- PUBLIC MEETING -
Rockport Select Board
Monday, January 14, 2019
Executive Session at 5:30 p.m. in the Green Room
Regular Meeting at 7:00 p.m. in the Geoffrey C. Parker Meeting Room
Streamed at https://livestream.com/Rockportmaine

AGENDA

I. Executive Session - 5:30 p.m.

a. Discussion of a Personnel Matter pursuant to 1 M.R.S.A. Section 405(6)(A)

II. Call Meeting to Order – 7:00 p.m.

Please either turn off your cell phones and other electronic devices or set them to mute while in this meeting room or the hallways. If you need to take or make a phone call, please step outdoors.

III. Public Hearing

a. New Malt, and Vinous Liquor License for Bleecker & Greer (d/b/a Maine Street Meats) (Sarah Greer) at 310 Commercial Street

IV. Minutes, Meetings and Announcements

a. Approval of the minutes of previous meetings:

- Monday, October 29, 2018, Select Board Executive Session
- Monday, December 3, 2018, Select Board Regular Meeting
- Friday, December 14, 2018, Select Board Executive Session
- Monday, January 7, 2019, Select Board Executive Session

b. Announcements of upcoming Select Board **meeting**(s):

- Regular Select Board meeting on **Monday, January 28th, 2019, 7:00 p.m.,** Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at https://livestream.com/Rockportmaine

c. Announcements of upcoming Select Board **workshop**(s)**:**

- None this meeting

d. Announcement(s) and/or Training(s):

- Town Offices will be closed on **Monday, January 21, 2019** in observance of Martin Luther King, Jr., Day

e. Committee Openings:

Application for Committee Service can be found at the Town Office and on the Town Website: www.town.rockport.me.us

NOTE: If a committee does not have any vacancies, it may still be possible to apply to join the committee as an alternate member. Alternate members can attend all meetings, participate in discussions, but may only vote in the absence of a regular member. If interested, please check with the town office to see if there are alternate member spots available for the committee of interest.

- Board of Assessment Review – 2 vacant seats
- Camden-Rockport Pathways Committee – 2 vacant seats
- Investment Committee – 1 vacant seat
- Zoning Board of Appeals – 2 vacant seats

f. Agenda Changes

g. Public Comment – public comment should be directed at issues not under discussion on this evening's agenda. Comment from the public will be welcome prior to each agenda item. Further comment will be granted only by permission from the Board. All public comment should be brief and to the point.

V. Town Manager's Report

VI. Consent Agenda

a. Annual Approval of Safety Mission Statement

b. In Lieu of Taxes Maine Media $10,479.00

c. In Lieu of Taxes Center for Furniture Craftsmanship $6,000

d. Anonymous GA Donation $4,000.00

VII. Unfinished Business

a. Discuss Internal Control Policy

VIII. New Business

a. Elect new chair and vice-chair

b. Consider establishing a building committee for the library project

c. Committee Application(s):

- Meggan Dwyer – Conservation Commission

- ➢ Owen Casas – C-R Pathways Committee

d. Committee Resignations(s):

- ➢ Tony Bates – BAR
- ➢ Larry Lehmann - BAR

e. Approve New Malt, and Vinous Liquor License for Bleecker & Greer (d/b/a Maine Street Meats)

f. Discuss and approve MCSW Fees

g. Discuss and approve the ORC Work Plan for 2019

IX. Wastewater Commissioners

a. None this meeting

X. Liaison Reports

XI. Executive Session

a. Discussion of a Personnel Matter pursuant to 1 M.R.S.A. Section 405(6)(A) (if needed)

XII. Adjournment

Linda M. Greenlaw
Town Clerk/Tax Collector
lgreenlaw@town.rockport.me.us

Brenda Kurr
Deputy Town Clerk
bkurr@town.rockport.me.us
Shay Ames
Assistant Town Clerk
sames@town.rockport.me.us

101 Main Street,
Rockport, Maine 04856
207-236-9648 207-230-0112
Fax
Website: town.rockport.me.us

****** PUBLIC HEARING NOTICE ******

TOWN OF ROCKPORT

On Monday, January 14, 2019 at 7:00 p.m. at the Rockport Opera House, the Rockport Select Board will have on their agenda a hearing on the following application:

NEW MALT, and VINOUS LIQUOR LICENSE for BLEECKER & GREER (d/b/a MAINE STREET MEATS)(Sarah Greer) at 310 Commercial Street, Rockport, ME

This public hearing will be part of the Select Board's regular meeting agenda.

Linda M. Greenlaw, Town Clerk

ROCKPORT SELECT BOARD
EMERGENCY MEETING
EXECUTIVE SESSION MEETING MINUTES
MONDAY, OCTOBER 29, 2018
5:00 P.M.
GEOFFREY C. PARKER COMMUNITY MEETING ROOM
ROCKPORT OPERA HOUSE

Present: Chair, Douglas Cole, Vice-Chair, Kenneth McKinley, Mark G. Kelley, Debra Hall and Jeffrey Hamilton, Town Manager, Richard Bates and Town Counsel by teleconference.

I. CALL MEETING TO ORDER – Douglas Cole, Chair called the meeting to order at 5:00 p.m.

II. EXECUTIVE SESSION

- Discussion with Town Counsel pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss legal rights and duties of the Board.

At 5:00 p.m., Kenneth McKinley moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6)(E). Debra Hall seconded the motion. VOTE: 5 FOR – 0 OPPOSED

No decision was made, and no action was taken.

At 6:04 p.m., Jeffrey Hamilton moved to exit executive session. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

III. ADJOURNMENT

Kenneth McKinley moved to adjourn the meeting at 6:06 p.m. Debra Hall seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK AS RECORDING SECRETARY

ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, DECEMBER 3, 2018
7:00 P.M.
GEOFFREY C. PARKER COMMUNITY MEETING ROOM
ROCKPORT OPERA HOUSE

Present: Chair Douglas Cole, Vice Chair Kenneth McKinley, Mark Kelley, Jeffrey Hamilton and Debra Hall. Also present: Richard C. Bates, Town Manager, and members of the public

I. CALL MEETING TO ORDER – Kenneth McKinley, Vice Chair called the meeting to order at 7:00 P.M.

II. PUBLIC HEARING

a. None this meeting

III. MINUTES, MEETINGS AND ANNOUNCEMENTS

a. Approval of the minutes of previous meetings: -

- Monday, August 27, 2018, Special Select Board Meeting

Mark Kelley moved to approve the minutes of the Monday, August 27, 2018 Special Select Board Meeting with the following changes: page 2 b. third paragraph change "it unbalanced" to "no sense". Debra Hall seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

- Thursday, September 27, 2018 Select Board Meeting

Mark Kelley moved to approve the minutes of the Thursday, September 27, 2018 Select Board Meeting with the following change: page 1, II first sentence with Debra change "feelings" to "views" and first sentence with Jeff change "on" to "our". Debra Hall seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

- Tuesday, October 30, 2018, Select Board Meeting

Mark Kelley moved to approve as presented the minutes of the Tuesday, October 30, 2018 Select Board Meeting. Debra Hall seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

- Monday, November 13, 2018, Select Board Meeting

Debra Hall moved to approve the minutes of the Monday, November 13, 2018 Select Board Meeting with the following changes: page 1, last sentence add a "d" to

"attache"; page 2 6th paragraph change "congratulation" to "congratulate"; page 3 change "live" to "lives"; under b, second paragraph add "rate after non-resident and after resident; next sentence change "ill" to "will"; page 4 , before item d change "tis" to "is" and delete "Mark and Tom agreed."; and page 5, fourth paragraph 1st sentence change "of" to "if". Douglas Cole seconded the motion.
<u>Vote: 3 FOR – 0 OPPOSED – 2 ABSTAINED (KELLY AND HAMILTON)</u>

b. Announcements of upcoming Select Board meeting(s):
- Select Board Executive Session on Wednesday, December 5, 2018 at 5:30 p.m. Rockport Town Office Conference Room
- Regular Select Board Meeting on Monday, January 14, 2019 at 7:00 p.m., Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at http://livestream.com/Rockportmaine

c. Announcements of upcoming Select Board workshop(s):
- None this meeting

d. Announcement(s) and/or Training(s): - see agenda

e. Committee Openings – see agenda

f. Agenda Changes

Jeff – I would like to suggest that we move item a and b under New Business to before the Town Manager's report. Since they are here, we should have them go first so they don't have to sit and wait for their turn.

The Board agreed.

g. Public Comment –

David Cockey – I watched the meeting last week. When are you starting the new library? When do you start spending money? Doug Cole wrote a very good response on October 14th about the private donations and how they have been spectacularly successful. I could not find anything on the web site on how much money has been pledged. I would like to see a graph or something. On October 29th, Rick said that the group has over $1 million pledged so far. How much over? Doug's comment was that they would not go to the residents to ask for more money. "We don't have all of the money needed but let's get started with the project now. What if the money doesn't come in. In my calculation, it works out to $700 per household to get the second million. I don't think that this is possible from some of our residents. You need to get a fund raiser to help you. What do we do if we can't come up with the rest of the money?

Ken – it is not the Friends that are doing the fundraising, it is a Foundation. Most of the pledges we have came in before the vote in anticipation of the bonding for a new library passing. We already have one of the best fundraisers around. We will not move forward until the money has been pledged.

David – I would like to see a thermometer showing how much has been pledged and how much more needs to be raised. The last 25% is always the hardest to raise.

New Business – a. Jeffrey Payson – Budget Committee

Jeffrey Payson – I was born and raised in Union. I was on their Budget Committee for twenty-one years, with eighteen of them serving as the chair. "I will be a pitch hitter." Rick asked me to put my application in for this position. I want to let you know that Dupont is one of my largest accounts and Jeff H. is the general manager of that company.

Jeff H. – in the spirit of things, I will abstain from voting on this request.

Debra Hall moved to appoint Jeffrey Payson as a member of the Budget Committee for a term to expire in June of 2019. Mark Kelley seconded the motion. <u>VOTE: 4 FOR – 0 OPPOSED – 1 ABSTENTION</u>

Meggan Dwyer – Conservation Commission

Meggan is not here this evening. Should we wait until she is present before making a decision?

Jeff – usually we do a review of the person, so we should have her come to a meeting.

Ken – agreed that they should have her present at a meeting, as this has been the practiced policy when appointing someone to a committee.

b. Discuss upcoming legislative session with Representative Vicki Doudera

Vicki Doudera – I will be sworn in on Wednesday. We had orientation in November. I attended the Coastal Caucus last week. I also attended the meeting with Islesboro. Thank you, Ken, for attending that meeting. Other meetings that I have attended are the Maine Health meeting, another orientation session today and again tomorrow and on Thursday will attend a meeting on legislative policy. Informed her constituents that she has an open line of communications. Please feel free to contact me with any concerns or ideas. What she sees on the horizon is to get the school funding to 55%, increase revenue sharing to 5% from 2% and to have medical care properly funded.

Ken – one of the local options we have is sales tax and I would like for us to look at it. Maybe it should be on a county level instead of a town level. Regarding recreational marijuana, I would like to see some robust penalties for furnishing it to minors and for furnishing alcohol to minors. It is a big problem and is harmful to our young people. It annoys me that CMP has us send our payment to Boston for processing. This clerical work should be done in Maine.

Vicki – I will look into these issues.

IV. TOWN MANAGER'S REPORT – see attached

Mark – now that Hannah has received her Assessing Certification, will we no longer be having Katlyn for these services in the upcoming budget year?

Rick – no, we will still need Kaitlyn.

Jeff – we need to have transparency with the library. How is the demo being accounted for?

Rick – it is being paid out of an account in the budget that we have set up.

Ken – do we have money for it?

Jeff – any expenses for the new library should be assigned to the project. This means that demo works that is being done this week. It needs to be assigned to the project.

Doug – can you show us an estimate of much the cost is?

Jeff – is it being absorbed by the current budget? If it is it needs to be moved to the project.

Rick – we don't typically do that with the employees' time worked.

The Board – why not? It is part of the library project.

Jeff – all the work including that done by Public Works, town government, needs to be moved to the cost of the project.

Rick – I will talk to the Design Team.

Jeff – why?

Doug – Jeff you are right. The cost should come out of the $26,000 that is budgeted for the demo.

Rick – we are tight on the cost.

Doug – that shouldn't matter.

Rick – we have spent almost all the money given to us by the Library Committee.

Mark – I would like to have all costs be given to us at the January meeting.

Ken – we need an accounting. It is just a journal entry.

Debra - why wouldn't you do that?

Rick – the assumption was always that the public works would do the demo.

Jeff – to be transparent, we need to account for any money spent on the project. Where is the money coming from for the street work that is being done for the library project?

Rick – the Board voted that it would be in the upcoming public works budget.

Jeff – is the furniture included in the $3.5?

Rick – we will be discussing the soft cost at Thursday's meeting.

Mark – can the street work be in the next year's budget if it will not be done until after the building is done. If public works is having a project in their budget, why can't it be that intersection instead of other streets that are being paved.

Debra – why can't we have a parabolic mirror at that intersection? There have been several never misses of accidents on that corner.

Mark – there used to be one at the end of Summer and Main Street years ago. Where did that one go? I noticed that there is one on Pascal Avenue. Is that because someone asked for one to be there? Regarding our EMA representations, specifically the assistant, do they attend the monthly meeting? If not, why are we paying for an assistant?

Rick – my assumption is that one of them must go to the meeting.

Jeff – what about committee updates? We used to have them.

Doug – we need an update on street lights and the interface with fix it program. Where are we in reality?

Rick – there are several moving pieces. CMP has been given maps and the names of the streets they are using are different than the ones we have listed. The Police Department is checking the street lights on a monthly basis.

Doug – Molly (CMP) and Brandi (Fix It) are very capable and they are working on these things.

Rick – twenty-eight lights are still not working. They need to use the correct street name and bill us at the correct address. If not billing correctly, we don't have to pay as it is not properly identified.

Ken – just a reminder that the Holiday on the Harbor is this weekend. The fireworks are the best.

V. CONSENT AGENDA
   a. Opera House Fee Schedule
   b. Coastal Opportunities donation in lieu of taxes
   c. General Assistance Fuel Donation

Mark Kelley moved to approve the consent agenda as presented and to send out thank you cards to Coastal Opportunities and Paul and Jillian Charbonneau for their generous donations. Debra Hall seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>.

VI. UNFINISHED BUSINESS - None this meeting

V. NEW BUSINESS

   a. Committee Application(s) –
      - Jeffrey Payson – Budget Committee – see above
      - Meggan Dwyer – Conservation Commission – see above

   b. Discuss upcoming legislative session with Representative Vicki Doudera – see above

   c. Discuss LED Street Lights Project with Camden

The Board discussed this item. There were questions if we rent the poles, or if we purchase the lights are, we responsible for the maintenance?

Debra Hall moved to approve the Town of Rockport's participation in the RFQ process with the Town of Camden as presented and to thank Camden for doing this. Jeffrey Hamilton seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

Ken – this is a great opportunity.

Rick – Rockland would like to be included in the RFQ process.

Doug left the meeting.

   d. Discuss Airbnb

Ken – do we want to look into this?

Debra – I think that we should check into the pros and cons. I would like to see this done.

We should pass it on the Bill Naupauer to review. There are a lot of regulations and costs to B & B's and commercial establishment that rent.
Ken – we need to move carefully.

Debra – should they be allowed in all zones. It could be very disruptive in a residential zone.

Ken – the residence should be owner occupied.

Jeff – we should send it to ORC for their review.

Ken – it will have to go on the ballot for the voters' approval or disapproval.

e. Discuss and Approve Job Descriptions

Comment – there are a lot of typos.

Debra – she will be happy to look at the job descriptions and make recommendation.

Ken – it was a lot of work and a tremendous job.

Jeff – I have a lot of concerns on the contents. They are not ready for approval.

Rick – send your comments and suggestions in a written form and I will make the corrections.

Mark – two need work. All salary descriptions should show a parameter of hours to be worked.

Board – discussed that normal work hours are 8 to 5?

Debra – same of the description state that the employee must interact in a polite manner. All employees should be polite. There is no rhyme or reason.

Ken -there should be something about disabilities and that we will make reasonable accommodations.

Jeff – I agree that the ADA needs to be added to the descriptions.

Debra – "all employees need to be nice."

Mark – the employee needs to maintain any and all necessary licenses that are required for their position.

Jeff – I will send specific feedback on each one. There is a lot of work to be done. I will send my feedback to Rick and copy all so we don't all make the same changes.

Ken – we are heading down the road in the right direction.
Debra – we should review the "Internal Control Policy" in January. The auditors want it in place as soon as possible.

Jeff – we need a drop-dead date of ___.

f. Discuss change in Personnel Policy Article 25 Sexual Harassment

Jeff – why is this specific to Sexual Harassment and why not all forms of harassment?

Rick – it is not required by statue.

Jeff – it should cover all forms of harassment. My concern is on Page 2, section 4. We should change to any member of the current Select Board and not just the chair.

Debra – there is no basis for the policy to say it has to be the chair.

Jeff – harassment takes on many forms of harassment.

Debra - page 2 section 4 should read as follow:

It is the responsibility of employees to promptly report incidents of sexual harassment. Employees who have complaints of sexual harassment should bring the matter to the attention of the Town Manger either in person; by phone (236-0806); by email (~~rbates @town.rockport.me.us~~ with confidential in the subject line.); by mail (~~P.O. Box 10~~, 101 Main Street, Rockport, Maine 04856; please mark envelope as Confidential.") If an employee does not feel comfortable discussing allegations with the Town Manager or the Town Manager may be implicated, the employee may report the conduct to his or her direct supervisor, or, if the Town Manager is the employee's direct supervisor, ~~the Chair of the Select Board~~ a member of the current Select Board. Emails should not show anyone's name. The document should reflect the last date updated. Section 5, the fifth bullet by e-mail: ~~Melody.Piper@maine.gov~~, refer to Maine.gov website.

Jeffrey Hamilton moved to approve the proposed change in the Personnel Policy, Article 25 on Sexual Harassment as presented with the recommended changes. Debra Hall seconded the motion. VOTE: 4 FOR – 0 OPPOSED

VIII. WASTEWATER COMMISSIONERS – None this meeting

IX. LIAISON REPORTS

Mark – the Garden Club has a list of items to be included in the budget for the Parks. Gretchen Leone and David Jackson will present the budget. The Conservation Commission will meet on December the 6th. The CIP (Capital Improvement Committee) met and they are still stuck on having a line item of \$5,000 to \$25,000. Usually their

items have a higher value with a longer life span. This time of year would be a good opportunity to put a dog letter together regarding dog waste and the leash law.
Jeff – The Pathways Committee, all is well. I have a CIP question about the storage container for the old ladder truck. The Harbor Committee met and have recommended the rates for next year. We need to work on the Comprehensive Plan and need an excel file.

Debra – the "Tech Committee" had a meeting regarding Broad Band and how to fund it. Rick filled out an application to see if we can get a grant. We need to develop what our options are for financing. We should have a regional meeting. The MSSWC met last week and I attended my first meeting. Thank you, guys!

Ken – Legacy Rockport met, and they approved the funding for moving the electric pedestal located at the harbor. The Cemetery Committee postponed their meeting due to time constraints and will next in a couple of weeks. The ORC should start up soon. This year it should be a short list of work to do. The Zoning Board has not met.

X EXECUTIVE SESSION - None this Meeting

XI. ADJOURNMENT

Debra Hall moved to adjourn the meeting at 9:07 p.m. Jeffrey Hamiltonl seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY

ROCKPORT SELECT BOARD
EXECUTIVE SESSION MEETING MINUTES
FRIDAY, DECEMBER 14, 2018
5:30 P.M.
ROCKPORT TOWN OFFICE
CONFERENCE ROOM

Present: Chair Douglas Cole, Vice-Chair, Kenneth McKinley, Debra Hall, Mark G. Kelley and Jeffrey Hamilton.

I. CALL MEETING TO ORDER – Douglas Cole, Chair called the meeting to order at 5:30 p.m.

II. EXECUTIVE SESSION

a. Discussion of a Personnel Matter pursuant to 1 M.R.S.A. Section 405(6)(A)

At 5:31 p.m., Mark Kelley moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6)(A). Jeffrey Hamilton seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

Attorney Ann Freeman joined the executive session by teleconference.

At 7:04 p.m., Mark Kelley moved to exit executive session. Debra Hall seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

III. ADJOURNMENT

Kenneth McKinley moved to adjourn the meeting at 7:05 p.m. Mark Kelley seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK AS RECORDING SECRETARY

ROCKPORT SELECT BOARD
EXECUTIVE SESSION MEETING MINUTES
MONDAY, JANUARY 7, 2019
5:30 P.M.
ROCKPORT TOWN OFFICE
RICHARDSON ROOM

REVISED AGENDA

Present: Vice-Chair, Kenneth McKinley, Douglas Cole, Debra Hall, Mark G. Kelley and Jeffrey Hamilton, Town Manager, Richard Bates, Attorney Ann Freeman and Susanna Liller of Liller Consulting LLC.

I. CALL MEETING TO ORDER – Kenneth McKinley, Vice-Chair called the meeting to order at 5:31 p.m.

II. EXECUTIVE SESSION

a. Consultation with Town Counsel pursuant to 1 M.R.S.A. Section 405(6)(E)

At 5:32 p.m., Mark Kelley moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6)(E). Debra Hall seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

At 7:10 p.m., Mark Kelley moved to exit executive session. Jeffrey Hamilton seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

b. Discussion of a Personnel Matter pursuant to 1 M.R.S.A. Section 405(6)(A)

At 7:11 p.m., Mark Kelley moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6)(A). Debra Hall seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

At 7:21 p.m., Douglas Cole moved to exit executive session. Jeffrey Hamilton seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

III. ADJOURNMENT

Jeffrey Hamilton moved to adjourn the meeting at 7:33 p.m. Mark Kelley seconded the motion. <u>VOTE: 5 FOR – 0 OPPOSED</u>

There will be an Executive Session on January 14, 2019.

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK AS RECORDING SECRETARY

Manager's Report – January 14, 2019

With the holidays and vacations this will be a briefer report than normal.

TIF Amendment

The TIF amendment that was approved by the voters at the special Town meeting have been approved by the Department of Economic and Community Development. This was a lot of work on the staff here at the Town Office to pull this all together and get it submitted.

What the TIF amendment does is allows us to use TIF funds for design and engineering and extension of the sewer extension on Route 1. It also adds additional time to the TIF itself as well as a few additional properties. This extension fills in the unserved area from Rockport Steel South to Pen Bay Medical Center. With some of the advanced planning we have done and the engineering and design that will be accomplished towards the end of February. We will be in a good position to have a project bid in hand, as we prepare for the bond to go on the June ballot.

This project will take several years to fully accomplish, because of limited construction times on Route 1 and weather consideration, however a majority of the work could likely be completed by the end of 2020.

This project has been in the works since 2013 and will be paid for entirely by TIF proceeds and sewer user fees and will not have a negative impact on the mil rate.

There will be a lot more discussions about this over the coming months.

Generator

The installation of the generator at the Town Office is proceeding as planned. The outside work has all been completed. The pads, conduits fuel lines and tank have all been installed. The goal of getting that all done was completed by Public Works, so that the weather would not hinder the install in any way.

The generator is scheduled to be shipped from the factory, to the installer, on January 21st. They are planning on installing it the first or second week of February. Once installed and tested it will be all ready for the next power failure.

Library Construction

The Library demolition was completed at the end of the December. The work was performed by Public Works. As part of the normal process of demolition and disposal we needed to do an asbestos certification of the building before disposing of it in the MCSW facility. That certification was performed by Safe Environmental Solutions and while there was no obvious evidence of asbestos, they did discover old asbestos tiles under the carpet in a portion of the original building that was built in 1947.

Safe Environmental Solutions was able to come up with a plan to contain it, get it removed safely and disposed of it properly. That was accomplished and we received a certification prior to demolition of the building. The heat pumps were evacuated of all freon and 65 florescent light tubes were properly disposed of. Some of the shelving was salvaged, but in the end, they were not usable for any of the libraries around us. The demo went very smoothly with most the construction debris being disposed of at MCSW. The concrete was broken up and disposed of as fill at no cost to the Town.

Once the building was down while we had the large excavator on site, we did a series of test holes to establish the elevations for the ledge on site and Gartley and Dorsky were able to get an accurate ledge profile, so that we will be able to establish a fairly firm estimate of ledge removal. This was a significant unknown it the project and the information are very useful in eliminating unknown for bidders.

The site was then all leveled and covered with wood chips to prevent erosion into the stream that runs down the lot line. The site is now fenced and posted.

The stream that runs between the library and the Young's property has been a growing concern for many years. The banking has been collapsing, the headwall into the conduit that runs under Russell Ave has been problematic and in danger of collapse and the trees among the bank were also contributing to a problem.

It is clear, the time to address the problem is when the building is down. We have obtained permits to make the repairs over the winter, when stream flow is low because everything is frozen. Doing the work now, is a fraction of the cost of doing the work once the building is up. It is estimated that if we wait, the price could go up 5-fold and be in excess of $150,000.00.

The tree work has also been done on the lot, however one of the large tree's with an extensive route system was left gut high so that it could be removed when the stream work was being accomplished.

Finally, we have a target date of bids documents being sent out to contractors by the end of February.

Holiday on the Harbor

Holiday on the Harbor was another big success, many thanks to the many volunteers and committee members that made it happen again this year, the weather cooperated and there was a huge crowd and the fireworks were spectacular. Thanks to fireworks pyromaniacs on the barge, the Scott's for the use of the barge and the Ames' family and Big Al's for putting together a display that I constantly hear described as the best fireworks display ever seen. It was truly amazing!

Winter Maintenance

While we have not seen a lot of accumulating snow there has been just enough to get our plow drivers out sanding and salting. There have been numerous accidents for fire and police. Sometimes it is the small storms that are the most costly per inch of snow compared to the high accumulating snow. Additionally, studies have shown that most of the traffic accidents that happen occur in the first inch of snow. Proving the point that in Maine, 6 inches of snow is “just good traction”.

Finally

I had a quiet and uneventful vacation and want to thank all of the Department Heads and employees, who held down the fort while I was gone.

VI. Consent Agenda

a. Annual Approval of Safety Mission Statement

Manager's Comments:

Included in your packet is a copy of the adopted Safety Mission Statement. This is adopted annually as part of our safety initiatives.

b. Payment in lieu of taxes from Maine Media College $10,479.00
c. Payment in lieu of taxes from Center for Furniture Craftmanship $6,000

Manager's Comments:

The Town is in receipt of a payment in lieu of taxes from Maine Media in the amount of $10,479.00 and the Center for Furniture Craftmanship in the amount of $6,000. This is to publicly accept and recognize the payment. While they are tax exempt, like several other non-profits, Maine Media College opts to pay the Town a sum of money roughly equivalent to the Town's portion of their tax bill.

I have Thank you cards for the Select Board to sign at the meeting.

d. Anonymous GA Donation $4,000.00

Manager's Comments:

We have received another generous donation to help with general assistance cases that are just outside of State guidelines. The General Assistance Administrator said it will help the individual or family requesting help. This is an annual anonymous donation from the same donor, but this year the donation is double the amount previously made.

I have an unaddressed thank you card for the Select Board to sign, at the meeting.

Suggested Motion:

I move to approve the consent agenda as presented (amended)

TOWN OF ROCKPORT
SAFETY POLICY
MISSION STATEMENT

The Town recognizes that safeguarding the health and welfare of its employees in the workplace is not only legally required, but also is of mutual benefit to the Town and its employees. To that end, the Town is committed to the goal of providing a safe place for employment through sound operating practices and proper training, designed to result in safe and efficient working conditions for all employees

DATED: January 14, 2019

Kenneth McKinley, Chair Rockport Select Board	Douglas Cole Rockport Select Board
Mark Kelley Rockport Select Board	Debra Hall Rockport Select Board
Jeffrey Hamilton Rockport Select Board	

MAINE MEDIA
WORKSHOPS
+COLLEGE

70 Camden Street
PO Box 200
Rockport, ME 04856
Phone: 207.236.8581

Bangor Savings Bank
BANGOR, MAINE 04401
52-7438/2112

267482

11/14/2018

PAY TO THE ORDER OF Town of Rockport

$ **10,479.00

Ten Thousand Four Hundred Seventy-Nine and 00/100** DOLLARS

Town of Rockport
101 Main Street
Rockport, ME 04856-5963

VOID after 90 days. 2 signatures required over $10,000

AUTHORIZED SIGNATURE

MEMO

Security features. Details on back.

Maine Media Workshops: BSB

267482

Town of Rockport 11/14/2018

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
10/25/2018	Bill	PILOT-4/18	10,479.00	10,479.00		10,479.00
					Check Amount	10,479.00

MMW Checking (BSB 10,479.00

MAINE MEDIA COLLEGE
P O Box 200
Rockport, Maine 04856

November 15, 2018

Kerry Leichtman, assessor
Town of Rockport
P O Box 10
Rockport, ME 04856

Dear Kerry,

Maine Media Workshops + College is pleased to voluntarily make payments in lieu of taxes to the Town of Rockport in recognition of services provided by the town. As suggested these payments are calculated at the rate of 30% of the previous town-assessed tax valuation.

The enclosed check for $10,479 represents MMW+Cs October 2018 payment.

Sincerely,

Cathie

Cathi Finnemore
Director, Finance and Administration

CENTER *for* FURNITURE CRAFTSMANSHIP
25 MILL STREET ROCKPORT, MAINE 04856 207-594-5611 www.woodschool.org

December 14, 2018

Richard C. Bates, Town Manager
Town of Rockport
PO Box 10
Rockport, ME 04856-0010

Dear Rick,

I have enclosed a check to the Town of Rockport in the amount of $6,000. This is a voluntary contribution in lieu of property tax, from which we are exempt.

Sincerely,

Peter Korn
Executive Director

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

Center for Furniture Craftsmanship
25 Mill St.
Rockport, ME 04856
207-594-5611

17621

52-7438/2112

12/13/2018

PAY TO THE ORDER OF Town of Rockport $ **6,000.00

Six Thousand and 00/100*** DOLLARS

Town of Rockport
P.O. Box 10
Rockport, ME 04856-0010

Security features included. Details on back.

IMAGE FADES WHEN HEAT IS APPLIED

MEMO

AUTHORIZED SIGNATURE MP

[redacted]

Center for Furniture Craftsmanship 17621

Town of Rockport		12/13/2018	
	Payment in lieu of taxes		6,000.00
BSB-Checking #8951-			6,000.00

VII. Unfinished Business

a. Discuss Internal Control Policy

Manager's Comments:
Included in your packet is the Internal Control Policy as presented previously as well as comments made by Ken and Debra by way of a recent e-mail. That e-mail is also included in your packet. Other (non-substantive) changes have been made. The purpose of the discussion is to hear any final comments before bringing it before the board for final approval on January 28th. The hope is that we can get through one last review and recommended changes so that it can get approved at the 28th meeting which is being held to hear the final audit report.

Internal Controls help to establish and maintain fiscal management and accountability of municipal assets. Internal Controls set a professional level of standards for the safety and well-being of municipal resources.

Internal Control Policies and Procedures

General Rules
Cash Receipts
Deposits – Reconcilations
Investments – Reserves
Fixed Assets
Accounts Payable – Accounts Receivable
Payroll – General Ledger
Chart of Accounts – Leases

Best Practices for Financial Management of Municipal Finances

Rockport, Maine – Insert Date

Draft

It is not good enough for things to be planned – they still have to be done; for the intention to become a reality, energy has to be launched into operation.

-Walt Kelly (1913-1973), Animator

Table of Contents

Commented [DH1]: Start this on a new page please

1. INTRODUCTION

Internal controls are comprised of plans, methods, policies and procedures used to fulfill the mission, strategic plan, goals and objectives of the Town of Rockport. The internal control process provides reasonable assurance that the objectives of the Town will be achieved. These objectives include the following:

- Protection of assets;
- Effectiveness and efficiency of operations;
- Reliability of financial reporting; and
- Compliance with applicable laws and regulations.

This document, comprising the Town of Rockport's Internal Control Policies and Procedures, is referred to herein as the "Policies & Procedures" or as "the system of internal controls."

To the extent these Policies & Procedures refer to the responsibilities of municipal officers defined by State statute, it is the Town's policy to adhere to those responsibilities and practices. The Town has created positions not referenced in statute, including the Finance Director. The Finance Director is responsible for review, implementation, and monitoring of the Town's finances and these Policies & Procedures as set forth throughout this document.

2. DEFINITIONS

The following definitions shall apply:

2.1 Adverse Employment Action.

A materially adverse change in the terms and conditions of employment, including but not limited to: discipline, suspension, threatening to discipline or suspend, coercion, acts of intimidation and firing.

2.2 Best Practice.

A method or technique that has consistently shown results superior to those achieved with other means. It is a standard or benchmark against which practices may be compared and assessed. What constitutes a "Best Practice" can evolve to become better as improvements are discovered.

2.3 Capital Asset.

An item that has a value of more than $5,000, individually or collectively, with an estimated useful life of more than one (1) year. Capital assets may include but are not limited to: computer equipment, office furniture, fiber optics, fleet vehicles, public works vehicles and machinery and emergency response vehicles.

2.4 Capital Infrastructure.

Refers to facilities and systems that serve the Town and its residents, businesses and visitors with a value of at least $50,000 and a useful life of at least five (5) years. Examples include but are not limited to: buildings and other fixed structures, land, highways, roads, bridges, sidewalks, pathways and parking lots; utility structures such as elements of public water and sewer systems, public lighting systems, electric and communication cables or other transmission elements.

2.5 Cash.

Includes all items that are acceptable for deposit in a bank, e.g., paper currency, coins, checks, money orders, cashier's checks, and traveler's checks.

2.6 Change Funds.

A designated amount of cash on hand in which to make change from a cash drawer.

2.7 Control Environment.

As used in the public or government this term is what would be called, in the private sector, the entity's "corporate culture."

2.8 Fixed Asset.

An asset that is purchased for long-term use and is not likely to be converted quickly into cash such as land, buildings or equipment.

2.9 Fraud.

An intentional and deliberate deception to secure an unfair or unlawful gain, including but not limited to, a misappropriation of resources or the manipulation of data to the advantage or disadvantage of a person or entity. The definition of "fraud" as intended in these Policies & Procedure is determined by applicable laws and regulations.

Examples of fraud may include, but are not limited to;

- Falsification of expenses and invoices;
- Authorizing or receiving compensation for goods not received or services not performed;
- Theft of cash, fixed assets or other property;
- Alteration or falsification of records;
- Failure to account for monies collected;
- Knowingly providing false information on job applications;
- Authorizing or receiving compensation for hours not worked;
- Intentionally falsifying a time sheet; and
- Embezzlement, bribery or conspiracy.

2.10 Information Technology.

The application of computers and telecommunications equipment to store, retrieve, transmit and manipulate data, often in the context of a business or other enterprise. The term is commonly used as a synonym for computers and computer networks, but it also encompasses other information distribution technologies.

2.11 Internal Controls.

Systematic measures (such as reviews, checks and balances, methods and procedures), instituted by the Town to (a) conduct its business in an orderly and efficient manner, (b) safeguard its assets and resources, (c) deter and detect errors, fraud, and theft, (d) ensure accuracy and completeness of its accounting data, (e) produce reliable and timely financial and management information, and (f) ensure adherence to laws and regulations, and the Town's policies and objectives.

2.12 Petty Cash.

Petty cash is an amount of cash on hand used to pay for small items rather than going through the process of issuing a check.

2.13 Policy.

Principles and associated guidelines formulated and enforced by the Town to direct and limit its actions in pursuit of long-term goals.

2.14 Procedure.

A series of steps, taken together, to achieve a desired result. It is a particular way of accomplishing something as in a repetitive approach, process or cycle to accomplish an end result.

2.15 Purchasing Agent.

The purchasing agent as used in these Policies & Procedures means the Town Manager or the Town Manager's designee.

2.16 Reserve Account.

Used for financing the acquisition or reconstruction of a specific or type of, capital improvement; financing the acquisition of a specific item or type of capital equipment; or a sinking fund account for paying a funded debt.

2.17 Risk Management.

The identification, analysis, assessment, control, avoidance, minimization, or elimination of unacceptable risks. An organization may use risk assumption, risk avoidance, risk retention, risk transfer, or any other strategy, or combination of strategies, in proper management of future events.

2.18 Sinking Fund.

A sinking fund is a fund established by setting aside revenue over a period of time to fund a future capital expense or repayment of long-term debt.

3. PURPOSE

Policy: The Town has a responsibility to establish controls to ensure that all municipal assets are protected and secured appropriately. The purpose of the Town's system of internal controls is to provide reasonable assurance that:

- Obligations and costs are in compliance with applicable law and regulation;
- Funds, property, and other assets are safeguarded against waste, loss, unauthorized use, or misappropriation, and
- Revenues and expenditures are properly recorded and accounted for to permit the preparation of accurate and reliable financial and statistical reports and to maintain accountability over the assets.

4. REPONSIBILITIES FOR SYSTEM OF INTERNAL CONTROLS

Policy: It is the Select Board's responsibility to establish a system of internal controls and policies that adequately address the following components:

- The control environment;
- Risk assessment;
- Control activities;
- Information and communication; and
- Monitoring.

The Town Manager is tasked with overall monitoring and delegating to management the tasks required to operate and monitor the system of internal controls. Each individual within the Town government is responsible for being cognizant of, complying with and maintaining the proper internal control procedures associated with their specific job responsibilities.

5. THE CONTROL ENVIRONMENT

Policy: The Select Board, Town Manager, Finance Director and Department Heads shall create a culture of compliance through their individual and collective actions exhibiting high ethical and professional standards of conduct. Leading by example sets the standard for the entire Town government. Internal controls must be communicated and followed. Failure to take appropriate disciplinary action for a violation of these established standards of conduct sends a "message" that management is not committed to internal controls.

Procedure:

A favorable control environment requires that management communicate the importance of internal controls to Town staff at all levels and that Town staff perform their job responsibilities in a competent and honest manner.

5.1 Communication with Staff.

Upon adoption of these Policies & Procedures, and at least annually every January, Department Heads shall ensure that their departments have received and understand these internal controls, as they relate to everyone's job responsibilities.

5.2 Communication with Select Board.

(a) Following the election of a new Select Board member, a copy of these Policies & Procedures shall be provided to the Select Board member.

(b) The Select Board shall review these Policies & Procedures periodically, gauge the level of Town compliance with these internal controls, and take appropriate action to ensure that these established standards are met.

5.3 Compliance and Violations.

Compliance with these Policies & Procedures is essential to the proper, prudent, efficient and effective functioning of Town government. There shall be swift and appropriate disciplinary action for employees who violate the standards of conduct established by these Policies & Procedures, consistent with the Town's Personnel Policies.

6. MONITORING OF CONTROL PROCEDURES

Policy: Effective monitoring of the Town's system of internal controls requires that the Town's officials and management assess the quality of performance over time and determine whether controls are effective. Any financial policy that is adopted should be reviewed annually to ensure that it remains current.

Procedure:

6.1 Annual Review by Town Manager and Finance Director.

At least annually every November, the Town Manager and Finance Director shall review established internal controls to determine effectiveness. Based on the annual review a recommendation may be made to the Select Board to update or modify the internal control policies.

6.2 Select Board Review.

Periodically, the Select Board shall review the effectiveness of the system of internal controls with the Town Manager and Finance Director to mitigate any potential weaknesses.

Commented [DH2]: Ade these 6.1 and 6.2 so formatting needs to be fixed.

7. RISK ASSESSMENT AND MANAGEMENT

Policy: The Select Board, the Town Manager, Finance Director and Department Heads shall monitor and assess potential risks that could prevent or hinder them from achieving their objectives as set forth in the Introduction to these Policies & Procedures. Effective risk monitoring and assessment must involve not only management at all levels of Town government but employees performing day-to-day activities. Effective risk monitoring and assessment should include both the “macro” and “micro” components of the Town’s activities.

Procedure:

7.1 Focus on Risk Monitoring.

Department Heads shall monitor, on an ongoing basis, the opportunities to reduce risk within their departments. Each Department Head should convey a risk-aware culture—encouraging all department employees to be aware of potential risk, to be vigilant about risk detection, and to make recommendations for improvement and risk mitigation in their daily job functions.

Commented [DH3]: This started as 7.2 SO I Changed to 7.1 and all others need to be changed accordingly and formatted.

7.2 Sharing of Best Practices.

Department Heads who identify potential risk exposure and/or who have recommendations or receive recommendations from department employees about improvement to daily activities that will mitigate that risk exposure, should share them with management, including other Department Heads, in order to improve the risk practices across all levels and departments of Town government.

7.3 Safeguarding Employees and Citizens.

In order to ensure, to the extent possible, an exposure-free work and service environment which the Town’s personnel and the public can enjoy in safety and security in the course of their daily pursuits, the Town shall establish and maintain sound operating practices and proper employee training. Department Heads shall convey, by example and through encouragement of a risk-aware culture, the fundamental importance of their responsibilities to safety and security for one another, their own well-being and that of the Town’s people and protection of its assets.

7.4 Management Assessment.

In addition to the inherent risks addressed by these Policies & procedures, the Select Board, Town Manager, Finance Director and Department Heads shall continuously monitor the manner and extent to which changes in the Town government and operations may affect the Town’s risk environment. These changes may include, for example:

- Changes in the operating environment of the Town, e.g. reduced budgets, new regulations/ordinances, intense political debate or scrutiny;
- Changes in personnel;

- Changes in information systems and technology;
- New programs or services;
- Changes in the Select Board leadership or management.

8. RISK MANAGEMENT THROUGH RISK TRANSFER

Policy: The Town recognizes that risk should be identified and managed—not viewed as something to be eliminated or avoided. The Select Board believes that well-managed risk is fundamentally important to effective service delivery, maximizing opportunities for innovation in delivery of services and adapting to change in and outside the Town. One means of managing risk is to transfer unreasonable amounts of risk through bonding or insurance mechanisms.

8.1 Employee Bonding Requirements.

Commented [DH4]: Formatting needs to be fixed, the number should go to the left to the margin. Same throughout document, line-up. Line up under "Procedure."

Policy: Elected officials and employees who handle municipal funds shall be appropriately bonded or covered by liability insurance to ensure that the taxpayers do not absorb the cost of financial loss because of an improper or illegal act of an elected or appointed official or public employee.

Procedure: At the Town's expense, all employees involved with the collection, custody or disbursements of the Town's finances shall be bonded for the amounts appropriate to complete their job functions. Bonding shall be reviewed and renewed annually by the Finance Director and the cost shall be included in the annual budget.

8.2 Risk Transfer Through Insurance and Risk-Pooling Mechanisms.

Policy: The Select Board, Town Manager and Finance Director shall review the Town's risk transfer strategies in the context of the overall risk framework of the Town to ensure that best efforts are made to identify risk, monitor and manage risk, and transfer that risk which is beyond the Town's capability of retaining.

Procedure: At least annually every April, the Town Manager and Finance Director shall review with the Select Board the extent of the Town's insurance, risk-pooling and other risk transfer mechanisms.

9. ACCOUNTING AND ANNUAL AUDIT

Policy: The Town will utilize accounting practices that conform to generally accepted accounting principles (GAAP) as set forth by the Government Accounting Standards Board (GASB).

Procedure:

9.1 Monitor the Overall Budget.

All Town accounts shall be monitored by the Finance Director monthly. Financial records shall be maintained in the Finance Director's office.

9.2 Appointment of Annual Auditor.

Each year the Select Board shall appoint a Certified Public Accountant(s) for the purpose of conducting the annual audit of the prior fiscal year municipal finances, as authorized by law. The audit shall be conducted in accordance with Government Auditing Standards promulgated by the U.S. Government Accountability Office.

10. ACCOUNT CONTROLS

Policy: The Town Manager and Finance Director shall be responsible for establishing accounting practices, including but not limited to: journal entries, general ledger accounts, chart of accounts and other control practices, subject to Select Board oversight.

10.1 Staff Assignments and Internal Audits.

Policy: No one employee shall perform all related elements of an individual transaction. Internal audits shall be conducted.

Procedure:

(a) *Staff Assignments*. Staff responsibilities shall, to the extent possible, be made in a way that encourages checks and balances. No single individual shall be able to prepare, approve, process and record a transaction. Whenever possible, employee job functions shall be changed periodically to ensure rotation and cross-training.

(b) *Internal Audits During Leave.* Employees responsible for collecting and recording cash transactions shall be required to take vacation leave. During this time, the employee's records and cash accounts shall be reviewed and an internal audit conducted by management.

(c) *Unannounced Audits.* The Town Manager/Finance Director may perform unannounced cash audits of any/all cash drawers at any time.

11. GENERAL LEDGER

Policy: The general ledger represents the formal record of the Town's transactions. It holds the account information that is needed to prepare financial statements and includes accounts for assets, liabilities, and equity.

Procedure:

11.1 Limit General Ledger Maintenance to Finance Director.

No journal entries or corrections should be made to any general ledger accounts by anyone other than the Finance Director.

11.2 Submit Change Request to Finance Director.

If an employee notices a change that should be made to a general ledger account, the employee should submit a request with appropriate supporting documentation to the Finance Director. If, however, the requested change is in Cash Receipting the Town Clerk's office shall make the needed adjustments prior to posting.

12. CHART OF ACCOUNTS

Policy: The Town shall use a chart of accounts to maintain, track and record department expenses and revenues in a consistent and comparable manner. The chart of accounts shall be compatible with the needs of both budgeting and financial planning.

Procedure:

12.1 Finance Director Responsibility.

The Town chart of accounts is maintained by the Finance Director. It shall provide for a consistent way of tracking revenues and expenses across departments through a common numbering system. Any changes to an account shall be made by the Finance Director.

12.2 Requested Changes.

Departments shall submit any request for changes to accounts to the Finance Director for consideration and modification.

12.3 Records Grants and Programs.

(a) Grants or programs outside of the annual budget are not included in the chart of accounts.

(a) Revenues and expenses associated with grants or programs shall be maintained in the appropriate department budget.

(b) The Finance Director shall monitor grants or other program accounts on a monthly basis.

12.4 Journal Entries.

Any journal entries that are needed outside of normal transactions shall be completed solely by the Finance Director or designee. All journal entries shall be maintained in paper form for at least seven (7) years.

Commented [MB5]: The part that is discussed prior to in general ledger accounts, this is referencing all journal entries including those made to expense and revenue accounts.

13. PERIODIC RECONCILIATION AND VERFICATION

Policy: It is important that related accounting records be compared periodically. At a minimum, all Town accounts shall be reconciled and verified on a monthly basis, or more often as may be appropriate. This review shall also include the financial reports of the Library Committee which holds funds in a trust and should, therefore, be subject to appropriate checks and balances as are other Town assets. Monthly bank reconciliations are a crucial part of preventing fraud and maintaining accurate records of the financial stability of the Town.

Procedure:

13.1 Internal Reconciliation and Verification.

(a) *Monthly Revenue/Expense Reports to Departments.* The Finance Director shall provide each Department Head with monthly expense and revenue reports relating to their department. Periodically, but at least monthly, all revenue and expenditure reports, shall be reviewed by the responsible Department Head, Finance Director, and Town Manager (if necessary). On a quarterly basis the Town Manager and Finance Director shall meet with each department head to discuss their current budget standing.

(b) *Bank and Investment Accounts.* The Finance Director shall reconcile all bank and investment accounts on a monthly basis. The reconciliation shall include an examination of canceled checks as well as a review of bank statements in comparison to the general ledger accounts. This shall be completed within 30 days of the month end, unless prior approval from the Town Manager has been received.

(c) *Other General Ledger Accounts.* The Finance Director shall be responsible for the reconciliation of all other general ledger accounts, excluding reconciliation of taxes. Taxes shall be reconciled by the Tax Collector on a weekly basis and reports shall be provided to the Finance Director. Reconciliation reports shall be maintained by the Finance Director for the entire fiscal year until an annual audit is complete.

Commented [DH6]: Megan—maintained by whom? Finance Director or Tax Collector?

(d) *Library Funds—Monthly Reports.* Within 20 days of the end of each month, the Treasurer of the Library Committee shall provide the Finance Director with a report of all accounts held by the Library Committee.

Commented [DH7]: Need to fix formatting. All I did was take out (i) and note the monthly reports in the title – just looking for consistency.

13.2 Bank Reconciliation and Verification.

(a) *Monthly Reconciliation.* The Finance Director shall, within 30 days from the end of each month) reconcile every bank account maintained by the Town against the trial balance.

(b) *Discrepancies.* Discrepancies may be reconciled through assistance with the Town's auditor and discussions with the bank.

(c) *Questionable Transactions.* If, during the reconciliation process, the Finance Director discovers a transaction that is not valid, the Finance Director shall immediately report these findings to the Town Manager for immediate action.

(c) *Sign-off.* Once the reconciliations have been completed by the Finance Director, the Finance Director and the Town Manager shall sign off on the reconciliation.

(d) *Record Retention.* Reconciliation records shall be maintained for seven (7) calendar years.

13.3 Reconciliation Discrepancies and Investigations

(a) *Discrepancies*. The Finance Director shall report any reconciliation discrepancies to the Town Manager. The Town Manager shall, in turn, report to the Select Board any discrepancies of a significant nature, whether amount, frequency or nature of the discrepancy. In any event, when the Town Manager believes that the Finance Director may be at the cause of the discrepancy, the Town Manager shall report same to the Select Board. If the Finance Director believes that the Town Manager is the source or cause of the discrepancy, the Finance Director shall report same to the Select Board.

(b) *Investigations*. The Town Manager or the Select Board may initiate an investigation, consistent with the Town Charter. If the discrepancy involves the Town Manager, the Select Board shall initiate the investigation.

(c) In the event that personnel action is appropriate, it shall be taken as soon as possible and consistent with the Town's Personnel Policy.

14. RESERVES

Policy: The purpose of reserves is to set aside funds for specific projects, renovations, equipment, capital equipment and similar costly items. Reserves may be established for the categories of capital equipment, capital improvement or a sinking fund account for paying a funded debt. A reserve fund may accumulate substantial capital to help lessen the burden on taxpayers in having to raise funds in one budget year. In some instances, reserves can be used to pay the principal and interest due on large purchases.

Procedure:

14.1 Select Board Established Reserves.

Reserves shall be established in accordance with the Reserve Accounts Policy as adopted or amended by the Select Board.

Commented [DH8]: Megan, this is the new section per the auditor. Note some of this was already there and I moved it down from 13.1 but I have beefed it up and made it its own section so it applies to all of Article 13.

Commented [MB9]: Should we include a copy of this policy as an appendix to the document, so people don't have to hunt around for this policy?

Commented [DH10R9]: Yes, that is fine. But as I recall this was intended to be part of a manual and there would be a lot of appendices. Is that still the case? If so we can add their reference once we get them all together.

14.2 Reserves Established for a Specific Purpose.

After conferring with and through coordination with the Town Manager, a Department Head may recommend to the Select Board the establishment of a reserve account. The Department Head shall state the purpose of the account and specify how the account will be funded.

14.3 Select Board Approval Required.

(a) The Select Board shall review any requests for the establishment of a reserve account and either approve or deny the request based on the criteria outlined in the Reserve Accounts Policy.

(b) If approved, the Select Board shall decide whether to place a limit on the amount of funds that can remain in the reserve.

14.4 Finance Director Required to Manage Reserves.

(a) Monitor Reserves. The Finance Director shall monitor the reserve accounts and ensure ongoing compliance with the Reserve Accounts Policy.

(b) Report Reserves. As part of the budget process the Finance Director shall report on the status of all Town reserves, including a statement of the reserves and the current balance.

14.5 Expenditure of Reserve Funds.

(a) Expenditures of $2,000 or More. Any expenditure from the reserve funds in the amount of two thousand dollars ($2,000) or more shall require approval by the Select Board.

(b) Expenditures of Less than $2,000. Use of reserve funds in an amount less than two thousand dollars ($2,000) shall be subject to approval by the Town Manager.

14.6 Five-Year Capital Expenditure Plan.

Each October the Town Manager shall submit to the Select Board a five-year capital plan for the use of the Town's reserves. This plan may be issued as part of the annual capital improvement plan submitted by the Finance Director and Town Manager in preparation of the annual municipal budget process.

15. INVESTMENTS

Policy: The Town has an established Investment Policy and shall endeavor to maintain that policy with the help and guidance of an appointed Investment Committee. The Investment Policy addresses the methods, procedures and practices, which must be exercised to ensure effective and judicious fiscal and investment management of the Town's funds.

Procedure:

15.1 Duties of Town Treasurer.

(a) The Town Treasurer is charged with the responsibility of managing the Town's investments. According to state statute the Treasurer is authorized to delegate those duties to another with the consent and approval of the Select Board.

(b) All Town investments and policies shall conform to applicable statutes and regulations.

15.2 Select Board Appoints Investment Committee.

(a) The Select Board shall annually appoint a Board liaison to work with the Investment Committee.

(b) The Finance Director shall be designated by the Treasurer as the Town liaison to the Investment Committee.

(c) The Investment Committee shall serve at the will of the Select Board, operate under approved bylaws, and in accordance with state statutes and regulations.

15.3 Accounts Reconciled Monthly.

(a) The Finance Director shall receive monthly investment statements and portfolio reports.

(b) The Finance Director shall provide the Investment Committee with a copy of the investment report, an in-house investment accrual report of all investments as well as a copy of the portfolio provided by the investment banking institution.

(c) The account shall be reconciled on a monthly basis to the general ledger and all investment accounts shall be updated. This process shall be completed within 30 days from the end of the prior month.

15.4 Investment Strategies Reviewed Periodically.

(a) The Investment Committee shall periodically review the investment portfolio to make sure the investments are being managed as directed by the Town.

(b) The Investment committee shall periodically meet with the investment banking institution representative to make sure the Town's investments are managed in the Town's best interest.

16. FINANCIAL REPORTING

Policy: The Town Manager shall have in place systems that ensure the collection and compilation of the data needed for the timely and accurate preparation of financial statements.

Procedure:

16.1 Reports to the Town Manager.

(a) The Finance Director shall provide the Town Manager with a current trial balance and municipal budget expense and revenue report, on a monthly basis, or more often if directed.

(b) The Finance Director shall review all reports prior to submission and specify any concerns, in writing, to the Town Manager.

Commented [DH11]: Megan all of these sub numbers should go out to the left and be lined up under "Policy" and "Procedure."

16.2 Reports to Department Heads.

(a) The Finance Director shall provide all Department Heads and, if necessary, committee chairs, their respective municipal budget expense and revenue reports monthly.

(b) The Town Manager and Finance Director shall meet with Department Heads, as necessary, to discuss any concerns that may have been brought to the Town Manager's attention. Action shall be taken, as appropriate, to correct or alleviate those concerns.

16.3 Reports to Select Board.

(a) The Finance Director shall provide current budget reports to the Select Board at least quarterly. The financial reports shall include a detailed explanation of the reports and specify any concerns.

(b) The reports shall also be provided to the Town Manager and posted to the Town website.

17. FRAUD – ZERO TOLERANCE POLICY

Commented [DH12]: Megan I did some formatting here – please note that up through 17.5 the formatting is correct and this is the line-up that should be throughout the document. Starting with 17.6 again it is not correct nor is it correct up to this point. I would use 17 through 17.5 as the guide throughout the document.

Policy: The Town's goal is to establish and maintain an environment of fairness, ethics and honesty for its employees, citizens, vendors and anyone else with whom the Town has a relationship. The Town has a zero-tolerance policy regarding fraud—and is committed to the deterrence, detection and correction of fraudulent conduct, misconduct and dishonesty.

17.1 Prohibition and Deterrence.

Policy: All elected officials, appointed committee/commission/board members and employees of the Town, as well as any individual entity doing business with the Town, are prohibited from engaging in fraudulent conduct in the course of their employment, duties or business relations with the Town. The Town's system of internal controls is designed to provide reasonable assurance for the prevention and detection of fraudulent conduct, and other similar irregularities.

Procedure:
All new employees are subject to background investigations and criminal background checks. Prior to making an offer of employment, the Town shall verify a prospective employee's employment history, education, personal references and previous employers.

17.2 Report of Fraud, Theft or Irregularities.

Any time an indication of fraud, theft or other irregularities of municipal financial accounts is discovered, it shall be immediately reported as follows:

(a) *Employee Reports Fraud to Department Head.* If an employee suspects fraud or witnesses a fraudulent act, the employee shall report the incident to the employee's Department Head.

(b) *Employee to Report Department Head Fraud to Town Manager*. If an employee has reason to believe their Department Head may be involved in the inappropriate activity, the employee shall report the incident directly to the Town Manager.

(c) *Employee Refrains from Further Action.* The reporting employee shall refrain from further investigation of the incident, confrontation with the alleged violator or further discussion of the incident with anyone, unless specifically requested by the Town Manager.

(d) *Department Head Reports Fraud to Town Manager*. If a Department Head suspects an employee under his/her supervision, an employee in another department or another Department Head of wrongdoing, he/she shall report the suspected fraudulent activity directly to the Town Manager.

(e) Fraud by Town Manager reported to Select Board. If anyone suspects the Town Manager of fraud, a member of the Select Board shall be contacted, and an immediate Executive Session of the Select Board shall be held.

(f) No Retaliation for Reporting Fraud. An employee reporting a suspected act of fraud; or assisting, testifying or participating in a fraud investigation, acting in accordance with these Policies & Procedures, shall not be subject to any Adverse Employment Action unless it is determined that the employee made the allegation knowing it to be false.

17.3 False Allegations.

Any attempt by an employee to make false allegations against another with the intent to disrupt or cause harm shall be subject to disciplinary action, up to and including termination of employment.

17.4 Investigation of Fraud.

(a) *Town Manager Investigation.* The Town Manager shall be responsible for investigating allegations of fraud, unless he/she is subject to investigation for fraudulent activities.

(b) *Select Board Investigation.* The Select Board may undertake an investigation into any department, based on allegations of fraud or for other reasons as set forth in the Town Charter. However, the Select Board shall undertake such investigation of allegations of fraud are made against the Town Manager.

(c) *Report to Law Enforcement.* The Select Board shall report, or cause to be reported, the incident to law enforcement, depending on the seriousness of the allegation and/or the findings of the Town Manager's or the Select Board's investigation.

(d) *Investigation by Law Enforcement or other Outside Authorities.* Nothing in this section shall prevent the Town Manager, with approval of the Select Board, or prevent the Select Board from contacting law enforcement or other external authorities for the purpose of conducting an investigation.

17.5 Confidentiality.

All investigations shall be conducted in confidence insofar as reasonably possible, consistent with statutes, regulations and the Town Charter.

17.6 Corrective Action.

(a) *Personnel Action.* In the event the offender is a Town employee, the Town Manager or Select Board, as the case may be, shall take immediate action in accordance with the Town's Personnel Policy, including termination of employment.

(b) All other persons or entities that are found to have engaged in fraudulent activity, shall be removed from the applicable committee, commission or board or be subject to suspension by the Town from future business transactions for a specified period of time.

(c) In the case of a Select Board member involved in fraudulent activity, pursuit of any action shall be in accordance with Maine statutes and the Town Charter.

(d) Appropriate cases shall be referred for possible prosecution.

(e) *Recovery of Loss.* In cases involving monetary loss to the Town of Rockport, the Town Manager and Select Board shall pursue every reasonable effort, including court-ordered restitution, to obtain recovery of Town losses from the offender or other appropriate sources, unless cost of such recovery would exceed the recovered amount.

18. ACCOUNTING – SOFTWARE AND TECHNOLOGY

Policy: A computerized accounting system makes financial operations faster, more accurate, allows for the automatic generation of financial reports and allows officials to see the real-time state of the Town's financial position.

Procedure: The accounting software required of the Town shall be customized for municipal requirements, and shall provide timely recording of financial transactions, easy viewing of transaction data, and timely creation of financial reports. The software shall have the capability of performing necessary Town functions, including but not limited to:

- Record Town revenue, including tax payments;
- Assist the Town in the payment of Town expenses;
- Calculation of the Town's weekly payroll;
- Producing tax billing and assessments;
- Provide necessary financial reports;
- Preparation and management of the annual budget; and
- Capital asset accounting, accounts receivable and other necessary requirements of running a medium sized municipality.

18.1 Access to Software System.

Policy: To prevent accidental or intentional changes to data, access to financial records shall be limited to those who require specific access.

Procedure:

(a) *Finance Director as Administrator.* The Finance Director shall serve as the system administrator, having the authority and responsibility to provide personnel with access to only those programs pertinent to their job requirements.

(b) *Passwords.* Passwords shall be used to protect all financial information. Passwords shall be changed regularly and not shared with other officials or employees.

18.2 IT and Internet Security.

Policy: The Town shall use Best Practices to maintain a high level of IT and internet security to protect the Town's assets. Procedures shall be established and maintained to ensure adequate systems and processes are in place to secure financial and other data. Management shall ensure that plans are in place to allow the Town to continue to provide services even in the event of a disaster.

Procedure: IT personnel and management shall make every effort to secure the Town's computer network, which may include but is not limited to:

- Installing and maintaining a network firewall;
- Installing and maintaining anti-malware software;
- Regularly patching and updating internet browsers, Adobe, Java and/or others as needed;
- Protecting the network by blocking connections to irrelevant websites, external e-mail providers and social media websites, as necessary;
- Using security validation for internet banking;
- Using caution surrounding e-mails from unknown sources that include attachments, links and downloadable files; and
- Developing a disaster recovery plan to include contracted IT services.

18.3 Response to Security Breach.

Policy: In an effort to mitigate damage to the Town's IT network or an invasion of Town assets, the Town shall develop an incident response plan to prevent expansion of a security breach once detected.

Procedure: The Town Manager shall ensure that employees receive adequate training, including but not limited to the:

(a) Requirement to notify supervisors of any suspicious activities on Town equipment; and

(b) Necessity of appropriate, fast and effective response to minimize any loss of Town assets.

18.4 Electronic Backups and Safekeeping of Non-Electronic Records.

Policy: The Town shall use Best Practices to maintain the security and safety of the computer system(s) on which the Town operates its financial software. The Town shall use best efforts to safeguard all non-electronic Town records and comply with applicable record retention schedules.

Procedure: The Town Manager shall ensure that procedures for the following are in place:

(a) *Secure System.* Virus protection software shall be installed as it becomes available;

(b) *Live Backup.* The Town shall provide a live vault backup system that backs up the financial data every 20 minutes and shall schedule full back-ups to run each night;

(c) *Backup Testing.* Periodically, the back-ups shall be tested to make certain data is being backed-up correctly and data can be used from the back-up if it is necessary to restore the accounting system;

(d) *Off-Site Backup.* If, and to the extent available, the Town shall backup financial data to an off-site location;

(e) *Non-electronic Records.* The Town shall endeavor to safeguard all non-electronic records in a safe and secure environment, protected against environmental dangers; and

(f) *Record Retention Schedules.* The Town shall retain electronic and non-electronic records for the periods of time specified by statute, regulation or guidelines applicable to Town records.

19. DISTRIBUTION OF MAIL AND CASH COLLECTIONS

Policy: The Town receives and deposits substantial amounts of cash daily, weekly and annually in carrying out the various functions of the municipality. These operations shall be carried out efficiently and expeditiously with adequate financial control and accountability. The Town Manager shall be responsible for establishing and maintaining adequate processes for safeguarding cash and ensuring all funds are deposited in a timely manner.

Procedure:

19.1 Distributing Mail.

It shall be the responsibility of the Town Manager's Executive Assistant to receive and distribute the mail on a daily basis. If the Executive Assistant is out of the office, the Town Manager shall be responsible for receiving and distributing the mail or designating another employee to do so.

19.2 Processing Mail.

All cash received via mail shall be processed the same day. In the event this is not possible the Town Clerk/Tax Collector shall notify the Town Manager in writing and, if approved, shall be processed the next business day.

19.3 Processing Funds Received.

All cash received by the Town shall be processed through the Town's accounting software system.

19.4 Town Clerk/Tax Collector Responsibilities.

The Town Clerk/Tax Collector shall be responsible for overseeing the receipt of payments made to the Town for real estate and personal property taxes, excise taxes, permits, licenses, and other miscellaneous payments.

19.5 Payments at Other Town Locations.

(a) *Same Day Delivery to Town Clerk.* Other Department Heads and other Town locations may receive monies for payment of services, donations, or sales of merchandise. Cash received on the Town's behalf shall be forwarded to the Town Clerk/Tax Collector the same day received. In no event shall cash be retained or placed in another location without being processed the day of receipt, unless previously approved by the Town Manager.

(b) *Receipt for Delivery of Cash.* When a department delivers cash and cash receipting reports to the Town Clerk's office the receiving employee shall provide the department a written, numbered receipt for the cash received. The receipt shall be signed by both the delivering and receiving employees.

(c) *Non-Routine Payments.* The Finance Director shall be consulted about any non-routine payments to ensure they are deposited to the appropriate account.

19.6 Opera House and Parks & Recreations Rental Deposits.

The Town generates income from the rental of Town properties that include the Opera House building and various parks throughout the Town.

(a) *Scheduler Responsibility*. The scheduler is required to manage the rentals and collect all fees associated with the rental.

(b) *Nature of fees.* The fees shall include a security deposit as well as rental fee that includes a minimum two-hour rental.

(c) *Fees Collected in Advance of Event.* All fees are to be collected in advance of the event for the expected number of hours the facilities or parks are to be rented.

(d) *Receipts for Fees.* Upon receipt of these fees, the scheduler shall provide the renter with a written receipt; receipts to be issued in sequential order.

(e) *Delivery of Fees to Finance Director.* Within a day of receipt, the scheduler shall provide the Finance Director or designee with the receipt; funds collected; name and address of the renter; date, time and place of the event, as well as the anticipated review of the facility, after which the security deposit can be returned if facilities are left in good condition.

(f) *Refund of Fees.* Should the facilities be rented for less time than anticipated but no less than two hours, the renter shall be refunded the difference.

(g) *Refund of Security Deposit.* Upon confirmation that the renter left the facility or park in good condition, the security deposit shall be requested by the scheduler within seven (7) days of the event.

(h) *Refunds Through Accounts Payable Process.* Any refund as provided in subsection (f) and (g) above, shall be released to the renter through the accounts payable process.

19.7 Use of Separate Cash Drawers.

(a) *Use Only Assigned Cash Drawer.* The Town Clerk/Tax Collector and staff collect and process cash transactions by using individual cash drawers. Clerks shall only use their assigned cash drawer to process transactions and not mix monies or transactions with another clerk's cash or transactions. If change needs to be made from one drawer to another, a second individual shall verify and sign off on the process.

(b) *Other Departments.* All other departments that collect money shall have separate cash drawers.

19.8 Change Funds.

Policy: Certain offices shall have access to change funds to provide change when necessary. The Town does not permit petty cash on hand. All Town purchases shall be done using a Town credit card, store credit card, store charges, or through the accounts payable process.

Procedure:

(a) *Reconciling Cash Drawers/Change Funds.* When reconciling cash drawers, the change funds must be subtracted from the receipts to properly account for the monies received.

(b) *Discrepancies.* Any discrepancies in the cash drawers/change funds shall be immediately reported to the employee's Department Head and the

Finance Director. The Finance Director shall inform the Town Manager, if necessary, depending on the circumstances and/or amount of discrepancy.

(c) *Amount of Change Funds.* The change funds assigned to each office may vary in total but the amount for any one location shall remain constant. The amount of change funds shall be as follows;

(i) **Town Clerk Change Funds**

Town Clerk - $70.00
Deputy Town Clerk - $70.00
Assistant Town Clerk - $70.00
Other change funds stored in the vault - $150.00

(ii) **Harbormaster Change Funds**

Harbormaster - $50.00
Deputy Harbormaster - $50.00
Park Attendant - $50.00

(iii) **Library Change Funds**

A single cash draw - $30.00

(iv) **Police Department Change Funds**

A Single cash draw - $50.00

19.9 "For Deposit Only" Stamp and Acceptable Checks.

(a) *For Deposit Only Stamp.* A "For Deposit Only" stamp, including the Town's bank account number, shall be created for each cash account entrusted to the Town. After reviewing each check's printed information to include bank routing and account number, name, address, telephone number, that the check has a current date (no post-date or stalled date), and the payee is the "Town of Rockport," each check received shall be stamped with the "For Deposit Only" stamp immediately during the transaction process.

(b) *No Third-Party Checks.* Third party checks shall not be accepted as payment.

(c) *Prohibition Against Cashing Checks.* Checks shall not be cashed by the Town. The prohibition on check cashing includes but is not limited to:

payroll checks, accounts payable, travelers' checks, and personal checks.

(d) *Overpayments Through Accounts Payable.* Overpayment of goods, taxes or services provided for payment shall be refunded by the accounts payable process.

(e) *Returned Checks.*

(i) Returned checks for insufficient funds will be assessed a fee as soon as the check is returned. The Finance Director shall be notified as soon as the check is returned and advised of the nature of the services for which the check was initially accepted. If the check was for a tax payment or other Town service, the payment must be reversed out of the system the day the check is returned. If the check was for a State service, the appropriate Town personnel shall follow the process provided by the State, however the return check fee shall be assessed.

(ii) The Town Clerk/Tax Collector shall attempt to locate the check writer to advise him/her of the uncollectable funds and to seek alternative means of collecting the fees due.

(iii) If the funds are uncollectable after three (3) attempts to obtain payment, then appropriate authorities shall be notified as warranted.

20. ONLINE TRANSACTIONS

Policy: The Town accepts debit and credit card both on-site at designated customer counters and online using the Town's website. Debit and credit card payments are allowed for various Town payments including tax bills.

Procedure:

20.1 Credit Card Transactions

(a) *Credit Card Processor.* The Town contracts with Maine PayPort as the credit card processor.

(b) *Same Process as for Cash.* Credit card transactions shall be handled in the same manner as cash or check transactions.

(c) *Numbered Receipts.* The payee shall receive a numbered receipt as well as a slip to sign for the actual credit card transaction (this may be the same receipt slip).

(d) *Processing Fees.* The individual making the payment shall be responsible for any credit card processing fees and shall be notified of this responsibility at the time of the transaction.

(e) *Include Phone Number and Address*. The current system requires the processor to input a phone number and address for the card owner, which shall be done on every transaction.

21. DOCUMENTATION FOR RECEIPT OF FUNDS

Policy: The Town Manager shall be responsible for developing policies and procedures that provide for the accurate and proper accounting of all funds received by the Town in a manner that minimizes risk and enhances accountability.

Procedure:

21.1 Numbered Receipts.

Each monetary transaction shall require a numbered receipt.

21.2 Receipts Provided by Town Clerk/Tax Collector.

The receipt provided by the Town Clerk/Tax Collector and staff shall be generated by the accounting software system when logging payments. The accounting system numbers each receipt sequentially.

21.3 Receipts from other Departments/Locations.

Other departments, excluding the Opera House, that accept cash shall follow the same process as the Town Clerk/Tax Collectors office. For the Opera House, upon receiving funds, the Opera House Manager shall record the receipt of the funds, and turn said funds over to the Finance Department for tracking, then the Finance Department will provide said funds to the Clerk's office for deposit.

21.4 Documentation of Transaction.

Each transaction shall be documented and recorded at time of transaction and funds placed immediately in a locked cash drawer.

22. DAILY CASH-UPS

Policy: Cash-ups for all Town employees accepting money shall be done on a daily, before the employee completes the work day. Deposits shall also be made daily. Incoming checks shall be stamped "For Deposit Only" with the Town's bank account number printed on the check.

Procedure:

Commented [DH13]:

Commented [DH14R13]: We don't need to reference consistent with these Policies and Procedures as this is merely a statemen of policy.

Commented [DH15]:

Commented [DH16]: If we are excluding the Opera House we need to say how they are treated.

Commented [DH17R16]:

Commented [DH18]: Megan, per Ron, I changed "on a nightly basis" to "daily."

Commented [DH19]: I added the word "also" here to highlight that cash-ups and deposits are two different things.

22.1 Daily Cash-Ups.

In preparing the daily cash-up, each clerk or person collecting cash shall reconcile their own cash collected with their teller cash receipting report and shall initial the report. Should any errors come up will reconciling the individual reports, the individual shall correct the issue prior to submitting the report for final reconciliation. Ex: if a customer comes in and pays with a check, we reverse the transaction as if it was cash, the reversal needs to be corrected to indicate that it was paid by check.

22.2 Delivery of Cash-ups and Teller Reports.

Once the individual has completed their own cash-up, they shall provide all monies collected and the teller cash report to the Town Clerk's designee (alternating between Deputy Town Clerk and Assistant Town Clerk on a monthly basis).

22.3 Deadline for Cash-ups/Teller Reports to the Town Office.

If a department outside of the Town Office is collecting funds they need to have their completed teller cash-ups to the Town Clerk's Office by 4:30 pm every day. The cash shall be handed over to the Town Clerk's designee, who shall provide the department with a signed, dated, and numbered receipt for the cash received. These receipts shall be maintained for a minimum of one year, or until that years fiscal audit has been completed.

22.4 Final Close-out Process.

Once all reports have been received by the Town Clerk's designee, the final close out process shall begin. The Town Clerk's designee shall review all of the teller reports to ensure that they match the cash received. The Town Clerk's designee shall provide their individual cash-up to another person to be verified before completing the final closeout process. Once all receipts and teller reports have been verified the reports shall be closed out.

22.5 Delivery of Cash for Deposit.

All cash and deposit slip shall be put in a locked bag and provided to a Police Officer to deliver to the financial institution's nightly drop box.

22.6 Checks Electronically Deposited.

Any checks received shall be provided to the Finance Director or Payroll Clerk the following morning for electronic deposit. All checks shall be maintained by the Finance department for a period of seven (7) business days to ensure proper deposit.

22.7 Summary Provided to Finance Director.

The Town Clerk's designee shall provide a copy of the cash-out summary to the Finance Director. This summary shall include the signatures of both the Town Clerk and the Town Clerk's designee responsible for processing the close-out. Once this verification has been received, the Finance Director shall post the journal to document the appropriate accounts.

22.8 Library Cash-Ups.

(a) *Desk Funds Counted Daily*. Donations are often made to the library in the form of coins, cash or checks – sometimes called "desk funds. " On a daily basis, the desk funds shall be counted and verified.

(b) *Receipts When Possible.* Because donors are often anonymous it may not be possible to provide receipts for the funds donated. However, whenever the donor is known a cash receipt shall be issued.

(c) *Weekly Deposits.* The desk funds shall be verified daily and deposited on a weekly basis. The deposit report shall be given to the Library Committee Treasurer for deposit into the library's cash donation account.

(d) *Copies to the Finance Director.* Copies of the desk funds report and of the deposit shall be forwarded to the Finance Director.

(e) *Bank Statement Copied to Finance Director*. A copy of the bank statement in which these funds were deposited shall be forwarded monthly to the Finance Director – no later than the 15th of the month.

(f) *Discrepancies.* Any discrepancies in the account shall immediately be relayed to the Finance Director. Discrepancies and investigations shall be handled in the same manner as other discrepancies and investigations as set forth in 13.3 of this document

Commented [DH20]: Isn't it the Finance Director who will catch the discrepancies? In any event, I have referred back to our other section on discrepancies. I took out Town Manager as that is already set forth 13.3.

23. ONLINE BANKING

Policy: Personnel in the Finance department regularly use online banking for payroll direct deposit and management of the Town's cash accounts. This method of banking provides efficiencies and other benefits and the Town encourages its use. Online access shall be restricted to the Finance Department and the Town Manager.

The Finance Director shall monitor the Town's cash accounts daily to detect any unusual activity. If unusual activity is detected, the bank shall be contacted immediately, and the Town Manager notified in writing of any breach.

23.1 Online Deposits.

(a) Deposits from Other Entities. Periodically, funds from other entities such as the State of Maine are deposited directly into the Town's cash accounts.

(b) Documentation of Deposits. Once notification of these deposits has been received by the Finance Director and funds have been recorded in the

Town’s bank account, the Finance Director shall make the appropriate journal entries within seven (7) days of receipt.

(c) Receipt of Deposit. A copy of the receipt from *Paymode Payment Processing* shall be affixed to the journal postings.

24. DONATIONS

Policy: Funds donated to the Town, other than those designated for Legacy Rockport, shall be subject to approval by the Select Board.

Procedure:

(a) *Record Donation.* When a donation is received the check shall be given to the Finance Director to record in an excel spreadsheet that the donation has been received, the date received, the purpose of the check, and the account that it shall be deposited to once Select Board approval has been received.

(b) *Select Board Approval Process.* The Finance Director shall notify the Town Manager’s Executive Assistant of the donation and request that the item be placed on the next Select Board Agenda.

(c) *Placement of Check in Secure Location.* The check shall be given to the Town Clerk to secure in a locked money bag in the vault.

(d) *Check Deposit.* Once the donation(s) have been approved by the Select board, the Town Clerk shall deposit the donations the next business day, into the account designated by the Finance Director.

(e) *Receipt of Deposit.* The Town Clerk shall provide the Finance Director with a copy of the receipt for the deposit.

25. GRANTS AND PROJECTS

Policy: Periodically, the Town receives grant funding for various Town projects. Grants help the Town in updating infrastructure improvements with cost sharing that greatly benefits the community. Grants may require Town matching funds, in-kind matching contributions or no contributions whatsoever.

Procedure:

25.1 Effect on Cash Flow.

The Finance Director shall be apprised of any grant the Town seeks in order to assess the potential effect on the Town's ability to fund up-front costs. Informing the Finance Director of potential grants will permit the Finance Director to appropriately plan and manage the grants finances once a grant has been awarded. Upon award of a grant, copies of grant documents shall be immediately forwarded to the Finance Director.

25.2 Terms and Conditions.

The Town Manager, Finance Director and other interested parties shall meet prior to implementation of any grant to ensure that the Town's financial obligations or in-kind contributions can be met.

25.3 Matching Fund Requirements.

Each grant awarded to the Town carries its own standards, methods of accounting and matching fund requirements. The Town Manager, Finance Director, Planner (whenever applicable) and Department Head involved in a particular grant shall work together to ensure any matching fund requirements of the grant are met.

25.4 Budgeting for Grant Matching Funds.

Whenever possible the Town shall budget matching funds required of grants used to improve the Town's infrastructure or to purchase equipment.

25.5 Reserves Used for Grant Match.

There may be times when established reserve funds can be used toward a match for a grant. To use grant funds as matching funds for a grant the reserve fund's purpose must be that for which the grant has been obtained. Use of any reserve should follow the standards outlined in the Reserve Policy.

26. ACCOUNTS RECEIVABLE PROCESS

Description: Accounts receivable is a claim for payment held by the Town against a resident or customer for goods supplied or services rendered. Generally, the Town issues an invoice for the request of payment for items which the Town provided but did not immediately receive compensation. An invoice is created billing the person or company for the service and an accounts receivable is created, meaning the Town is due the fees created by the invoice.

Procedure:

26.1 Recording Accounts Receivable.

The Town infrequently records invoices as accounts receivable, there are not many receivables generated during the year. Rather, when the Town receives money from invoices generated by the Town, the funds received are directly entered as revenue in the appropriate department. However, at the close of the year, any outstanding invoices do get created as accounts receivable, which recognizes the revenue in the correct year but acknowledges the cash receipt at the time the money is collected.

26.2 When Cash Received is Recorded as Accounts Receivable.

In the first few months of a new fiscal year, rather than recording funds received directly into revenue accounts, money received for a prior year's revenue shall be recorded as an accounts receivable.

26.3 Keep and Aging List.

Because accounts receivable is most frequently utilized during the end and beginning of a fiscal year, the Finance Director shall monitor the accounts receivable general ledger account and reconcile the account as required to make sure that the Town receives all funds that are due and payable to the municipality. This may require the maintenance of an aging accounts receivable list.

26.4 Revenue Written Off.

If it is determined that an item previously recorded as an accounts receivable cannot be collected, the revenue may be written off with the permission of the Town Manager (excluding all tax accounts).

26.5 Commitment of Taxes are entered as Taxes Receivable.

(a) At the time of commitment, taxes due from residents are entered as taxes receivable.

(b) Payments made by residents are credited to their tax accounts upon receipt of payment.

26.6 Reconciled Monthly.

The Finance Director shall monitor the accounts receivable and reconcile the account monthly.

27. ACCOUNTS PAYABLE PROCESS

Description: The accounts payable process requires the collection of invoices and vendor documentation to pay vendors that are owed money from the Town. The accounts payable process starts with Department Heads who are responsible for providing the finance department with invoices from vendors that provided goods and/or services to the Town.

27.1 Required Proof of Insurance or Verify Independent Contractor.

See Title 39-A M.R.S.A. § 13-A regarding independent contractor status. Any vendor providing a service(s) to the Town is required to provide proof of workers' compensation insurance or verification from the Maine Workers' Compensation Commission that they have received their independent contractor status. A vendor that provides services to the

Town regularly shall be required to update this information annually.

27.2 Require W-9 for All Vendors.

All vendors doing business with the Town are required to provide a completed W-9 with the Town. The Internal Revenue Service (IRS) annually updates the W-9 which can be obtained on the IRS website, or the Town may provide a copy to vendors. The IRS does not require the use of the W-9 form but does require the information to be gathered about vendors as requested on the form; and requests the information be updated annually. Therefore, the Town requires that all vendors doing business with the Town have a completed, valid and updated W-9 form on file.

27.3 Payment Based on Original Invoice.

The Town requires that payments be issued based on an original invoice. Generally, copies of invoices are not used to process payments because it leaves open the possibility of invoices getting paid more than once or being altered. Shipping labels, packing lists and statements alone are not used for verification purposes in determining that the Town owes a vendor money for services rendered or equipment and/or supplies purchased.

27.4 Department Head Coding.

(a) *Department Head to Review Invoices.* Each Department Head shall review and approve all invoices for their department prior to submitting the invoice to the finance department for payment.

(b) *Coding to Chart of Accounts.* Each Department Head shall properly code each invoice (using the chart of accounts and numbers assigned to specific departments as indicated in the annual municipal budget) noting where the funds are to be taken from.

(c) *Department Head Approval.* Department heads shall initial the invoice as proof that the Department Head has reviewed and approved the expenditure for payment.

(d) *Exceptions for Routine Bills.* Exceptions to this subsection include bills that are regularly paid on a monthly basis, e.g., electricity, water, monthly web hosting, and security alarm fees.

27.5 Finance Director to Review Invoices Submitted for Payment.

Once the Department Head submits an invoice for payment, the Finance Director shall review the invoice to ensure the coding is correct and that the Department Head has signed off on the invoice.

27.6 Pre-Numbered Checks.

To ensure that all checks are properly accounted for, the Town shall purchase and use pre-numbered checks for all checking accounts. When using a check, it shall be recorded in the check record book maintained in the finance office.

27.7 Unused Checks.

All stock checks or unused checks shall either be stored in a locked cabinet under the control of the finance office or in the Town vault.

27.8 Voided Checks.

If for any reason a check needs to be voided, the voided check shall be recorded in the check record book and then shredded, unless it was returned or stopped, at which point it shall be maintained with the journal posting for that check.

27.9 Review and Approval of Warrants.

The Finance Director, Town Manager and a Select Board designee shall be responsible for reviewing and approving the warrant and any supporting items. Each shall affix their signature to the warrant once it has been approved.

27.10 Filing Invoices.

Once the warrant has been approved by both the Town Manager and the Select Board designee, the invoices, along with the check stub attached, shall be filed in the finance office and maintained for seven (7) fiscal years.

27.11 1099's

It is the responsibility of the Town to issue 1099s to any business as required by IRS regulations. This shall be completed by the Finance Director no later than January 31st of the year following the year when the payment was made.

28. PAYROLL

Description: Payroll is the process by which employees are compensated for the week previously worked. The standard work week is Friday through Thursday, with the weekly pay date being on Friday. Employees shall be paid on a timely basis in accordance with time worked and benefits provided.

28.1 Weekly Payroll.

Payroll shall be processed on a weekly basis (typically on a Friday) by the finance department.

28.2 Time Sheets.

(a) *Timecards Required.* All hourly employees shall submit a completed timecard showing the hours worked including start time, end time, break times and any time that was taken off. Exempt employees shall complete the “Exempt Timecard” showing any time that was taken off. All timecards shall be completed to the standards issued by the Department of Labor.

(b) *Falsification of Timecards.* Falsification of timecards may result in disciplinary action, including termination.

(c) *Timecard Approval.* Timecards shall be signed by both the employee and the employee’s direct supervisor.

(d) *Deadline to Submit Timecards.* All timecards are expected to be in the finance office by 9 a.m. Friday morning.

28.3 Payroll Spreadsheet Preparation.

(a) *Payroll Spreadsheet.* The Finance Payroll Clerk shall review all timecards and complete the payroll spreadsheet for all employees.

(b) *Verify Available Time Off.* The Finance Payroll Clerk shall ensure that the employee has accumulated enough time to fulfill their time off. If not, he/she shall immediately notify the Finance Director, who shall notify the Department Head.

28.4 Time Sheets and Spreadsheets Reviewed by Finance Director.

(a) *Timecards and Spreadsheet to Finance Director.* Once the Finance Payroll Clerk has entered all the applicable information into the payroll spreadsheet, he/she shall submit all timecards and the spreadsheet to the Finance Director for review.

(b) *Timecard and Spreadsheet Sign Off.* The Finance Director shall review the spreadsheet and timecards and sign off on the spreadsheet as approving it. When the Finance Director is out of the office, the Finance Payroll Clerk may carry out the process, however, the Finance Director shall immediately review upon returning to work.

28.5 Process Payroll.

(a) *Processing Payroll.* After the Finance Director has signed off on the payroll spreadsheet, the Finance Payroll Clerk shall process the payroll through the accounting software.

(b) *Deductions Assessed.* All applicable deductions shall be assessed automatically at this time.

28.6 Direct Deposit.

(a) *Direct Deposit Option.* Employees may opt to be paid by direct deposit of their payroll into their personal bank accounts.

(b) *Payment Date.* Any employee who wishes to receive their compensation by direct deposit shall be paid every Thursday instead of Friday.

(c) The Finance Administrative Assistant shall ensure that the bank receives the direct deposit record by Tuesday at 1 p.m. in order for the deposit to be made on Thursday of that week. The direct deposit record shall be approved and signed off by the Finance Director prior to submission.

(d) Any employee that has signed a direct deposit authorization form shall receive a voided check that states their pay was deposited directly to their desired account. These checks will also be pre-numbered and shall follow the same methods for issuance of other checks as set forth in these Policies & Procedures.

28.7 Payroll Warrant.

The Finance Director, Town Manager, and a Select Board designee, shall be responsible for reviewing the payroll warrant and supporting items attached to the warrant, including timecards. Once approved, each shall affix their signature to the warrant.

28.8 Reconcile Payroll Deductions.

(a) *Monthly Reconciliation.* All payroll-related deductions shall be reconciled on a monthly basis (within 15 days of the end of the month).

(b) *Payroll Adjustments.* If there is an employee who either owes money for their benefits, or the Town needs to return money to that employee, it shall be done at this time.

(c) *Employee Notification.* The employee shall receive an explanation with the check detailing the changes made.

(d) *Employee Option.* If the change results in an employee owing money to the Town in an amount more than $10.00, the employee shall be given the option to spread what they owe over a period of more than one pay period.

28.9 Quarterly Tax Reports.

The Finance Director shall submit all federal and state quarterly tax reports by the respective due dates and ensure that all reports are accurately submitted.

28.10 Annually Prepare W-2's.

At the end of each calendar year the Finance Director shall prepare and deliver all necessary W-2s for current or past employees. The Finance Director shall ensure that all reports are submitted to the IRS and Maine Revenue Service by the respective deadlines.

29. PROCURMENT

Policy: Neither the Purchasing Agent nor any Department Head shall make any purchase or allow any purchase to be made until an appropriation has been approved by Town Meeting or the Select Board, as applicable. However, the Purchasing Agent may permit an item to be bid prior to the approval of an appropriation, if it is in the best interests of the Town and shall so note in the bid materials that the bid approval is subject to the appropriation being approved at Town Meeting or by the Select Board, as applicable.

29.1 Field Purchases up to $500.

Field purchases of up to five hundred dollars ($500) may be executed by informal, direct purchasing as directed by a Department Head. These purchases may be made without a purchase order or approval by the Purchasing Agent.

29.2 Field Purchases in Excess of $500, but less than $3,000.

Field purchases in excess of five hundred dollars ($500), but less than three thousand dollars ($3,000) may be made by the Department Head, without specific pre-approval by the Purchasing Agent, but shall require a purchase order issued through the Finance Department, signed by the Department Head and countersigned by the Purchasing Agent prior to payment issued to the vendor.

29.3 Informal Quotes – Goods and Services Greater than $3,000, but less than $5,000.

All requests for goods and services in an amount greater than three thousand dollars ($3,000), but less than five thousand ($5,000) shall be submitted by the Department Head to the Purchasing Agent for approval prior to purchase. A minimum of three (3) verbal quotes is required, unless waived by the Purchasing Agent. Verbal approval by the Purchasing Agent through phone or e-mail followed by a written signature on the purchase order is acceptable.

29.4 Formal Quotes – Purchases Greater than $5,000, but less than $25,000.

Purchases in excess of five thousand dollars but less than $25,000 shall be made only upon approval of the Purchasing Agent prior to purchase. A minimum of three (3) written quotes is required. If there is only a single service provider for the goods or services required, the Purchasing Agent shall be informed. An approved purchase order shall be required.

29.5 Formal Bids – Purchase Greater than $25,000.

All purchases greater than $25,000 are required to follow the formal bidding process and procedures as outlined in the Town's Purchasing and Bidding Policy, unless more than once appropriate bidder is not reasonable available.

29.6 Purchase Order Requirements.

(a) *Purchase Order Required.* Purchase orders are required for all purchases in the amount of $500 or more. Detailed information about this process can be found in the Town's Purchasing and Bidding Policy.

(b) *Requesting a Purchase Order*. A Department Head may obtain a purchase order by requesting one from the finance department

(c) *Information Required.* Information required to obtain a purchase order includes: name of the vendor, amount of the purchase order and the budget code(s) from which to make the expense.

(d) *New Vendors.* If the vendor has never conducted business with the Town, the Department Head shall provide the finance department with a completed W-9 and proof of workers' compensation insurance or independent contractor status.

29.7 Best Pricing.

Department Heads shall take the appropriate steps to obtain the best pricing practicable when using purchase orders.

29.8 Purchases Not to be Divided or Separated.

Department Heads shall not divide or separate purchases into smaller increments in order to avoid spending over the approved threshold.

29.9 Bidding Requirements.

Bidding for goods or services in excess of $1,500 may be required either formally or informally. The following chart provides a quick reference regarding the Town's bidding requirements. Consult the Town's Purchasing and Bidding Policy for complete details on seeking quotes or bids as may be required.

No Bidding Requirements	Informal Bidding	Formal Bidding
Field Purchases: Up to $500, no purchase order required; $500 to $1,500 ($3,000 Public Works) Purchase Order Required; $1,500 ($3,000 PW) to $5,000 Purchase Order Required. Cooperative purchases may be made without competitive bidding. Purchasing agent may waive requirement for competitive bidding in emergency.	Competitive Bid: >$1,500 but < $5,000 Minimum of 3 quotes required. >$5,000 but <$25,000 Written Quote from 3 Vendors. Date and Time Not Specific. Single Source Provider possible. Re-bid possible.	Competitive Bid: > $25,000 Department Head or Purchasing Agent Prepares RFP. Invitation for Bids publicized. Bids publicly opened. Unacceptable bids may require re-bidding. Late bids are not accepted.

30. CREDIT CARD/CHARGE ACCOUNT PURCHASING

Policy: Using credit on behalf of the Town for the purpose of conducting Town business is a critical part of operating a multi-million-dollar municipality. For that reason, it is imperative that guidelines be established in order to conduct the Town's day-to-day business efficiently while maintaining a level of trust and accountability. The use of Town credit to acquire or purchase goods and services for other than official use of the Town is a fraudulent act and may subject the employee to disciplinary action up to and including termination, as specified in the Town's Personnel Policy, and/or criminal prosecution.

Procedure:

30.1 Issuance of Bank Credit Cards, Store Credit Cards and Store Credit.

Only the Purchasing Agent may authorize the issuance of credit to specific employees and shall authorize a maximum credit limit on each authorized credit. These employees shall be known as "Cardholders" for the purposes of these Policies & Procedures.

(a) *Employee Agreement.* A cardholder shall sign documentation verifying agreement to the conditions of use of any credit card or store credit. See Appendix A.

(b) *Purchase Authority.* The Purchasing Agent shall determine the purchase authority of a cardholder and sign an enrollment form indicating approval.

(c) *Enrollment Review.* The Purchasing Agent shall review the enrollment form and process the issuance of a credit card to the cardholder. The Finance Director shall contact the credit card company to set limits and to issue the card to the cardholder.

30.2 Use of Bank and Store Credit Cards.

(a) *Bank and Store Credit Cards Authorization.* A cardholder may make transactions on behalf of others in their department. However, the cardholder is responsible for all use of his/her card.

(b) *Access to Town Manager and Finance Director Credit.* On occasion, as there may only be access to certain cards kept by the Town Manager and the Finance Director, they may share their card with Town personnel for purchasing.

(c) *Immediate Return of Card and Receipt.* Anyone borrowing a credit card shall immediately return the card borrowed after use and must leave receipts with the Finance Director.

(d) *Business Use Only.* Any credit card, store credit card and store credit are to be used only in the conduct of Town business. Prohibited uses include, but are not limited to:

- Personal purchases or identification;
- A purchase that exceeds the cardholder's single, daily and/or monthly purchase limit;
- Cash advances;
- The purchase of tobacco or alcohol; medications or other items of a personal nature (except for general assistance).

30.3 Use of Bank Credit Cards, Store Credit Cards and Store Credit Limits.

(a) *Comply with Purchasing & Bidding Requirements.* Each cardholder shall adhere to purchasing and bidding requirements set forth in these Policies & Procedures, and the Town's Purchasing and Bidding Policy.

(b) *Total Transaction Limit.* The total value of a transaction shall not exceed a cardholder's single purchase limit. Payment for a purchase shall not be split into multiple transactions to stay within the single purchase limit.

(c) *Spending Limits.* Spending limits shall be adhered to.

(d) *Interest and Late Fees for Late Payment.* The Finance Director shall inform the Town Manager if any credit card account is assessed a late fee or interest. Any employee responsible for a credit/store card charge that does not report the transaction in a timely manner, resulting in late fees and/or interest may be subject to disciplinary action in accordance with the Town's Personnel Policy.

30.4 Cardholder to Retain Receipts.

The Cardholder shall retain vendor's receipts and/or records of telephone, internet and/or mail orders for future reconciliation of the bank credit card and store credit card statements, consistent with the following:

(a) *Over-the-Counter Purchases.* When the purchase is made over-the-counter the cardholder shall retain the invoice and/or "customer copy" of the charge receipt. The cardholder is responsible for checking that the vendor lists the quantity, fully describes the item(s) and excludes sales tax, prior to the cardholder signing the slip.

(b) *Internet Purchases.* When the purchase is made on the internet, the cardholder shall print a copy of the receipt and order confirmation before exiting the site.

(c) Telephone Purchases. When a purchase is made over the telephone, the cardholder shall have the vendor fax or e-mail them a copy of the receipt.

(d) *Mail Purchases.* When the purchase is made by mail, the cardholder shall retain all confirmations and shipping documentation.

(e) *Returned Items.* When an item is returned the vendor shall issue the cardholder a credit, which should appear on a subsequent statement. Under no circumstances should the cardholder accept cash in lieu of a credit to the credit card account.

This documentation shall be used to verify the purchases listed on the cardholder's monthly statement of account.

30.5 Accidental Use of Town-Issued Credit/Store Card.

(a) In cases when a cardholder inadvertently uses the Town's credit/store card, the cardholder shall immediately notify the Purchasing Agent and the Finance Director.

(b) The cardholder shall either notify the credit card company and transfer charges to his/her personal account, or the cardholder may make payment directly to the Town for the entire amount of the purchase within 24 hours of the original charge.

(c) Repeated incidents may be subject to disciplinary action, up to and including termination, consistent with the Town's Personnel Policy.

30.6 Cardholder Transaction Log.

(a) ***Transaction Log – Bank Credit Card Only***. Each cardholder shall be required to maintain a Transaction Log of each purchase made using the credit card. Each transaction shall be added to this log. The following information shall be included:

- Receipt date
- Vendor name
- Purchase amount
- Total cost
- Comments, including the purpose of the purchase, whether there was an under/over shipment of quantity, if there are errors to be resolved, and if goods were damaged. If the purchase was for food, the cardholder should indicate who the food was purchased for and why.

(b) ***Review of Monthly Statement – Bank Credit Card Only.***
At the end of each billing cycle, the cardholder will receive his/her monthly statement of account that will list the cardholder's transactions for that period.

(c) ***Transactions Verified Against Purchasing Log and Monthly Statement***.
The cardholder shall reconcile the monthly statement received from the credit card company with the cardholder transaction log. The original sales documents (invoice, cash register tape, credit card slips, etc.) for all items listed on the monthly statement must be neatly attached by date in accordance with the transaction log and submitted with the statement to the finance department within three (3) business days of receiving the monthly statement.

(d) ***Return of Item.***
If an item is returned and a credit voucher received, the cardholder shall verify that this credit is reflected on the monthly statement.

(e) ***Items Not Listed on Statement Retained.***
If purchased items are not listed on the monthly statement, the appropriate transaction documentation shall be retained by the cardholder until the next monthly statement.

(ii) If the purchase or credit does not appear on the statement within sixty (60) days after the date of purchase, the cardholder shall notify the Finance Director for investigation. The cardholder will also notify the Town Manager.

(f) ***Damaged, Incorrect or Otherwise Unacceptable Credit Card Purchases***.

(i) If the item purchased by credit card is damaged, the wrong item or otherwise unacceptable, the cardholder is responsible for obtaining replacement or correction of the item as soon as possible.

(ii) If the vendor has not replaced or corrected the item by the date the cardholder receives his/her monthly statement, then the purchase of that item shall be considered in dispute.

(iii) A written account of the dispute shall be attached to the monthly credit card statement and forwarded to the Finance Director.

(iv) The Finance Director shall contact the credit card company to dispute the transaction.

30.7 Credit Card Charges Processed for Payment.

(a) *Processing Credit Card Charges.* The Finance Director shall review the credit card documents for accuracy, charge the proper accounts, notify the Department Head if an account number is changed, and process the approved charges for payment.

(b) *Incorrect Supporting Documentation.* In the event the Department Head does not provide the finance department with the correct documentation in order to issue payment in a timely manner and late fees and/or interest fees are assessed on the account, the cardholder shall be held responsible.

(c) *Action by Town Manager.* The Town Manager shall be notified and shall determine appropriate disciplinary action as outlined in the Town's Personnel Policy.

30.8 Cardholder Security.

(a) *Safeguard Town-Issued Credit.* It is the cardholder's responsibility to safeguard the Town-issued credit/store card and account number to the same degree that a cardholder safeguards his/her personal credit information. A violation of this trust may result in the cardholder having his/her card withdrawn and disciplinary action taken, as may be appropriate.

(b) *Notification of Credit Card Lost or Stolen.* If the Town-issued card is lost or stolen, the cardholder shall immediately notify the Finance Director.

The Purchasing Agent should also be notified, and the Lost/Stolen Card Notification form filled out immediately after reporting the loss to the credit card company.

(c) *Issuance of New Credit Card.* A new card shall be promptly issued to the cardholder after the reported loss or theft. A card that is subsequently found by the cardholder after being reported lost shall be delivered to the Finance Director and destroyed.

(d) *Revocation of Privileges.* An employee may have two cards replaced due to loss or theft. Any additional loss of a credit card thereafter may result in revocation of privileges by the Purchasing Agent.

30.9 Cardholder Separation of Employment.

Prior to separation from employment with the Town, the cardholder shall surrender the credit card and current credit card proofs of purchase to the Purchasing Agent. The credit card shall be destroyed, secured by the Finance Director or re-distributed.

30.10 Store Credit Card Purchases.

The policies for store credit card usage shall be the same as those for credit card use. The difference between credit card purchases and store credit cards is that the store credit card can only be used in a specific store. Some examples of a store credit card are Home Depot or Lowes. The Purchasing Agent may approve the issuance of store credit cards in the name of a Department Head. Authorized expenditure limits shall be established as with credit cards.

(a) Receipts Required. Any employee that makes a purchase using a store credit card is required to obtain the receipt for the purchase. The Department Head shall properly code and initial the purchase for approval and forward the receipt for payment to the Finance Director within five (5) business days of the actual purchase. If the Department Head fails to meet this requirement, disciplinary action could result.

(b) Store Credit Card Statement Reconciled. The Finance Director shall be responsible for reconciling the store credit card statement on a monthly basis.

30.11 Store Charges.

Store charges may be offered by specific retailers within the local area. As such Department Heads or authorized employees of the Town are permitted to make purchases under these established accounts in the Town's name. Store charges differ from the use of a credit card or a store credit card, as there is no card required. However, purchases are made on credit on behalf of the Town, therefore obligating the Town to make full payment of all charges on a monthly basis; otherwise late fees may be assessed.

(a) *Receipt Required.* Any individual that makes a purchase using a store charge shall obtain the receipt for the purchase. The Department Head shall properly code and initial the purchase for approval and forward the receipt for payment to the Finance Director within five (5) business days of the actual purchase. If the Department Head fails to meet this requirement, disciplinary action could result.

(b) *Store Charges Reconciled.* The Finance Director shall be responsible for reconciling the store charges on a monthly basis.

30.12 Discipline for Misuse of Credit or Store Card.

Any representative of the Town who makes unauthorized purchases may be liable for the total dollar amount of unauthorized purchases, plus any administrative fees charged by the bank or card company in connection with the misuse. Any person who makes unauthorized purchases may: receive written warnings depending on the seriousness of the infraction; have his/her credit/store card privileges revoked; and a notation placed in the cardholder's personnel file. Misuse of any Town credit may result in termination of employment based on the seriousness of the infraction and/or the number of infractions.

31. REIMBURSABLE EMPLOYEE EXPENSES

Policy: Town employees are required, from time-to-time to travel for Town business to attend meetings, training events or conferences. Employees should be reimbursed for reasonable travel expenses incurred while doing the Town's business.

31.1 Annually Provide a Standardized Travel Reimbursement Request Form.

The Finance Director shall annually provide a mileage reimbursement expense sheet to all employees. The rate by which employees are reimbursed is established by the IRS. Employees are expected to submit this reimbursement request on a monthly basis, as needed, but can submit it more frequently if necessary.

31.2 Signing Reimbursement Request.

The mileage reimbursement form shall be submitted, signed by the employee requesting the reimbursement and approved by the respective Department Head. The request shall be submitted to the Finance Director for authorization of payment.

31.3 Determine Allowable Expenses.

(a) *Finance Director Review.* The Finance Director shall review the request for reimbursement and ensure that the required information is provided.

(b) *Incomplete Submission.* If the request for reimbursement is incomplete, the Finance Director shall return the form to the employee for proper completion.

(c) *Unapproved Expense.* If the Finance Director believes the expense is not properly reimbursable, the Finance Director shall forward the reimbursement request to the Town Manager for review.

32. BEST PRACTICE RESOLUTION

Policy: The Town recognizes that the concept of Best Practice is an evolving one and that there may be different variations for a Best Practice. It is the intent of the Town that the Town Manager, Finance Director, and applicable Department Head to which the Best Practice is applied resolve all known conflicts amongst them in a productive, professional and collaborative manner.

Procedure:

32.1 Select Board as Mediator.

If a reasonable solution to a disputed Best Practice cannot be agreed upon by all pertinent parties, the Select Board shall serve as the mediator to determine and establish the Best Practice.

Commented [DH21]: I just changed the formatting here. Made these 32.1 and 32.2 instead of (a) and (b).

32.2 Who May Raise the Issue to the Select Board.

The Town Manager, Finance Director, or Department Head may raise the issue to the Select Board for consideration and determination.

33. IMPLEMENTATION

A copy of these Policies & Procedures shall be made available to Town officials and Department Heads prior to the effective date and other times as may be necessary.

34. EFFECTIVE DATE

The effective date shall be 45 days after the date of Select Board adoption.

35. ADOPTION

Adopted this ___ day of __________, 2018.

Select Board Members:

____

Douglas Cole, Chair

____

Kenneth McKinley, Vice-Chair

____

Debra Hall, Select Board Member

____

Mark Kelley, Select Board Member

____

Jeffrey Hamilton, Select Board Member

APPENDIX A

Town of Rockport, Maine

Credit Card Enrollment Form

Employee/Cardholder Information

Cardholder Name: ____________________ Cardholder's Signature: ____________________

Card Number: ____________________ Social Security Number: ____________________

Department: ____________________ Date Card Issued: ____________________

Card Limits: Purchasing Agent Designates Maximum Purchase Limits (circle)

Transaction	Daily	Monthly
$250	$500	$500
$500	$1,000	$1,000
$750	$1,500	$1,500
$1,000	$2,000	$2,000
$1,500	$3,000	$3,000
$3,000	$4,000	$4,000
$5,000	$5,000	$5,000

Cardholder's Agreement

I understand that the use of the Town of Rockport, Maine credit card for small value purchases is a standard procedure of the Town. I will be expected to use the credit card issued to me as directed by my supervisor under the provisions of the standard procedure. Any such purchases made with my Town sponsored credit card will be considered to be made by me and my responsibility. I will be responsible for the safe keeping of the credit card issued to me and if lost, I will report its loss immediately to my supervisor.

The use of a Town credit card to acquire or purchase goods and services for other than the official use of the Town is fraudulent use. An employee guilty of fraudulent use will be subject to disciplinary action, up to and including dismissal. I agree that any reimbursement owed the Town, as a result of this use, may be deducted from my wages or other monies owed to me by the Town and that I may be responsible for interest on late submittal of receipts and credit card statements

I have read, understand and agree to the conditions above:

Cardholder's Signature: ____________________ Date: ____________________

Purchasing Agent's Signature: ____________________ Date: ____________________

APPENDIX B

Town of Rockport, Maine

Lost/Stolen Card Notification

Cardholder's Name: ______________________ Card Number: __________________

Please Check One:

Card was: ☐ Lost
☐ Stolen
☐ Other (Describe)

Describe how card was lost/stolen:

Was a police report filed (circle): Yes No

If yes:

Department: ____

Report Number: ____

Cardholder Notified the Credit Card Company:

Date: ____

Time: ____

Cardholder's Signature: ________________________ Date: _______________

Town Manager's Signature: ________________________ Date: _______________

APPENDIX C

Town of Rockport, Maine

Transaction Dispute Form

Cardholder Information:

Cardholder's Name:	____________________	Card Number:	____________________
Cardholder's Signature:	____________________	Date:	__________
Vendor Name:	____________________	Transaction Date:	__________
Statement Date:	____________________	Posting Date:	__________
Transaction Number:	____________________	Date Lender Notified:	__________
Amount Disputed:	____________________		

Detail of Dispute:

The item referenced above is being disputed because:

☐ There is a difference in the amount authorized and the amount billed.
Attach a copy of the charge.

☐ I only transacted one charge and I was previously billed for it.
Date of previous charge:

☐ The above transaction is mine but I am disputing the transaction. (Please state reason(s) for dispute in detail.)

☐ I do not recognize the transaction.

☐ I have received a credit voucher for the above transaction but it has not yet appeared on my account.
Attach a copy of the credit voucher.

☐ My account has been charged for the above transaction, but I have not received the merchandise. The details of my attempt to resolve the dispute with the merchant and the merchant's response are indicated below *(or attached).*

APPENDIX D

Attach the completed form to your monthly statement for review and approval.

Credit Card - Cardholder Transaction Log

7.8.1 Purchasing Policy

	Dates
Last 4 Digits Card Number	
From	
To	

VISA

MASTERCARD

Other ______________

Receipt Date	Vendor Name	Comments/Purpose	Purchase Amount	Total Cost	Appropriation Line Number
			TOTAL		

Cardholder Signature

Date

Attach all receipts in order by date.

APPENDIX E

Reserve Accounts Policy

To provide process and oversight to the establishment and utilization of reserve accounts comprising a reserve fund established by the Town of Rockport

Rockport, Maine – October 11, 2016

Table of Contents

Purpose

The purpose of this policy is to provide process and oversight to the establishment and utilization of reserve accounts comprising a reserve fund established by the Town of Rockport for financing the acquisition or reconstruction of a specific, or a type of, capital improvement; financing the acquisition of a specific item or type of capital equipment; or a sinking fund account for paying a funded debt.

Authorization to establish a reserve fund

Pursuant to 30-A M.R.S.A. § 5801, the Town of Rockport shall establish a reserve fund. Said reserve fund shall consist of certain designated reserve accounts. The reserve accounts shall be categorized as a capital improvement reserve, capital equipment reserve, or sinking fund account.

Designated reserve accounts

The Town Manager upon consultation with the respective Department Head shall recommend to and the Select Board may approve the establishment of a designated reserve account or the elimination of an established reserve account. Said approval action shall be considered as amending this policy and the Town of Rockport Code shall be updated accordingly.

There are hereby established the following designated reserve accounts:

1. Police Vehicle and Equipment Reserve
2. Police Department Career Development Reserve (July 11, 2016)
3. Federal Forfeiture Reserve
4. Fire Apparatus Reserve
5. Public Works Equipment Reserve
6. Video Equipment Reserve
7. Opera House Building Reserve
8. Harbormaster's Boat Reserve
9. Harbormaster's Boat Engine Reserve
10. Marine Park Infrastructure Reserve
11. Lime Kiln and Cramer Locomotive Reserve
12. Recreation Facilities Reserve
13. Pathways Reserve (August 10, 2015)
14. Cemetery Reserve
15. Employees Accrued Benefits Reserve
16. Computer Reserve
17. Accounting Software and Hardware Reserve
18. Solar Power Reserve

Reserve accounts currently existing and not included in the above list shall either continue to be used for their intended purpose until depletion or shall lapse into the Undesignated Fund Balance as of October 11, 2016.

Funding for reserve accounts

The reserve accounts may be funded by direct annual appropriation by inclusion in the annual budget voted at Town Meeting; unanticipated revenues such as sale of forfeiture property; proceeds from vehicle sales or the sale of goods; or funds from the undesignated fund balance if so approved by the legislative body at an Annual or Special Town Meeting. Donations specific to a particular Town operation may also be credited to a reserve account.

Authority to use and withdraw

The Town Manager must authorize the use and withdrawal of any and all reserve account funds. All expenditures exceeding $2,000 require a Select Board vote.

Administration responsibilities

The Finance Director shall be responsible for monitoring the Town's reserve accounts and for insuring that this policy is adhered to. The Finance Director shall annually, as part of the budget process, submit a report outlining the status of the Town's reserve accounts which shall be included in the proposed budget submitted to the Select Board and Budget Committee. The Finance Director may also provide partial or complete status reports at other times to the Select Board, Budget Committee, Town Manager, or Department Heads. The Town Manager shall present a five (5) year capital expenditure plan for Reserve Accounts annually in October.

How to establish a Reserve Account

1) An account is established during the budget process unless Select Board makes an exception;
2) The request is reviewed and approved by the Town Manager;
3) The request must contain:
   a. Statement of purpose
   b. Source(s) of funding
   c. Amounts and limits;
   d. Special considerations if applicable; and
4) The establishment of the account must be approved by the Select Board.

Specific reserve account requirements

1. Police Vehicle and Equipment Reserve

1) ***Purpose***. The purpose of the account is to fund either partially or completely the purchasing and/or equipping of a police vehicle.
2) ***Category***. Capital Equipment Reserve.
3) ***Funding***. The Police Vehicle and Equipment Reserve account shall be funded in accordance with the *Criminal Forfeiture Assets Policy* found in the Town of Rockport Codes; may also be funded by direct appropriation in the annual budget; or by the sale of police vehicle(s).
4) ***Amounts and Limits***. The Police Vehicle Purchase Reserve Account may not exceed $40,000 in a given fiscal year. Funding in excess of $40,000 per fiscal year shall be attributed to the Police Department Forfeiture Revenue Line and lapse into the undesignated fund balance at the end of the fiscal year.

2. Police Department Career Development Reserve

1) ***Purpose***. The purpose of the account is to train all officers, send new officers to the Maine Criminal Justice Academy, provide equipment and uniforms to new officer and pay overtime to cover shifts while officers attend trainings.
2) ***Category***. Sinking Fund Account.
3) ***Funding.*** The Police Department Career Development Reserve Account is funded with the reimbursement from the state, county or another municipality for the training the Town of Rockport provided to an officer they hired (the reimbursement is based on a percentage of the total academy training costs). This account may also be funded by direct appropriation in the annual budget.
4) ***Amounts and Limits.*** The Police Department Career Development Reserve Account may not exceed an amount of $30,000, unless otherwise overridden by the Town of Rockport Select Board.

3. Federal Forfeiture Reserve

1) ***Purpose***. The purpose of the account is to fund law enforcement activities within the guidelines established by Federal Law and the Federal Equity Sharing Agreement.
2) ***Category***. Sinking Fund Account.
3) ***Funding***. The Federal Forfeiture Reserve Account is funded solely by the Town's share of federally forfeited assets.
4) ***Amounts and Limits***. The Federal Forfeiture Reserve Account is a special restricted fund to be used for law enforcement purposes only in accordance with the statutes and guidelines that govern federal equitable sharing and as specified in the Federal Equitable Sharing Agreement.
5) ***Special Considerations***. In order for the Town of Rockport to equitably share in any federally forfeited assets, the Police Chief shall execute (1) a Federal Equitable Sharing Agreement with the United States Department of Justice and Department of the Treasury and (2) a Federal Annual Certification Report related to the sharing of Asset Forfeiture funds, and present them to the Select Board for a vote of approval and signature.

4. Fire Apparatus Reserve

1) ***Purpose***. The purpose of the account is to fund either partially or completely, the purchase or lease of fire department vehicles and apparatus.
2) ***Category***. Capital Equipment Reserve.
3) ***Funding***. The Fire Apparatus Reserve shall be funded by direct appropriation in the annual budget, grants, donations and by the sale of fire department vehicles and apparatus.
4) ***Amounts and Limits***. The Fire Apparatus Reserve Account shall not exceed $400,000.

5. Public Works Equipment Reserve

1) ***Purpose***. The purpose of the account is to fund either partially or completely the purchase or lease of Public Works equipment.
2) ***Category***. Capital Equipment Reserve.

3) ***Funding***. The Public Works Equipment Reserve Account shall be funded by direct appropriation in the annual budget, grants, donations and by the sale of equipment.
4) ***Amounts and Limits***. The Public Works Equipment Reserve Account shall not exceed $100,000.

6. Video Equipment Reserve

1) ***Purpose***. The purpose of the account is to fund either partially or completely the purchase of equipment for the broadcast of town meetings and community events.
2) ***Category***. Capital Equipment Reserve.
3) ***Funding***. The Video Equipment Reserve Account may be funded by direct appropriation in the annual budget or from Cable Franchise Fees, grants and donations.
4) ***Amounts and Limits***. The Video Equipment Reserve Account shall not exceed $5,000.

7. Opera House Building Reserve

1) ***Purpose***. The purpose of the account shall be to fund extraordinary building improvements and repairs.
2) ***Category.*** Capital Improvement Reserve.
3) ***Funding***. The Opera House Building Reserve may be funded by direct appropriation in the annual budget, grants, fundraising, and/or donations.
4) ***Amounts and Limits***. The Opera House Building Reserve shall not have a fund balance limit.

8. Harbormaster's Boat Reserve

1) ***Purpose***. The purpose of the account is to fund either partially or completely the purchase of a replacement Harbormaster's boat.
2) ***Category.*** Capital Equipment Reserve.
3) ***Funding***. The Harbormaster's Boat Reserve Account shall be funded by direct appropriation in the annual budget by the sale of the boat, grants and donations.
4) ***Amounts and Limits***. The Harbormaster's Boat Reserve Account shall not exceed the amount of $40,000.

9. Harbormaster's Boat Engine Reserve

1) ***Purpose.*** The purpose of the account is to fund either partially or completely the purchase of a replacement engine for the Harbormaster's boat.
2) ***Category.*** Capital Equipment Reserve.
3) ***Funding.*** The Harbormaster's Boat Engine Reserve Account shall be funded by direct appropriation in the annual budget, by the sale of the engine, grants and donations.
4) ***Amounts and Limits.*** The Harbormaster's Boat Engine Reserve Account shall not exceed $20,000.

10. Marine Park Infrastructure Reserve

1) ***Purpose***. The purpose of the account shall be to replace or add Town floats, Town pier, foot bridge and any other infrastructure needs.
2) ***Category.*** Capital Improvement Reserve.
3) ***Funding***. Marine Park Float Reserve may be funded by direct appropriation in the annual budget, grants, fundraising, and/or donations.
4) ***Amounts and Limits***. The Marine Park Float Reserve shall not have a fund balance limit.

11. Lime Kiln and Cramer Locomotive Reserve

1) ***Purpose***. The purpose of this account shall be to fund either partially or completely restoration projects.
2) ***Category***. Capital Improvement Reserve.
3) ***Funding***. The Lime Kiln and Cramer Locomotive Reserve may be funded by direct appropriation in the annual budget, fundraising, and/or donations.
4) ***Amounts and Limits***. The Cramer Locomotive Reserve shall not have a fund balance limit.

12. Recreation Facilities Reserve

1) ***Purpose***. The purpose of the account shall be to fund the cost of resurfacing the tennis and basketball courts, fencing replacement ballfield upgrades, and overall improvements to the recreation facilities.
2) ***Category***. Capital Improvement Reserve.
3) ***Funding***. Recreational Facilities Reserve may be funded by direct appropriation in the annual budget, fundraising, grants and/or donations.
4) ***Amounts and Limits***. The Recreational Facilities Reserve shall not exceed $150,000.

13. Pathways Reserve

1) ***Purpose.*** Pathways shall mean a walkway or trail that may be traversed by pedestrians (walkers, runners, hikers,), pedestrians using non-motorized equipment (strollers, walkers, wheelchairs), pedestrians using limited motorized equipment (road bikes, mountain bikes, wheelchairs), as well as pedestrians and their pets. This list is not intended to be exhaustive or to eliminate or discriminate against anyone from using a town pathway. Rather, the list is intended to limit use of the pathways to pedestrians and their use of equipment or vehicles that normally do not use roads or highways for travel; thereby assuring the safety of the users of town pathways. Consistent with the Pathways master plan and Rockport's comprehensive plan.

   The pathway may be paved with asphalt, gravel, rock, cement dust, reclaimed asphalt, or left in a natural state. A pathway may be located along roadways, in wooded areas, in hill or mountainous areas within the town boundaries. Traversing over non-town owned property and improving said property with municipal funds may be permitted with proper permission from landowners and authorization by a favorable vote of the Select Board.
2) ***Category.*** Sinking Fund Account.
3) ***Funding.*** Initial funding shall be obtained by transferring funds currently held in GL # 1-1030-00 in the amount of $13,424.64. Funds budgeted in the FY 15-16 budget in line

E 0603-7525 in the amount of $5,000 also be transferred to the Pathways Reserve. The total beginning balance of the Pathways Reserve is then calculated to be $18,424.64. Future funds may be gained through grants, gifts, donations, or direct appropriation through the town's annual municipal budget.

4) ***Amounts and Limits.*** The Pathways Reserve shall not have a fund balance limit.

14. Cemetery Reserve

1) ***Purpose***. The purpose of the Cemetery Reserve is to help fund the expansion, upkeep and repair costs within the Town owned cemeteries.
2) ***Category.*** Capital Improvement Reserve.
3) ***Funding***. The Cemetery Reserve shall be funded by direct appropriation in the annual budget, grants and donations.
4) ***Amounts and Limits***. The Cemetery Reserve shall not have a limit.

15. Employees Accrued Benefits Reserve

1) ***Purpose***. The purpose of the account is to pay accrued vacation and sick leave to employees terminating their employment with the Town pursuant to the most current Town of Rockport Personnel Policy or the most current union contract.
2) ***Category***. Sinking Fund Account
3) ***Funding***. The Employee's Accrued Benefits Reserve shall be funded by direct appropriation in the annual budget and through unexpended wages.
4) ***Amounts and Limits***. The Employee's Accrued Benefits Reserve shall not exceed the aggregate liability for the current budget year.

16. Computer Reserve

1) ***Purpose***. The purpose of the account is to fund on-going computer and server upgrades and emergency repairs; unanticipated software purchases or upgrades; unanticipated website upgrades or hosting issues: and any consulting or repair costs associated with the aforementioned.
2) ***Category***. Capital Equipment Reserve
3) ***Funding***. The Computer Reserve shall be funded by direct appropriation in the annual budget.
4) ***Amounts and Limits***. The Computer Reserve shall not exceed $10,000.

17. Accounting Software and Hardware Reserve

1) ***Purpose***. The purpose of the Accounting Software and Hardware Reserve account is to procure, maintain, and/or upgrade the accounting system utilized by the town to carry out the necessary responsibilities of maintaining a viable municipal accounting system that provides the best benefit to the town and the public it serves.
2) ***Category***. Capital Equipment Reserve.
3) ***Funding***. The Accounting Software and Hardware Reserve may be funded by direct appropriation in the annual budget, transfer from unencumbered surplus funds, direct

appropriation in the annual Wastewater budget, and/or transfer from surplus Wastewater funds.

4) ***Amounts and Limits***. The Accounting Software and Hardware Reserve shall not exceed the estimated cost of updating to a system that meets the needs for current and future operations.

18. Solar Power Reserve

1) ***Pupose.*** The purpose of the Solar Power Reserve account is to procure, maintain, and/or upgrade the solar panels utilized by the town to offset electricity costs.
2) ***Category.*** Capital Equipment Reserve.
3) ***Funding.*** The Solar Power Reserve may be funded by direct appropriation in the annual budget, transfer from unencumbered surplus funds, grants, or donations.
4) ***Amounts and Limits.*** The Solar Power Reserve shall not have a fund balance limit.

From: Debra Hall <dhall@town.rockport.me.us>
Sent: Tuesday, January 08, 2019 2:24 PM
To: Ken McKinley <KMcKinley@town.rockport.me.us>
Cc: Megan Brackett <MBrackett@town.rockport.me.us>; Richard C. Bates <RBates@town.rockport.me.us>; Diane Hamilton <dhamilton@town.rockport.me.us>
Subject: Re: Internal Control Policy

Thanks, good idea Ken.

On Jan 8, 2019, at 12:23 PM, Ken McKinley <KMcKinley@town.rockport.me.us> wrote:

I would also suggest that we include my comments along with Debra's responses in the packet.

Ken McKinley
Vice-Chair, Rockport Select Board
kmckinley@town.rockport.me.us

From: Debra Hall
Sent: Tuesday, January 8, 2019 9:21:57 AM
To: Ken McKinley; Megan Brackett
Cc: Richard C. Bates; Debra Hall; Diane Hamilton
Subject: Re: Internal Control Policy

Ken thanks for these comments. Please see my comments below in red. As noted last night, I suggest we include in the Board packet for Monday the draft previously sent to the SB and we can discuss the additional changes at the mtg on Monday. I can make the suggested amendments then for inclusion in the Board packet and final vote for the January 28th mtg.

On Dec 28, 2018, at 10:09 AM, Ken McKinley <KMcKinley@town.rockport.me.us> wrote:

Hi Megan and Debra -

Thanks for all your work on this. I have gone through it and have the following comments:

1. Section 2.15. The purchasing agent is defined by the Purchasing Policy, and this should be referenced here instead of specifically naming the town manager. Should the purchasing policy be changed at some time in the future, this could leave us with an inconsistency between the two policies. Agree and I will incorporate
2. Section 7.2 I believe that department heads should share recommendations with the Town Manager first, with the Manager then making a determination about whether the recommendations should be shared with other departments. We do not want a situation where department heads are sharing ideas among themselves and possibly implementing them without the knowledge of the Town Manager. I don't think the Town Manager is involved at this level of detail and certainly should not be a bottle neck to this type of daily activity — best practices could mean a form or just a way of keeping track of an activity. The section refers to sharing them with "management" including Department Heads.

3. Section 7.4 language at the end of the introductory paragraph should include "but not limited to" No need to include this language because it states "for example" which has the same effect.
4. Section 17.2e instead of using the word "immediate" a time limit should be inserted hear, such as "within 48 hours of notification, or on the first business day within 48 hours of notification". Immediate is in the eye of the beholder, and could be used by some to exclude a SB member or two who are not available "immediately". Good point. Perhaps we should discuss what this should be on Monday night at our mtg. My concern about putting in a definite time means that a SB member gets excluded if they are away on a business trip.
5. Section 17.3 should reference the personnel policy Agree and I will incorporate.
6. Section 29 seems to duplicate much of what is in the Purchasing Policy. I think restating this here is not a good idea, instead a reference to the Purchasing Policy should be made. This prevents a situation where future changes are made to the Purchasing Policy, but perhaps not carried over to this policy, again leading to inconsistencies. Good point and I will review this — I have asked Megan to email me the Purchasing Policy.
7. Section 30 has the same issues as section 29, this time having to do with the Credit Card Policy which was recently adopted. In this case, it seems that the Credit Card Policy could be wholly absorbed into this policy, and we could just rescind the Credit Card Policy when we adopt the new Internal Control Policy. In any event, chapter and verse of the credit card rules should live in only one place. I agree with that goal, we can discuss Monday night.

That's what I have for now. I guess I would characterize most of this ad (1) or (2) since I am not disagreeing with the intent of the policies, but I will leave it to you to determine if any of what I suggest amounts to a significant policy change.

Have a Happy New Year!

Ken McKinley
Vice-Chair, Rockport Select Board
kmckinley@town.rockport.me.us

From: Megan Brackett
Sent: Wednesday, December 19, 2018 1:23:33 PM
To: Debra Hall; Douglas Cole; Jeffrey Hamilton; Ken McKinley; Mark Kelley
Cc: Richard C. Bates; Diane Hamilton
Subject: Internal Control Policy

Good Afternoon,

Debra and I have worked many hours on the redraft of this internal control document. Sections were added, for example, on risk management. Policy and procedure were separated out and labeled accordingly as discussed by the Board at its workshop. The Town's auditors have reviewed the document and are fine with it.

Sometimes there is an overall policy statement and sometimes there is a subsection policy statement followed by procedure — this was intentional on our part.

The formatting still needs to be tweaked so please ignore it for the most part as it will be corrected when the substance is completed following the Board's review.

If you have typos or small wording changes please make them and return them individually to Debra and I for our suggested incorporation. If you have (1) no policy changes, (2) limited policy changes, or (3) significant policy changes — please advise in your email to Debra and I whether it is (1), (2) or (3). If there are overall no policy changes this policy could be placed on a Board agenda. If there are limited ones it might still be appropriate for a Board agenda but if there are major ones then we probably need to schedule a workshop before putting it on a Board agenda. Knowing the overall sense of the Board (without spelling out what the policy changes are) will help us to know how to move this forward.

If you would prefer a printed copy please let me know and I would be happy to print one off for you.

Please do not copy the rest of the Board — simply Megan and Debra.
Thanks much.

Megan A. Brackett
Finance Director
101 Main Street
Rockport, ME 04856
(207) 706-4067
(207) 706-4999 fax
www.town.rockport.me.us
www.rockportmaine.com
http://livestream.com/Rockportmaine

From: Debra Hall <dhall@town.rockport.me.us>
Sent: Tuesday, January 08, 2019 12:22 PM
To: Megan Brackett <MBrackett@town.rockport.me.us>
Cc: Douglas Cole <DCole@town.rockport.me.us>; Diane Hamilton <dhamilton@town.rockport.me.us>; Richard C. Bates <RBates@town.rockport.me.us>
Subject: Re: Internal Control Policy

Perfect Megan, thank you.

On Jan 8, 2019, at 12:20 PM, Megan Brackett <MBrackett@town.rockport.me.us> wrote:

You are correct in that the reserve policy is already an existing policy and the one I included in the ICP was just copied and pasted. If this can be edited after the ICP is approved then I am fine with waiting on making adjustments to it for now, I would just like us to get to it before June.

I will correct the spelling and the reference on page 60.

From: Debra Hall <dhall@town.rockport.me.us>
Sent: Tuesday, January 8, 2019 9:32 AM
To: Douglas Cole <DCole@town.rockport.me.us>; Megan Brackett <MBrackett@town.rockport.me.us>
Cc: Diane Hamilton <dhamilton@town.rockport.me.us>; Debra Hall <dhall@town.rockport.me.us>; Richard C. Bates <RBates@town.rockport.me.us>
Subject: Re: Internal Control Policy

Doug & Megan
Thanks for these comments. Megan, obviously you should correct the misspelling on page 44 and provide the page reference number for Solar Power Reserve on page 60 if possible before it goes out in the Board packet.

Megan please illuminate us with respect to Doug's question on p. 65 re Pathways. My larger question/point is as follows: is the Reserve Policy already in existence? If so, then Doug's question goes to the underlying Reserve Policy which is simply an appendix to the Internal Control Policy. Any changes need to be made in the Reserve Policy itself and then that policy becomes an attachment to Internal Controls. Please advise. This need not hold up getting the packet out and can be discussed at the mtg on Monday night.

Best
Debra

On Dec 29, 2018, at 12:42 PM, Douglas Cole <DCole@town.rockport.me.us> wrote:

Hi folks
I have reviewed the irc and noted the following :

Pg 44, section 30 PURCHASING misspelt

Pg 60, item 18, solar power reserve needs to have its page referenced.

More significantly, on page 65, under number 13 Pathways reserve: under "purpose" it really just defines what a Pathways is, but not what the funds are to be used for. This is distinctly different from the other section's purposes. It appears to leave open the idea that a sidewalk is a pathway and we could use these funds to repair sidewalks, which I don't believe is the intent. Megan, do you have any history?

That's it for me

Happy new year to both of you
Doug

From: Douglas Cole
Sent: Wednesday, December 19, 2018 7:37:38 PM
To: Megan Brackett
Subject: Re: Internal Control Policy

Megan
Would you print me a copy and I'll pick it up in a few minutes?
Thx
Doug

From: Megan Brackett
Sent: Wednesday, December 19, 2018 1:23:33 PM
To: Debra Hall; Douglas Cole; Jeffrey Hamilton; Ken McKinley; Mark Kelley
Cc: Richard C. Bates; Diane Hamilton
Subject: Internal Control Policy

Good Afternoon,

Debra and I have worked many hours on the redraft of this internal control document. Sections were added, for example, on risk management. Policy and procedure were separated out and labeled accordingly as discussed by the Board at its workshop. The Town's auditors have reviewed the document and are fine with it.

Sometimes there is an overall policy statement and sometimes there is a subsection policy statement followed by procedure — this was intentional on our part.

The formatting still needs to be tweaked so please ignore it for the most part as it will be corrected when the substance is completed following the Board's review.

If you have typos or small wording changes please make them and return them individually to Debra and I for our suggested incorporation. If you have (1) no policy changes, (2) limited policy changes, or (3) significant policy changes — please advise in your email to Debra and I whether it is (1), (2) or (3). If there are overall no policy changes this policy could be placed on a Board agenda. If there are limited ones it might still be appropriate for a Board agenda but if there are major ones then we probably need to schedule a workshop before putting it on a Board agenda. Knowing the overall sense of the Board (without spelling out what the policy changes are) will help us to know how to move this forward.

If you would prefer a printed copy please let me know and I would be happy to print one off for you.

Please do not copy the rest of the Board — simply Megan and Debra.
Thanks much.

Megan A. Brackett
Finance Director
101 Main Street
Rockport, ME 04856
(207) 706-4067
(207) 706-4999 fax
www.town.rockport.me.us
www.rockportmaine.com
http://livestream.com/Rockportmaine

VIII. New Business

b. Consider establishing a building committee for the library project.

Manager's Comments:

The library project has been moving forward for many months. A design team set up by the Town Manager was pulled together to get us started. A lot of work has been done with design and pricing to get the actual design to meet our budget. We have a very strict budget for building construction set at 1.5 million of town funds for the building itself, not including the intersection and road improvements and parking. The fundraising goal of 2 million will put us very close to the total cost to build the building including all "soft costs".

The design team is made up of paid architects and consultants as well as inhouse staff. We have accomplished a lot, getting us to where we are right now. The team has been exploring a variety of options and making every attempt to close in on as many unknowns as possible. This will help to lower the bid cost and limit change orders.

Members of the design team include; Ken McKinley, Select Board, Doug Cole, Select Board, Ann Filley, Library Committee Member and Member of the Library Foundation, Rick Bates, Town Manager, Ben Blackmon, Library Director, Stephen Smith, Architect, Will Gartley, Civil and Structural Engineer, Charlie Frattini, Owner's Rep, Phi Home and Design Landscape, HVAC, traffic and consultants as needed

As expected, as we get closer to the time to go out to bid, there will have to be some tough decisions made with the final design and bid alternatives, in order to get a bid spec that will come in within budget. While we have a great team of experts on the design team to assist, the actual decisions and recommendations, need to be made by individuals who are appointed to make the tough decisions that will need to be made.

It was always believed that it would eventually "morph" into a formal Building Committee, authorized by the Select board and empowered to make decisions. That time has come.

Included in your packet is a proposed Building Committee charge for your review. It was taken from the one for the Middle School Building Committee and simplified quite a bit, as their building committee was formed much earlier in the process and well before the vote.

Suggested Motion:

I move to approve the establishment of a Library Building Committee with a charge as presented (amended)

Rockport Library Building Committee

The Rockport Library Building Committee will represent the Rockport Select Board and the citizens of Rockport by providing oversight for the final design, bidding, and construction phase of the new Rockport Public Library. The Committee will work with the architects, owner's representative, and town administration, and will regularly report to the Select Board on the committee's progress as the project proceeds.

Guiding Principles

1. Work effectively with Stephen G. Smith Architects, the construction manager from Phi Construction and Design and other construction professionals to secure the best project outcome possible.
2. Balance costs, quality and scope to optimize long-term value and efficiency.
3. Make fiscally responsible choices mindful of the potential impact to taxpayers and of the budget set by the Select Board.
4. Maintain an open process throughout the final design and construction phase of the project, including live streaming meetings when feasible and posting all agendas and minutes. The Town Manager will be public spokesperson for the committee.
5. Committee decisions will be made thru consensus and supported by the entire committee once they are made.

<u>Committee Organization</u>

The building committee will be composed of 5 voting members. These members will include 2 Select Board Members and 3 community members from Rockport. In addition, the Town Manager, Library Director and Public Works Director will be included on the committee as non-voting, ex-officio members.

A simple majority of the voting members will constitute a quorum. Motions will be passed by a simple majority of those members present.

<u>Committee Role</u>

Throughout the project, the building committee will serve as a liaison to the community. Options will be presented for the selection of materials for interior and exterior finishes and furniture and fixtures. The cost implications for different options will be evaluated as the final budget is developed.

The committee will make a recommendation to the Select Board at the completion of construction documents to send the project to bid.

Once bids are received, the committee will review the bids and make recommendations to the Select Board about which company to award the construction bid to.

The Building Committee will work with the design team and review bid alternates and make recommendations to the Select Board as to the appropriate bid alternates to be considered to meet the budget.

Change Orders: All contractor proposals for change orders will be reviewed by Stephen Smith Architects. The Architect will then submit a recommendation to the Town Manager and Owner's Representative for action.

All change orders are to be approved by the Architect, Town Manager and Owner's Representative.

Individual change orders in excess of $25,000 will also require approval of the Building Committee.

Individual change orders in excess of $50,000 will also require approval of the Building Committee and Select Board.

c. Committee Application(s):

- Meggan Dwyer – Conservation Commission
- Owen Casas – Pathways Committee

Manager's Comments*:*

Included in your packet are applications of interest from Meggan Dwyer for the Conservation Commission and Owen Casas for the Pathways Committee. They have both been invited to attend the meeting on Monday night to make themselves available for questions.

Suggested Motion:

I move to appoint Meggan Dwyer as an Alternate member of the Conservation Commission with a term to expire on June 30, 2021

Suggested Motion:

I move to appoint Owen Casas as a member of the Pathways Committee with a term to expire June 20, 2021

APPLICATION FOR COMMITTEE SERVICE

Town of Rockport 101 Main Street Rockport, ME 04856

Name: Meggan Dwyer

Home Address: 1 Main St, Rockport, ME 04856 Work Address: University of Maine, ARI, Orono, ME 04469

Mailing Address (if different): PO Box 731, Rockport, ME 04856

Phone Number: (Home) 207-745-0834 (Work)

E-mail Address: meggan.dwyer@maine.edu

Committee you wish to serve on: Conservation Commission

Why do you want to serve on this committee? I am committed to making Rockport as green as it can be in a way that adheres to high standards of water and air quality, emissions reduction, recycling awareness, pollution and waste reduction, and smart use of natural resources. I think that this can be done in a way that achieves a triple bottom line sustainability (social, ecological and economic) through education, sound science, and smart investment. A strategic approach to conservation would be good for the town's economy and environment.

Do you have any background that would be helpful to this committee? I have a MA in conservation biology and a BS in Wildlife Biology. I have 8 years of water quality monitoring experience at the Maine Department of Marine Resources and The Marine Environmental Research Institute. I am currently the Associate Director for UMaine's Aquaculture Reseach Institute and the research coordinator for the Sustainable Ecological Aquaculture Network. Through both these positions, I have stong connections to academic researchers, the aquaculture industry and marine regulators.

Land Use philosophy: (if applicable) Balanced use of the land that conserves resources for future generations while creating economic opportunity, climate resilience and healthy living conditions for all income levels.

APPLICATION FOR COMMITTEE SERVICE – continued

Are there objectives you wish to see accomplished? I would like to know the purview of the committee and its current agenda and strategy before I think about objectives but it would be nice to see Rockport pursue some public education around climate resilience.

Are you interested in serving on other committees?
Recreation?

Interview comments:

Appointment Date: ______________________________

APPLICATION FOR COMMITTEE SERVICE

Town of Rockport • 101 Main Street • Rockport, ME 04856

Name: Owen Casas

Home Address: 34 South St Work Address: ________________

Mailing Address (if different): 34 South St Rockport me 04856

Phone Number: (Home) 2073330076 (Work) ________________

E-mail Address: owencasas@gmail.com

Committee you wish to serve on: Pathways Committee

Why do you want to serve on this committee?

I have been attending the committee meetings for some years now and would like to continue helping.

Do you have any background that would be helpful to this committee?

Select Board lisison to the committee as well as previously serving on the committee

Land Use philosophy: (if applicable)

Are there objectives you wish to see accomplished?

Increased walk ability in our communities

Are you interested in serving on other committees?

not at this time

Interview comments:

Appointment Date: ______________________

d. Committee Resignations(s):

- Tony Bates – Board of Assessment Review
- Larry Lehmann – Board of Assessment Review

Manager's Comments:

Included in your packet is a letter from the Assessor regarding the resignation from Tony Bates and Larry Lehmann as members of the Board of Assessment Review. Both have been long standing members of the Board and will be missed. Tony served on the BAR for the past 6 years two of those years as chair, he also served on the Planning Board and the Investment Committee.

Larry has also served on the BAR for the past 6 years

I have Thank you cards for the Select Board to sign.

Suggested Motion:

I move to accept the resignation from Tony Bates and Larry Lehmann from the Board of Assessment Review and to send a card of thanks.

To: Doug Cole, Select Board chairman
From: Kerry Leichtman, Assessor
Date: 12/26/18
Re: Board of Assessment Review
Cc: Rick Bates, Town Manager

Rockport's Board of Assessment Review (B.A.R.) met on Tuesday, December 18, 2018. As you are already aware, the B.A.R.'s Chairman, Tony Bates, and Vice Chairman, Larry Lehmann, have resigned effective 12/15/18. The three remaining members of the B.A.R. discussed the positions' responsibilities and then nominated and voted in favor of Tom Laurent to be its Chairman, and Ray Freitag to be Vice Chairman.

The board also accepted the applications of two individuals who have volunteered to serve on the B.A.R. They are Bob Hall and Rueben Brown. While enthusiastic about both potential new members, the board asked me to make sure there is no legal conflict to Bob's service due to Debra's position on the Select Board. I have forwarded the question to Phil Saucier. Phil is on vacation but responded to my email to set up a phone conversation for next week.

Also, Tom Laurent rightly wants to meet with both applicants before forwarding their names to you.

Good morning Ms. Hamilton,

Please accept this email as a formal notice of my resignation from the Board of Assessment Review for the Town of Rockport, Maine effective December 15, 2018
I will be spending increasing amounts of time out of state and recognize that is unwise to serve on a board and not be reasonably available to execute my responsibility to that board and therefore the town and its tax payers.

It has been my pleasure to have served on the planning board and the BAR and if the future allows. I look forward to being of assistance to the town in other capacities.

Sincerely,
Howard “Tony” Bates

Diane As per Kerry’s request, here is my letter of resignation from the Board of Assessment Review.
Early this summer, I was informed that my 2nd three year term was complete and was asked whether I would like to to renew the term or resign. I elected to resign and I returned that information to the town office. You should have a copy of that document.
My resignation was effect after the term was completed. But I agreed to stay on during some BAR activity this past summer. That time is now up If you have any questions, please let me know.
Sincerely

Laurence A Lehmann

e. Approve New Malt, and Vinous Liquor License for Bleecker & Greer (d/b/a Maine Street Meats)

Manager's Comments:

Included in your packet is an application for a new Malt, and Vinous Liquor License for Bleecker & Greer (d/b/a Maine Street Meats) to operate at the location at the former Hoboken Gardens building at the intersection of Route 1 and Pascal Ave. this was the subject of the Public hearing at the beginning of the meeting where members of the public had an opportunity to voice their opinions as to the request for the license.

Suggested Motion:

I move to Approve New Malt, and Vinous Liquor License for Bleecker & Greer (d/b/a Maine Street Meats) as presented.

Rockport Police Department

PO Box 711
Rockport, Maine 04856
911 Emergencies
(207) 594-5656 – Calls for Service
(207)236-2026 – Administrative Assistant

Randy M. Gagne
Chief of Police

Craig E. Cooley
Chief's Assistant

Background Check for Licensing Requests:

Name: Sarah Greer d/b/a Maine Street Meats

Address: 310 Commercial Street

Telephone: 207 236-6328

Police Records Found: **YES**____ **NO** X

New License: X **Renewal:**____ **Catering Permit:**____

Comments:

Recommend for Approval: **YES** X **NO**____

DATE: 12/26/2018

Chief [signature]

Randy M. Gagne
Chief of Police

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

PRESENT LICENSE EXPIRES ______

NEW application: ☒ Yes ☐ No IN BUSINESS SINCE 2012. RE-LOCATING AND
If business is NEW or under new ownership, indicate starting date: EXPECT TO OPEN IN JAN 2019
Requested inspection date: JAN 15 2019 Business hours: 9AM - 6PM

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)
☐ CLUB w/o Catering (Class V) ☐ CLUB with CATERING (Class I) ☐ GOLF COURSE (Class I,II,III,IV)
☐ TAVERN (Class IV) ☐ QUALIFIED CATERING ☐ OTHER: ______

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: BLEECKER + GREER	Business Name (D/B/A) MAINE STREET MEATS
APPLICANT(S) –(Sole Proprietor) DOB:	Physical Location: 310 COMMERCIAL STREET
DOB:	City/Town ROCKPORT State ME Zip Code 04856
Address PO BOX 868	Mailing Address PO BOX 868
City/Town ROCKPORT State ME Zip Code 04856	City/Town ROCKPORT State ME Zip Code 04856
Telephone Number 207 236 6328 Fax Number 236 6327	Business Telephone Number 207 236 6328 Fax Number -6327
Federal I.D. # 45-4311202	Seller Certificate #: or Sales Tax #: 1155262
Email Address: Please Print mainemeat@gmail.com	Website: mainemeat.com

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: ______
2. State amount of gross income from period of last license: ROOMS $ ______ FOOD $ ______ LIQUOR $______
3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
4. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

______ ______ (Use an additional sheet(s) if necessary.)
License # Name of Business

______
Physical Location City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

6. If manager is to be employed, give name: AMY SABAKA

7. Business records are located at: 310 COMMERCIAL STREET

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
SARAH GREER	03/28/67	NEW YORK, NY
AMY SABAKA	03/27/68	Ashland, OH

Residence address on all of the above for previous 5 years (Limit answer to city & state)
CAMDEN, ME
CAMDEN, ME

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: ______ Date of Conviction: ______

Offense: ______ Location: ______

Disposition: ______ (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit directly in your license, if issued?
Yes ☐ No ☒ If **Yes**, give name: ______

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☐

14. Does/do applicant(s) own the premises? Yes ☒ No ☐ If **No** give name and address of owner: ______

15. Describe in detail the premises to be licensed: (**On Premise Diagram Required**) ______

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☐ NO ☐ Applied for: YES

17. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 Mile

Which of the above is nearest? School

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: THE FIRST (DAMARISCOTTA BANK)

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: ROCKPORT, ME on 11/21/18, 20 18
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s) Signature of Applicant or Corporate Officer(s)

SARAH GREER
Print Name Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications)...**$ 10.00**

Class I Spirituous, Vinous and Malt ....$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) $1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only ....$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only ....$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only ....$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ....$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge $2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge $1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES $10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:
Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: ______________________ (City/Town), Maine ______________________ (County)

On: ______________________ (Date)

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the

☐City ☐ Town ☐ Plantation ☐ Unincorporated Place of: ______________________, Maine

______________________ ______________________

______________________ ______________________

______________________ ______________________

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987,c.45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993,c.730,§27(AMD).]

[1995,c.140,§6(AMD).]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

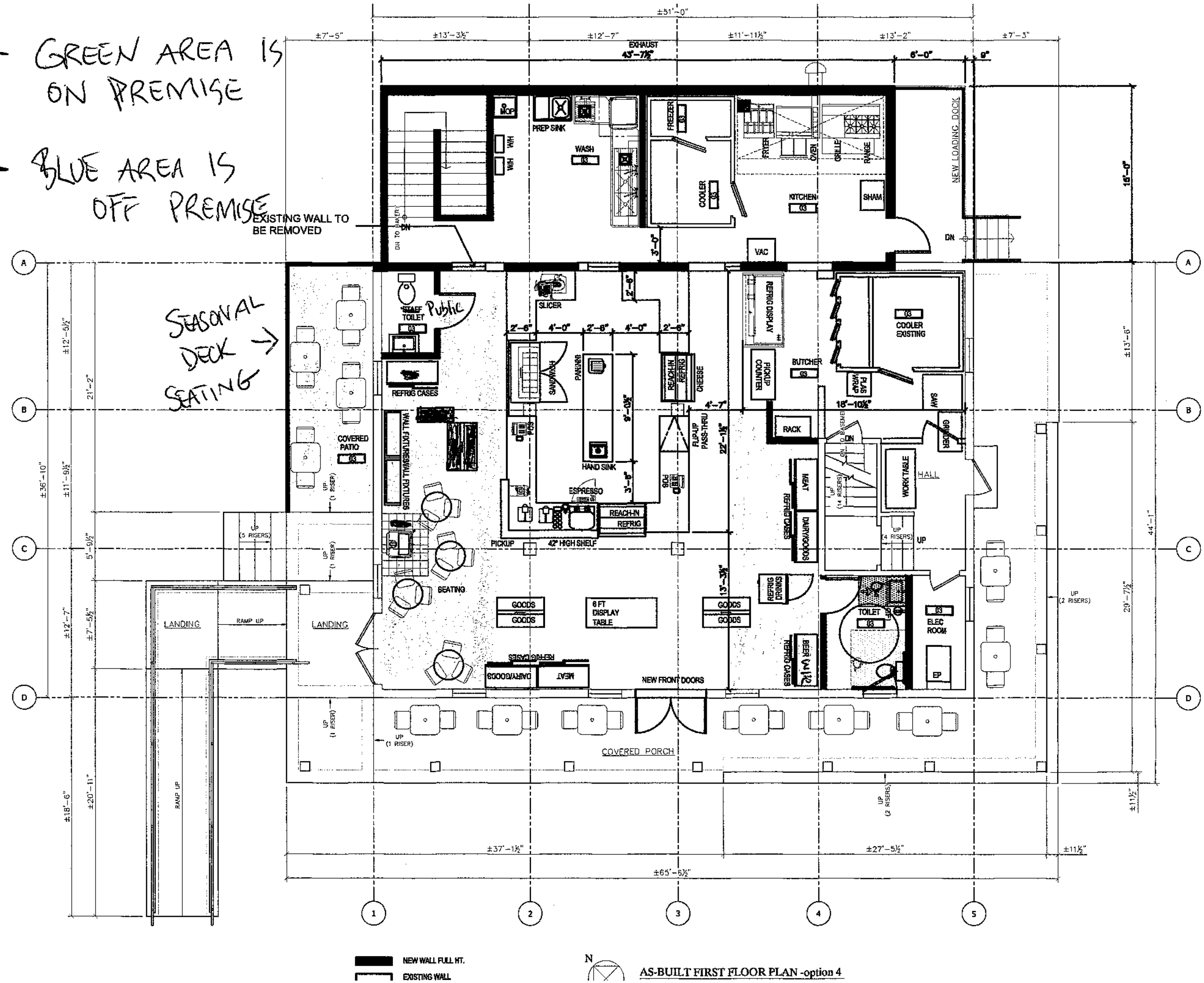
ON PREMISE DIAGRAM

(Facility Drawing/ Floor Plan)

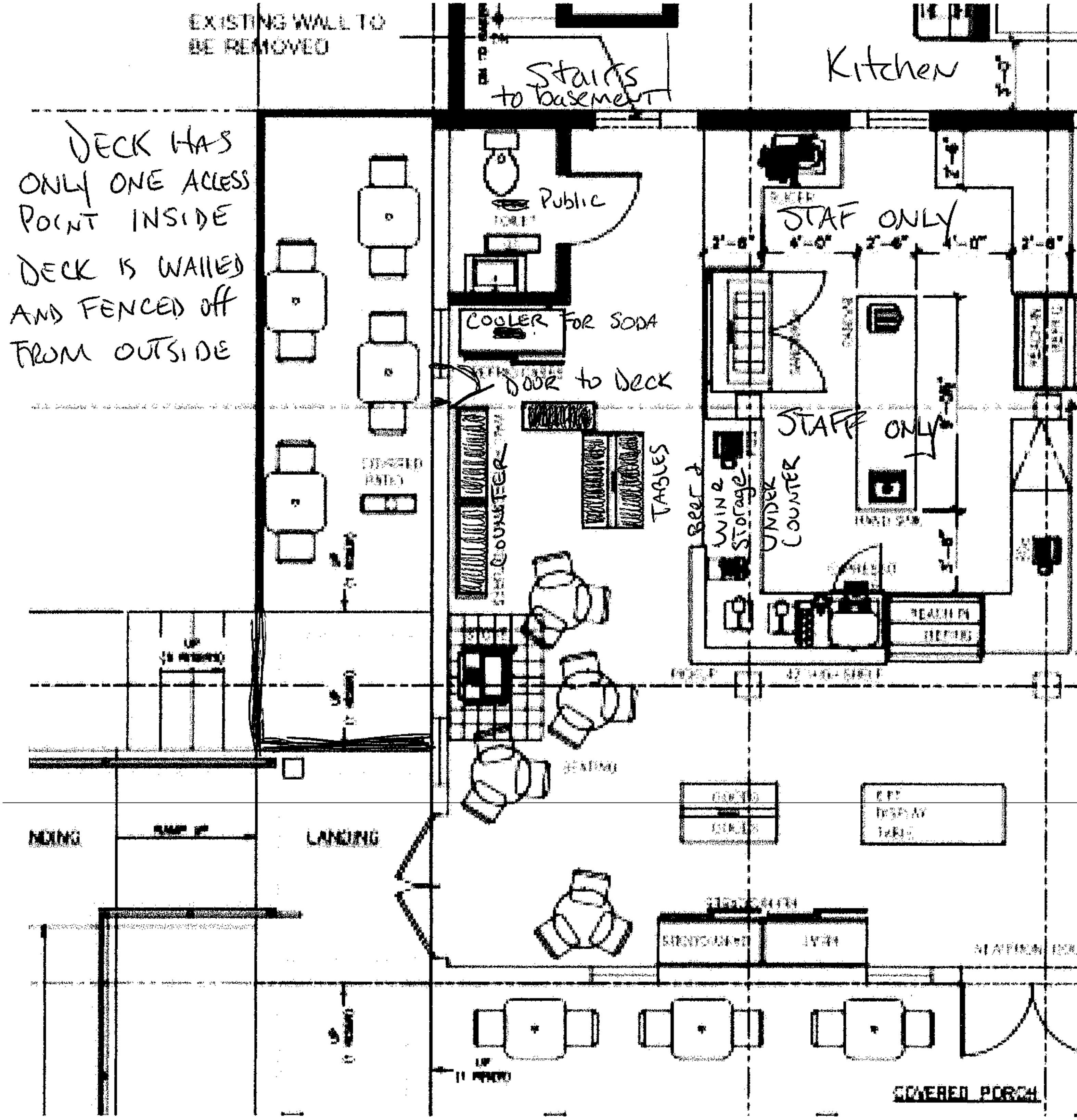
In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • **Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.**

- GREEN AREA IS ON PREMISE
- BLUE AREA IS OFF PREMISE



AS-BUILT FIRST FLOOR PLAN -option 4



All WINE & BEER FOR SERVICE IS to be Stored IN Staff WorKSpace behind counter. Any ADDitional wine & beer IN locked Cage in basement

Division of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement

For Office Use Only:
License #: ______
SOS Checked: ______
100% Yes ☐ No ☐

Corporate Information Required for Business Entities Who Are Licensees

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: BLEECKER & GREER
2. Doing Business As, if any: MAINE STREET MEATS
3. Date of filing with Secretary of State: JAN 2012 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: ______
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
SARAH GREER	17 UNION ST CAMDEN 04843	03/28 1967	OWNER MANAGER PRESIDENT	100%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: ______ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

   Yes ☐ No ☒

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

   Name: ____________________

   Date of Conviction: ____________________

   Offense: ____________________

   Location of Conviction: ____________________

   Disposition: ____________________

   ____

Signature:

Sarah Greer ____________________ 11/22/18 ____________________

Signature of Owner or Corporate Officer Date

SARAH GREER ____________________

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

f. Discuss and approve MCSW Fees

Manager's Comments:

Included in your packet is a copy of the revised fee schedule for MCSW.

The MCSW Board is asking that the boards of the 4-member Town's approve the new fee schedule. Further that they be allowed to make changes to the fee schedule to some of the items that have a directly related disposal cost, rather than having to come back to the 4 different town boards, as our disposal costs go up on items like light bulbs, tires etc. These items are shipped off site and have disposal costs that are set by the vendor and change throughout the year. This will allow the MCSW board to make the adjustments to the fee's, as necessary, in order to recoup all our costs without coming back to each town for approval.

Suggested Motion:

I move to approve the FY19 fee schedule and give the MCSW Board of Directors the authority to adjust fees for minor revenue streams as required.

MID-COAST SOLID WASTE CORPORATION
P.O. BOX 1016, 90 UNION STREET, ROCKPORT, ME 04856
GATEHOUSE: 207-236-7958 OFFICE 236-2467 Fax 207-236-7968

MCSWC Fee Schedule 2018-19

HOURS

MONDAY - CLOSED
TUESDAY - 8 AM TO 4 PM
WEDNESDAY - 8 AM TO 4 PM
THURSDAY - 8 AM TO 4 PM
FRIDAY - 8 AM TO 4 PM
SATURDAY - 8 AM TO 4 PM

Town Websites
www.camdenmaine.gov
www.hopemaine.gov
www.town.lincolnville.me.us
www.town.rockport.me.us

Weighed & Item Charges	Price/lb.	
Demo & Dirty Demo Wood	$0.05	
Clean Demo Wood	$0.03	
Leaves, Grass, Plant Matter	$1.00	per bag or WEIGH
Sheetrock	$0.07	
Couch/Recliner/Sleep Couch/LG Furniture	$0.05	WEIGH
Stump Disposal	$0.10	
Brush	$0.02	
Commercial Trash	$0.08	
	Per Item	
Large Yellow Bags	$10.00	Package of 4 Bags
Small Yellow Bags	$15.00	Package of 10 Bags
Contractor Bag	$5.00	per bag
Appliances	$2.00	(Washer, Dryer, Microwave, etc)
Freon Appliances	$12.00	(Refrigerators, Air Conditioners, Dehumidifiers, Freezers) **(DOORS MUST BE REMOVED)**
Tire up to 15"	$2.00	
Tire 16"-20"	$5.00	
Tire 20" over	$10.00	
TV	$5.00	
Computer CPU Unit Only	$5.00	
Monitors & Accessories	$5.00	
Mattress/Box Spring Twin	$10ea/**20 set**	
Mattress/Box Spring Double	$15ea/**30set**	
Mattress/Box Spring Queen	$20ea/**40set**	
Mattress/Box Spring King	$25ea/**50set**	
Lead Acid Batteries/Rechargable (Non-Universal Waste): NO FEE		**NOTE: AA, AAA alkaline batteries are not typically recycled Please PLACE IN HOUSEHOLD TRASH**
Florescent Light Bulbs - Residential		**NO FEE (Residents ONLY)**
Florescent Light Bulbs - Commercial	0.15/ft	COMMERCIAL Charge .15¢ / foot
CFL Bulbs		**(Residents ONLY): NO FEE - NO COMMERCIAL Allowed**
	Per/Yd	
Metals	$5.00	
Wood Chips	$7.00	**Minimum Charge**
Full Size Pickup	$14.00	
One Ton Truck	$28.00	**Larger Loads Pricing Based on Size**

More Information Available on the website: www.midcoastsolidwaste.org

LIKE US on Facebook: Mid-Coast Solid Waste Corporation & midcoastwastewatch

The 33-gallon bags sold in packs of four for $10.00 and the 15-gallon bags sold in packs of 10 for $15.00 and are **available for purchase at all f*our town offices*** of Camden, Hope, Lincolnville and Rockport.

LARGE BAGS ONLY are available at Camden Hannaford, Camden EBS , French & Brawn, Megunticook Market, Rankin's Hardware, Hope General Store, Rockport Maritime Farms, Lincolnville Western Auto & Linclonville General Store

g. Discuss and approve ORC Work Plan for 2019

Manager's Comments:

Included in your packet is a memo from Bill Najpauer on the recommended item for this season's ORC work plan. This season's workload is very light, considering that they have had a heavy workload for several years now.

There are just two major items on the schedule for this season. One having to do with "communal" agricultural cultivation of marijuana and the other is a short-term rental ordinance or Airbnb as it is also known.

At a recent workshop presented by MMA it was brought up that in some states and even in the State of Maine there is a loophole in the cultivation of marijuana that would allow for someone to "rent" or use space on the property of another person for their plants to be cultivated elsewhere and to pay the owner to care for the plants. This basically creates a commercial growing operation in the Town even though the town voted to not permit it. This is the case now in some Towns that boarder NH.

This item should be able to be reviewed fairly quickly by the ORC and get on the ballot for a June vote.

The next item for consideration is the short-term rental/ Airbnb question. Included in your packet is a memo from Bill Najpauer that outlines the decision making that needs to be considered as we move forward. This is not an easy question and will likely need a lot of work on the part of the ORC and board, with numerous public meetings and comment periods in order for us to develop an ordinance that best suits the needs of Rockport residents. This is an item that will be too complicated to get ready for the June ballot and would likely need another round at the ORC and be ready for the November ballot.

The rest of the items are mostly "housekeeping" items that are simple and straightforward.

Usually the Board does this in a separate workshop setting but given the very light work load it is felt that we can do this in one meeting. Bill Najpauer will be on hand to answer any questions.

Suggested Motion:

I move to approve the Ordinance Review Committee work plan as presented (amended)

Ordinance Review Committee Workplan

Submitted by; Bill Najpauer

1/1/2019

Work Plan Items:

1. Short Term Rental Regulations (Working Draft for consideration attached)
2. An ordinance limiting the total number of mature marijuana plants that may be cultivated on any one parcel or tract of land.
3. To allow pre –application site review applications to be submitted at least 10 days prior to Planning Board meeting
4. Consider expanding the scope of aquaculture activities to reflect new uses and industries for a variety of fish and sea vegetable products.
5. Coordinate pier construction requirements between the Land use ordinance and the Harbor ordinance

Short Term Rental Ordinance

Working Draft # 1 (To be reviewed by the Ordinance Review Committee)

January 7, 2019

Provided by : Bill Najpauer

Preface:

The recent emergence of AIR BNB and other similar businesses allowing residential property owners the opportunity to rent rooms or their entire home for short term stays has raised community concerns about impacts to affordable housing, neighborhood character and a variety of nuisances such as traffic and noise. This trend has also provided homeowners with income and has increased the number of visitors into the community.

The contemporary short-term rental phenomime allows homeowners to attract transient visitors in much the same way as a hotel but only in a much smaller fashion. This activity differs from the long established practice of property owners renting homes on a weekly, monthly or seasonal basis especially in coastal and other tourist areas. Besides the obvious difference between the length of stay between these two practices it also involves the frequency of guests arriving and departing after shorter stays. Often neighbors to short term rental properties comment about the constant coming and going of new people.

Activity associated with short term rentals is expected in areas zoned for hotels and other similar types of activity which often include restaurants and other retail and service uses. This differs greatly from the character of residential neighborhoods especially those with a high percentage of single-family homes. The goal of the short-term rental ordinance is to provide opportunities for short term rentals in residential areas in a manner that respects the character of neighborhoods.

Purpose:

The purpose of this Ordinance is to establish reasonable regulations for short term rentals to protect residential neighborhoods from nuisances and activities which impact the quality of life. while providing opportunities for some property owners to derive income from renting to visitiors. In order to make sure the rental property is used appropriately short-term rentals are limited to owner-occupied single-family dwellings.

Applicability:

This Ordinance applies to short term rental activities of a bedroom which are defined as transient short term nightly stays in owner occupied residential dwelling typically for between one to seven days. While the length of a particular guest stay may vary the rental activity is designed, advertised and offered for sale as to be available for a frequent turn-over of guest throughout some or all portions of the calendar year.

This ordinance is not intended to apply to weekly, seasonal or annual rentals of an entire residential dwelling .

Definitions:

Short Term Rental; To be added

Permit: To be added

Owner Occupied To be Added

Short Term Rental Standards:

Only Owner-occupied single-family residential dwelling may be used for short term rentals.

The principal building or an accessory structure of a single-family residential dwelling may be used for rental purposes.

One or two bedrooms of a residential dwelling may be offered for short term rental.

The rental property shall have a sewer or septic system large enough to accommodate the total number of bedrooms being served used or unused.

No more than 6 persons may occupy a short-term rental property

Only one short term rental use may take place on a property.

The following may not be offered for short term rental: recreational vehicle, travel/camper trailer, tent, or a temporary shelter.

Off-street parking is required. A minimum of three spaces shall be provided.

Renters of a short-term rental may not sublease any portion of the short-term rental to another person, family or entity.

No sign identifying, advertising providing wayfinding or otherwise relating to the use of the dwelling as a short-term rental is allowed either on or off site.

No food prepared at the short-term rental may be served by or on behalf of the property owner to guests without state certification for such food service.

The short-term rental property is subject to all the applicable requirements of the Life Safety Code, NFPA 101 Chapter 24 One- and Two-Family Dwellings, 2015 edition. The property owner must certify on the forms provided by the Town of Rockport that the property conforms to all these provisions.

A building evacuation plan shall be posted in each bedroom offered for rent.

The use of the property by guest for anything other than transient bedroom rental is prohibited and by way of example includes the following parties, conferences, family reunions, and weddings.

Property Owner Responsibility:

The property owner of the short-term rental shall be responsible for the complying with all the provisions of This Ordinance and the following:

Obtain all applicable local and state permits.

Obtain all necessary insurance coverage

Certify in writing that the short term rental complies with all applicable NFPA Life Safety code requirements for a one and two family dwelling

Permit Requirements:

An annual permit shall be obtained to operate a short-term rental. The Town of Rockport shall provide all the applicable forms and establish an permit fee of $ which shall be submitted to the Code Enforcement Officer by September 30th of each year. A late fee of $ shall be assessed for renewal permits submitted after the September due date.