are prohibited. The Town Administrator may, in his/her discretion, require that work-related e-mail messages be approved as to form and content prior to dissemination.

VI. NETWORK SECURITY AND COMPUTER VIRUSES

Town Employees are expected to take precautions to prevent the infection of Town computers with computer viruses. Computer programs and files that originate outside of the Town's computer network shall not be downloaded to Town computers without prior approval from the Town Administrator.

VII. PRIVACY OF TOWN INFORMATION RESOURCES

All Information Resources are the property of the Town of Harpswell and must be used in conformance with this Policy. Because the Town owns those Information Resources, Town Employees are advised that they should have *no expectation of privacy* when using the Town's Information Resources, whether their use of the Town's Information Resources takes place during or outside of working hours. The Town reserves the right to monitor use of the Town's e-mail and Internet systems for legitimate municipal business purposes, including, but not limited to, the need for supervision and/or proper operation of the workplace.

NOTICE: A TOWN EMPLOYEE'S USE OF THE TOWN'S INFORMATION RESOURCES FOR ANY PURPOSE, AT ANY TIME, SHALL CONSTITUTE CONSENT BY THE TOWN EMPLOYEE TO THE MONITORING AND INSPECTION OF THAT EMPLOYEE'S USE OF THE TOWN'S INFORMATION SYSTEMS, INCLUDING, BUT NOT LIMITED TO, INSPECTION OF E-MAIL RECEIVED, SENT, OR STORED BY THE TOWN EMPLOYEE.

Except as provided in the preceding paragraph, no Town Employee shall access or attempt to access the e-mail of any other Town Employee without the other Town Employee's consent. Town Employees are advised that the interception of e-mail may, in certain situations, violate federal and/or state law.

VIII. DISCIPLINARY ACTION

It is the responsibility of all Department Heads to ensure that all Town Employees under their supervision, and all special Town Employee and contractor Town Employees who are associated with their Department, receive a copy of this Policy. Failure to observe this Policy will subject the Town Employee or special Town Employee to disciplinary action ranging from curtailment of use of the Town's Information Resources up to and including termination of employment. Failure to observe this Policy may subject contractor Town Employees to sanctions ranging from curtailment of the use of Information Resources up to and including termination of services.

INSPECTION POLICY FOR FIELD WORKERS

- 1) Vehicle should be marked as Assessor with magnetic signs to identify that this is a Town vehicle and to alleviate calls from neighbor to Town Office or Police Department.
- 2) Photo Identification is to be displayed visibly when approaching any residence for inspection.
- 3) At time of inspection, if no one is present, leave a door hanger or other notice to inform the resident that you are from the Assessing Department and what you have done during the visit. Do your normal exterior inspection/measurement. This may alleviate some concern among neighbors.
- 4) If a person is present at time of inspection, identify yourself, why you are there, and ask them if you may inspect their home for assessment purposes. If they refuse you entry ask them if they would mind answering questions about the home or if they would rather schedule an appointment. If still refused, thank them and leave your card. (Document date and time of the refused visitation). As a follow-up send a letter to the owner/occupant requesting permission to do an inspection and also explaining that if they refuse to grant entry, estimates will have to be made and they run the risk of not being able to apply for an abatement at a later date. If you are not allowed on the property, do the best you can to obtain visual information. Review Code Enforcement Office files for any additional information about the property.
- 5) If no adults are present or if homeowner is uncomfortable with your visit, leave your card and ask that they have parents call or have the person reschedule for an appointment.
- 6) If you feel threatened or uneasy with a visit, leave your card if possible and ask to reschedule. Write down time of visit after leaving, anything that made you uneasy and ask that your supervisor or another inspector accompany you for any rescheduled appointment. Do usual estimate as before.
- 7) Never discuss town business or estimate current values of appraisal. Inform them that you are there only in the role of Assessor's Assistant and that they will later receive an estimate of valuation for any changes noted as a result of your visit.
- 8) If you arrive and the person scheduling the appointment or an appropriate representative is not present, wait 15 minutes and leave a door hanger or other notice. If two appointments are missed, a visual estimate will be done and notice sent to owner.

Agreed & Understood

Date

Adopted by Board of Selectmen on April 15, 2004

POLICY REGARDING SIGNIFICANT DEVELOPMENT PROPOSALS

1. Purpose.

1.1 Provision of information. To insure the timely and proper flow of information to Harpswell residents concerning economic development proposals that involve the use of Town owned property and/or potential changes to the Town's Comprehensive Plan or ordinances.

1.2 Exclusions. This policy does not apply to proposals to use private land in conformity with the Town's Comprehensive Plan or ordinances.

2. General Procedures.

The Select Board shall follow the procedures contained in this policy. All procedures must be in conformity with Maine laws and rules and with ordinances of the Town of Harpswell. No procedure shall be interpreted in such a manner as to limit the lawful authority of the Select Board or any Town board, committee, or commission. Failure to comply with these procedures shall not invalidate any development proposal, otherwise lawful, as long as the Select Board has acted in good faith to keep the public informed pursuant to this policy.

3. Definitions.

3.1 Entity. A person or organization making a formal proposal or an informal expression of interest.

3.2 Formal proposal. A document that provides a general description that will inform the Town about the size, scope, and impact of a project, such as the size and location of buildings, number of employees, parking, impervious surface coverage, and traffic patterns.

3.3 Informal expression of interest. Any document, or communication, that does not conform to the description of a "formal proposal" in the opinion of the Select Board.

3.4 Project. For the purposes of this policy, "project" means any formal proposal from an entity, for-profit or nonprofit, for economic development on Town owned property, or that would require a change in a town ordinance, or both.

3.5 Town official. For the purposes of this policy, "Town official" means any person employed by the Town or serving on any of its boards, committees, or commissions.

4. Response to a formal proposal.

4.1 When received by the Select Board or a Board member. Upon receipt of any formal proposal, the Select Board shall, at its next meeting, disclose the receipt of the proposal, the identity of the person or entity making the proposal, and all relevant information that is consistent with any lawful request for confidentiality that may have been made by the person or entity and was accepted by the Select Board. A proposal developed by the Select Board or any department of Town government will be handled in the same manner.

4.2. When received by a Town official. Upon receipt by any Town official of any formal proposal, the recipient shall promptly report that proposal to the Town Administrator who will inform the Select Board so that it may take action pursuant to paragraph 4.1 and 4.3. Upon receipt of any formal proposal by the Town Administrator, he or she shall inform the Select Board and it shall take action pursuant to paragraphs 4.1 and 4.3.

4.3 Referral for advice. Before taking any action on a formal proposal, the Select Board shall seek the advice of the bodies whose mandate from the Select Board covers the subject matter of the proposal,

provided taking such action is consistent with any lawful request for confidentiality that may have been made by the entity and accepted by the Select Board. These bodies include but are not limited to the Planning Board, Town Committees, and the Conservation Commission.

4.4 Action by the Select Board. The Board shall not be bound by any advice received or any lack of action by a body to which it has referred a formal proposal. Before taking any action to place a formal proposal before a Town Meeting, the Board shall report any advice it has received to the public in a public meeting or hearing, and/or by other means designed to inform Harpswell residents.

5. Response to an informal expressions of interest.

5.1. Oral informal expressions of interest. Upon receipt by a Town official of an oral informal expression of interest, that official shall a) advise the person making the expression of interest to put that expression in writing either as a written expression of interest or as a formal proposal, b) report the oral expression of interest to the Town Administrator and c) not conduct negotiations regarding the matter unless authorized by the Select Board.

5.2. Written informal expressions of interest. Upon receipt by a Town official of a written informal expression of interest, that official shall refer it to the Town Administrator who shall inform the Select Board so that it may take action pursuant to paragraph 4.1. The Board may, at its discretion, refer the written expression of interest to other Town bodies for advice.

5.3. Provision of information regarding Town ordinances and policies. Nothing in this policy should be construed to prevent Town officials from advising any person about the provisions of Town ordinances, the Comprehensive Plan, or policies that may be relevant to an informal expression of interest.

6. Report of potential changes.

If, in the opinion of the Select Board or any Town body from which it has sought advice, a proposed project will require a change in the Comprehensive Plan or Town ordinances, the Select Board will report at its meetings, and at any public hearing that may be held regarding the proposal, such opinion or information before taking any action to place the matter before the Town Meeting.

7. Select Board may conduct hearings.

Nothing in this policy limits the right of the Select Board to conduct public hearings at their discretion or as provided by law.

8. Select Board rights and duties.

8.1. Negotiations. Nothing in this policy limits the right of the Select Board to conduct any lawful negotiations with an entity proposing economic development in the Town, including the lawful use of Executive Sessions when deemed appropriate by the Select Board, so long as such negotiations are in conformity with the provisions of the Maine Freedom of Access Law.

8.2 Reports. The Select Board will attempt, to the fullest extent feasible, to provide at their meetings, and at any public hearing that may be held, complete and timely information on the progress and content of negotiations.

9. Proceedings by an advisory body.

9.1. Notice of confidentiality option. Before a proceeding held by the bodies mentioned in 4.3 above may begin, the parties making formal proposals or expressing interest shall, at their first appearance, sign a memorandum of understanding noting that they are aware that the proceeding and report will be public and that they have a right to ask the Select Board to consider a request for confidentiality, which may be granted in the Select Board's discretion. The memorandum must be witnessed by the body's member presiding at the proceeding.

9.2. Purposes of the proceedings. The purposes of the proceeding are to enable the advisory body to: 1) understand the nature of potential uses of the land, 2) understand potential changes in ordinances and the Comprehensive Plan, 3) advise the parties of relevant Town plans and current or anticipated standards for development, and 4) summarize the parties' development interest for the information of the Select Board. The body may give informal advice about how the parties might improve their proposal or expression of interest.

Adopted by the Board of Selectmen October 29, 2009

FREEDOM OF ACCESS PROCEDURES

Amended April 17, 1997

Amended March 30, 1999

Amended October 14, 2004

Amended April 28, 2005

Amended November 7, 2013 – effective February 1, 2014

Amended November 4, 2021

1 POLICY

Public proceedings and public records exist to aid in the conduct of the people's business. Actions of Town Government shall be conducted openly and records of Town Government shall be open to public inspection. These procedures should be interpreted liberally to promote the underlying purpose stated above. These procedures are intended to implement Title 1, Chapter 13, sub-chapter 1 of Maine Law.

2 DEFINITIONS

2.1 Public proceeding means the transaction of any functions affecting the people of Harpswell by:

2.1.1 Board of Selectmen, except that the exercise of purely administrative functions by the Board of Selectmen or any one Selectman shall not be deemed to be a public proceeding,

2.1.2 Any board or commission of the Town, and

2.1.3 Committees and other bodies entirely advisory in nature to the extent required herein and unless exempted by the Board of Selectmen.

2.2 Public records means any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or oral comprehension, that is in the possession or custody of an agency or public official of the Town, and has been received or prepared for use in connection with the transaction of public or governmental business, except as provided in 1 M.R.S.A § 402 sub-§3 A, B, D, H, I, and J:

- 2.2.1 Records which are confidential by law,
- 2.2.2 Records within the scope of legal privilege against discovery or use as evidence,
- 2.2.3 Materials prepared for and used specifically and exclusively in preparation for negotiations,
- 2.2.4 Materials related to the adoption of positions on legislation or related to insurance or insurance-like protection or services,
- 2.2.5 Medical records and reports of ambulance and rescue units,
- 2.2.6 Juvenile records,
- 2.2.7 Working papers of bodies included under 2.1.3 unless distributed by a member or distributed in a public meeting, and
- 2.2.8 Records used in proceedings authorized to be conducted in executive session.

3 MEETINGS

3.1 Open to the public

Except as provided by statute and by Section 4, all public proceedings shall be open to the public, any person shall be permitted to attend any record or minutes of such proceedings shall be made promptly and shall be open to public inspections.

3.2 Recording or live broadcasts authorized

All persons are entitled to make written taped or filmed records of public proceedings or to live broadcast them, provided that the writing, taping, filming or broadcasting does not interfere with the orderly conduct of proceedings. The body holding the public proceeding may make reasonable rules governing these activities, so long as these rules do not prevent the actions authorized. These rules may require that a person making a recording make a reasonable effort to record all participation in the public proceeding.

4 EXECUTIVE SESSION

Those bodies cited in 2.1.1 and 2.1.2 may hold executive sessions subject to the following conditions:

- 4.1 These sessions shall not be used to defeat the purposes of these procedures
- 4.2 No official action may be finally approved at executive session.
- 4.3 Executive sessions may be called only by a public, recorded vote of 60 per cent of the members present and voting.
- 4.4 A motion to go into executive session shall indicate the precise nature of the business of the executive session.
- 4.5 No other matters may be considered in that particular executive session.
- 4.6 Deliberations may be conducted in executive sessions pursuant to 1 M.R.S.A §405 sub-§ 6.as may be amended from time to time:

5 PUBLIC NOTICE

5.1 Notice required. Public notice shall be given of all public proceedings.

5.2 Posting of notices. Notice of public proceedings will be given no less than 3 days before the meeting except that standing notice may be given of meetings occurring at regular times and places. Notices of meetings of the Board of Selectmen must be posted at no less than two places designated by the Board. Notices of meetings of other bodies must be posted in the Town building or as otherwise provided. All notices must be provided to the local media.

5.3 Agendas. Each public proceeding will have an agenda which will be adopted at the start of the proceeding. The agenda of meetings of the Board of Selectmen will be posted 24 hours before the meeting

5.4 Emergency meetings. When emergency meetings are held, the local news media shall be notified in advance by telephone in order to allow their representation at the meeting.

6 DECISIONS

Conditional approval or denial of an application, license, certificate of other type of permit and dismissal or refusal to renew an employment contract shall be the subject of a written record as provided in 1 M.R.S.A §407.

7 PUBLIC RECORDS

7.1 Open for public inspection. Except as otherwise provided by law, every person shall have the right to inspect and copy any public record during regular business hours of the Town, including electronic data, provided that the cost of copying any public record to comply with this section shall be paid by the person requesting the copy. Requests for copies shall not be permitted to interfere with the regular activities of the Town office; provided, however, that this provision may not be used to defeat the purposes of this open access procedure. Unless a request is denied, any request not requiring research, as defined herein, will be met within 5 working days. Requests may be made orally or in writing.

7.2 Fees

7.2.1 Paper copies

7.2.1.1 Made by Town. 8 ½" x 11" @ \$0.10 per copy, per side black and white..
11" x 17" @ \$.50 per copy. \$0.55 per double-sided copy. 8 ½" x 14" @ .35 per copy.

7.2.1.2 Mailing. Actual cost of postage unless self-addressed, stamped envelope is provided.

7.2.1.3 Each faxed page received, proof of insurance excluded: \$0.50.

7.2.1.4 Deed copies. \$1.55 per copy.

7.2.1.5 Ordinances. The first copy of an ordinance, each year, is free; thereafter, the charges are: \$2.00 up to 10 pages; \$5.00 above 10 pages.

7.2.1.6 Comprehensive Plan. No charge for single copy. \$10.00

Tax Map: 8 ½" x 11" @ .25/copy Complete set: \$20.00
11" x 17" @ .50/copy Complete set: \$40.00

GIS Maps: 8 ½" x 11" \$3.00/copy
11" x 17" \$5.00/copy
24" x 36" \$15.00/copy

7.2.1.7 Commitment book. \$150.00 (14 7/8" x 11", continuous form paper) \$50.00 (8 1/2" x 11", single sheet on laser printer)

7.2.1.8 Partial Printout of the valuation book by map; \$25.00 for 8 1/2" x 11". \$50.00 for 14 7/8" x 11"

7.2.1.9 Voting list

Complete alphabetical list for all 3 districts:	\$25.00
Complete list one district	10.00
Complete list Democrats only	10.00
Complete list Republicans only	10.00
Complete list Unenrolled Voters only	10.00

Research. If the Town must research public records according to selection criteria set by the requester (other than for records of a specific type): \$25.00 per hour after the first two hours; provided, however, that the requester may conduct such research without charge and that there shall be no research charge for standing orders other than for research required at the time the standing order is initiated. All cumulative staff time should be counted, regardless of how many staffers are involved. If the total cost will be more than \$25, the Town must inform the requester before the proceeding. If the total cost will be more than \$100, or if the requester has previously failed to pay costs in a timely manner, the Town may require payment in advance. The Town may waive part or all of the costs if the requester is indigent.

7.2.1.10 Nothing in this section shall limit the right of the Town to distribute copies free of charge in connection with the conduct of a public proceeding.

7.2.2 Electronic copies

7.2.2.1 Media provided by Town. \$5.00 per 3.5 inch disk or CD.

7.2.2.2 When printed copies are made from electronic form: (See copy charges). Requests for such copies shall not be permitted to interfere with the regular activities of the Town office; provided, however, that this provision may not be used to defeat the purposes of this open access procedure.

7.2.2.3 A per-page fee may not be charged for copies provided electronically.

7.3 Payment may be required in advance, subject to prompt refund of any excess amount received. If advance payment is inadequate, final payment shall be made before delivery of copies.

7.4 Denial of access shall be made in writing, within 5 working days of the date of the request for inspection by any person.

7.5 Destruction, removal, mutilation, theft of public documents may be referred by the Selectmen to law enforcement authorities in accordance with 1 M.R.S.A §452.

8 APPEALS

Appeals of denial of public access or of actions taken in executive sessions are governed by 1 M.R.S.A §409.

POLICY REGARDING PLACEMENT OF ITEMS ON A SECRET BALLOT

Purpose.

1.1 Preservation of the Town Meeting. To insure the maximum in-person participation of Harpswell voters at the annual town meeting, an important aspect of the town's historical tradition.

1.2 Allow Maximum Voter Participation. To present opportunities for all voters to cast their ballots for certain items that are appropriate for placement on a secret ballot, including items that should be decided before the next annual town meeting.

Context.

The town meeting form of government allows voters to debate and decide policies that will guide the community for the following year. However, certain factors inhibit participation by some voters: confinement to home, temporary absence from town, employment obligations, child care responsibilities, and sometimes the length of the meetings – a special hardship on older and infirm voters. The Select Board wishes to encourage in-person participation at the annual town meeting by insuring that its length does not discourage that participation. It also wishes to provide voting opportunities for those who cannot attend the annual town meeting.

Limitations

Nothing in this policy restricts the Select Board, in its discretion, from making any decision regarding the placement, or non-placement, of any item on a secret ballot. This policy is intended as guidance to the Select Board as it makes those decisions. It does not apply to decisions that the Select Board has the authority to make on its own.

Public Information and Debate

Should the Select Board decide to place an item on a secret ballot, it will notify the voters, maximize the opportunity for discussion and dissemination of information, and shall hold a public hearing, in accordance with State law, at which 1) the item will be explained by the Board and the committee recommending the item, and 2) voters will have the opportunity to express support or opposition to the item. The hearing should be recorded, streamed on the Town's website and broadcast on Harpswell Community Television to further inform the voters. Sufficient advance public notice should be given, if possible, to allow voter comment about the item in local newspapers.

Considerations

The following considerations should guide the Select Board in the placement of items on a secret ballot. An affirmative answer supports the use of a secret ballot. While a particular item may not involve each consideration, the overall findings should provide the basis for a Board decision.

Has the item or a substantially similar item, been thoroughly debated at the annual town meeting within the past three years?

Has the item been approved or defeated by a substantial margin in the most recent annual town meeting?

Does the item involve the expenditure of a substantial amount of Town funds?

Does the item involve a significant change to an existing policy or a new policy that will affect the future of the Town?

Does the item involve substantive changes in Town government?

Does the item involve substantive changes affecting the Town's natural resources, such as ground water or waterfront development?

Does the item involve bonding obligations?

For items involving the budget: Can budget limitations be appropriately dealt with at Town Meeting if the vote on the item is not determined until after the close of floor actions at Town Meeting?

If, in the best interests of the Town, the item requires a decision before the next Annual Town Meeting, the considerations listed above should be part of the consideration as to whether, at a special Town Meeting, to hold a referendum or act on the floor.

Adopted by the Select Board on November 19, 2009

PUBLIC PARTICIPATION AT SELECTMEN'S MEETINGS

Meetings of the Harpswell Board of Selectmen are for the purpose of conducting Town affairs and are subject to the Maine Freedom of Access Act and Harpswell's policy of freedom of access.

Subject to the adoption of the Agenda, each Selectmen's Meeting may include an opportunity for general public comment at the beginning and at the end of the meeting. Public comment is also allowed prior to final action on individual agenda items. A member of the public may request, through a Board member, that an item be placed on a subsequent Selectmen's Meeting agenda. The Chair may limit or structure public comments as needed to ensure the orderly conduct of the meeting. The Board asks all to voice their comments or concerns in a respectful manner.

Please note: It is neither the purpose nor the intent of public comment to provide an arena for ongoing debate of topics not on the agenda, unless and until such time as a topic presents a question requiring action or a decision by the Board of Selectmen, at which time the issue will be placed upon the agenda, and public comment will be allowed as set forth above.

- To be eligible to address the Board, an individual must reside or own property in the Town, be an employee of the Town, or be permitted by the Board to speak.
- Speakers must introduce themselves, giving their first and last names.
- The public comment period is intended to be used for brief comments, questions and/or observations, not to exceed five minutes in length. Each speaker will be allowed one opportunity to speak during the general comment period at the beginning of the meeting and one opportunity at the end of the meeting, and one opportunity to speak on each item on the agenda. Unduly repetitive comments may be excluded.
- If a large number of people wish to address the Board, the Chair may ask that they sign in. Representatives of groups should be appointed by the group, or may be appointed by the Chair to speak on behalf of the group if the group is unable to name one.
- Speakers are not permitted to share gossip, make defamatory comments or use abusive or vulgar language. The Chair has the authority to stop any presentation that violates the Board's policy or the rights of others.
- Speakers should address all comments and questions to the Chair.
- Except in emergencies or for routine procedural matters, the Board will not decide questions raised during public comment until it has fully examined the matter and there has been an opportunity for research of the issue.
- Members of the Board and the Town Administrator may query those addressing the Board, but are expected to refrain from arguing or debating with the speakers.

Amended November 10, 2004; August 31, 2006; January 28, 2010; April 22, 2010; August 26, 2010; December 2, 2010; October 11, 2011

REMOTE PARTICIPATION POLICY
Town of Harpswell Board of Selectmen

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Adopted by the Board of Selectmen August 5, 2021

REMOTE PARTICIPATION POLICY

Town of Harpswell Planning Board

Adopted October 6, 2021

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the Harpswell Planning Board adopts the following policy to govern the participation, via remote methods, of members of the Planning Board and the public in the public proceedings or meetings of the Board.

Members of the Planning Board are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the Board to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the Planning Board, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person must notify the chair or presiding officer of the Planning Board as far in advance as possible.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the Board participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the Planning Board and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire Planning Board to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice of the meeting will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The Planning Board will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the Board to meet using remote methods of attendance.

The Planning Board will make all documents and materials to be considered by the Board available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the Town.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Planning Board and the public. A member of the Board who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Other Committes have adopted a Remote Participation Policy – contact Town Office FMI

ROADS AND ROAD COMMISSIONER

Town of Harpswell Policies and Procedures Effective May 20, 2002 Amended July 31, 2003

This document outlines the duties and responsibilities of the Road Commissioner and the Board of Selectmen in the planning, construction, maintenance and repair of public roads and related facilities within the Town of Harpswell.

1. The Road Commissioner shall have primary responsibility for scheduling and supervising work on all Town-owned roads and bridges and those maintained under agreement with the State of Maine or others, operating under the direction and authority of Selectmen (M.R.S.A. Title 23 §2701).
2. Appropriations for all such work shall be approved at annual or special Town Meeting. Commitment and disbursement of funds shall follow the same public-meeting authorization, purchase order, bid and contract, award, warrant approval and payment procedures as those governing other Town expenditures, except as otherwise provided in these Policies and Procedures.
3. The Road Commissioner shall plan, schedule, and budget all repair, maintenance and construction projects and present a detailed written plan for such to Selectmen for appropriate action. Such plan shall include a detailed outline of proposed work, a work timetable including proposed starting and completion dates, a breakdown of estimated costs including a proposed funding schedule and the recommended bid, contract and award procedures involved with all such projects.
4. Work on all town road projects including, without exception, related professional services or direct purchases of materials, labor, or equipment shall be acquired by purchase order or open, solicitation of bids for such work, depending upon the size, scope and cost of work involved. The Road Commissioner will arrange for complete specifications to be drawn for all work to be bid and submit them to the Selectmen for prior review and approval before soliciting prices or bids from contractors or vendors. Selectmen meeting in publicly noticed session shall have the sole authority to approve and commit for such projects, including methods of contracting and payment.
5. The Road Commissioner will be responsible for maintaining proper and accurate accounts and files showing all monies approved, committed and paid, to whom and for what purpose (M.R.S.A. Title 23 §2703). All purchases of work, services, materials, labor and equipment of \$2,500 or less as outlined in the Town of Harpswell's purchase policy shall be prior approved and committed through use of the Town's purchase order system. The Road Commissioner will submit monthly or more frequent requests for issuance of purchase orders to Selectmen for prior approval. A majority of Selectmen must sign each purchase order for it to be valid.

For purchases in the "Maintenance of Town Roads" account, when he or she deems it necessary, the Road Commissioner may obtain a purchase order number from the Town Administrator and make purchases, provided that (1) such purchases may not exceed \$2,500 when the balance in the account exceeds \$20,000 and may not exceed \$1,000 when the balance in the account is \$20,000 or less, (2) the Town Administrator must present the Selectmen with each such purchase order immediately after the number it is issued, and (3) such purchase order shall be valid without the prior signature of a majority of the Selectmen. Purchases or commitments for work in excess of \$2,500 shall be acquired or obtained through a public bid process unless other arrangements are approved in a publicly noticed meeting of Selectmen in which the proposed purchase or commitment at issue appears as an agenda item.

6. The Road Commissioner will review and approve all bills and statements submitted by contractors or vendors and specify to which prior-authorized project or account such bills or statements shall be charged before submission of them to Selectmen for their review and warrant action.
7. The Road Commissioner will settle all road accounts in detail annually on or before the 20th day of February-. A report on all such accounts shall be contained in the annual town report (M.R.S.A. Title 23 §2703). The Road Commissioner will participate in the budget process for determining appropriations and capital construction projects for the coming year.
8. The Road Commissioner will inspect all town roads at least once each year and present a written report to Selectmen on the status and condition of such, including suggested repairs. This report may also be published in the Road Commissioner's Report contained in the Annual Town Report.
9. The Road Commissioner will maintain a complete and detailed monthly maintenance log on any Town-owned vehicles and equipment used for road repair or maintenance and will submit these to the Selectmen for monthly review.
10. In case of sudden damage to a town road or bridge requiring emergency action the Road Commissioner shall take necessary- steps to immediately repair it. In certain emergency cases, prior approval by Selectmen may be difficult or impossible to obtain within the time constraints of the emergency. However, the Road Commissioner shall file a detailed written report on action taken and funds committed the next business day after the emergency repair is undertaken. For this purpose, an emergency is defined as any incident, which could immediately endanger life or property. (M.R.S.A. Title 23 §3201).
11. The Road Commissioner shall not directly or indirectly commit to or employ any person(s) on a full or part-time basis as a town employee without the prior written consent of Selectmen.
12. When any town way is blocked by snow or is otherwise impassible the Road Commissioner will remove the snow or obstacles in a manner directed by the Selectmen ((M.R.S.A. Title 23 §3201). The Road Commissioner will arrange for removal of brush and loose obstruction from town ways that impede travel.
13. If Selectmen determine that a condition exists which creates a hazard and determines a way unsafe for motor-vehicle traffic, they will give the Road Commissioner written notice of the condition and order the Road Commissioner to remedy the situation within 24 hours. If the Road Commissioner fails to act as directed, Selectmen may take steps necessary to eliminate the safety hazard.
14. Only Town-owned vehicles and equipment may be stored or serviced in building owned or maintained by the Town unless otherwise approved in writing by Selectmen.
15. The use of any Town-owned vehicle or equipment for maintenance or repair of statutory private ways (public easements) is prohibited. The use of Town-owned or contracted equipment for private purposes is prohibited.
16. The Town shall provide the Road Commissioner with administrative and technical assistance and office resources necessary for the proper discharge of his duties and responsibilities as set forth herein, including without exception professional engineering services, with payment for all such services to come out of road operating and capital appropriations.

These policies and procedures shall remain in full force and effect for a period of one-year from date hereof, subject to such interim amendments or changes deemed necessary or appropriate. Thereafter, they shall be reviewed and continued as written or revised, amended and approved for a further period to be defined.

POLICY TO ACCEPT ADVANCE PAYMENT OF MOORING REGISTRATION FEES

Adopted by the Board of Selectmen on September 20, 2007

The Town shall accept non-refundable advance payment of mooring registration fees for the following calendar year as a convenience to its mooring holders. The Town's acceptance of advance payment does not eliminate the mooring holder's obligation to pay any registration fee increase adopted subsequent to the payment but relating to the following calendar year. In the event of a registration fee increase, the mooring holder is responsible for payment of the additional amount by May 1 or otherwise is subject to a penalty payment.

POLICY TO ACCEPT ADVANCE PAYMENT OF SHELLFISH LICENSE FEES

Adopted by the Board of Selectmen May 6, 2010

The Town shall accept advance payment in installments of not less than \$10.00 for shellfish license fees as a convenience to its current license holders. The Town's acceptance of advance payment does not eliminate the shellfish license holder's obligation to pay any fee increase subsequently adopted. In the event of a license fee increase, the shellfish license holder is responsible for payment of the full license fee, including the increase, by the due date as established by ordinance. Pre-payment of the license fee in part or in whole does not automatically secure a renewal shellfish license. Any license holder who has pre-paid and is later deemed ineligible for a renewal shellfish license shall be reimbursed in full the amount of prepayment.

BOARD OF APPEALS FEE WAIVER

Given that the Board of Selectmen has authority to determine the fee schedule for the Board of Appeals, the Board shall waive fees associated with any Board of Appeals filing involving a Town Official or Town Entity in his/her/its performance of Town business.

Approved by the Board of Selectmen September 3, 2015

TOWN OF HARPSWELL BUDGETARY PRACTICES AND POLICIES

The mission of the budget process is to help decision makers make informed choices about the provision of services and capital assets and to promote stakeholder participation in the process.

Policy regarding non-property tax revenue budgeting

It is the policy of the Town of Harpswell to use non-property tax revenues, excluding those with dedicated purposes, to offset the impact of the municipal budget on the property taxpayer. As part of the budget process, estimates of non-property tax revenues for the budget year must be made. These estimates should be made in a conservative manner and, generally speaking, not exceed the current or prior year actual revenues without firm support, e.g. increases set forth in contracts, known changes in fee schedules or number of users.

Policy regarding use of Unassigned General Fund Balance

It is the intent of the Town to maintain a minimum unassigned General Fund balance of one month, 8.33%, of operating expenditures, defined as total prior year's general fund expenditures less any expenditure made from reserve funds. The targeted balance for fiscal year-end is 2 months or 16.66%, and the maximum balance is not to exceed 25% of the operating expenditures, so long as cash flow needs are met. Any amount in excess of the targeted balance may be used to reduce the tax commitment or be appropriated as assigned or committed fund balance, or it may remain as unassigned Fund Balance. The Town's Board of Selectmen may recommend transfers to the Town that would reduce the balance below 25%, but no transfers shall be made that would reduce the balance to less than 8.33%. In the event that the unassigned fund balance drops below the minimum level, the Town will develop a plan, implemented through the annual budgetary process, to bring the balance to the targeted level over a period of no more than three (3) years.

Policy regarding carryover funds

In general, it is the policy of the Town of Harpswell to not carryover to a future year funds appropriated in the current year for operating expenditures. Capital reserves and reserve accounts for other special purposes, e.g. heating assistance, property tax assistance may be carried over as long as their intended use continues to be a need of the Town. Unexpended funds appropriated for purposes that are no longer relevant must lapse to the General Fund. Unexpended funds in amounts equal to or less than \$2,500 should lapse unless there is a specific plan for the expenditure in the next year.

Policy regarding Capital Assets and Capital Reserves

It is the policy of the Town to inventory its capital assets (those whose cost basis exceeds \$2,500) and to regularly assess the need for and the condition of these assets. The assessment should include an evaluation of issues, challenges, and opportunities affecting the provision of capital assets in the future, such as community needs and priorities; the impact of deferred maintenance; funding issues; changes in technology; economic, demographic, or other factors that may affect demand; and legal or regulatory changes. This review may be undertaken in conjunction with an evaluation of the program or service utilizing the particular assets. The review is to be conducted by administrative staff with the input of the Recycling Center Manager, the Caretaker, the Harbormaster, and representatives of HCBC and the Fire Departments, among others. The assessment of capital asset condition should consider the impact of any deferred maintenance and needed improvements. Identification or development of measurement standards for the condition of capital assets (including what is regarded as acceptable) are a valuable output of this practice.

The Town has a number of capital reserves for the acquisition or rehabilitation of long-term assets, including a capital road reserve and an emergency vehicle reserve which are their own governmental funds. Upon completion of the review contemplated in the first paragraph of this policy, an assessment of the adequacy of the balances of these reserve accounts will be completed and recommendations made as to potential adjustments thereto.

POLICIES AND PROCEDURES REGARDING CASH RECEIPTS

Cash is received by a number of individuals at the Town offices, as well as at both the Transfer Station and at the Recycling Center. The individuals at the Town office are the Receptionist and substitute Receptionists, the Town clerk and her deputy, the Tax Collector and her deputy and, on a limited basis, the Codes Enforcement Assistant. The Receptionist/ Office Assistant prepares the deposit for the Recycling Center and Transfer Station. The Transfer Station Attendant and the Recycling Center Manager also handle cash receipts.

These procedures apply to all persons who prepare deposits.

Electronic Deposit of Cash Receipts

Effective August 10, 2012, all checks received by the Town will be deposited electronically by the receipting office, either in one or multiple batches. Each batch should be accompanied by a print-out of the checks processed. A second print-out should be retained with the day's work. The day's work will be reconciled at the end of the day to the sum of all check batches and cash. The day's work total is equal to the contents of the cash drawer less the amount of the change fund issued to that person.

Once the amount of the day's work is determined, it must be reconciled to the totals on the computer generated receipts journals, except for the receipts of the Transfer Station and Universal Waste fees which are reconciled to the manual pre-numbered receipts. Each cash handler reconciles their own day's work.

Any difference between the total amount of the check batches and cash and the recorded amount should be investigated. Any unresolved difference must be reported to the bookkeeper promptly.

At no time should a shortage be made up with employee funds and no overage should be set aside for future resolution. If an overage exists, it must be included in the day's deposit.

Upon completion of the day's reconciliation, cash will be placed in an envelope, with the date, cash amount, total receipts for the day and office marked on the envelope. A deposit slip, dated the day the office received the cash, should be completed and placed inside the cash envelope. The cash envelopes and all checks with the batch reports should be given to the Deputy Town Administrator ("DTA") or, in her absence, to the Town Treasurer for safe-keeping. If neither is available, the cash envelope and checks should be placed in the vault overnight. The cash in the envelopes will be verified by the DTA or Treasurer in the presence of the person who reconciled the day's work and a written receipt provided.

The Deputy Town Administrator or Treasurer will assure that the cash envelopes and checks are secured. Checks will be destroyed on a regular basis.

When the amount of cash on hand is relatively significant (as determined by the Treasurer), all cash previously reconciled will be transported to the Bank. At this time, the person going to the bank will also see if any of the offices need small bills.

These procedures apply to all persons who handle cash receipts.

The issuance of Treasurer's or Tax Receipts is a key control. Treasurer's or Tax Receipts should be generated at the time of the transaction. Transactions should not be set aside for batch recording. The only current exception to the immediate generation of a Treasurer's Receipt is in the Town Clerk's office where 2 people could be receiving monies, but only one can access the computer. In these instances, the second receipt should be entered into the computer as soon as the computer becomes available.

At the Transfer Station, the use of pre-numbered weigh slips is the key control. These slips should be used in sequential order and a copy of the day's slips should be submitted to the Office Assistant with the day's deposit. Sales of reclaim are documented on these same weigh slips but submitted on a separate day sheet. Universal Waste receipts received at the Transfer Station are documented on a separately sequenced receipt book. In entering the cash receipt, the cash handler must use their own initials. All checks should be immediately endorsed using the cash handler's stamp.

No personal checks are to be cashed. No checks are to be accepted in amounts greater than that of the transaction.

No monies should be taken from the change fund for any purpose other than to make change, except for the funds of the Receptionist which are used to reimburse petty cash vouchers. Any exception to the above procedures must be authorized in writing by the Town Administrator, the Deputy Administrator or the Treasurer.

Amended by the Town Treasurer and established as policy by the Town Administrator on September 14, 2006.

Amendments adopted by the Board of Selectmen August 9, 2012

CELL PHONE USE ALLOWANCE POLICY

The Town has certain employees who perform work in the field and are not near an office phone on a regular basis. The Town will provide an allowance to such employees for use of his/her cell phone for Town business based on the type of cell phone: \$50 allowance per month for a smart phone on a taxable basis and a nominal allowance per month of \$25 for a regular cell phone. The employee agrees: 1) that his/her cell phone number

will be made available to the public; and 2) to comply with any possible freedom of access request that may include his/her cell phone records, text messages, photos and emails. Pursuant to this policy, the following employees are authorized to seek an allowance for using personal phones for Town business:

- Road Commissioner
- Animal Control Officer and Alternate Animal Control Officer
- Code Enforcement Officer and Alternate Code Enforcement Officer
- Recycling Center/Transfer Station Manager
- Recreation Director
- Harbormaster
- Fire Administrator
- Other positions as determined by the Town Administrator

Approved by the Board of Selectmen August 21, 2014
Amended by the Board of Selectmen July 20, 2017

CONTINGENCY POLICY

Adopted by the Board of Selectmen February 22, 2007
Amended by the Board of Selectmen February 5, 2009

The Town should maintain a contingency account in the event that certain expenditures may exceed appropriated amounts due to special or unforeseen circumstances. Such an account should be maintained at a level that is determined by the five-year average of the historical experience of the contingency account multiplied by a certain factor which allows for future needs outside the historical norm. The year end balance in the contingency account should be increased only to the extent that the balance does not correlate with the Town's historical experience.

The Board of Selectmen by majority vote may cover an overage of a warrant article appropriation from the contingency reserve account. The Board at its discretion may seek an advisory recommendation from the Budget Advisory Committee whenever such overage of a given warrant article exceeds or is expected to exceed \$5,000.

Note: The 2006 Budget Advisory Committee recommends using a factor of 125%.

COMPETITIVE BID POLICY FOR GOODS AND SERVICES VALUED AT \$4,000 OR MORE

Adopted November 20, 1997, Re-Titled June 25, 1998

1. For all purchases of goods and services of a value of \$5,000 or greater, the Town shall use competitive bidding and shall solicit offers by advertising, direct mail or any other means appropriate to obtaining the largest number of offers.
2. For all other purchases, the Town shall use competitive bidding as the Selectmen may deem appropriate.
3. The Selectmen may use sole source selection when the supplier of goods and services has previously been selected through a competitive bidding process, has performed satisfactorily and where the interest of the Town would be served by having the same supplier continue to provide the same goods or services. The

Selectmen may also use sole source selection when they determine that the supplier is the only reasonably possible source.

4. The competitive bid process shall be conducted on a sealed bid basis with a fixed deadline at which time the bids will be opened by staff. Bidders shall be notified of the time and place of the opening of the bids and are welcomed to attend. The bid shall specify the Town's requirements and evaluation criteria. To the degree that any proposal is not subject to protection as containing proprietary information or trade secrets, all bids will be public. In any case, the price quoted shall be public information.
5. In general, the Town shall use, for purposes of guidance in conducting competitive purchasing, the rules and procedures of the State of Maine, Bureau of Purchases.
6. The Town may require a supplier of goods and services to enter into a contractual agreement.
7. This policy does not apply to purchase of goods and services required for routine office operation even if, in the aggregate, a specific supplier provides such goods and services in an amount exceeding \$4,000 in any one year.

Amended by the Board of Selectmen September 23, 2010, August 18, 2011, and September 1, 2022

CREDIT CARD FEE REFUND POLICY

The Town may accept payments using credit cards acceptable to InforMe. These payments will be processed by InforMe using the State of Maine's merchant account. InforMe will assess a fee for these payments to the cardholder on a per item basis. In the event a cardholder requests a refund of a payment made by credit card, the Town may at its discretion refund the payment of the item itself, however, it is the policy of the Town not to refund the fee charged by InforMe, except in instances where a representative of the Town made a clear error.

Adopted by the Board of Selectmen October 15, 2009

Revised by the Board of Selectmen May 14, 2020

DEBT MANAGEMENT POLICY

Background

The Town of Harpswell invests in capital assets, including buildings, roads and other infrastructure assets, land and landings, vehicles and equipment. The Town has a 5 year capital plan for the maintenance and replacement of existing assets. In preparing the capital plan, consideration was given to future needs and projects. To finance these plans The Town may borrow or it may fund them from reserves established over a number of years and periodically increased through appropriations from taxpayers.

Generally, the Town has participated in Maine Municipal Bond Bank issues to fund long-term projects, although on occasion the Town has requested bids from other financial institutions. None of these individual borrowings have exceeded \$1.5 million at the time of issuance and each has been or is scheduled to be repaid within 10 years.

Purpose

The goal of this policy is to provide a guide for managing debt levels. This includes evaluating the need for capital investment versus the capacity to pay for financing the costs of meeting those needs. The focus of the policy is to measure debt secured by the full faith and credit of the Town (General Obligation Bonds) which support the debt service. This Policy also covers lease purchases as they are similarly secured.

The Town shall maintain an outstanding General Obligation debt level that complies with State law, which currently limits outstanding long-term debt to 15% of the State assessed valuation of the Town, however, the target debt level of the Town will be of 1% of this valuation.

The Town shall not issue long-term debt to fund current or ongoing operations of the Town. Those operations may be funded by Tax Anticipation Notes issued in compliance with State law and in conformance with Internal Revenue Service regulations.

The Town shall not lend its borrowing capacity to or guarantee debt of any other entity.

Maturity of debt obligations must be no more than the useful life of the capital investment being financed, but in no case more than 20 years.

To the extent reasonably possible, new issuances of debt will take advantage of the scheduled declines in existing debt principal. Planning for new capital investment will include analysis of the impact on the debt service schedule. If a significant new borrowing is identified for the near future, other capital needs will be evaluated relative to existing reserves and the capacity to appropriate funds considered. Further, lower priority capital investments may be deferred or down-sized.

Debt Limitations

Borrowing capacity will be evaluated using a number of factors:

Need – The Capital Plan will identify most needs, however unforeseen opportunities may arise which require capital investment

Capacity – The maximum amount to be borrowed at any time will be determined by evaluating the following factors:

- Current and projected annual debt service

- Market conditions, including interest rates

- Economic conditions, including construction costs

- Opportunities for participation in low interest financing programs, grant opportunities or other situations beneficial to the Town

Affordability – Annual debt service impacts for each borrowing will be projected, both in terms of the municipal budget and the impact on the taxpayer. Debt service payments should not exceed 8% of general fund expenditures. Total outstanding long-term debt should not exceed 1.0% of the State assessed valuation of the Town.

Term – Financing should be secured with the goal of paying it back over a term that is of the greatest benefit to the Town. It may be equal to the expected life of the asset, but may also consider the benefit gained by future taxpayers.

Payments – Payments will generally be structured with level principal and declining interest over the term, except where other structures may offer economic benefit to the Town. – Opportunities for refunding will be considered in light of changes in the economic environment.

Direct Issuances

As the Town identifies larger capital projects, it may wish to issue Town of Harpswell bonds directly to the public market.

Bond Ratings – As the Town considers bond issues whose magnitude may provide opportunity for cost savings to the Town if direct issuance is chosen, the Town will be rated by agencies specializing in the analysis of organizations’ abilities to repay their debt. It is the goal of the Town to obtain the highest possible rating, so that favorable interest rates and ease of entry to the market may be obtained. This policy in conjunction with other fiscal policies of the Town, overall fiscal management and reliable reporting are critical in achieving a beneficial rating.

Debt Issuance – The Town may rely on the sale of bonds for certain large borrowing needs. These sales will be conducted through the use of financial advisory firm and quality bond counsel. This allows the Town continued access to the bond market and ensures compliance with Securities and Exchange Commission, Municipal Securities Rulemaking Board and IRS regulations. The Town will comply with the ongoing disclosure requirements of the Municipal Securities Rulemaking Board.

Adopted by the Board of Selectmen June 22, 2017

DISPOSITION OF TAX ACQUIRED PROPERTY POLICY

Adopted March 12, 1998

Amended September 17, 2009

Article 1. General

- 1.1 The purpose of this policy is to establish procedures for the management, administration and disposition of real property acquired for non-payment of taxes by the Town of Harpswell. Nothing in this policy, however, shall limit or restrict the rights of the Board of Selectmen to manage or dispose of tax-acquired property in the best interests of the Town.

Article 2. Pre-Foreclosure Procedures regarding Liened Property

- 2.1 By statute, foreclosure of a tax lien mortgage occurs 18 months after the date of the filing of the tax lien certificate, provided that the assessed party and any other mortgage holder(s) have been notified of the impending foreclosure at least 30 days, but no more than 45 days, prior to the end of the 18 month redemption period. It is the Town’s policy to attempt to contact assessed parties prior to the mailing of the notices of impending foreclosure by mail and/or telephone so as to increase the awareness of the assessed party as to the consequences of non-payment of taxes, interest and costs by the expiration of the redemption period. This contact may be made by the Treasurer or by another member of the Town staff.

Article 3. Management of Tax Acquired Property Pending Final Disposition

- 1.1 Following the foreclosure of the tax lien mortgage, the Treasurer, by certified mail return-receipt, shall notify the last known owner of record that his or her right to redeem the property has expired. The notification shall advise the last known owner of record that the property will be disposed of in accordance with this policy, a copy of which shall be included with the notification.
- 3.2 The Treasurer shall prepare a list of properties acquired and forward a copy to the Selectmen.
- 3.3 The responsibility for the management of tax-acquired property rests with the Selectmen. Pending the Selectmen's decision regarding the final disposition of property, they shall:
 - 3.3.1 determine because of potential liability inherent in owing the property whether the Town's best interest would be served by immediately disposing of the property.
 - 3.3.2 determine and obtain, if necessary, a level of insurance required to protect the Town's interest in the property and to protect the Town from liability.
 - 3.3.3 determine if and when any occupants of tax acquired property shall be required to vacate the property.

3.3.4 determine whether a rental fee should be charged to any occupants of the property. A rental fee shall not be imposed unless the Town has acquired sufficient liability insurance.

3.4 In the event the property is vacated for 60 consecutive days, the Selectmen shall obtain appropriate liability coverage for the property.

3.5 If, because of potential liability, the Selectmen determine it is in the Town's best interest to immediately dispose of the property, they may do so on terms it deems advisable without regard to any other provisions of this policy.

Article 4. Review of Tax-Acquired Properties

4.1 The Selectmen may also retain a property on a temporary basis if, in their judgment, the immediate sale would cause the occupants to be placed on public assistance or to become homeless.

4.2 Selectmen shall make the final determination regarding property disposition. The Selectmen shall also determine the conditions, if any, for property sales.

Article 5. Redemption and Sale Dates

5.1 The Selectmen may establish a final redemption date for the re-acquisition of the property by the prior owner and, if necessary, a sale date. The redemption date shall be at least fourteen (14) days prior to the sale date.

5.2 The Board of Selectmen may vote to allow the former owner(s) to repurchase the tax-acquired property. Except as otherwise provided in Article 5, the party from whom the property was acquired has until the final redemption date to redeem the property by paying all outstanding taxes, including estimated taxes for the current tax year if the conveyance is after April 1 and the exact amount of tax has not been determined, interest, lien costs and any other costs relating to the property including, but not limited to insurance, notice and advertising costs. The Town may also require the payment of any other delinquent taxes or obligations due the Town. It is not the Town's policy to enter into land purchase installment contracts with the party from whom the property was acquired.

5.3 It is hereby understood that Article 5 shall not obligate the Board of Selectmen to allow the former owner(s) to repurchase and no action of the Board under this Article shall be deemed to set precedent with respect to any other past, present or future foreclosure and property disposition by the Town of Harpswell.

Article 6. Property to be Retained

6.1 If the Selectmen deem it to be in the Town's best interest, they may retain the acquired property without offering the opportunity for redemption. By way of example, but not limitation, the Selectmen may deem it to be in the Town's best interest to retain the property without offering the prior owner the opportunity to redeem the property where:

6.1.1 the property has or will have recreational value or economic value to the Town.

6.1.2 the property has or will have potential for a public facility or additions to public facilities.

If the Selectmen deem it to be in the Town's best interest to offer the prior owner the opportunity to redeem the property, that party has until the final redemption date under the conditions specified in Article 5 to redeem the property.

6.2 If the property is retained for public use, the Selectmen may pursue an action for equitable relief as a means of securing clear title to the property.

6.3 The Selectmen shall cause the tax-acquired property retained for public use to be managed and insured as it would any other municipal property.

Article 7. Property to be Sold

- 7.1 The Selectmen shall cause to be published a notice of the sale of the tax acquired property in a local newspaper. Said notice shall be published at least three (3) times with the last publication at least fourteen (14) days prior to the sale. The notice shall also be posted within the Assessing and Tax Collection Departments and in at least one other conspicuous place within the Municipal Building. The notice shall specify the time and date bids are due and the general terms of the bid. It shall also contain the following information for each piece of property:
- 7.1.1 Brief description of the property, i.e. land, building, mobile home, etc.
 - 7.1.2 Location of the property.
 - 7.1.3 Brief description of the conditions of the sale.
 - 7.1.4 The minimum bid.

The Selectmen shall also notify the party from whom the property was acquired of the sale and the bid requirements.

- 7.2 Unless the Selectmen stipulate otherwise, the minimum bid for any tax acquired property shall be the total of all outstanding taxes, including estimated taxes for the current tax year if the conveyance is after April 1 and the exact amount of tax has not been determined, interest, lien costs and any other costs relating to the property including, but not limited to insurance, notice and advertising costs. The Town may refuse to award the bid to the party from whom the property was acquired unless all other obligations due from that party are also paid.
- 7.3 All interested bidders shall be provided with a copy of the notice of sale and bid forms. All bids shall be submitted on forms prescribed by the Selectmen in an envelope clearly marked "**Tax-Acquired Property Bid**" and accompanied by a cashier's or certified check equal to the minimum bid.

Bids shall be publicly opened and read on the date and at the time specified.

- 7.4 The Selectmen shall review all bids and determine the successful bidder.
- 7.5 The Selectmen shall notify the successful bidder by certified mail.
- 7.6 The Town of Harpswell reserves the right to reject any or all bids, accept other than the highest bid and waive any of the requirements of this policy should the Selectmen, in their sole determination, judge such actions to be in the best interest of the Town of Harpswell. Instances where this right may be invoked include, but are not limited to:
- 7.6.1 The Selectmen may wish to sell the property to an abutting property owner rather than the highest bidder.
 - 7.6.2 The Selectmen may prefer a use proposed by a party other than the highest bidder.
- 7.7 The disclaimer contained in the first sentence of section 7.6 shall be included in the notice of sale and bid forms.
- 7.8 Should the Selectmen reject all bids, the property may again be offered for public sale without notification to the prior owners.
- 7.9 The bid deposit of the successful bidder shall be retained as a credit towards the purchase price. All other deposits shall be returned to the bidders.
- 7.10 The Selectmen shall require payment in full from any successful bidder within thirty (30) days from the date the bids are opened. Should the bidder fail to pay the full price within thirty (30) days, the Town shall retain the bid deposit and title to the property. The Selectmen may offer the property to the next highest bidder who shall also have thirty (30) days to make payment in full.
- 7.11 Title to tax-acquired property shall be transferred only by means of a Quit Claim deed.
- 7.12 The successful bidder shall be responsible for the removal of any and all occupants and contents of purchased tax-acquired property.

Policy re Establishing Municipal Fees and Charges

Background

Fees may be charged for a particular service that benefits the party paying the fee in a manner not shared by other members of the public. In other words, a fee may not be charged for general services that are mandatory or supplied to the public at large.

A fee is paid by choice. The person paying the fee must have the option of not using the service and thereby avoiding the charge. Any fee, however, may be waived by the Board of Selectmen in the event of special circumstances.

A fee cannot be used to raise revenues generally, but to compensate the Town for its expenses in providing the service.

The Town of Harpswell assesses fees for certain services which benefit certain users more than taxpayers generally. Historically, these services involve the Harbormaster (supported by the Town Clerk's office), the Codes Enforcement Office, the Planner and the Transfer Station. The services provided include the management of moorings, the issuance of land use (including wharf applications) and plumbing permits, planning board and board of appeals reviews and the disposal of materials not considered to be general household waste. Additionally, shellfish harvesters are charged a fee to obtain a shellfish license and those who use the Pott's Point float to tie up their dinghy pay a fee.

Further, the Recreation Department charges those who participate in its programs and fees are charged for the use of certain Town properties.

Establishing Fees

The Town establishes fees by first estimating the amount of time the respective department(s) spend on the identified services. The second step is to estimate the portion of that time directed to specific parties rather than the general taxpayer. In addition to wages and salaries, the Town includes the associated employee benefits, certain other items in the department's budget and, if applicable, a portion of the capital costs associated with the service. Additionally, a general overhead estimate is applied. Generally speaking, the Town's fee levels do not cover 100% of the cost of the service. On a case by case basis, the Town estimates what general benefit of the service should be covered by the taxpayer rather than a user.

The resulting costs are compared to the Town's existing fee schedule and to fees charged by other Towns for these services.

This information is reviewed with the Budget Advisory Committee and then submitted to the Board of Selectmen for decision making.

The process is completed at least once every five years or when circumstances change.

Adopted by the Board of Selectmen June 28, 2018

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.

This policy also addresses other considerations for recording and depreciating fixed assets.

Capital Asset Definition:

Capital assets will be defined as tangible and intangible assets that have initial useful lives in excess of 1 year.

Capitalization Method:

All capital assets will be recorded at historical cost as of the date acquired or constructed. If historical cost information is not available, assets will be recorded at estimated historical cost derived as current replacement cost deflated by a price-level index. Donated capital assets will be recorded at their estimated fair market values at the date of acquisition.

Capitalization thresholds:

The Town establishes the following minimum capitalization thresholds for financial reporting purposes:

Land and improvements	\$5,000
Building and improvements	\$5,000
Machinery/equipment/vehicles	\$5,000
Infrastructure:	
Roads	\$25,000
Dry Hydrants	\$5,000

Thresholds will be reviewed by the Board of Selectmen every 5 years to determine if they remain appropriate. Adjustment may be required to reflect the effects of inflation on asset prices or changes in the level of Town operations.

Infrastructure assets:

The Town will record "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.

Depreciation and useful life:

An estimated useful life will be assigned to all fixed assets whose costs exceed the capitalization thresholds, in most cases using the attached schedule of "Suggested Useful Lives". 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. Reasons for adjustments will be documented.

Capitalized amounts less the asset's expected salvage value will be depreciated using the straight line method and the half-year convention (in the years of acquisition and disposition).

Accountability for fixed assets:

Capitalization thresholds for financial reporting purposes are established as set forth above. The Town will track its fixed asset purchases using a \$5,000 threshold. "Tracking" for this purpose means keeping a record of acquisition cost, date of acquisition, expected useful life, location of asset and whether such purchase represents the replacement of an existing asset. Periodically, but not more frequently than once a year, the existence of the assets listed in these tracking records will be verified.

Asset Type	Schedule of Suggested Useful Lives	
	Examples	Depreciable Life (in years)
Land Improvements	Ball field, landscaping	15
Buildings:		
Long-lived components	Foundations, frame, enclosure	50
Medium-lived components	Electrical, mechanical, roof	20
Short-lived components	Carpeting, appliances	5
Building Improvements		20
Vehicles (including Emergency Services Vehicles)		5 to 20
Boats		10
Equipment		5 to 20
Infrastructure	Roads	50
	Dry Hydrants	20

Revised by the Board of Selectmen February 1, 2007

Revised by the Board of Selectmen February 7, 2008

Revised by the Board of Selectmen January 24, 2013

Revised by the Board of Selectmen January 14, 2016

FUNDING FOR INDEPENDENT NOT-FOR-PROFIT ORGANIZATIONS

The Town may be asked to provide financial assistance to certain not-for-profit, local organizations that provide services to the Town and its citizens. In deciding whether to provide such support, the following factors will be included in the consideration:

1. A need for services has been identified. Services that duplicate or compete with existing services may not warrant consideration.
2. Groups seeking Town funding should demonstrate fiscal sustainability going forward before Town financial support is authorized. Sustainability should not be based exclusively on Town support.
3. Organizations should have a corporate or other legal status or be affiliated with same to enable the Town to deal with a legally accountable entity. Should such status be pending or revoked or should the organization not be able to fulfill its mission, the Town shall reconsider whether to recommend funding.
4. The Town should consider both current and future implications before recommending funding.

Adopted by the Board Selectmen December 3, 2015

INTEREST POLICY ON TRANSFER STATION CHARGES

The Town of Harpswell assesses interest on unpaid balances at the Transfer Station. Interest will be charged at the same rate that is charged on delinquent property taxes (see note) and will be assessed retroactively to the billing date if unpaid by the subsequent month billing cycle.

Note: Interest rate is currently 8% until September 15, 2010 at which time it will decrease to 6%.

The Town reserves the right to pursue in small claims court charges which have not been paid for more than six months once notice of such intention is provided to the delinquent user.

Approved by the Board of Selectmen April 26, 2007

Revised by the Board of Selectmen June 3, 2010

INVESTMENT POLICY

1. The Town of Harpswell hereby establishes this Investment Policy to ensure that the Town's funds are invested in a manner which in general provides safety, liquidity and return and is in conformance with applicable regulations.
2. This investment policy shall apply to all cash, cash equivalents and investments of the Town of Harpswell.
3. The Town's investment activity shall be governed by all applicable state and federal laws and regulations concerning the investment of public funds. The Town will look to professional consultants for counsel to ensure that any policy adopted conforms fully to such laws and regulations.
4. The Town's investment portfolio will be managed in a manner that seeks to attain a market rate of return considered reasonable under generally accepted market principles, throughout budgetary and economic cycles, while preserving and protecting Town capital in the overall portfolio, thus affording prudent use of public funds and preservation of the public trust.
5. The principal objectives of the Town's investment activities, stated in the order of their importance, shall be as follows:
 - A. Safety of principal.

Safety of principal is the foremost objective of the Town investment program. Investments of the Town shall be undertaken in a manner that seeks to ensure preservation of capital.

An investment will be deemed to be safe if it can meet its maturity without jeopardizing cash flow objectives. No investment will be deemed safe if there is a reasonable chance it may have to be liquidated, for any reason that was foreseeable at the time of the investment, at a loss of principal.

It is recognized and not in contradiction with this policy that the Town may on occasion realize a loss of principal on an investment when premature liquidation is necessary to meet an unforeseen demand on Town resources.

The objective will be to minimize credit risk and interest rate risk.

i. Credit Risk (Custodial Credit Risk and Concentration Credit Risk)

a. The Town will minimize Custodial Credit Risk, which is the risk of loss due to the failure of the security issuer or backer, by limiting investments to the types of securities listed in Section 9 of this Investment Policy; and by pre-qualifying the financial institutions, broker/dealers, intermediaries and advisors with which the Town will do business.

b. The Town will minimize Concentration of Credit Risk, which is the risk of loss attributed to the magnitude of the Town's investment in a single type of investment or in a single issuer, by diversifying the investment portfolio so that the impact of potential losses from any one type of security or issuer will be minimized.

1. Not more than 20% of the total amount of the Town funds available for investment will be invested in any single type of investment.

2. The Town will not hold more than 10% of the total investments in any single investment, unless in the opinion of the Board of Selectmen conditions warrant otherwise.

3. Provisions of this section shall not apply to:

- (1) investments in U.S. Government obligations
- (2) certificates of deposit that are fully insured by the Federal Deposit Insurance Corporation
- (3) cash balances held at depository banks which are fully collateralized either by insurance or by letters of credit from a federal agency.

ii. Interest Rate Risk

The Town will minimize Interest Rate Risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by: structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities in the open market; and, investing operating funds primarily in shorter term securities, liquid asset funds, money market mutual funds, or similar investment pools and limiting the average maturity in accordance with the Town's cash requirements.

B. Liquidity of Funds.

The Town investment portfolio will remain sufficiently liquid to enable the Town to meet daily and projected cash flow demands, as well as all operating requirements.

To the extent possible, the Town shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specifically recognized and identified future cash flow need, the Town will not invest in securities maturing more than 2 years from the date of purchase.

C. Rate of return on investment

The Town's investment portfolio will be designed with the objective of attaining a market rate of return considered reasonable under generally accepted market principles, throughout budgetary and economic cycles, taking into account constraints on Town investment risk and the cash flow characteristics of the portfolio.

D. Diversification

The potential for market change and other conditions introduce the element of risk to investment of all types. Portfolio diversification is traditionally employed as a means to control risk. The Treasurer shall exercise prudence in the selection of securities as a means to minimize risk of loss.

6. Standard of Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which a person of prudence, intelligence and discretion might exercise in the management of his/her own affairs, not for speculation but for investment, with due consideration taken of the probable safety of capital as well as the probable income to be derived.

7. Ethics and Conflict of Interest

A. Members of the Board of Selectmen, the Town Treasurer and staff members in positions of authority in the investment process shall refrain from personal business activity that may in fact or appearance conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

B. Members of the Board of Selectmen, the Town Treasurer, staff members and employees of external investment management firms, shall disclose any material financial interest in financial institutions under consideration, and shall further disclose any meaningful or significant personal financial and/or investment positions that could relate to performance of the Town's investment portfolio.

C. Members of the Board of Selectmen, the Town Treasurer and all staff are prohibited from participating in the decision to invest or withdraw Town funds in any instrument or institution in which he/she directly or indirectly has any material financial interest that might affect or be affected by the Town's investment, nor shall he/she accept any gift, free service, or payment of any kind for performing their duties under this policy.

8. Personal Responsibility

A. It is anticipated and expected that investment officials and/or advisors will act in good faith, with due diligence, that deviations from and exceptions to the investment policy will be reported in timely fashion and that appropriate action will be taken timely to control adverse developments.

B. Investment officials and/or advisors acting in such a manner, and in accordance with this investment policy, shall be relieved of personal responsibility for individual security performance and fluctuations in market price.

9. Authorized Investments.

Town funds may be invested in the following types of securities:

Obligations of the U.S. government and its agencies

Fully insured or collateralized certificates of deposit at commercial banks and savings and loan associations

Repurchase agreements collateralized by U. S. Treasury securities, and accompanied by executed master repurchase agreements;

Money market mutual funds whose portfolios consist of U.S. government securities or broadly diversified money market instruments whose purpose is to maintain a stable principal dollar value, and which invest exclusively in short- and intermediate-term investments;

10. Collateralization

- A. Collateralization shall be required on two types of investments:
Certificates of deposit, for amounts which exceed insurance
Repurchase agreements
- B. To anticipate market changes and provide the required security for all funds, the collateralization level will be 102% of market value of principal and accrued interest.
- C. Collateral will in all instances be held by an independent third party with whom the financial institution has a current custodial agreement.
- E. A clearly marked evidence of ownership must be supplied by the custodial entity to the financial institution and retained by it while the investment is in force.

11. Delegation of Authority

The Town Treasurer is responsible for the day-to-day management of the Town's funds consistent with the provisions of this policy. The Treasurer will obtain authorization from the Board of Selectmen before investing in any instrument other than fully collateralized bank deposits, including certificates of deposit.

ADOPTED BY THE BOARD OF SELECTMEN MAY 28, 2009

RECYCLING CENTER & TRANSFER STATION MATERIAL REMOVAL POLICY

Removal of certain materials from the Recycling Center & Transfer Station by Harpswell residents and employees is permitted. Prior to removing any material, residents and employees must obtain permission from the Recycling Center & Transfer Station manager or manager designee. After permission is granted, the manager or designee will record the following information on the Material Removal Log: name, date, material removed and where the material is being removed from, i.e., Recycling Center or Transfer Station. No material, which the Town could otherwise sell, may be removed including but not limited to aluminum, brass, copper, or stainless steel.

MILEAGE REIMBURSEMENT

Elected officials of the Town shall be reimbursed for mileage based upon submitted documentation consistent with the reimbursement method for other Town employees. The reimbursement rate per traveled mile corresponds with the rate established by the Internal Revenue Service (IRS).

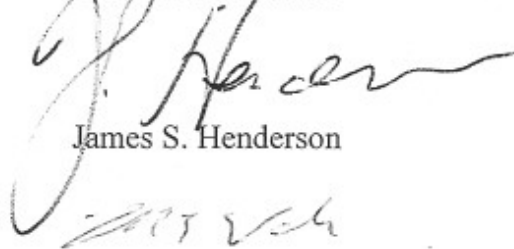
Adopted: February 22, 2007 by the Board of Selectmen
Effective Date: April 1, 2007
Amended June 23, 2022

ORDER OF MUNICIPAL OFFICERS
Pursuant to 36 M.R.S.A. § 906

We, the Municipal Officers of the Town of Harpswell, upon request of the Tax Collector/Treasurer of said Town, hereby authorize and direct said Tax Collector/Treasurer, pursuant to Title 36, Maine Revised Statutes Annotated, section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

Dated: June 11, 2009

Board of Selectmen



James S. Henderson

Mark E. Wallace



Elinor Multer

ACKNOWLEDGEMENT

We, the Tax Collector and Treasurer of said Town, hereby acknowledge making the aforesaid request and receipt of a copy of the above Order.

Dated: June 12, 2009



Martha York, Tax Collector



Marguerite Kelly, Treasurer

PETTY CASH POLICY

Petty cash accounts in specific amounts, as determined by the Town Administrator and not to exceed \$2,500 in total, have been established and are maintained by the:

- Tax Collector
- Deputy Tax Collector
- Town Clerk
- Deputy Town Clerk
- Receptionist
- Transfer Station Attendant
- Recycling Center Manager
- Deputy Treasurer

Only the Receptionist's petty cash fund is to be used for the reimbursement of expenses and only purchases less than \$25 may be reimbursed. This account shall be balanced daily and replenished as necessary upon submission of receipts to the bookkeeper for inclusion in the warrant.

Adopted February 16, 2006 by the Board of Selectmen.

Revision adopted by the Board of Selectmen June 25, 2009

Revised by the Board of Selectmen August 9, 2012 and August 8, 2013

Revised by the Board of Selectmen September 18, 2014

POST ISSUANCE COMPLIANCE POLICY RELATING TO BONDS ISSUED BY THE TOWN

This policy is being adopted by the Town of Harpswell (the "Town") in order to assure that the Town complies with the requirements of federal and state law and the covenants in its bond documents that apply following the issuance of Bonds by the Town. For purposes of this policy, the term "Bonds" means any obligations of the Town incurred for the purpose of borrowing money, including, without limitation, bonds, notes, and equipment lease-purchase agreements.

1. Responsibility for Post-Issuance Compliance: The Town Treasurer (the "Treasurer") is responsible for monitoring compliance with this Policy. The Treasurer may designate employees to carry out their duties under this Policy.

2. Compliance with Covenants in Bond Documents: The Treasurer shall ensure compliance with all covenants made by the Town in the Bond documents, including, but not limited to, financial reporting, restrictions on the use and disposition of property, restrictions on the use and investment of Bond proceeds, and arbitrage and rebate compliance.

3. Continuing Disclosure Compliance: The Town will comply with any applicable continuing disclosure requirements of Rule 15c2-12 under the Securities and Exchange Act of 1934, as amended, and officially interpreted from time to time and the terms of any continuing disclosure agreement or certificate entered by the Town (each, a "Continuing Disclosure Agreement"), including submission of annual financial information and operating data to the Municipal Securities Rulemaking Board or any successor thereto ("MRSB") established under the Securities and Exchange Act of 1934, as amended and notice of the occurrence of material events with respect to the Bonds.

4. Federal Tax Law Compliance: The Town will comply with the terms of each arbitrage and use of proceeds certificate or tax compliance certificate (each, an "Arbitrage and Use of Proceeds Certificate") for each issue of Bonds issued by the Town and with the applicable provisions of federal tax law. Without limitation of the foregoing, the Town shall take the following actions:

(a) Proper Use of Proceeds — The Treasurer shall ensure that bond proceeds are expended and allocated to expenditures in a manner that is consistent with the purpose for which each bond issue is undertaken, as set forth in any Arbitrage and Use of Proceeds Certificate or agreement related to each bond issue.

(b) Investment of Bond Proceeds — The Treasurer shall ensure that bond proceeds are invested in investments that are permissible under the terms of Maine law, the bond documents, and applicable federal tax laws.

(c) Arbitrage and Rebate — The Treasurer shall ensure that the Town complies with the arbitrage, rebate and yield restriction requirements of Section 148 of the Internal Revenue Code and the regulations promulgated pursuant thereto and that the Town completes all necessary arbitrage rebate calculations, payments and filings in a timely manner or confirms that the Bonds are exempt from rebate.

(d) Administration of Direct Pay Bonds — The Treasurer shall ensure the proper administration of each issue of Bonds qualifying for the payment by the Federal government of a credit equal to a percentage of interest on such Bonds, including the timely completion and filing of any forms required by the Internal Revenue Service to maintain or establish the applicable status of the Bonds for purposes of federal income taxation.

(e) Use of Bond-Financed Facilities — The Treasurer shall consult with Bond Counsel for the Town before entering into any agreement or other arrangement for the sale, lease, management or use of bond-financed property, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, agreements granting special rights or entitlements to private parties or naming rights agreements. The Treasurer shall review such agreements for compliance with federal tax laws.

(f) Post-Issuance Transactions — The Treasurer shall consult with Bond Counsel for the Town before making any modifications or amendments to the bond documents for a bond issue, including, but not limited to, entering or modifying investment agreements; making any change in security for the Bonds; engaging in post-issuance credit enhancement transactions (e.g., bond insurance, letter of credit) or hedging transactions (e.g., interest rate swap, cap); terminating or appointing successor trustees; releasing any liens, or reissuing or refunding the Bonds.

(g) Remedial Action — In the event that is determined that any use of bond proceeds or bond-financed facilities is inconsistent with the character of the status for federal income tax purposes of the Bonds, the Treasurer shall consult with the Town's Bond Counsel for the purpose of determining the nature and extent of any remedial action necessary or proper for the Town to take with respect to such Bonds or bond-financed facilities. If the Town takes any action after the issuance of Bonds that causes the conditions of the private business tests or the private loan financing test to be met, then the Town shall take timely remedial actions in accordance with the federal Treasury Regulations section 1.141-12 as necessary in order to preserve the tax-exempt status of the Bonds.

5. Record Retention: The Town shall maintain all records relating to the issuance of Bonds and the requirements of the Internal Revenue Code and the representations, certifications and covenants set forth in the Arbitrage and Use of Proceeds Certificate relating to the issuance of Bonds until the date six years after the last outstanding Bonds have been retired. If any of the Bonds are refunded by tax-exempt obligations, the Town shall maintain all records required to be retained by this section until the later of the date six years after the last outstanding Bonds have been retired or the date three years after the last refunding obligations have been retired. The records that must be retained include, but are not limited to (a) basic records and documents relating to the Bonds (including any loan agreement, Arbitrage and Use of Proceeds Certificate and the opinion of Bond Counsel); (b) documentation evidencing the expenditure of Bond proceeds; (c) documentation evidencing the use of the project(s) financed by the Bonds by public and private sources (i.e., copies of management contracts, research agreements, leases, etc.); (d) documentation evidencing all sources of payment or security for the Bonds; and (e) documentation pertaining to any investment of Bond proceeds (including the purchase and sale of securities, SLGS subscriptions, yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts, and rebate calculations).

6. Annual Policy Review and Education: On an annual basis, or sooner if deemed necessary or appropriate by the Treasurer, the Treasurer shall review this policy and assess the Town's compliance with this Policy. The Treasurer shall recommend changes to this Policy as appropriate to ensure compliance with any covenants in the bond documents or the requirements of federal tax and securities law and any other applicable law. The Town will also implement a program, including appropriate instruction and education of personnel, for purposes of ensuring compliance with the terms of this Policy.

Adopted by the Board of Selectmen December 15, 2011

PURCHASING POLICIES

Effective June 14, 1998

Amended March 29, 2007, August 18, 2011, March 3, 2016, May 12, 2016, and September 1, 2022

Department heads are authorized to make purchases of \$1,000 or less if the Department has budgeted for such purposes. Contractors and subcontractors, operating under a duly-authorized, current Town contract are excepted.

All purchase requests greater than \$1,000 that are not routine goods or services must be submitted to the Town Administrator or specified delegate on a purchase order requisition form, Exhibit 1. If you order without an approved Purchase Requisition, you will be liable for payment. This form must be signed by the person requesting the purchase, countersigned by a Department Head or Committee Chair, and given to the Administrator for final approval.

Prior to processing payment of an invoice for routine goods or services, or for an approved requisition, the invoice will be reviewed and approved by the appropriate Department Head and the Town Administrator. For purchases requiring purchase order requisitions, the requisition shall be attached to the invoice.

Procurement of all items will be accomplished in the most expeditious manner that will provide necessary materials to accomplish the objectives of Town's activities in a timely manner. Supply sources will be explored to obtain best price. All reasonable methods shall be used including bids for lease versus purchase arrangements and sole source contracts. Town may require a supplier to enter into a contractual agreement.

Energy efficient products and practices reduce energy cost without comprising quality. Accordingly, the Town of Harpswell shall employ the most efficient energy conservation practices in the design, construction, renovation, operation and maintenance of Town facilities. Furthermore, when replacing or purchasing new energy-consuming equipment, shall purchase only ENERGY STAR labeled equipment unless such equipment is not available, appropriate or cost effective on a life cycle basis.

EXPENDITURES

The Town Administrator is authorized to approve budgeted expenditures for goods and services including supplies, furniture and fixtures up to \$5,000 in cost. In addition, the Town Administrator is authorized to approve any expenditure for winter road materials consistent with budgeted amounts.

All purchases with a cost more than \$5,000 require the approval of the Selectmen prior to purchase. This approval shall be secured by the Administrator after an appropriately signed Purchase Requisition has been received.

The Town will maintain a fixed asset plan consistent with its Fixed Asset Policy.

PURCHASE ORDER REQUISITION FORM

TOWN OF HARPSWELL
PO Box 39
Harpswell, ME 04079

DATE: _____

PO# _____

Item having a unit cost of \$5,000.00 or more, must be submitted for competitive bids.
Indicate vendor if selected under complete bid basis.

VENDOR: _____

Check Needed: _____

Vendor will Bill: _____

DEPT-ACC#	QUANTITY	DESCRIPTION	UNIT COST	TOTAL COST
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

REASON REQUEST: _____

REQUESTED BY: _____

APPROVALS

DATE

Town Administrator _____

Department Head _____

Committee Chair _____

Selectmen _____

POLICY RE: SPECIAL REVENUE FUND FOR RECREATION

Adopted by Board of Selectmen on March 29, 2007

Introduction: Since the Town has authorized recreation revenues to be dedicated for recreation programs (including operational and maintenance costs associated with Trufant-Summerton Field), it maintains a Special Revenue Account for Recreation. Such account is the result of surpluses accumulated over time.

General Operation: While it is the objective to operate recreational programs and Trufant-Summerton Field in a manner as revenue neutral as possible, it is recognized that total expenditures may exceed total revenues in any given year. In the event that this occurs, the Special Revenue Reserve Account will decrease. In a year when total revenues exceed total expenditures, the Special Revenue Account will increase.

These increases and decreases occur on a program by program basis and in the aggregate. The Town's general ledger system includes the Special Revenue Account in fund balance in the aggregate and internal worksheets are maintained which account for the Special Revenue Account by program. These worksheets contain information necessary for the successful management of the Recreation programs.

Special Authorization: In addition to the Special Revenue Account for Recreation functioning as described above, the Board of Selectmen may authorize the use of these Special Revenue funds for the following recreational purposes: (1) capital items; (2) special equipment; and (3) specific identified operational expenses. Such funding requests shall be initiated by the Recreation Director after consultation with the Recreation Committee. The intent of the Special Authorization is to ensure that funds collected for recreation purposes are expended for recreation purposes.

TOWN DEVELOPMENT FEES WAIVER

The Town of Harpswell undertakes land use activities and development projects from time to time. Given that the Board of Selectmen has authority to determine the fee schedule for such activity and development, the Board shall exempt applications initiated by the Town of Harpswell for projects on Town-owned property from the terms listed in the Harpswell Development Fee Schedule, including but not limited to, land use permit fees, septic fees and Planning Board fees.

Adopted by the Board of Selectmen June 13, 2013

POLICY ON TREASURER’S DISBURSEMENT WARRANTS FOR EMPLOYEE WAGES AND BENEFITS

Purpose. This policy allows designated municipal officers (selectmen or councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer’s disbursement warrants, for wages and benefits only.

This policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer’s warrant, including warrants for wages and benefits.

Delegation of authority. Pursuant to 30-A MRSA § 5603(2)(A)(1), the following authority is granted with respect to treasurer’s disbursement warrants **for municipal employee wages and benefits only:**

Current municipal officers. The municipal officers in office at the time of execution of this policy are:
_____ (Chair), and _____,
_____.

Any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

Either _____ or _____, acting alone, may review, approve, and sign such warrants.

_____, acting alone, may review, approve, and sign such warrants.

Effective date. This policy becomes effective on the date indicated below. **Copies.** The Chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer. If the clerk and the treasurer are the same person, a copy shall nonetheless be provided to that person in each capacity.

Lapse. This policy lapses one year after its effective date, if not sooner amended or cancelled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

Reminder. If the municipal treasurer is an appointed official, the treasurer shall remind the municipal officers to consider renewing this policy annually before it lapses. If the municipal treasurer is an elected official, the treasurer is requested to provide such an annual reminder.

Original. The Chair of the municipal officers will maintain the original of this policy on file unless the municipal clerk is an appointed official, in which case the clerk shall maintain it on file, if requested to do so by the Chair.

Dated: _____, 20____

MUNICIPAL OFFICERS:

POLICY ON TREASURER’S DISBURSEMENT WARRANTS FOR STATE FEES

Purpose. This policy allows designated municipal officers (selectmen or councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer’s disbursement warrants for payment of state fees only.

This policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer’s warrant, including warrants for payment of state fees.

Delegation of authority. Pursuant to 30-A MRSA § 5603(A)(3), the following authority is granted with respect to treasurer’s disbursement warrants **for payment of state fees only**.

Current municipal officers. The municipal officers in office at the time of execution of this policy are:

- Any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.
- Either _____ or _____, acting alone, may review, approve, and sign such warrants.
- _____, acting alone, may review, approve, and sign such warrants.

Effective date. This policy becomes effective on the date indicated below.

Copies. The Chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer. If the clerk and the treasurer are the same person, a copy shall nonetheless be provided to that person in each capacity.

Lapse. This policy lapses one year after its effective date, if not sooner amended or cancelled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

Reminder. If the municipal treasurer is an appointed official, the treasurer shall remind the municipal officers to consider renewing this policy annually before it lapses. If the municipal treasurer is an elected official, the treasurer is requested to provide such an annual reminder.

Original. The Chair of the municipal officers will maintain the original of this policy on file unless the municipal clerk is an appointed official, in which case the clerk shall maintain it on file, if requested to do so by the Chair.

Dated: _____,

MUNICIPAL OFFICERS:

POLICY FOR USE OF CREDIT CARD

The Town has a general purpose credit card which may be used for certain purchases, that have been pre-approved by the Town Administrator, not to exceed \$4,000, where the vendor will not accept a purchase order and the purchase is needed in a timely fashion.

Additionally, the Town has a credit card(s) for the sole purpose of purchasing fuel for Town vehicles. Each employee authorized to operate a Town vehicle may have access to a fuel credit card, after signing and acknowledging the procedures for use.

Adopted by the Board of Selectmen Thursday, July 6, 2006.

Revised policy adopted by the Board of Selectmen September 4, 2008.

Revised policy adopted by the Board of Selectmen August 20, 2020.

Abandoned/Recovered Property Policy

Any vehicles, vessels, equipment, fishing gear, etc. herein referred to as property or items, known to be stored in violation of Town property ordinances, land use rules, right of ways, easements, etc., or deemed to be a hazard to navigation, the environment or the wellbeing of others may be recovered by the Town of Harpswell. Every effort will be made to establish ownership and contact said owner before removal, except in an emergency situation. Items that are in violation will be considered abandoned until ownership can either be established, or after all efforts have failed, the owners cannot be determined.

All property or items removed by the town will be taken to the Transfer Station for storage or disposal.

Upon arrival at the Transfer Station the removed property will be weighed and recorded to establish a disposal cost and date of arrival for the item.

All property deemed to have real value will be stored within the secured facility until the owner can be reached or determined. Upon arrival the property will be tracked for 21 days. All attempts to locate an owner will be documented. At the end of said period, if ownership cannot be established, or the owner has been contacted and not responded, said item will be deemed abandoned and will become Town property. The item will then be properly disposed of. Special consideration will be taken, concerning the period of time an item is stored before disposal if:

- It is believed that the recovered property belongs to a non-resident and is recovered out of season.
- If the property or item is suspected of being stolen, in which case the Sherriff's office or Wardens service will be contacted.
- If the owner has been identified and is making a considerable effort to recover said property.
- If owner has been identified and is claiming a legitimate hardship that prohibits recovery.

If property is claimed by the owner or an owner's representative, certain fees will need to be paid to facilitate the items recovery and return. Removal of claimed items will not be permitted until all associated fees have been paid. Fees to be assessed include but are not limited to:

- Any and all recovery and transportation fees incurred by the Town.
- The value of a third-party contractor hired or sent by the Town to remove the item or cleanup the affected area of abandonment. (Note: Town employee time may be considered if extensive time and effort is involved).
- Any and all environmental or hazardous waste cleanup costs either at the site of the affected removal site or Transfer Station holding area.
- A Transfer Station storage fee of \$5 per day.

Proof of payment will be required before any item can be physically removed from the facility. Owners wishing to recover items or materials from a recovered property will be allowed to remove said items after the following conditions are met:

- Any and all associated Town fees as mentioned above pertaining to the recovery, transportation, storage etc. of said property are paid.
- The initial disposal cost established when item arrived has been paid.
- Proof of payment will be required before parts, pieces, materials, miscellaneous items, etc. can be removed from the recovered property or facility.

All charges, billings or fees associated with the removal of the property from the Transfer Station or items taken from the recovered property, from within the Transfer Station will be the responsibility of the owner or owner's representative.

The Town reserves the right to bill any owner who has been identified, but who doesn't claim their property. Billing may include but is not limited to:

- Recovery and transportation fees
- Any and all storage fees
- Any and all disposal fees
- Any hazardous waste recovery fees associated with the disposal
- Any fees that the Transfer Station cannot handle on site. (i.e. asbestos, etc.).

Nonpayment of above said billing may result in the Town taking certain actions including but not limited to legal action.

Adopted by the Board of Selectmen August 1, 2019

BOAT OPERATOR QUALIFICATIONS *Adopted by the Board of Selectmen September 6, 2012*

Purpose: The intent of this policy is to provide a clear understanding of the skills and abilities required for boat operators to operate Town-owned vessels.

Operation: Only personnel authorized by the Town of Harpswell will operate Town-owned vessels.

Policy: The Town of Harpswell recognizes that to operate a boat in the coastal marine environment poses unique challenges that require specialized skills and abilities. These skills and abilities include but are not limited to: marine navigation, seamanship and boat operation in adverse weather & sea conditions. They also include the trailering, launch and retrieval of the boat during use. In addition the operator should develop a working knowledge of the coastal waters of the Town.

Responsibility: The Town will require that boat operators provide documentation to show that they possess the minimum qualifications and experience to safely operate Town-owned vessels. The Town may require a demonstration of those skills and abilities as witnessed by the Town's agent. The Town will maintain the records of approved operators.

BOAT MAINTENANCE POLICY *Adopted by the Board of Selectmen on September 20, 2012*

Purpose: The intent of this policy is to ensure an “operational readiness” for the boat as well as to provide for necessary repairs and required annual maintenance.

Operation: Only personnel authorized by the Harbormaster of the Town of Harpswell, who shall keep a list of all authorized users, will operate Town-owned vessels.

Policy: The Town of Harpswell has a substantial investment in its boats, motors and trailers. Proper maintenance will ensure the overall safety, reliability and longevity of service of the vessel.

Responsibility: “operational readiness”

The boat operators will complete a visual survey of the boat and trailer prior to each use to identify any damage or defects which would create a hazard to its use.

The safety equipment and electronics will be inspected for serviceability and compliance with the United States Coast Guard.

Deficiencies will be recorded on a maintenance checklist to include a plan for correction.

The boats will be placed “out of service” if the vessel cannot be operated safely until repairs are completed.

“Annual Maintenance and Repair”

The Town will be responsible to see that the boats are brought to an authorized service center on an annual basis for an overall inspection. This inspection shall include the boat, motor and trailer. The maintenance schedule as recommended by the manufacturer shall be followed as applicable.

FACILITY CLOSURE POLICY FOR EMERGENCIES

Certain emergencies may require closure of a municipal facility in order to provide appropriate emergency response and/or to maintain the safety of employees and the public. Those emergencies may include but are not limited to major medical crises, public health or safety threats, fires, serious workplace injuries, vehicular and pedestrian accidents. The Town Administrator or his/her designee shall have the discretion to close a municipal facility for such emergencies. The Town Administrator or designee may choose to consult with Selectmen and/or other officials in making closure determinations. Any closure expected to continue for 4 or more hours shall require notification of members of the Board of Selectmen.

Approved by the Board of Selectmen December 29, 2016

FUTURE ACQUISITION OF LAND POLICY

Regarding the potential acquisition of land, the Town, acting through its Board of Selectmen, may give priority consideration to properties that:

- a) are adjacent to or near existing Town properties;
- b) provide public waterfront access;
- c) enhance parking for waterfront access;
- d) are located on the Mountain Road corridor;
- e) provide acquisition in areas of the Town where there may not be much publicly accessible land;
- f) are identified as Focus Areas in the Town's Open Space plan;
- g) enable accommodations that improve or expand access for commercial fishing and/or for other waterfront activities –such accommodations might be parking for vehicles and boat trailers, boat ramps that are sized for larger vessels.

Note: Only the Town Meeting is authorized to acquire land on behalf of the Town.

Adopted by the Board of Selectmen May 1, 2014

FOCUS AREAS From the OPEN SPACE PLAN

Focus Area 1: Long Reach, Great Island

Focus Area 2: Brickyard Watershed, Great Island

Focus Area 3: Bethel Point, Cundy's Harbor

Focus Area 4: Sandy Cove, East Cundy's Point

Focus Area 5: Ice Pond, Gun and Long Points, Great Island

Focus Area 6: Wilson's Pond Orr's Island

Focus Area 7: Cedar Beach, Bailey Island

Focus Area 8: Otter Brook Corridor, North Harpswell

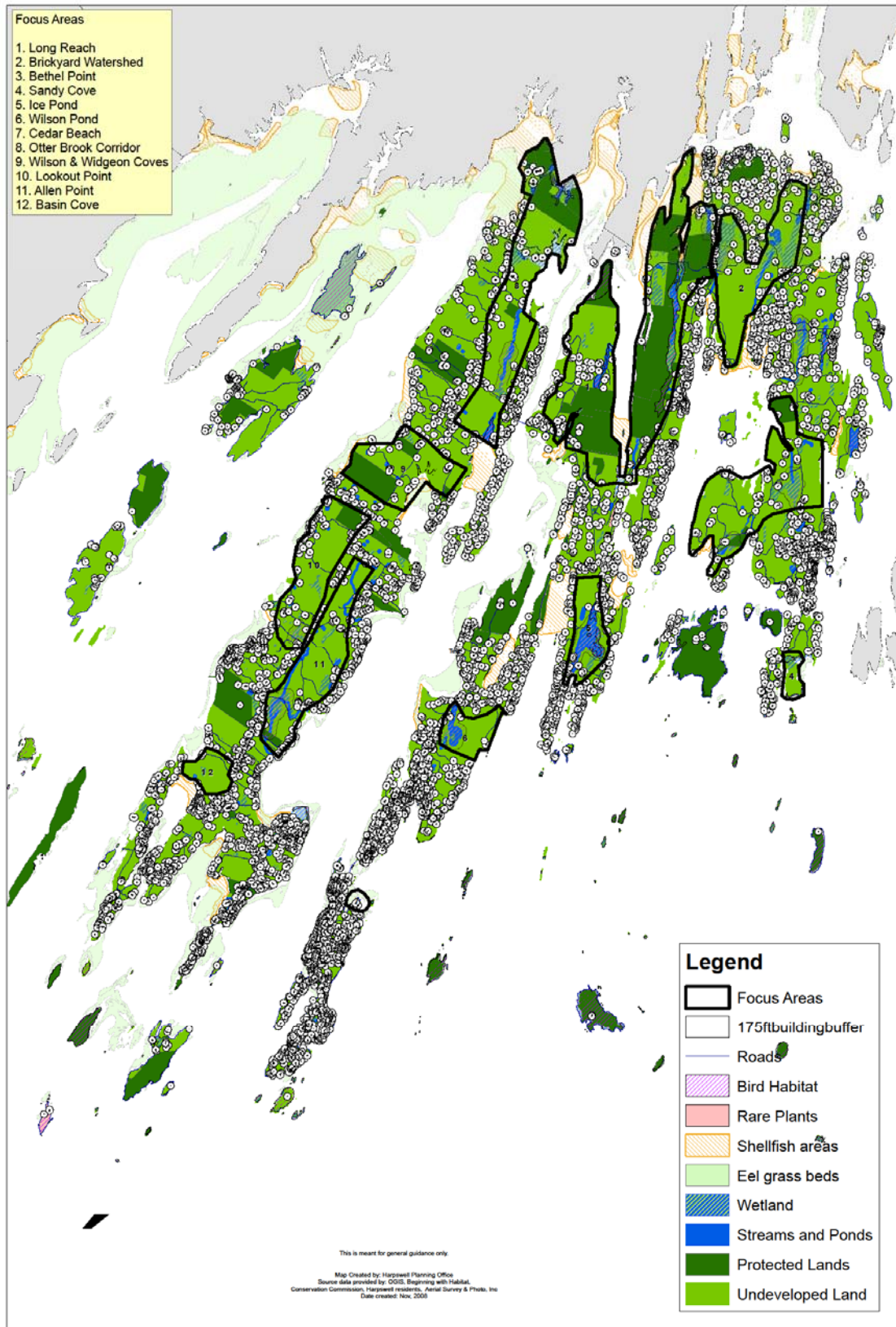
Focus Area 9: Wilson & Widgeon Coves, Harpswell Neck

Focus Area 10: Lookout Point, Harpswell Neck

Focus Area 11. Allen Point Road Corridor, Harpswell Neck

Focus Area 12 Basin Cove, South Harpswell

Open Space Focus Areas



Policy Guidance Regarding Gifts Affecting Town Properties

This policy incorporates guidelines for acceptance gifts, including those for inscriptions on plaques, benches or other structures pursuant to Article 42 of the March 14, 2009 Town Meeting and aligns with the Town's Gift Acceptance Ordinance adopted by Town Meeting in March, 2010.

These guidelines do not apply to Mitchell Field which is governed by a separate set of policies and guidelines. Nor does it apply to cash donations, stocks, securities and other financial instruments. Any proposal for such gifts would be sent to the Town Administrator for review by the Select Board under a separate policy.

Steps for Gifts Intended for Town Properties:

I. Gift proposals

I.A. Gift Proposal Delivery should be made using the Town Gift Proposal Form attached hereto as Exhibit A (see form also posted on Town website (<https://www.harpswell.maine.gov>) Completed forms should be mailed or delivered to the Town Administrator as follows with a self addressed return postcard for delivery confirmation.

For Mail Delivery: PO Box 39
263 Mountain Rd
Harpswell, ME 04079

For Hand Delivery: 266 Mountain Road
Harpswell, ME 04079

By electronic submission (if requested): Keiane@town.harpswell.me.us

The Town Administrator shall identify a staff member to be responsible for creating and maintaining an ongoing file on each gift proposal.

I.B. Referral to Office of Codes Enforcement. The Town Administrator shall refer the gift request to the Office of Codes Enforcement to confirm to the Administrator that the request does not conflict with municipal ordinances or state/federal law

I.C. Referral to Select Board. When a gift proposal is determined by the Town Administrator to be complete, including review by Codes, the Town Administrator shall refer the Application to the Select Board for review and discussion at its next available meeting and notice thereof shall be published on the Town website. As a part of its review, the Select Board may refer the gift proposal to one or more Town Committees for review and comment. Committees for reviewing may include one or more of the following: Town Lands, Recreation, Harbor and Waterfront, and Mitchell Field

If so requested, the Committee will forward comments and recommendations as outlined in Section II below to the Select Board who shall make a final determination

I.D. Committee Review

The Town Administrator shall email copies of the proposal for review to the chairs of committees designated by the Select Board. The chairs shall forward the emailed proposal to their committee members for discussion at the next committee meeting. The committees may request further information and/or invite the potential donor to their meeting or to a site visit. The committee is not expected to hold a public hearing unless requested by the Select Board at its discretion.

II. Gift Acceptance Guidelines:

II.A. Town Committee Review. In the event that the Select Board requests that a Committee review the proposal, the Committee shall review it, consider public comments, and make recommendations in a timely fashion. The following Gift Acceptance Guidelines shall be considered in a Committee's review of the Town property (the "Property") under consideration:

1. Does the proposed gift serve a valued public purpose?
2. Is the gift appropriate to the Property's customary use, capacity and terrain? Are there existing zoning or legal restrictions that affect the Property?
3. Does the proposed gift carry any conditions attached with it?
4. Does the gift obligate the Town to incur liabilities or obligations other than those customarily associated with Town lands?
5. Does the proposed gift or its proposed location and use affect other public uses, scenic views or other considerations associated with the Property?
6. Have members of the public been informed of the opportunity to provide comments? If the Committee received any comments, what is the nature of those comments and how does the Committee address it?

II.B. Inscription Guidelines: If an inscription is being requested, does the proposed gift meet the Town's Inscription Guidelines? The Town reserves the right to reject any inscription or to limit or edit its contents. If an inscription is determined to be acceptable, the following shall apply:

- i. Inscription plaque shall not exceed 3" by 5" in size
- ii. Inscriptions shall be brief

II.C. Bench Guidelines: If the gift of a bench is being proposed, it shall be consistent with existing benches on the Property. In its report to the Select Board, the Committee shall include its own recommendations concerning the proposed bench.

III. Pre-submission: If prior to making a formal proposal, any committee is approached informally by a potential donor about a gift idea, that committee (or its representative) may explore the idea with the donor and then refer the donor to the Town Administrator for completion of the Town Process. No documentation shared with a town committee obviates the requirement of compliance with the full provisions of this Gift Policy, nor is any comment made by a committee member binding on the Town of Harpswell.

IV. Determination by Select Board. Upon receipt of recommendations from the Town committees from whom the Select Board had requested a review, the Board shall place the proposal on the posted agenda for its next available meeting. At such time as it has reviewed all committee reports, the report of Codes, any public comment, the Select Board shall make a decision whether to accept the proposed gift and upon what terms and conditions.

V. The acceptance of a proposal is subject to the requirement of a Town Meeting if the value of the proposal exceeds Three Thousand Dollars (\$3,000.00) or the gift value set forth in the Town ordinances at the time of the proposed gift.

Attachments:

- 1) Exhibit A: Gift Proposal Form
- 2) Exhibit B: Gift Flow Chart showing process for making a gift to the Town of Harpswell for use on Town Lands

Adopted by the Select Board December 5, 2024

EXHIBIT A

TOWN OF HARPSWELL - DEED OF GIFT FORM

I the undersigned Donor, hereby donate and convey to The Town of Harpswell (the Town) the materials described in this Deed of Gift (the "Donated Materials").

I. DONOR INFORMATION:

Name: _____ Phone: _____

Address: _____ E-mail: _____

II. DESCRIPTION OF DONATED MATERIALS: (attach photos or other description as needed)

III. What is the estimated value of this gift? _____

IV. RESTRICTIONS, IF ANY: Chose A or B

A. This is an unrestricted gift, with no obligations. I understand that, while the Town. I understand that, while the Town intends to use the gift as intended by the Donor, the Town, at its sole discretion, may change the use, location and any other aspect of the gift, including divesting itself of the ownership of the gift.

Please initial here: /____/

B. This gift contains the following restrictions and/or obligations:

Please initial here: /____/

V. GIFT INSCRIPTION: (Please see back of sheet)

I have read the Town Guidelines and wish to add an inscribed plaque that meets these conditions:

Please initial here: /____/

VI. I represent and warrant that I am the sole owner of the proposed gift describe in this offer; that I have full right, power, and authority to give it to the Town; and that the information I have provided is accurate.

Donor Signature: _____ **Date:** _____

ACCEPTANCE BY THE TOWN OF HARPSWELL:

The Town of Harpswell hereby accepts this gift with appreciation and agrees to the conditions stated in this Deed of Gift.

Date: _____

Signature of Town Representative: _____

Title : _____

Printed Name: _____

Please return this form to:

Town Administrator

P.O. Box 39, Harpswell, ME 04079

For Hand delivery: 263 Mountain Road, Harpswell, ME 04079

By electronic submission (if requested) to: Keiane@town.harpswell.me.us

Gift Inscription Guidelines
See Policy Guidance for Gifts Affecting Town Properties Section II.B

Please print your proposed Inscription here:

For Town Use Only:

Issues for consideration by Town Select Board in reviewing a proposed gift:

Does gift serve a valued public purpose? _____

Does gift obligate Town to incur other liabilities? _____

Does proposed gift carry any conditions attached with it? _____

Does proposed gift meet the Town's Inscription Guidelines? _____

For donations to be located on Town lands:

If a physical location has been proposed by the Donor for this gift, is it appropriate? _____

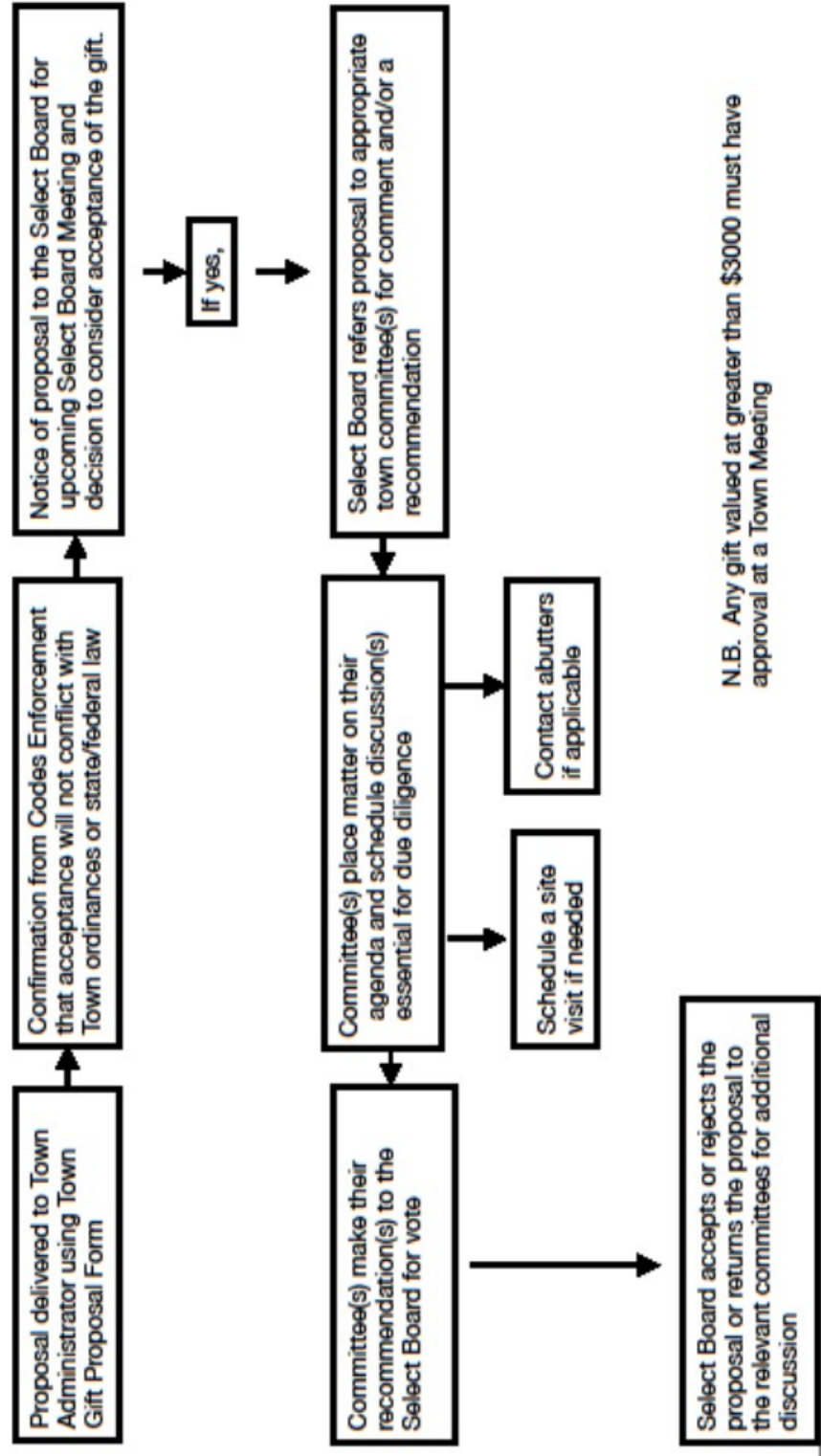
Does it comport with the guidelines set forth in the Town's Policy on gifts affecting Town lands? See Section II on Gift Acceptance Guidelines? _____

Other comments: _____

DRAFT

EXHIBIT B

FLOW CHART FOR GIFTS AFFECTING TOWN LANDS¹



N.B. Any gift valued at greater than \$3000 must have approval at a Town Meeting

¹ It is understood that at any stage in this process the Town Administrator, Select Board, or relevant Town committees may seek additional information from the donor to resolve concerns. This chart only applies to proposals for structures or improvements to be located on town lands

**POLICY REGARDING LEASE OF TOWN-OWNED PROPERTY AT THE
ORR’S ISLAND BRIDGE**

Adopted by the Select Board April 12, 2007

Amended by the Select Board June 14, 2007, June 22, 2017, March 16, 2023, March 18, 2026 and April 23, 2026

The Select Board shall decide on an annual basis whether to enter into annual lease agreements with certain individuals who historically have had commercial wharves attached to Town-owned property at the Orr’s Island Bridge. The Board shall determine the annual lease fee, require proof of insurance including to name the Town as additional insured when appropriate, and make final determinations about with whom the Town should enter into lease agreements.

The following provisions shall apply with respect to the Board’s final determination about with whom the Town should enter into lease agreements.

1. The Town shall not enter into a lease agreement with anyone who has outstanding unpaid prior year taxes relating to the wharf property.
2. The lessee shall have 75 days, from the date that the Town sends a proposed lease agreement to the lessee, to return a signed agreement to the Town or the lease agreement shall be deemed invalid.
3. Only property related to the commercial fishing operation of a properly authorized lessee may remain on-site. All other items and debris must be removed. There shall be no property left on-site that is owned by anyone other than a properly authorized lessee. The Town reserves the right to withhold the assignment of a lease for non-compliance with this provision.
4. Applicants who held a lease in the prior year will be given first refusal to renew their lease the following year. Should a lease holder not renew, or have their lease revoked for any reason as determined by the Select Board, the Town shall select another applicant to occupy that lease as determined by a lottery process.

Children of a current lessee will have first refusal to renew a lease if the current lessee does not renew the following year, given that the child of the lessee uses the leased area for commercial marine purposes only.

If both the current lessee and the children of the current lessee do not proceed with a new lease under this policy, future lessees will be considered in this priority order:

- A) Harpswell Resident;
- B) Non-Resident Taxpayer;
- C) Harpswell residents for the past consecutive years that had to change their residency to outside of Harpswell;
- D) Non-Residents.

LOTTERY PROCESS:

Beginning in 2023, anyone interested in becoming a future lessee will need to submit a letter of intent to the Town Clerk’s Office not later than the last business day in May, as well as a fee as determined by the Select Board. Only lessees that provide proof of a commercial marine related business will proceed to the review stage.

When a lease site becomes open and available, the Town Clerk shall notify everyone that has submitted a letter of intent and are current with the fee, of the time and location of the lottery. At the

time of the lottery, the Town Clerk shall enter the above mentioned applicants names into a bucket or similar object, and draw the names one by one. The first of refusal will go in order from the first name draw to the last. The Clerk will maintain a list of the order that names were drawn for the remainder of that lease year.

Once the top drawn applicant accepts the lottery results, they shall have 30 days to submit a lease agreement, proof of insurance, payment and of a marine related business.

**Town of Harpswell
George J. Mitchell Field & Harpswell Bandstand
Use Policy**

This policy applies to:
Mitchell Field and Harpswell Bandstand
Groups over 50 attendees

Mitchell Field, including the Harpswell Bandstand, is the property of the Town of Harpswell.

The Board of Selectmen administers this Policy. The Selectmen may waive any provision of this policy if they determine that such waiver is consistent with the intent of this policy and in the public interest.

1. Mitchell Field and Harpswell Bandstand

- a. This Use Policy shall apply to all groups, entities including but not limited to any not-for-profit organizations or assemblage which exceeds or is expected to exceed 50 people, and requires Selectmen approval. A streamlined approval process may be utilized for repeat group use applicants previously approved by the Board of Selectmen, for the Town's three fire departments and for private functions such as weddings, reunions, and birthday parties that have more than 50 guests but less than 125. For these applicants, a one-page Mitchell Field Group Use form shall be used and staff shall have the authority to approve the request as long as it is consistent with the policy and rules.
- b. While this policy does not apply to not-for-profit organizations or groups expecting fewer than 50 people, reserving a specific area through the Town is recommended.
- c. Events are scheduled in half or full day increments. A half day is six hours or less. A full day is more than six hours, but less than 12 hours.
- d. The Bandstand is solar powered and electricity can be provided up to 2800 watts.

2. General

- a. Applicant: The applicant may be an individual, organization (not recognized by government) or a non-profit (recognized by government) or for profit organization. All groups must adhere to the rules regarding use of Mitchell Field, a copy of which is attached. All groups must comply with applicable laws and regulations prohibiting discrimination. All activities conducted at Mitchell Field shall comply with all State and federal laws and regulations and with all local ordinances. Activities that pose a threat to persons or property are prohibited. The use of Mitchell Field/Bandstand may be denied if the proposed event is inconsistent with the nature and location of the property. The Town reserves the right to refuse the use of Mitchell Field/Bandstand to any

group. All applications must specify those areas of Mitchell Field for which the application is being made.

- b. Reservation: The applicant must complete a Group Use application form requesting use for the event. The Town reserves the right to limit the number of events per day at Mitchell Field. First priority will be given to Town-sponsored events.
- c. Duration: For any events lasting more than 12 hours, a double fee may be charged.
- d. Security Deposit: A refundable security deposit, beyond the facility fee, equal to the applicable fee will be collected at the time of approval. This deposit shall be returned to the applicant within 30 business days of the event if all conditions of the Use Policy have been met.
- e. Fees: Functions sponsored by the Town of Harpswell and school groups are exempt from fees. Applications proposed for use of both Mitchell Field and Bandstand will be charged full price for the principal use and .5 fee for the secondary use. Applicable fees are as specified below and are due upon approval of use:

	<u>Mitchell Field:</u>	<u>Bandstand:</u>
Resident, taxpayer, Harpswell based organization or benefit to Harpswell residents or taxpayers	.5 day \$100 / full day \$200	.5 day \$100 / full day \$200
Individual or organization - not Harpswell based or no benefit to Harpswell residents or taxpayers	.5 day \$200 / full day \$400	.5 day \$200 / full day \$400
Not-for-profit (recognized by government)		
Harpswell based or benefit to Harpswell	None	.5 day \$100 / full day \$200*
Not Harpswell based or not benefit to Harpswell	.5 day \$100 / full day \$200	.5 day \$200 / full day \$400*
For Profit entity (use approved by Board of Selectmen)		
up to 200 people	\$500*+	\$500*+
201-500 people	\$1000*+	\$1000*+
over 500 people	\$2000*+	\$2000*+
*requires Selectmen approval regardless of size		
*+ fees listed are minimum fees and may be subject to change during Selectmen review		

- f. Payment: Payment may be made in cash, check or credit card at the Harpswell Town Office.
- g. Insurance: The applicant must provide a certificate of public liability insurance for the event. The Town of Harpswell must be named as an additional insured in the amount of \$400,000.
- h. Parking: All event parking must take place in designated areas approved by the Town.
- i. Restrooms: Two handicap accessible portable restrooms are on premises from April through November. Applicant must provide additional restrooms, to be sited by the Town, at his/her expense for events with greater than 100 people (1 additional per 50 persons above 100). Portable restrooms must be removed immediately after the event.
- j. Tent(s): If a tent(s) is to be used it must be sited by the Town and the applicant must provide the tent(s) at his/her own expense. Any tent(s) must be removed immediately after the event.
- k. Barbecues/Cook Stoves: The applicant must provide his/her own barbecues or cook stoves and fuel. They must be approved for use in Mitchell Field by the Town and may be sited by the Town. No barbecues or cook stoves may be used inside the Bandstand or on the brick walkway.
- l. Water: Drinking water is not available in Mitchell Field.
- m. Electricity: Limited electricity is available in Mitchell Field. If the applicant requires electricity for an event, the event will be sited in an area where electricity is available. However, the applicant will be responsible for all associated costs. Solar powered electricity is available at the Bandstand.

- n. Private Equipment: Utilization of private equipment within the facility is permitted with prior approval by the Town.
- o. Noise: Amplified sound is allowed for an approved use provided it does not constitute a nuisance to the surrounding property owners. All amplified sound will cease not later than 10:00 pm.
- p. Sub-Contractor: The applicant is responsible for adherence to all regulation by any subcontractor, employee or volunteer including but not limited to: caterers, musicians, etc.
- q. Decorations: No physical changes may be made to the property in any way. No staples, screws, tacks, tape or any other material that may cause permanent damage shall be used to fasten or affix anything to the Bandstand, brick walkway, fence or to any structure.

- r. Damage: Mitchell Field/Bandstand grounds must be left as found. This means no damage to or collecting of animals or plants, no refuse left behind and no damage to roads, trails, and structures. Violators will be responsible for restoring the facility to the condition it was in prior to the approved use.
- s. Access: An event and its participants shall not interfere with the concurrent use and enjoyment of Mitchell Field by others and there shall be no entry charge for non-event users. Participants in events sponsored by non-profit organizations may be asked for voluntary donations.
- t. Security: Groups exceeding 200 must provide private security covering the event.
- u. Trash: Each applicant is responsible for providing trash receptacles that must be emptied at his/her own expense and removed immediately after the event.
- v. Intoxicating Beverages: Prohibited on the premises.
- w. Waterfront: Swim at your own risk – no lifeguard on duty.
- x. Picnic Tables: Picnic tables may be used for events, all but two that must be left near the waterfront for use by others. Picnic tables must be returned to the waterfront area immediately after use.

3. Vendors

- a. See Policy on Sale of Food Items at Mitchell Field by Nonprofits and Non-Profit Entity Request Form for Use of Mitchell Field to Sell Food Items.

Approved by the Board of Selectmen March 6, 2014
Fees amended by Board of Selectmen October 4, 2018
Amended by the Board of Selectmen September 1, 2022

RULES FOR GEORGE J MITCHELL FIELD

Mitchell Field is open from sunrise to sunset.

For your safety and to protect this resource:

- **Remain on the trails when in the forested area.**
- **Stay off the bluff on the southwest perimeter. It is unstable.**
- **The buildings and water tower, which are safety hazards, are off limits.**
- **Leave the soil undisturbed.**
- **No fires are allowed.**
- **Leave flowers and other vegetation for others to enjoy.**
- **Carry out what you carry in – all trash.**

Prohibited Items:

- **Intoxicating beverages**
- **Hunting**

Animal Control:

- **Pets must be under owner's control. From 11:00 a.m. to 1:00 p.m. daily, dogs must be leashed.**
- **Pet owners must immediately clean up any fecal deposits left by their pets.**
- **Feeding or touching wild animals is dangerous and forbidden.**
- **Report unusual animal behavior to the Animal Control Officer at 1 (800) 501-1111.**

Vehicles:

- **Automobiles are allowed when the gate is open.**
- **All-terrain vehicles are not allowed.**

**ALL USES OF THIS FACILITY ARE AT THE USER'S RISK.
THERE ARE NO LIFEGUARDS
FOR MORE INFORMATION CALL THE TOWN OFFICE AT 833-5771
FOR AN EMERGENCY CALL 911**

**Town of Harpswell
Request for Use of Mitchell Field and/or Harpswell Bandstand**

Group Making Request:

Resident or taxpayer Non-Resident Organization, Harpswell based Non-Profit, Harpswell based Organization, not Harpswell based Non-Profit, not Harpswell based
 For Profit If a benefit, for who or what purpose_____

Contact Person_____ Phone_____

Address_____ Email_____

I hereby request permission to use an area within Mitchell Field: _____(include diagram)

Bandstand: Half Day Full Day Other _____

Date(s) requested_____ Time: Start_____ End_____

Purpose of activity_____

Special needs or requests_____ Number of

Guests_____

The Group Representative who will be present at all times and in charge of this event is:

Name_____ Phone_____

Electricity Needed_____ Amplified Sound_____ Diagram included showing use areas & parking_____ Insurance_____ Sub-Contractor_____

Our group hereby acknowledges that it has received a copy of the Rules and the Group Use Policy applicable to Mitchell Field/Bandstand. It agrees to adhere to these Rules and to the Group Use Policy.

Our group will leave the facilities in the same condition in which it found them, and agrees to pay the full costs of repairing any damages incurred and/or clean up necessitated by this event.

The Town of Harpswell shall be held free and harmless from any liability for accidents, personal injuries and damage to property caused by the activities and/or participants in this event.

Signature of Applicant_____ Date_____

The applicant has received a copy of the Rules.

The applicant has received a copy of the Group Use Policy.

Application received by_____ Date_____

Request: Approved Disapproved Group Notified Proof of Insurance

Total Fee: \$ _____ Paid Deposit Received Deposit refunded

By _____ Date_____

POLICY ON SALE OF FOOD ITEMS AT MITCHELL FIELD BY NONPROFITS

Mitchell Field is the property of the Town of Harpswell. It is maintained for the benefit and use of Harpswell property owners, renters and their guests. At times the Board of Selectmen is requested to permit the sale of food items at Mitchell Field by nonprofit organizations. Granting such permission shall be based on the following:

1. The organization shall be clearly identified and shall be non-profit in nature. For instance, the organization may include but not necessarily be limited to educational, charitable or governmental in purpose.
2. The organization shall provide proof of liability insurance consistent with the Town's Group Use Policy for Mitchell Field.
3. The organization must clean up any debris resulting from its use, and ensure that the property is returned to its condition prior to the sales activity.
4. The Board of Selectmen reserves the right to limit the number of organizations selling food items at any one event.
5. Staff shall review and make a determination on applications. If staff is unable to reach a determination, the final determination as to the granting of permission for the sale of food items by nonprofits rests with the Board of Selectmen, and in making such determination, the benefit to the general community shall be considered.
6. The organization shall be responsible for obtaining any necessary food license required by the Maine Department of Health and Human Services. The organization shall submit a copy of the license or evidence that one is not required.
7. The Board of Selectmen reserves the right to charge a fee to the organization for permitting the sale of food items.
8. The Board of Selectmen reserves the right to set any other limitations it deems necessary or appropriate.

Approved by the Board of Selectmen June 27, 2013

POLICY REGARDING POLITICAL SIGNS ON TOWN-OWNED PROPERTY

Signs bearing political messages relating to an election, primary, referendum or warrant article are prohibited on Town-owned property and buildings, excluding Town roads, outside the travelled way; provided however that political signs are prohibited on Community Drive and all ways at Mitchell Field.

Adopted by the Board of Selectmen September 9, 2010

Potts Point Town Dock Policy

The Town of Harpswell owns and maintains a public wharf and float system on Potts Point providing public access to Casco Bay.

The purpose of this policy is to (1) foster an organized and orderly use of the Town's float system at the Town Dock; and (2) adopt rules and regulations governing the use of a Town Wharf, Dock or Float that establish a systematic approach for the Harbormaster to grant permission for vessels to exceed the thirty (30) minute tie-up limit, pursuant to Section 8.1.11 of the Harbor and Waterfront Ordinance..

This policy applies only to long-term dinghy registration. Owners of transient and temporary boat tie-ups shall still contact the Harbormaster for use of the Town float as stated in the Harbor and Waterfront Ordinance (section 8.1) A Town-issued registration and number shall be required for keeping a dinghy, or skiff on designated float space at the Town Dock. A current registration application form will be available on January 15 of each year (on April 1st in 2013) from the Harbormaster, the Town Clerk's Office or on the Town website (<http://www.harpswell.maine.gov/>). Applications may be submitted to the Town Clerk, by mail, in person or by email addressed to harbormaster@town.harpswell.me.us.

Upon receipt of a dinghy registration application, the Town Clerk shall affix the day's date and at the end of the day, forward the applications to the Harbormaster for processing. A permitted dinghy space shall be assigned a location at the Town Dock by the Harbormaster on a first-come first served basis as space permits and assigned in accordance with the priority list, allowing 10% of the available spaces to be assigned to non-residents:

Priority List:

Residents and Non-Resident Taxpayers (25);

Non-Resident (3)

Note: the terms Resident, Non-Resident Taxpayer and Non-Resident are defined as set forth in Section 4, Definitions, of the Town of Harpswell's Harbor and Waterfront Ordinance:

Resident: An individual who maintains a legal residence in the Town of Harpswell.

Non-Resident Taxpayer: A non-resident who pays real estate taxes to the Town of Harpswell.

Non-Resident: Any individual who does not maintain a legal residence within the Town of Harpswell.

All applications received on the day the number of applications exceeds the number of unassigned spaces available at the dock will be entered into a lottery and, based on the priority list, the remaining spaces will be assigned. Applicants will not be granted more than one dinghy registration in any given year.

Following review of the applications the Harbormaster shall inform the applicants of the success or failure of their application and issue registration numbers specific to the dinghy or skiff noted on the application form. The applicant will have fifteen (15) business days to complete the registration process pick up registration number and pay the registration fee. Failure to meet this deadline will result in the voiding of his or her application and that space will go to the next applicant on the priority list. The priority list shall be maintained from the current year's application period until the next application period. At which time, the priority list will begin again based on current year applications.

The issuance of a registration number specific to the dinghy or skiff allows the dinghy or skiff to be secured at the designated float space and left unattended at the Town Dock for more than 30 minutes.

By virtue of the acceptance of a registration number by a dinghy or skiff owner or operator by the Harbormaster, the owner/operator agrees to the following:

- a. Each dinghy or skiff, shall be marked with the dinghy or skiff registration number, which shall be assigned by the Harbormaster.
- b. All dinghies and skiffs shall be properly secured and maintained, but shall not be secured with chains or wire, or padlocked to the Town Dock.
- c. No dinghy or skiff exceeding 12 feet in length, shall be registered for a designated float space at the Town Dock.

The sale, lease, rental, transfer or assignment of a registration number is prohibited. The registration numbers shall expire December 31 of each year. No vested rights to the issuance of a registration number at a later date or a priority space assignment are obtained by the owner/operator by virtue of the issuance of a registration number by the Harbormaster

POTTS POINT TOWN DOCK RULES AND REGULATIONS:

1. It shall be unlawful to leave a vessel at a Town Wharf, Dock or Float for a period exceeding thirty (30) minutes without the permission of the Harbormaster.
2. No person shall create a public nuisance or consume alcoholic beverages on the Town Dock.
3. The storage of dinghies or skiffs, fishing gear, bait or personal items on the Town Dock is prohibited.
4. No person shall leave any trash, garbage or waste on the Town Dock.
5. The refueling (either diesel, gasoline or otherwise) of boats, outboard motors or auxiliary motors is prohibited on the Town Dock.
6. The Harbormaster may remove, or cause to be removed, to Town-owned property, any unattended dinghy, or skiff obstructing use of designated areas after due effort has been made by the Harbormaster to notify the owner or operator of said dinghy, or skiff of the violation. The vessel owner shall be responsible for all associated costs of removal.
7. The Harbormaster shall have the general authority to supervise use of the Town Dock and shall be responsible for the neat and orderly use of the Town Dock and for the assignment of float space.
8. Any dinghy or skiff filled with water to the seat level shall be considered unattended.

Contact information

Town Office: 207 833-5771

Registration fee: Resident/Non-Resident Taxpayer: \$50.00
Non-Resident \$100.00

ADOPTED BY HARPSWELL BOARD OF SELECTMEN March 6, 2013
Amended June 25, 2015
Amended March 28, 2019

Public Use of Facility Policy

This document is intended to establish a consistent policy regarding the public's use of the Recycling Center/ Transfer Station grounds. This action has become necessary in light of petition drives, educational outreach and other civic events that have sought to engage the public within the facility. It has become clear that public and staff safety, traffic concerns and the daily operational scope of the facility need to be addressed and guidelines established for its public use. It is no one's intent to restrict in any way the efforts of any entity wishing to use the facility grounds pursuant to the policy. The guidelines set forth will pertain to all further public activities including campaigning by groups or individuals.

PUBLIC USE

All Groups, Organizations, Candidates, Person's etc. seeking to use the Recycling Center/ Transfer Station Grounds for any reason, will need manager approval beginning May 1,st 2020. Upon approval any and all petition drives, public outreach, educational kiosks, campaigns, bake sales, etc. will be permitted to set up in the rear of the facility. Any necessary information kiosks or manned posts must have representatives present at all times.

Stationing and location of said groups or entities will be at the rear of the facility as directed by management or delegated staff. The number of events allowed on one particular day will be limited.

Users may not impede the public's use of the facility as intended. Use of facility must not cause any traffic or safety related issues. All users will conduct themselves in a safe and appropriate manner while on premises. Any participant exhibiting inappropriate and/or uncivil behavior will be asked to leave the premises immediately.

CAMPAIGNING

An individual campaigning for public office will be permitted to do so within the same guidelines as above. Individuals will be encouraged to wear some form of safety vest or hi-visibility clothing. All pertinent guidelines mentioned in the public use section will apply to an individual while campaigning.

Groups or persons campaigning for an individual candidate, bond issue, warrant article, ballot question or referendum will be located in the rear of the facility and will be subject to the above guidelines in the public use section.

SIGNAGE

All political and campaign signage is regulated by the Political Signs on Town Property policy contained within the Town of Harpswell Policy Manual. The Recycling Center has an open bulletin board attached to the front of the building. This board is split with one half available for community postings and the other half being reserved for Town and Facility communications. Any vulgar or inappropriate postings will be removed immediately. Any political postings that violate the Town's political sign policy will be removed as well. Approved users of the facility will be allowed some form of generic signage, the purpose of which is to guide persons to the rear of the facility where there business, campaigning, outreach, etc. is being conducted. Said signage will be placed where directed by the management or delegated staff.

It is important that we keep the Recycling Center and Transfer Station as safe and distraction free as possible. The facility is a busy hectic place at times and can be potentially dangerous. Residents, visitors and staff health, safety and wellbeing depend on it.

Adopted by the Board of Selectmen May 28, 2020

Town of Harpswell
RULES FOR TOWN TRAILS
Adopted November 4, 2004

- 1. Do not dig or disturb the soils.**
- 2. Everything carried in must be carried out. This is the trash disposal policy.**
- 3. NO fires are allowed.**
- 4. Intoxicating beverages are not allowed.**
- 5. Do not pick any living thing. Leave everything for others to enjoy.**
- 6. Pets must be under owner's control.**
- 7. Pet owners must immediately clean up any fecal deposits left by their pets on the trail.**
- 8. Report any unusual animal behavior to the Town of Harpswell's Animal Control Officer at 1-800-266-1444.**
- 9. NO motorized vehicles allowed, other than wheelchairs and authorized vehicles.**
- 10. Users should wear safety orange clothing during hunting season.**

All uses of the Town trails are at the user's risk.

Management of Trails on Town Lands

Personnel and Responsibilities

1. Recreation Department Director (RDD)

The RDD Director shall oversee the maintenance of the trails on Town lands:

- Cliff Trail
- Devil's Back Trail
- Giant Stairs Trail
- Mitchell Field Trails
- And any future trails to be established on Town lands

Responsibilities include:

- a. Appoint Trail Monitors
- b. Produce trail maps and signage
- c. Maintain a list of community volunteers who are interested in doing trail work and/or have special skills (i.e., chainsaw, trucks and trailers for hauling, etc.) and organizing community-wide work parties when more extensive maintenance is required

2. Trail Monitors (TM)

Each trail on Town lands shall have a designated Trail Monitor. The TM need not be a member of the Recreation (RC) or Town Lands (TL) Committees but should be a person committed to monitoring and seeing to the maintenance of the trail. Ideally this person may be the Town Land Steward.

Responsibilities include:

- a. Clearing the trail of fallen trees, branches, and litter
- b. Trimming back the sides of trail to allow for clear and easy passage
- c. Maintaining trail blazes, signs and replenishing maps
- d. Walking trail and reporting condition back to RC at least twice a year
- e. Notifying the RDD when additional volunteers are needed for major remediation and other trail improvements

3. Volunteers

All volunteers shall sign a Town Volunteer Liability Release form (*Appendix A*).

4. Work Party Safety

If power equipment (chainsaws, trimmers, etc.) is to be used, all members of the work party are required to follow the procedures outlined in Appendix B.

Unofficial Trails

The TM shall identify unofficial trails (often referred to as Bootleg trails) and monitor their effect on the town trail. If it leads hikers off the town trail, the TM shall take actions to block the trail with brush or logs, establish new signs and blazes, or other appropriate means to prevent hikers from getting lost. If the problem persists (i.e., the "bootlegger" removes the barriers or cuts new trails) the TM shall bring the issue to the RDD. From there the matter will go as high as needed (Administrator, BOS).

Public Input and Communication

At each trailhead and exit a sign shall read: "To report a downed tree or other trail problem, please notify the Recreation Department Director" and shall include the phone number and email.

Town Rules

The Town, through whatever appropriate means, shall establish that ONLY designated parties such as the TM, RC, and TL have the authority to create, alter or discontinue sections of trails on Town lands. Furthermore, these parties, under the direction of the Recreation Director, have authority for maintenance of the trails and for re-routes for safety and convenience. Any new or major trail construction shall go through the established process of plans to be brought before the Board of Selectmen

APPENDIX A

Town of Harpswell Recreation Department
P.O. Box 39
Harpswell, Maine 04079

Volunteer Liability Release

Name: _____ Phone: _____
Address: _____ E-mail: _____
City/St/Zip: _____

I would like to participate in the following activity: Trail Clearing & Construction Operations

Site of the activity:

Duration of the activity:

Specific hazards and restrictions:

This activity will involve clipping & cutting trees & bushes, and mowing grass. These operations will involve the use of hand tools, power lawn mowers and chain saws. There is always potential danger of injury associated with falling limbs and trees.

Anyone operating a lawn mower or chain saw does so at their own risk, with the understanding that the operator will comply with all safety and equipment procedures and guidelines governing correct use, proper clothing attire and any other safety procedures as stated in the equipment operating manual.

Release from Liability

In consideration of the permission granted to the undersigned by the Town of Harpswell to participate in the above stated volunteer support activities during the Spring, Summer and Fall of (year), the undersigned hereby releases and discharges the Town of Harpswell, its agents and officers, from all actions, causes of action, damages, claims or demands which the undersigned, the undersigned’s heirs, executor, administrators and assigns may have against the aforementioned parties, for all personal injuries, known or unknown, which the undersigned has or may incur by participation in the above mentioned activities. The undersigned realizes he/she must provide his/her own health accident insurance for injuries that they may sustain while participating in the above-mentioned activities. The undersigned gives the supervisor permission to obtain whatever medical treatment may be necessary in the event of an injury which renders the undersigned unable to make a conscious decision of their own.

I have read and understand the description of activity, specific hazards and restrictions, and agree to the Release from Liability.

Signature of Participant/Guardian _____
Date: _____

APPENDIX B

Use of Chainsaws, Trimmers and other powered tools.

- While the town does not require specific training before a person can use gas or electric powered tools or equipment on town property when performing trail maintenance, it is assumed that the user is familiar with the tool or equipment, knows how to operate it in accordance with the operating instructions, and is familiar with its associated safety requirements.

- **Persons utilizing the equipment/tools are doing so at their own risk.**

- At a minimum, the **user is required to wear the appropriate Personal Protection Equipment (PPE)** recommended when operating specific equipment.

- **Chainsaw:**
 - Approved hardhat, full brim or cap style
 - Wrap-around eye protection (safety glasses or shield)
 - Hearing protection
 - Long sleeve shirt and long pants
 - Gloves
 - Boots
 - Chain saw chaps

- **Trimmer:**
 - Wrap-around eye protection (safety glasses or shield)
 - Hearing protection
 - Long sleeve shirt and long pants
 - Gloves
 - Boots

- **PPE is required for all members of the crew who will be working in proximity of powered equipment:**
 - Safety glasses
 - Hearing protection
 - Gloves

- **A safety brief must be conducted** for the work crew prior to starting the project on required safety instructions, standoff requirements and safety equipment.

- **The work crew must have a first aid kit available** when power tools or equipment are in use.

Approved by the Board of Selectmen August 8, 2013

TOWN LAND STEWARDS

To create the position of Town Land Steward for each parcel of town owned land. Those seeking to be Stewards will apply using the Town Committee application forms and will be appointed by the Select Board for 2-year terms. A Town Land Committee member shall automatically be considered a Steward with the term to correspond to the member's term on the Town lands Committee.

The Town Lands Committee will assign each Steward to one or more parcels of land to monitor and To report the conditions of those parcels to the Town Lands Committee at least twice per year based on a schedule developed by the Committee. Stewards are observers and reporters. They are not managers of town lands.

The Town Lands Committee shall adopt reporting formats for the Stewards and for the Committee substantially similar to the drafts accompanying this proposal. The Committee shall report annually to the Select Board on the conditions of each parcel for which they are responsible, along with recommendations for action, if any.

Approved by Board of Selectmen as revised June 5, 2008
Amended by Board of Selectmen May 25, 2016

(Stewards Form next Page)

Town of Harpswell Steward Report to The Town Lands Committee

Location: _____ Map/Lot: _____

Name of Steward: _____ Date of Visit: _____

Land Use: Recreational Commercial Undetermined Other _____

Condition of Access:

	Poor	Fair	Good	N/A
By Land				
By Water				
Parking Area				
Paths/Trails				
Other				
See Comments Below:	<input type="checkbox"/>			

Condition of Erosion

	Poor	Fair	Good	N/A
By Land				
By Water				
Permanent Damage				
Temporary Damage				
Other				
See Comments Below:	<input type="checkbox"/>			

Encroachments:

	Yes	Maybe	No	N/A
By Land				
By Water				
Haul Offs				
Floats				
Gear				
Other				
See Comments Below:	<input type="checkbox"/>			

Condition of View Window:

	Poor	Fair	Good	N/A
By Land				
By Water				
Free, clear, open				
Other				
See Comments Below:	<input type="checkbox"/>			

Condition of Maintenance Issues:

	Poor	Fair	Good	N/A
By Land				
By Water				
Hazards				
Wear and Tear				
Other				
See Comments Below:	<input type="checkbox"/>			

Property Needs:

	Yes	Maybe	No	N/A
Signage				
Rules Posted				
Enforcement				
Clean up				
Mowing				
Snowplowing				
Dispute Resolved				
Survey				
Caretakers Input				
Town Budget Money				
Attention of Selectmen				
More Monitoring				
More Parking				
Other				
See Comments Below:	<input type="checkbox"/>			

Comments (use back or additional sheets if necessary)

Town of Harpswell Tobacco-Free Resolution

The Town of Harpswell in the State of Maine in order to promote the health and safety of residents, visitors and recreation participants establishes a Tobacco-Free Campus at the following Town owned properties or facilities: Trufant-Summerton Ballfield property, the Old Town Meeting House property, Recycling Center and Transfer Station facilities. Employees and other visitors shall not smoke or use any tobacco products within 30 feet of any entranceway to any building at the Town Office.

Whereas the Town of Harpswell, Maine has set a goal that Town property be a safe and healthy place to recreate, live and work; and

Whereas tobacco use is the single most preventable cause of death and disease in the United States, as well as in the state of Maine; and

Whereas secondhand smoke contains many harmful chemicals and cancer causing agents, and is a serious health risk to humans, especially infants, children, and pregnant women; and increases a nonsmokers' risk of asthma, heart disease, and lung cancer; and

Whereas chewing tobacco contains many harmful chemicals and cancer-causing agents, and its use is associated with concerns of the mouth, gums, tongue, and throat; and

Whereas vaping products are electronic nicotine delivery devices such as e-cigarettes, e-pipes, e-hookahs and hookah pens that are battery operated devices that are used to inhale a vaporized liquid solution that frequently contains nicotine and also contains additional ingredients that are suspected of being harmful to humans; and

Whereas the purpose of the recreation program is to provide quality recreation and leisure experiences that enhance the quality of life of the citizens of Harpswell, including providing a safe environment for these experiences; and

Whereas the tobacco use and exposure to secondhand smoke are contrary to enhancing the quality of life and providing safe environments; and

Whereas the staff and coaches are important role models for the youth who participate in community recreation activities and whereas what coaches promote is respected and imitated by youth; and

Whereas the intent of this Policy is to create a tobacco-free environment for all residents and visitors in certain public areas of Harpswell;

Now therefore, be it resolved that the above-mentioned Town-owned properties are to be tobacco-free or tobacco restricted, including but not limited to cigarettes, non-FDA approved electronic nicotine devices, cigars, and chewing tobacco.

Be it further resolved that:

- Neither tobacco free company sponsorship nor their resource will be accepted and participants and staff will be discouraged from wearing clothing or using gear that advertises tobacco products.
- Tobacco-free signage, provided at no expense by the Health Maine Partnership, will be posted in appropriate areas.

Approved by the Board of Selectmen October 2, 2008; Amended by the Board August 3, 2017

TOWING OF DISABLES VESSELS

- Purpose:** The intent of this policy is to provide a clear understanding of boat operator responsibilities in assisting disabled vessels.
- Operation:** Only personnel authorized by the Town of Harpswell will operate Town owned vessels.
- Policy:** The Town of Harpswell recognizes that in the operation of the Marine Patrol Boat, it may be necessary to provide assistance to disabled vessels. This assistance should explore all reasonable remedies that do not necessitate the towing of the disabled vessel.
- Exception:** In the event that an operator of the Marine Patrol Boat encounters a disabled vessel that is in immediate danger or presents a life safety risk to the occupants, the operator is authorized to take the appropriate action (within their skills and abilities) to tow the vessel to a safe position clear of the hazard.
- Responsibility:**
The operator of the Marine Patrol Boat will require the disabled vessel occupants to don personal flotation devices.

Adopted by the Board of Selectmen August 9, 2012



Town Of Harpswell Trufant Summerton Athletic Field Use Policy

Trufant Summerton Athletic Field is the property of the Town of Harpswell. The Recreation Director administers this Policy. The Recreation Director may waive any provision of this policy if determined that such waiver is consistent with the intent of this policy and in the public interest.

It is the policy of the Town of Harpswell and its Recreation Department to allow the use of Trufant Summerton Athletic Field to:

- Residents and non-resident taxpayers
- Non-profit organizations and businesses that reside in Harpswell or pay taxes in Harpswell
- Youth organizations in Harpswell and the greater Harpswell area that provide services for Harpswell residents
- Other organizations that have a significant participation rate of Harpswell residents or provide services for Harpswell residents

All groups must comply with applicable laws and regulation prohibiting discrimination. All activities conducted shall comply with all State and federal laws and with all local ordinances. Activities that pose a threat to persons or property are prohibited. The use of the facility may be denied if the proposed event is inconsistent with the nature and location of the property. The Town reserves the right to refuse the use of the facility to any group.

- 1) The scheduling of the Athletic Field shall be done on the following premise with Harpswell groups taking precedence over others:
 - Recreation Department programs, activities and functions
 - Youth programs
 - All others listed above on first come, first served basis
- 2) The applicant must complete a Group Use application requesting use for the event.
- 3) Facilities:
 - Water – There is water available in the concession stand.
 - Electricity – Electricity is available at the facility. However, the applicant will be responsible for all associated costs.
 - Restrooms – There are two restrooms in the garage.
- 4) Tents, barbeques/cookstoves, and private equipment are permitted. Applicants are responsible for providing their own equipment at their expense. All equipment must be removed immediately after the event.
- 5) Use of sports equipment owned by the Town of Harpswell may be permitted if equipment is available and approved by the Recreation Director.
- 6) No use of the concession stand for profit will be permitted.
- 7) The Town of Harpswell reserves the exclusive right to either deny/cancel use of the facility based upon condition, weather, and the wear of the impending activity on the facility for any reason at any time.
- 8) Any group using the facility is responsible for costs of any damages or missing property which occur during the time of their use. Costs that are incurred for additional clean up/maintenance time may be charged.

- 9) An event and its participants shall not interfere with the concurrent use and enjoyment of the facility by others and there shall be no entry charge for non-event users. Participants in events sponsored by non-profit organizations may be asked for voluntary donations.
- 10) No physical changes may be made to the property in any way. No staples, screws, tacks, tape or any other material that may cause permanent damage shall be used to fasten or affix anything to structures or fencing.
- 11) The Trufant Summerton Athletic Field is an alcohol, drug, tobacco, vape, e-cig, etc. free facility.
- 12) Dogs are not permitted inside the fenced areas.
- 13) Each applicant is responsible for providing trash receptacles that must be emptied at his/her own expense and removed immediately after the event.
- 14) A \$25 refundable security deposit beyond the facility fee will be collected at the time of approval. This deposit shall be returned to the applicant within 30 business days of the event if all conditions of the Use Policy have been met.
- 15) Functions sponsored by the Town of Harpswell and school groups are exempt from fees. Applicable fees are below and are due upon approval of use.

Fee Schedule:

Residents and non-resident taxpayers (groups over 25)	\$10 per hour
Businesses and non-profit organizations within Harpswell	\$15 per hour
Youth organizations	\$5 per child under 18
Other organizations significant Harpswell attendance/providing services	\$20 per hour

- 16) Payment may be made by cash, check or credit card at the Harpswell Town Office.
- 17) The applicant must provide a certificate of public liability insurance for the event. The Town of Harpswell must be named as an additional insured in the amount of \$400,000.

Rules for Trufant Summerton Athletic Field

- Open from sunrise to sunset
- Leave the soil undisturbed
- No fires or fireworks allowed
- Carry In – Carry Out trash policy
- No bicycles or motorized vehicles permitted on field
 - No dogs permitted inside the fenced areas
 - No climbing on dugouts or fences
 - No alcohol, drugs, tobacco, vape, e-cigs, etc.

Animal Control

- Dogs permitted outside the fenced area only
- Pet owners must immediately clean up any fecal deposits left by their pets
 - Feeding or touching wild animals is dangerous and forbidden
- Report unusual animal behavior to the Animal Control Officer at 1-800-501-1111

All uses of this facility are at the user's risk

POLICY FOR USE AND OPERATION OF MOWER

The Town of Harpswell has purchased a mower for use only by authorized volunteers* at Mitchell Field. When not in use, the mower shall be stored on-site in the garden building where an activity/incident log shall be maintained indicating the date and time of use, the area mowed, the volunteer responsible and note any incidents. This log shall be submitted to the Town Office on a monthly basis. Issues related to maintenance shall be brought to the immediate attention of Town administrative staff. The purchase of fuel shall be authorized by Town staff and payment shall be made directly by the Town to the vendor from whom the fuel was purchased.

*An authorized volunteer must at least 18 years of age and sign a waiver which shall be kept on file at the Town Office.

Approved by the Board of Selectmen April 25, 2013

Revised by the Board of Selectmen September 19, 2013

TOWN OF HARPSWELL POLICY FOR USE OF TOWN OFFICE MEETING FACILITIES

Adopted May 26, 2011

Purpose: The purpose of this policy is to outline the circumstances under which the Town Office meeting facilities may be used. It is the intent of this policy to give priority for use of meeting rooms to the Board of Selectmen, its appointed Boards, Committees, Commissions and Task Forces, Town-sponsored recreational programs and staff.

Policy: It is the general policy that the Town Office meeting facilities shall be used primarily by the Board of Selectmen, its appointed Boards, Committees, Commissions and Task Forces, Town-sponsored recreational programs and staff. Additionally, the meeting facilities shall be made available for use by other government agencies and officials, groups and organizations receiving direct funding from the Town and not-for-profit and civic organizations when such uses can be accommodated during regular business hours without interfering with the needs of the Town or with citizens wishing to transact business. For priority uses 5, 6 & 7 below, after hours use may be allowed for special circumstances as authorized by the Town Administrator. The use of the Town Office Building meeting space by for-profit entities is not authorized.

Priorities for Use:

1. Meeting of the Board of Selectmen
2. Meeting of Town Boards, Committees, Commissions and Task Forces
3. Recreational Program
4. Meeting of Town staff
5. Meeting requested by agencies or officials of County, State or Federal Governments
6. Meeting of Groups & Organizations receiving direct funding from the Town

7. Meeting for Not-for-Profit Organizations where the meeting is open to the general public and intended to provide information to the general public.

A schedule for use of the Town Office meeting rooms shall be maintained at the Front Desk. The Town Administrator should be contacted in the event of a scheduling conflict or if a question arises regarding priority uses.

VEHICLE USE POLICY

Adopted March 2, 2000 by Board of Selectmen

The Town vehicle is for the use of the Codes Enforcement Office, the Assessing Office and such other Town uses as the Town Administrator may determine. The operation of the Town vehicle will be for a one-year period, beginning January 1, 2000, to determine its economic feasibility. If continued, it is expected that the 2000 vehicle will be sold and replaced by the next vehicle turned back by the Sheriff.

A log book will be maintained in the vehicle and kept current each time the vehicle is used. The following information shall be recorded in the log book:

1. Purpose of usage, user and mileage for each use
2. All purchases of gasoline, lubricants and other consumables showing their amount and cost
3. A description and cost of all repairs and upkeep
4. A description of any damage to or by the vehicle
5. Any operating comments the driver may submit

The Town Administrator shall see that these records are kept, analyzed and the results presented to the Selectmen prior to the return of the next vehicle.

Use of vehicle shall be within Harpswell town limits unless prior approval has been received from Town Administrator or his/her delegate.

BOSTON POST CANE POLICY

Purpose

The purpose of this policy is to provide for the preservation of the tradition of the Boston Post Cane which seeks to recognize and show appreciation for the oldest resident of Harpswell.

Requirements

To be nominated to receive the distinction, a person must:

1. be the oldest identified resident,
2. have been a resident in Harpswell for a minimum of 25 years including the most recent 10 years,
3. be 90 years of age or older, and
4. be willing to receive the honor in person or through a family member or friend.

Resident is defined as someone who is currently on the voter registration list or would qualify to be on the voter registration list. Persons living outside the town on a temporary basis with the intent to return or in an area nursing home may be eligible.

The Harpswell Board of Selectmen shall make the final decision about who shall receive the award and provide for public acknowledgment of such resident.

Method of Search

The Town shall endeavor to determine the oldest resident by means such as review of voter registration list, advertising, inquiry of civic groups, general public knowledge, or nomination by family or friends. The Board of Selectmen shall establish a nomination period of not more than 60 days. Nomination forms will be available online or at the Town Clerk's Office.

Presentation

The Chair of the Harpswell Board of Selectmen or his/her designee shall present Harpswell's oldest resident with a plaque and pin signifying the honor. The location of the presentation will be determined according to the circumstances of the honoree. If practicable, there shall be a photograph taken of the honoree with the cane, however, the cane shall be returned for display at the Harpswell Town Office. Once awarded, the subsequent discovery of an older resident or the relocation of another older person to the community shall not invalidate the honor or designation.

The recipient shall retain the honor as long as he or she remains in Harpswell or in a nearby nursing home or residence. The Town Clerk's Office upon knowledge or notification that the recipient has died, changed residency, or otherwise refused the honor, shall so inform the Board of Selectmen that a new search should begin.

This policy shall be administered with reasonable flexibility by the Board of Selectmen.

Adopted by the Board of Selectmen May 14, 2015

BOSTON POST CANE NOMINATION FORM
Harpswell, Maine

Name of Nominee: _____

Nominee's address:

Nominee's Date of Birth: _____ Telephone #: _____

Year Nominee became a Harpswell resident: _____

Please attach proof of date of birth and residency when submitting form.

Name of Person Making Nomination:

Address: _____

Telephone #: _____

Email Address: _____

Please forward form and attachments to:

Town Clerk's Office
P.O. Box 39
Harpswell, Maine 04079
Fax: 207-833-0058 or
cdoughty@town.harpswell.me.us
tgaudet@town.harpswell.me.us

If you have any questions please call Cathy Doughty, Town Clerk, or Tracy Gaudet, Deputy Town Clerk, at 207-833-5771.

Code of Conduct
Board, Committees, Commissions, Task Forces, Working Groups
Adopted by the Select Board November 16, 2023

Rationale:

Pursuant to Maine Statute 30-A M.R.S.A. § 2605(7) it is the policy of the Town of Harpswell that the proper operation of democratic government requires that public officers, officials and members of all boards and committees, whether appointed or elected, be independent, open-minded, and responsible to the citizens; that public service not be used for personal gain; and that the public have confidence in the integrity of its municipal government.

This Code of Conduct sets expectations for members of Harpswell’s Select Board, other Boards, Committees, Task Forces, Commissions, Working Groups and any Ad Hoc groups assigned by the Select Board to conduct themselves in a manner that will instill public confidence and trust in the operation and integrity of these bodies. It reflects the values of the Town of Harpswell.

Value Statement:

With the consistent theme of respect, inclusion, and accessibility, such that we create and maintain an atmosphere that welcomes the participation of all members of these bodies and the public, members of these bodies are expected to:

- Value and listen to all voices and be welcoming to all members of the community
- Work to ensure open, honest, courageous and respectful discourse
- Value different experience and knowledge bases of individuals
-

Appropriate conduct by all members is essential to effective government. Members will practice civility, professionalism and decorum in all discussions and will focus on the tasks, responsibilities and goals of the bodies.

Members will conduct themselves in a respectful manner to the public and to other members at all times, avoiding personal attacks. Differences of opinion and addressing tough challenges are expected, however, belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging tone or comments are not acceptable.

Members will continue respectful behavior (as above) outside of public meetings and discussions related to committee, task force, working group or commission matters.

Action to address conduct in violation of the Code of Conduct by an elected or appointed member may be in the form of a reprimand, censure, suspension from office for a fixed period, or removal from office. For purposes of this Code of Conduct, “appointed officials” includes members of any Town boards, committees, task forces, working groups, commission and any ad hoc committee appointed by the Select Board. Note: Select Board members may only be removed by following the provisions of the Town’s Recall Ordinance for Elected Officials and Board of Appeals members may be removed before the end of their term only for just cause, after notice and hearing by the Select Board.

Initially, any member of the board, committee, commission, task force, working group or ad hoc committee established by the Select Board has a responsibility to intervene when actions of members appear to be in violation of this Code of Conduct. This could be in the form of calling a Point of Order, but should be done respectfully as with all communication among members and others.

The Chair and Vice-Chair of the board, committee, commission, task force, working group or Ad Hoc committee appointed by the Select Board have the responsibility for intervening and/or following up when actions of members are called into question or appear to be in violation of this Code of Conduct. If such intervention fails or is ineffective, the Select Board may intervene and counsel members whose conduct does not comply with the Town’s ethical standards or take such other action as it deems appropriate under the circumstances.

I have received a copy of the Code of Conduct

Signature

Printed Name

Date

COVID Testing Policy

Due to the aggressive, continuing nature of COVID-19, the Harpswell Board of Selectmen is adopting this policy of voluntary COVID testing for any and all staff, full-time, part-time, per diem, and any staff under a contract. It is the strong desire of the Board to keep the staff and the public as healthy as possible.

If any employee wishes, he or she may request a rapid COVID test. This request may be by phone, e-mail, or preferably in person to Art Howe, Kristi Eiane, or Terri Sawyer and is to be kept entirely confidential. Rapid test kits will be kept in each of their individual offices. The test can be performed here in the Town Office in a location of the employee's choosing. The testing is painless and involves swabbing inside each nostril with a cotton applicator provided, then waiting 15 minutes for the result. There is no cost for this rapid test. If the test result is positive, the employee must then expedite their departure from their office and the building, using sick leave from that point forward. The employee is then strongly encouraged to make arrangements for the more accurate PCR test, which typically takes 24-72 hours for the result. Your primary care medical practitioner should be able to guide you at this point. The cost of this subsequent testing should be borne by your health insurance. In cases where that is not covered, know the Town will bear the cost for such testing. If the PCR test is negative, you should return to work, using Town Office requirements as per the email from Terri Sawyer labeled Face Coverings, 12-4-2021. If the PCR test is positive, you should return to work after 5 days have passed since your first positive test, rapid or PCR. However, if you feel sick, regardless of test results, please stay at home.

Here is more information on the rapid test we have purchased:

- FDA Authorized 15-Minute Self-Test: The test is a 15-minute self-test to detect whether or not an individual has COVID-19. The test can be completed in the comfort of your own home without the need to ship your sample to a lab.
- The iHealth COVID-19 Antigen Rapid Test is a lateral flow assay intended for the qualitative detection of nucleocapsid protein antigen from SARS-CoV-2.
- Easy to Use with Zero Discomfort: Test can be done by inserting 1/2 to 3/4 inch of a simple non-invasive nasal swab. Step-by-step instructional videos are available in our app (Installation of app is optional).
- For Ages 2 and Above : The self-administered test is recommended for individuals aged 15 years and older. Adult-collection is required for testing children 2-14 years old.
- Manage Group Testing Via Mobile App: The iHealth Test app allows the administrator of a small group to monitor and track the group members' test results as needed at school, work or an event.

Also, here is further information on quarantining and isolation, if helpful:

<https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html>

The bottom line is that we want and need a healthy workforce and a healthy public.

Adopted by the Board of Selectmen January 13, 2022

COMMITTEE GUIDELINES---TOWN OF HARPSWELL

Effective April 15, 1998 Amended February 3, 2000, July 30, 2009, May 26, 2011, September 27, 200, May 6, 2010, December 13, 2012, July 9, 2015 and November 16, 2023

The role of most committees is to advise the Select Board of the Town. Their mandate is to make recommendations and to draft policies, if appropriate, for consideration and possible implementation by the Select Board. Some committees have specific authority vested in them by Maine Statute and Harpswell ordinance such as the Board of Appeals, Planning Board and Conservation Commission. While standing committees are ongoing, task forces and working groups are committees convened by the Select Board to address a specific issue over a limited time frame.

The following guidelines apply to Town committees.

Appointment:

1. Committee members are appointed by the Select Board as specified by law or ordinance, or at the discretion of the Select Board. The term of appointment generally ends on April 30 of the appropriate year. Should an appointee fail to execute a committee oath form on file with the Town Clerk's Office within 60 days of appointment that appointment shall be null and void.
2. Non-voting associate members may be appointed by the Select Board to provide additional resources to the committee.
3. Reasonable attendance at committee meetings is expected. Continued absence will result in replacement. Note: Board of Appeals members may only be removed for just cause.
4. Unless otherwise required by statute or bylaws, the Select Board may appoint the committee Chair or authorize the committee to elect its own Chair. When such election is not made, the Select Board shall designate the Chair. The committee may elect its Secretary.
5. Upon acceptance of appointment to a committee, a person shall sign a copy of these Committee Guidelines and Code of Conduct and deposit the signed copy with the Town Administrator.
6. Should a vacancy occur, associate members may be recommended for full appointment to the Select Board by Committee Chairs.

Operations and Procedures:

7. All committees are subject to the Freedom of Access law and to the Town's Freedom of Access Policy. All meetings including sub- or working groups of the full committee must be open to the public and held on public property except publicly noticed site visits may be held on private property. The Chair may determine the amount of public participation allowed.
8. A committee may take or approve actions, hold votes or authorize recommendations to the Select Board or take other actions only at official meetings when a quorum is present. (Alternates acting in the absence of a member are counted as members for the purpose of establishing a quorum.)
9. A quorum of a committee, required for a formal meeting, is a simple majority of all members.
10. Only committee members who have accepted appointments or re-appointments may vote. In case of a tie vote, the vote shall be considered negative.
11. If a quorum of regular members is not present and a participating associate member fulfills the quorum, the associate member may vote.
12. In the absence of a quorum, the committee may hold informal discussions. Any new information shared at an informal meeting should subsequently be shared with members who are absent.
13. Recommendations to the Select Board must be authorized by majority vote at an official meeting and in presenting a recommendation to the Select Board, the number of yeas & nays shall be reported. Minutes of all committee meetings shall be filed with the Town no later than five days after the committee meeting at which the minutes are accepted. Minutes are available for public review and should contain an account of all subjects discussed and any recommendations and votes taken or other actions.
14. Notice should be given to the Town Administrator or designee well in advance of any meeting dates to allow for adequate public notice. Committees should try to avoid scheduling meetings at the same time as other meetings. No meetings may be held at the same time as Select Board Meetings or Town Meetings.
15. Committees should follow the Town's Remote Meeting Policy.

Limitations:

- 16. Committees may not make decisions on behalf of the Town except as specifically provided by Maine statute or Harpswell ordinance.
- 17. All documents issued by a committee to the media or to any agency, other than the Town, must first be cleared by the Chair of the Select Board or the Chair’s designee
- 18. The Chair of the Select Board or the Chair’s designee shall be consulted prior to any proposed media coverage. Subsequent media contact shall be made by the Chair of the Select Board, the Chair’s designee or be designated to the Committee Chair.
- 19. No committee or committee members should represent that it or its members speak on behalf of the Town unless officially authorized to do so. However, committee members may speak as individuals.
- 20. No committee or committee member may commit Town funds. The expenditure of funds, within amounts appropriated, must be approved by the Town and purchasing policies followed. Committees needing to make a purchase should consult the Town Administrator.

Member Responsibilities

- 21. Work to the best of one’s ability to support Committee activities.
- 22. Notify the Chair if expecting to be absent – attendance affects a quorum.
- 23. Commit to attending meetings, being an active participant, engaging in respectful dialogue to carry out the work of the Committee.
- 24. Disclose any conflict of interest that may arise and recuse oneself from voting on that issue. The recused member may participate in the discussion as a member of the public.
- 25. Observe the Town’s Code of Conduct.

Chairperson Responsibilities

- 26. Orient new Committee members to the work of the Committee and these guidelines.
- 27. Assure that the guidelines are followed by all Committee members.
- 28. Prepare agendas for the Committee and chair the meeting discussions.
- 29. Assure that minutes are produced and transmitted for each meeting following these guidelines.
- 30. Notify the Select Board Chair or the Chair’s designee of member resignations or leadership changes.
- 31. May recommend member replacements to the Select Board due to resignation or continued absence.

Secretary Responsibilities

- 32. Prepare meeting minutes in a timely fashion in accordance with #13 above.
- 33. File meeting minutes with the administration within 5 days of approval (#13 above).

Note: In some cases, staff prepares minutes such as for the Planning Board and Board of Appeals

Staff Support Responsibilities

- 34. Supports the Committee in a non-voting capacity
- 35. Attends Committee meetings
- 36. Acts as the primary channel for information and fund expenditure requests

Select Board Liaison

- 37. May be named as a member of the Committee by Select Board otherwise provides general guidance
- 38. Serves as the conduit for Committee-related matters to come before the Select Board
- 39. Communicates with the staff about Committee related matters as necessary

I have received a copy of these guidelines

Signature

Printed Name

Date

ENHANCED 911 ROAD NAME POLICY

Adopted by the Board of Selectmen May 10, 2001.

1. A property owner (owning property that is accessed from the proposed road) submits three proposed road names, in the order of preference, and signed by a majority of the property owners on the road to be named.
2. The 911 Addressing Officer reviews the three choices and selects the most appropriate name following the State of Maine guidelines and the Harpswell 911 Ordinance guidelines. Generally speaking, the road name choice selected would NOT be similar in name or sound to an existing road name and would NOT include a number in the name (such as Sky Lane One) and would NOT have special characters in the name (such as hyphens, apostrophes etc.)
3. The 911 Addressing Officer submits her recommendation to the Board of Selectmen for their review and final approval at a Selectmen's meeting.
4. If property owners are unable to submit road names that meet the above criteria, the Board of Selectmen will determine the name.
5. Renaming roads will ONLY be considered if The Board of Selectmen determines that there is a public safety concern.

Town of Harpswell

Right to Fish Policies

Harpswell is a “working waterfront community”. Commercial fishing, lobstering, shellfish harvesting and processing, boat building, repair and service, and similar marine-related activities are at the core of what Harpswell is and should remain. These Right-to-Fish Policies serve as a guide for the Town of Harpswell and the Harpswell community in protecting the working waterfront and commercial fishing from potential nuisance complaints by aiming to prevent contention in commercial fishing zones and other areas of the community, and limiting restrictions that have the potential to adversely impact commercial fishing and marine businesses.

I. Educational Activities

It is a policy of the Town to ensure that there is adequate education and outreach to new residents about commercial fishing and marine industries that rely on the waterfront. New residents, especially those in the commercial fishing zones, should be given informational materials about living near the working waterfront. This proactive approach aims to reduce potential future conflicts and supports local businesses.

II. Funding for Activities

It is a policy of the Town to create a funding mechanism to support initiatives focused on educating new residents about commercial fishing, enhancing the town's capacity to support marine resource industries, and expanding access to the waterfront for commercial fishing activity including shellfish harvesting in the intertidal zone.

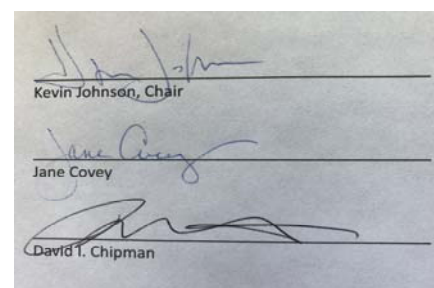
III. Periodic Review of Ordinance Provisions Governing Commercial Fishing Uses

It is a policy of the Town to maintain commercial fishing as a permissible use including appropriately scaled commercial fishing related uses as a home occupation and accessory use across all zoning districts. To implement this policy, the Town should periodically review its land use ordinances to ensure that commercial fishing related uses are preserved and maintained throughout the Town, and that provisions are adopted which unequivocally allow the storage of commercial fishing equipment, such as lobster traps, rope, and other fishing gear, on private premises throughout Harpswell.

IV. Nuisances

State law provides that a private nuisance action may not be maintained against a person engaged in a commercial fishing activity or a commercial fishing operation so long as the activity or operation is undertaken in compliance with applicable licensing and permitting requirements and other applicable statutes, rules and ordinances (see 17 M.R.S.A. § 2807). It is the policy of the Town to support and recognize the application of this state law, as well as the legal doctrine of “coming to the nuisance” which may prevent actionable nuisance claims, in order to minimize the potential for conflict involving commercial fishing and to make residents aware of these provisions.

Adopted by the Harpswell Select Board this 11th day of July, 2024:



Kevin Johnson, Chair
Jane Covey
David T. Chipman

STREET LIGHTING POLICY

Public places should have street lighting sufficient to protect public safety. Lighting should be located on the nearest pole to the entrance of the building or the nearest pole to the entrance/exit of the parking area. Public places include, but are not limited to, schools, churches, libraries, fire departments, community halls, grange halls, playing fields and municipal areas.

The Selectmen should, consistent with public safety, limit the proliferation of street lights to minimize the effect of lighting on energy consumption, on light pollution, and to protect the rural character of the Town.

Intersections of Town or state aid roads with side roads having significant traffic capacity, as well as areas with sharp or otherwise dangerous curves, should be lighted in order to draw a driver's attention to the potential hazard.

Congested areas having speed limits of 25 MPH or slower should be lighted where absolutely needed based on evidence of pedestrian traffic on or near the roadway. Pedestrians are expected to carry flashlights and/or other forms of lighting to make presence known to drivers.

The Town should consult with Central Maine Power to ensure that new street lights are installed with a minimum of glare and light trespass while lighting the desired area with a non-irritating, pleasant and safe light spectrum. Lights should be the most energy efficient and cost effective lighting available.

The Town shall provide a form on which residents, and non-resident property owners, may request addition, retention, or removal of street lights. The form shall include the following:

- Name, address and contact information of the requesting resident,
- General location of the light or proposed light (nearest street address)
- Specific utility pole by identifying numbers, letters or other means
- Aspects of the Street Lighting Policy that support the request
- Other basis and evidence that support the request
- Incidence of accidents or other events that support the request
- Names and addresses of other residents of the area who support the request

Town staff shall evaluate requests, including obtaining information from law enforcement that may have a bearing on the requests, and shall refer them to the Select Board with or without recommendations.

For effective administration of this policy, the Select Board shall review requests not more than once per calendar year.

Adopted by the Board of Selectmen May 20, 2010

Revised by the Board of Selectmen April 12, 2012

Revised by the Board of Selectmen December 2, 2015

Street Light Request Change Form

Person requesting change: _____

Mailing Address: _____

Physical Address: _____

Phone Number: _____ Email: _____

Request is for: addition retention removal on utility pole number: _____
(if slated for removal)

General location of the pole: _____

List the specific information that supports this request, such as:

• Aspects of the Street Light Policy:

- Public place such as school, library, etc.
- Intersection of Town or State aid road with side roads having significant traffic capacity
- Congested area having 25 MPH speed limit based on evidence of pedestrian traffic

• Incidence of accidents or other events: _____

• Please attach an additional sheet with names, addresses and signatures of other residents or non-resident taxpayers who support the request

Signature _____ **Date** _____

For Office Use Only:

Request: Approved [] Disapproved [] Person Notified [] CMP Notified []

By _____ Date _____

SPONSORSHIP POLICY

Periodically, the Town is asked to sponsor an event. In deciding whether the Town should be a sponsor, the Board of Selectmen shall consider the following:

Question 1. Is the event occurring on Town or public property?

Question 2. Is the event under the control, in whole or part, of the Town? Does the Town have a role in organizing, directing or coordinating the event?

Question 3. Is the event consistent with identified goals of (1) the Board of Selectmen, (2) any advisory committee or (3) the Town's Comprehensive Plan as determined by the Board of Selectmen?

Question 4. Is there any fundraising activity associated with the event? If so, is it for a non-profit purpose consistent with Question 3?

Question 5. Is there any high-risk activity occurring at the event for which the Town's insurance carrier has advised that the Town should prohibit?

The Town shall be considered a sponsor of an event only upon majority vote of the Board of Selectmen at a publicly held meeting.

Adopted by the Board of Selectmen April 22, 2010

TOWN ADMINISTRATOR'S DESIGNEE POLICY

The Town Administrator's designee shall be the Deputy Town Administrator, except in those instances where another designee is specified. This designation is consistent with the Deputy Town Administrator's job description which requires the Deputy Town Administrator to assume the duties and responsibilities of the Town Administrator in his/her absence.

Approved by the Board of Selectmen March 2, 2017

TOWN OF HARPSWELL RECREATION DEPT. VOLUNTEER BACKGROUND CHECK

The Town of Harpswell and Harpswell Recreation value the safety of those who use our and take part in our programs, either as participants, employees or volunteers. To this end, we will take sound measures to attempt to protect our employees, volunteers and those we serve from potential harm.

We have special regard for children, who trust in our ability to provide them with wholesome, safe recreational experiences. One specific measure will be to perform background checks on volunteers and independent contractors who have the potential for regular or intermittent contact with children.

In order to protect the participants in Harpswell Recreation children's programs and protect the integrity of the Town the following Volunteer Background Check Policy has been established.

Prospective volunteers/independent contractors will complete an application with a Criminal History Background Check Authorization and Release form. The following information will be collected from volunteers to initiate the screening process:

1. First Name, Last Name, Middle Initial
2. Any alternate or maiden names
3. Date of Birth
4. Current Address, if less than 3 years, previous address
5. Signature authorizing permission to run the background check
6. Response (Yes or No) to Have you ever been convicted of a criminal offense
7. Response (Yes or No) to Have you ever been charged with a crime against a child
8. Response (Yes or No) to Are there any charges currently pending against you
9. All volunteer and independent contract applicants (of legal age) will be screened.

Screening Process

Upon receipt of the Criminal History Background Check authorization form, the background screening will be conducted by authorized staff.

Disclosure information is only used for the specific purpose for which it was requested and for which the volunteer's full consent has been given.

Any crime, misdemeanor or felony where the applicant is the perpetrator, involving children as either a victim or an accomplice is cause for exclusion. Having a criminal record will not necessarily bar someone for working with us. This will depend on the nature of the application and the circumstances and background of the offenses.

The following disqualifiers will be used as a guide in determining the volunteer's eligibility:

Guilty or plea of guilty or no contest to the following:

1. All Sex Offenses (no time limit)
2. All Felony Violence (no time limit)
3. All Felony Offense (past 5 years)
4. All Misdemeanor Violence (past 3 years)
5. Any other Misdemeanor (past 3 years)

The Town of Harpswell and Harpswell Recreation want to be sure that every decision made about an individual's eligibility to volunteer is correct. The Town of Harpswell and Harpswell Recreation will carefully consider all the information before any decisions are made that affect an individual's eligibility. Upon finding a record that may result in an ineligible determination, Harpswell Recreation will contact the volunteer to make certain all information provided is accurate.

If a volunteer's background check includes a charge set forth on the list of disqualifiers above, Harpswell Recreation shall immediately disqualify that individual from volunteering.

Retention of Records

Volunteer Background Check record will be retained for 60 years if accepted as a volunteer or otherwise for 2 years.

Repeat Background Checks

Any volunteer/independent contractor that has served previously but three years has passed since serving, will subject to a current Criminal Background Check.

Prepared by: Gina Perow, Interim Recreation Director

December 30, 2008

Revised on January 14, 2009

WEBSITE LINKS POLICY

The Town of Harpswell may include links on the Harpswell web site to organizations funded by the Town; to quasi-governmental entities; and to certain information that is considered to be of interest to Harpswell residents. The presence of a link on the Harpswell web site does not imply or indicate Town support for the product, organization or point of view expressed on the linked site or supported by the sponsoring organization. While reasonable efforts are made to include accurate information, appearance of a link is not a guarantee of accuracy. The Town will not link directly to businesses, unless considered in a category previously stated. All decisions as to what links appear on the Harpswell web site are the responsibility of the Harpswell Board of Selectmen or its designee.

Adopted by the Board of Selectmen October 13, 2011