

**Select Board & Board of Assessors Meeting - Agenda
November 27, 2023 @ 7:00 p.m.
Fire Station Community Room, 86 River Rd.**

- 1. Call to Order**
- 2. Amendments to the Agenda**
- 3. Minutes of the previous meeting**
 - a. November 13, 2023
- 4. Public Comments on Items Not on the Agenda**
- 5. New Business**
 - a. North Newcastle Road Weight Limit Petition
 - b. Finance Committee Ordinance
 - c. Personnel Policy – Amendments
- 6. Unfinished Business**
 - a. Special Town Meeting Warrant
 - b. December 25th Select Board Meeting
 - c. Traffic and Parking Ordinance
 - d. Fee Schedule
 - e. Ordinance and Policy Review
 - f. Select Board Priorities
- 7. Town Manager Report and Communications**
- 8. Fiscal Warrants**
 - a. FY24 Tenth AP Warrant: \$305,722.44
- 9. Executive Session**
- 10. Future Agenda Items**
 - a. Fire Engine Bid
 - b. Comprehensive Plan State Approval
 - c. Reserve Account Review
 - d. Board and Committee Membership
 - e. Ground Lease Agreement
- 11. Adjournment of Meeting**

Manager commentary for November 27th, 2023 Agenda packet items

5. New Business Items: This location on the agenda is meant for items that have not previously been put before the Select Board. Ideally, they are placed here as an introduction and for in-depth discussion before a final draft is later presented as an Unfinished Business item at a future meeting. However, if the new item is time sensitive or the Select Board has no issue with the item as presented, the Board may choose to vote on the item.

New Business Item: **5A – North Newcastle Road Weight Limit Petition**

Manager’s Commentary: On November 14th, the Town office received a request to post North Newcastle Road as a weight-limited roadway ([PAGE 08](#)). This is the first request since the new Traffic and Parking Ordinance was created and approved by the Select Board in September of this year. The decision to post a road is the sole responsibility of the Select Board, however I would suggest the Select Board work to develop a policy or process they follow to address this and future requests ahead of a decision. Should this be the direction the Select Board would like to approach this, please come to the meeting with some ideas about what questions you might want to consider or steps in the process you’d like to see.

New Business Item: **5B – Finance Committee Ordinance**

Manager’s Commentary: One of the items that has been on the list of Select Board goals from August of 2022 has been to “Create a Finance Committee.” Fortunately, the Town of Newcastle has had something on the books since 2016. Unfortunately, it has not been utilized for some time and the current unexpired membership is down to 1 (of 7) (More on the make-up and vacancies will be looked at a Future meeting). Some of what this ordinance does can now be, and should be in some respects, the responsibility of the Town Manager. So, one option might be to repeal this ordinance. However, while additional time would have to be allocated for this endeavor, its always a plus for a manager to have additional members of the public who fully appreciate the budget process, participate in making it a great document that can be supported by the Select Board, and be its cheerleaders at Town Meeting. So, a second option would be to amend with additional feedback or as presented on [PAGE 28](#).

New Business Item: **5C – Personnel Policy**

Manager’s Commentary: On [PAGE 30](#) is a second round of a redline document to the Personnel Policy for the Select Board’s consideration. (The combination of changes from our conversation on November 13 and for additional consideration this evening can be found on our website [HERE](#)). These changes have been shared with staff. If you’re supportive of the changes to date, we will have a clean version ready for your approval at the December 11th meeting.

6. Unfinished Business Items: Agenda items that have been brought before the Select Board previously in the current fiscal year. Ideally these are items that have been reviewed and are ready for vote, but the Select Board reserves the right for greater discussion, modification, or further postponement.

Unfinished Business Item: **6A – Special Town Meeting Warrant**

Manager’s Commentary: At the [October 23rd meeting](#), the Select Board notified the Town Clerk to establish a Special Town Meeting for December 11th. The next step in the process is for the Select Board to approve the Warrant articles that will be voted on.

You’ll see the proposed Warrant ([PAGE 71](#)) includes:

- the repeal of the Purchasing and Bid Ordinance (and replacement with the Purchasing and Bid Policy).
- 2 of the 3 potential Core Zoning Code amendments. The changes to the section related to the delay of demolition of historic structures was found NOT to be consistent with the Comprehensive Plan.

Should the Select Board want to remove either/or both of the Core Zoning code items, or would like to add back in the item that is not currently part of the draft warrant, I’ll ask that motions be considered to modify the warrant to reflect this.

A Possible Motion: ***“To establish a Special Town Meeting for December 11th at 7pm in the Community Room of the Fire Station at 86 River Road and send notice to R. Benjamin Frey to inform the inhabitants of the Town of Newcastle of said meeting.”***

Unfinished Business Item: **6B – December 25th Select Board Meeting**

Manager’s Commentary: The third Monday of the month of December happens to fall on Christmas day. Curious if you’d like to cancel the second meeting of the month or move it to another date.

A Possible Motion: ***“To cancel the December 25th Select Board meeting.”***

Unfinished Business Item: **6C – Traffic and Parking Ordinance**

Manager’s Commentary: We’d like to propose (or at least discuss) some additional clarity around parking. See [PAGE 85](#). We do not have anything in here about tickets or ticketing – just towing. What we’ve added is a section in Parking that authorizes the Town Manager to appoint Parking Control Officers (and additionally in the administrative section). This will provide a mechanism for establishing a parking ticket program. I am not interested in making this a robust process, but to address some necessary enforcement needs without having to go the route of towing. Additionally, the second attachment to this item is a list of communities in Maine and their parking fees for different scenarios as well as some information that led to the changes proposed.

This is one of those unique ordinances under state statute that allows a Select Board to address at their discretion. Therefore, if you're comfortable with the changes, you're welcome to approve this evening. Other options would be to modify and approve, modify and delay a vote, hold a public hearing on the 11th to get any feedback from the public, etc.

A possible motion: ***"To adopt the revised Traffic and Parking Ordinance as (written /amended)"***

Unfinished Business Item: **6D – Fee Schedule**

Manager's Commentary: The Fee Schedule was created and approved at the [September 25th Select Board meeting](#). We're asking to update the fee schedule to include parking tickets and violation of weight limits related to the Traffic and Parking Ordinance. As discussed on the 25th, we've also modified the document to include FOAA and clarify the hunting/fishing to recognize the most frequently purchased licenses and point to the annual documents from the state Department of Inland Fisheries and Wildlife for all other fee options (See [PAGE 103](#)).

A possible motion: ***"To approve the Newcastle Town Fee Schedule as presented."***

Unfinished Business Item: **6E – Ordinance and Policy Review Process**

Manager's Commentary: One of the top 10 priorities is "Ordinance and Policy Housekeeping". Identified on the Newcastle website, we have nearly two dozen ordinances and eight policies. On [PAGE 105](#) is a revised memo from our last meeting which reflects additional feedback from staff. We'd like to ask for support in attempting to keep with this schedule and look to review how were doing biannual and have the effort line up with the review of our priorities every other quarter.

A Possible Motion: ***"To accept the Ordinance and Policy Review Work Plan memo dated November 22, 2023 and commit to reviewing this document for progress and potential modification on a biannual basis."***

Unfinished Business Item: **6F – Select Board Priorities Review**

Manager's Commentary: At the [October 23rd Select Board](#) meeting, we reviewed progress to date on the list of priorities. Additionally, we met with the Damariscotta Select Board on October 30th and reviewed the full list of goals at the [November 13th meeting](#). A survey was sent to the Select Board and to staff. The survey and a memo/report out from that survey can be found starting on [PAGE 108](#). After a conversation about some of the reasoning for what and when, I'll look to get your support to focus on these items.

A Possible Motion: ***"To accept the Select Board List of Updated Project Priorities for Newcastle presented in the memo dated November 22, 2023 and commit to reviewing for progress and potential modification in March of 2024."***

Fiscal Warrants: **8A – FY24 Tenth AP Warrant**

Manager Commentary: This can be found starting on [PAGE 110](#).

A possible motion: ***"To approve both sections of the FY24 Tenth AP Warrant."***

Select Board & Board of Assessors Meeting - MINUTES
November 13, 2023 @ 7:00 p.m.
Fire Station Community Room, 86 River Rd.

Present Board Members: Karen Paz, Tor Glendinning, Joel Lind, Thomas Kostenbader, Rufus Percy
Staff: Kevin Sutherland, Town Manager

Minutes transcribed by Emma McKearney, Deputy Town Clerk

1. **Call to Order:** Meeting started at 7:03pm.
2. **Amendments to the Agenda:** Executive Session under 1 M.R.S.A. Section 405 (6) E, Legal, was added to the agenda by the Chair.
3. **Minutes of the previous meeting**
 - a. **October 23, 2023:** Joel made a motion to approve the minutes of the October 23, 2023, meeting as written. Motion was seconded by Thomas. Motion was passed unanimously.
 - b. **October 26, 2023:** Tor made a motion to approve the minutes of the October 23, 2023, meeting as written. Motion was seconded by Karen. Motion was passed unanimously.
4. **Public Comments on Items Not on the Agenda**
 - a. **Mal Carey:** Mal, a resident of North Newcastle, is seeking clarification regarding the status of ownership and maintenance of East Hassan Ave. He states that in 2022 major work was planned for 2024 per the previous Town Manager. Some work has been done, but the ownership of the road is unclear. Additionally, while using the CAI mapping on the Town website, he has received a message screen that says, 'insufficient memory, some tasks won't run and some will run slower.' Mal reports that it mostly operates as it should. He believes this may be a software issue from a program update.
5. **New Business**
 - a. **Discussion on Fire Engine Replacement:** Chief Casey Stevens and Lucas Kostenbader, Lieutenant and Chair of the Truck Committee, from the Newcastle Fire Company spoke of their efforts to complete a specification to replace Engine 8, owned by the Town of Newcastle, and Rescue 4, owned by the Fire Company. Currently, the engine is a 1974 Ford Pumper. Chief Stevens reports that the Fire Company is almost complete with its build of the specification for the truck. He reports that there has been a cost estimate increase of about 4.5% per quarter. With the most recent estimate the Fire Company has received, the cost is estimated to be about \$670,000. However, there is a discount for pre-payments; payment will be due at the time of delivery. Currently production time is estimated to be about 18-26 months. The Fire Company will provide a bid request document at the next Select Board meeting.
 - b. **Personnel Policy – Amendments:** Town Manager reviewed his proposed changes to the Personnel Policy with the Select Board. During the meeting, additional changes were made. A final proposed draft will be presented at the next Select Board meeting. Significant changes to the policy include adding domestic partnerships to the Town's health insurance program and editing the Town's grievance policy to be more streamline and clear to reflect the current office size. Employees received notice of the Personnel Policy changes on November 8, 2023, via email and posting in the office.
 - c. **Ground Lease Agreement:** TowerCo has partnered with Verizon to work with the Town of Newcastle to install a tower on the old landfill on Jones Woods Rd. This parcel is owned by the Town. The Town Attorney is currently reviewing the proposed lease presented to the Town Manager and Select Board. Mal Carey, resident of North Newcastle, has concerns regarding the annual rent increase not increasing at the rate of

inflation. Town Manager and Select Board would like to explore using the property for both a cell tower and solar energy. Additionally, the Select Board will further explore what the cell tower would be set on due to questions regarding the ground being compact enough to withstand the tower.

- d. **Core Zoning Code Amendments:** A Public Hearing for Core Zoning Code Amendments is scheduled for November 16, 2023, at 6:30pm. Amendments being discussed include large project plan and lots (multi-family out of subdivision, reduction in right of way width). Select Board will decide if these amendments will be added to the warrant for the Special Town Meeting at the next Select Board meeting.
- e. **Ordinance and Policy Review Process:** Town Manager reviewed his plan for reviewing, holding public hearings, and voting on Town policies and ordinances with the Select Board. Town Manager is hoping to have quarterly Special Town Meetings to vote on ordinance changes for the next 18 months. Land Use Ordinances will also need to be reviewed through the Planning Board process. Select Board is supportive of his ambitious plan and may need to prioritize which ordinances get reviewed if needed. The chart and plan will be reviewed quarterly with the Select Board priorities chart review.

6. Unfinished Business

- a. **Select Board Priorities Review:** Town Manager reviewed the Select Board priorities list that was created in July 2023. From the initial list, some items have been completed which include hiring a town manager, complete the Traffic and Parking Ordinance (some additional recommendations will be made), Fund Balance Policy, and repealing and replacing the Purchasing and Bid Ordinance at the Special Town Meeting on December 11, 2023. Town Manager would like to address a long-term plan for PFAS mitigation to the Town's impacted residents and add the Lynch Road reconstruction from the May Day storm to the priority list. Town Manager reports that during the Damariscotta-Newcastle joint meeting on October 30, 2023, housing needs, joint planned development, and a long-term transportation strategy were identified as top priorities for both communities. Town Manager will provide the Select Board and Town staff a survey to gain a greater understanding of what their individual priorities are.

- 7. **Town Manager Report and Communications:** Town Manager reviewed his report. Topics discussed were: reviewing elections on November 7, 2023, the status of Tidewaters grant to support broadband in Newcastle and their efforts to receive those funds, Tidewater is estimating that they will begin installing infrastructure starting in January, a change in cleaners for the Town buildings as the previous cleaners have fully retired, and there is a vacancy on the Planning Board. Additional announcements include: the Town Office will be closing at Noon on November 22, 2023, and a Planning Board workshop on November 30, 2023 at 6:30pm for the Shoreland Zoning Ordinance.

8. Fiscal Warrants

- a. **FY24 Ninth AP Warrant: \$547,848.64:** Joel made a motion to approve the Ninth AP Warrant for \$547,848.64. Motion was seconded by Rufus. Motion was passed unanimously. A large amount of the warrant is for County Tax.

9. Executive Session

- a. **1 M.R.S.A Section 405 (6) E – Legal:** Joel made a motion to enter Executive Session regarding legal. Motion was seconded by Tor. Motion was passed unanimously. No report upon exiting Executive Session.

10. Future Agenda Items

- a. **Special Town Meeting Warrant**
- b. **Comprehensive Plan State Approval**
- c. **Fire Engine Bid Document**
- d. **Traffic and Parking Ordinance**

- e. Town Fee Schedule
- f. Finance Committee Ordinance

11. Adjournment of Meeting: Thomas made a motion to adjourn the meeting at 9:37pm. Motion was seconded by Joel. Motion was passed unanimously.

DRAFT

Background Information for North Newcastle Road Weight Limit Request (November 2023)

History

- North Newcastle Road (NNR) had a permanent weight limit for about 40 years until February 2021 when the town manager and road commissioner removed the signs with no explanation for such urgency and with no opportunity for public input – the select board agendas and minutes from this time period do not record any public discussion of this decision, and they do not record a vote of the full select board approving it.
- Decisions affecting the safety, character and durability of a rural road matter enormously to the people who live on the road, to those who live in adjoining neighborhoods or commute on the road, and to all of the town's taxpayers who foot the bill for road repairs.
- A large percentage of the people living on NNR bought, built, or rented their homes during the years when the road was weight limited. These important investment decisions were done in the context of the type of rural road they were choosing to live along, which makes this issue entirely different from a brand-new request to change the weight limit status of a road that has never had a permanent weight limit.

Current Situation

- There has been a dangerous increase in the number of daily trips of very wide, heavy trucks since the weight limits were removed from NNR. Those trucks tend to hug the middle of the road to avoid its soft edges and steep embankments, posing risks to oncoming vehicles.
- The Federal DOT lists factors for "road risk" assessments, and NNR has all of them including narrow 20' width, limited sight distances at curves, high driveway density, driveways with restricted visibility, rural residential pedestrian and bike traffic, and no shoulders.
- NNR accidents have increased, including the Hagar truck (on 10/17/22) that landed sideways in a ditch on the northern end of the road, and vehicles going off the road at the steep, blind curve at the southern end.
- The edges of the fairly new pavement are cracking up in places and fissures are developing in the main roadway. Those who walk and run on the road regularly have watched this happen and can document exact locations.
- Websites (such as www.insidescience.org/news/how-much-damage-do-heavy-trucks-do-our-roads) that provide calculations for the load impact of heavy trucks vs. passenger vehicles show that a semi-trailer truck for instance, has up to 2,500 times more detrimental impact on road surfaces than passenger vehicles.
- Roads are one of the biggest budget lines for small towns like Newcastle, especially when they need engineering or resurfacing. Heavy truck traffic increases road wear, which leads to increased maintenance, which translates to higher property taxes.

Request to the Newcastle Select Board

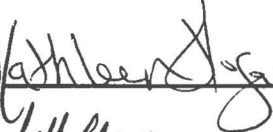

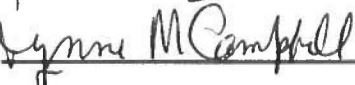


- The **82 signers** of the attached document are requesting a "No Thru Trucks" weight limit on NNR to stop the huge tractor trailers and log haulers, side-loading dump trucks, regular high-volume dump trucks and similar heavy vehicles driving to and from out-of-town businesses from using NNR road as a **short-cut**.
- The Newcastle Parking & Traffic Ordinance that was adopted on September 25, 2023 specifies 23,000 GVW for road weight limits, so this request is in compliance with that standard.

To the Select Board of the Town of Newcastle:

The undersigned request that the Select Board reinstate the decades-long status of North Newcastle Road as a weight-limited roadway by directing the placement of permanent road signs reading:

“No Thru Trucks Over 23,000 GWV”

Establishing a weight limit to prevent heavy thru trucks and tractor trailers from regularly using North Newcastle Road as a shortcut will allow the Select Board to protect Town interests by: 1) protecting the safety of the adults and children who live along, drive, walk, run, ride bikes, walk dogs, push baby carriages, drop/pick up kids at daycare, and use roadside mailboxes on this rural road that has steep embankments, blind curves, and no shoulders; and 2) saving tax dollars for road maintenance given that heavy trucks have many times more impact on road surfaces than passenger vehicles.

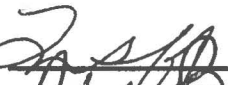
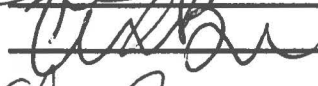







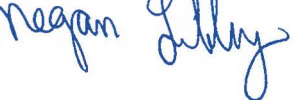
<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
	Kathleen Hogan	320 N. Newcastle Rd.	11/25/23
	JEFF CHERRY	320 N. Newcastle	10/25/2023
	Lynn Campbell	553 N. Newcastle Rd.	10-25-2023
	Neiland Campbell	553 N Newcastle Rd.	10-25-2023
	Douglas Cogger	166 N. Newcastle Rd.	10/27/2023

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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
	Linda Skiff	638 N. Newcastle Rd	10/26
	Chelsea Bowers	625 N. Newcastle Rd.	10/26
	C RIAV BOWERS	625 N. NEWCASTLE RD	10-26
	Corey DiGiroLamo	625 N. Newcastle Rd,	10/26
	Andrew Warren	625 N. Newcastle Rd.	10/26
	Mae Corson	509 N. Newcastle Rd	10/26
	Annie Cobb	423 N. Newcastle Rd.	10/26
	Jane Dunstan	612 N Newcastle Rd	10/26
	SHARI TEMPLETON	612 N Newcastle Rd	10-26-23
	Megan Libby	506 N. Newcastle Rd	11/4/23

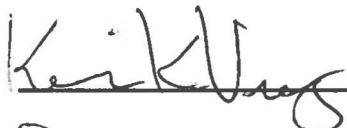
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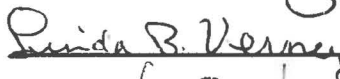
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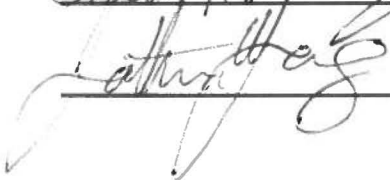
<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
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	Kevin K. Verney	72 N. Newcastle Rd	11/2/23
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	Linda B. Verney	20 Rocky Ledge Rd	11/2/23
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	DAVID E O'NEAL	81 King's Hwy	11-2-23
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	Brett K Verney	129 N Newcastle	11/3/23
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	Jonathan R Young	201 Bunker H. Rd	11-3-23
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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
<u>Paul J. L'Heureux</u>	<u>Paul J. L'HEUREUX</u>	<u>25 N. NEWCASTLE Rd</u>	<u>11/6/23</u>
<u>Patricia L'Heureux</u>	<u>PATRICIA L'HEUREUX</u>	<u>25 N. Newcastle Rd</u>	<u>11-6-23</u>

We have lived at this address for the past 4 1/2 yrs and have noticed a huge increase in traffic of heavy trucks, usually traveling well above the posted speed ^{limit}. There is no way they could possibly stop if needed, and cause great concern when walking or pulling out of our driveway. Please reinstate this status request.



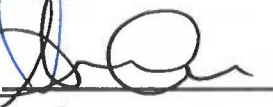


(Note = Anyone 18 or older can sign if they live on N. Newcastle Rd. It's not limited to one per household.)

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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
	Ray Bellefleur	470 N. Newcastle Rd.	10-29-23
	Julie Bellefleur	470 N. Newcastle Rd	10-29-23
	Amanda Carew	25 Curlew Lane	10.31.23
	Corey Carew	25 Curlew Lane	10-31-23
	Andrew Corson	509 N Newcastle Rd	11/3/23

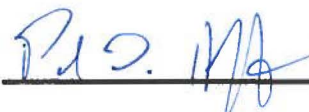
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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
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	PAUL D. HOFFMAN	248 N Newcastle Rd	10/30/23
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	Maureen S. Hoffman	248 N Newcastle Rd	10/30/23
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	Jean A Bunker	224 N. Newcastle Rd	10/30/23
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	Chester R Bunker	224 N. Newcastle Rd	10/30/23
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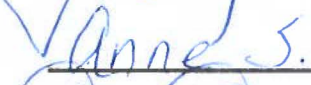





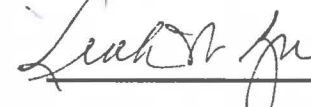
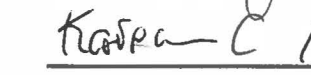
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Signature Printed Name Street Address (Newcastle, ME) Date

	John S. Upton	57 North Newcastle Rd.	10/28/23
	Anne S. Upton	57 N. Newcastle Rd	10/28/23
	Sandy Paulsen	2 W Old Rd. Newcastle	10/28/23
	MARC PAULSEN	2 W OLD CITY RD NEWCASTLE	10/28/23
	James Hobb	182 The Kingsbury Newcastle	10/28/23
	Susan Korthals	35 N. Newcastle Rd. Newcastle	10/28/23
	Steve Gaskin	52 N. Newcastle	04553 2 Nov 23 10/29/23
	Leah W. Sprague	214 S. Dyer Neck Rd.	3 Nov. 23
	Kavin C Mook	270 S. Dyer Neck Rd	11/3/23

To the Select Board of the Town of Newcastle:

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Signature Printed Name Street Address (Newcastle, ME) Date

Christine Wajer Christine Wajer 410A Newcastle Rd 10/30/23

Christopher Wajer Christopher Wajer 41 No Newcastle Rd 10/30/23

E. Emery EMERY CHAPMAN 65 INDIAN TRAIL RD 10/30/23

Jacqueline Rudy Jacqueline Rudy 84 Sheepscot Rd 10/30/23

Ethan Wajer Ethan Wajer 41 Lucky Ln 10/30/23

Joan Yeaton Joan Yeaton 30 Lucky Ln. 10/30/23

Brooke Perez Brooke Perez 41 Lucky Ln 10/31/23

Gabrielle Patterson Gabrielle Patterson 647 Sheepscot Rd. 11/2/2023

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Signature

Printed Name

Street Address (Newcastle, ME)

Date

<u>Norman Blanchard</u>	<u>Norman Blanchard</u>	<u>90 N. Newcastle Rd.</u>	<u>11-5-23</u>
<u>Lois Welton</u>	<u>Lois Welton</u>	<u>90 N Newcastle Rd</u>	<u>11-5-2023</u>

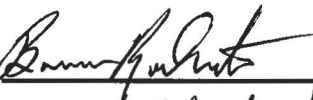
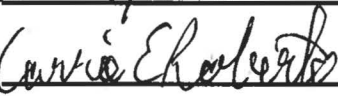
(Note: All adults in your household can sign, as long as they're 18 or older and live in Newcastle)

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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
	BRIAN ROBERTO	72 HIGHLAND Rd	11-5-23
	Carrie Roberto	72 Highland Rd	11-5-23

(Note: All adults in your household can sign, as long as they're 18 or older and live in Newcastle).

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Signature

Printed Name

Street Address (Newcastle, ME)

Date

Doris Smith Doris Smith 186 W. Newcastle Rd ⁰⁴⁵⁵³ 11/5/23

Herb Smith Herb Smith 186 W. Newcastle Rd 11/5/23

Sue Allen Sue Allen 208 N. Newcastle Rd 11/5/23

Thomas E. Keenan THOMAS E. KEENAN 208 W. Newcastle Rd 11/5/23

(Note: All adults in your household can sign, as long as they're 18 or older and live in Newcastle).

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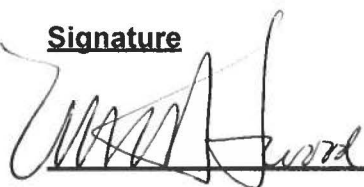
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Signature

Printed Name

Street Address (Newcastle, ME)

Date



MARGARET R. ATWOOD

124 THE KING'S HIGHWAY

11/02/23

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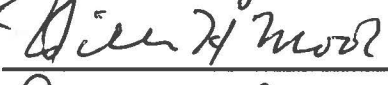

<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
<i>Linda P. Mercer</i>	Linda P. Mercer	98 W. Old County Rd. Newcastle	11-2-23
<i>James L. Mercer</i>	James L. Mercer	98 W. Old County Rd. Newcastle	11-3-23
<i>Bonnie Rademacher-Fly</i>	Bonnie Rademacher-Fly	24 Pine Ledge Dr Newcastle	11-3-23
<i>Robert M.S.</i>	Robert M.S.	29 Pine Ledge Dr	11-04-23
<i>Jeannie Thompson</i>	Jeannie Thompson	152 W Old County Rd. Newcastle	11-04-23
<i>Richard Thompson</i>	Richard Thompson	152 W Old County Rd Newcastle	11-04-2023
<i>David Miller</i>	David Miller	186 W. Old County Rd Newcastle	11-04-2023
<i>Sharon Miller</i>	Sharon Miller	186 W. Old County Rd Newcastle	11-04-2023
<i>J. David Spector</i>	J. DAVID SPECTOR	58 W. OLD COUNTY RD. NEWCASTLE	11/5/23
<i>Cynthia Sabini</i>	Cynthia Sabini	47 Chase Farm Rd Newcastle ME	11/5/23
<i>Jason Londa</i>	Jason Londa	45 Chase Farm Rd Newcastle ME	11-5-23
<i>Kari Londa</i>	Kari Londa	45 Chase Farm Rd Newcastle	11-5-23

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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
	JUSTIN RUDY	84 SHEEPSHOT RD	NOV. 3 2023
	William H. Mook	270 So. Dyer Neck Rd	Nov 3 2023
	Rochelle McPherson	129 Perkins Pt Rd	Nov 3 2023

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Signature

Printed Name

Street Address (Newcastle, ME)

Date

<i>Grace B. Phillips</i>	Grace B. Phillips	11 Rocky Ledge Rd	11/7/23
<i>ER</i>	ERIC RANDOM	11 ROCKY LEDGE RD.	Nov 7 th 2023

(Note: All adults in your household can sign — everyone 18 or older who lives in Newcastle.)



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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
------------------	---------------------	---------------------------------------	-------------

	Sharen A Sperry	PO Box 785 11 Highland Rd	11/7/2023
	BEVERLY Sperry	PO Box 785 11 Highland Rd.	11/7/2023

(Note: All adults in your household can sign, as long as they're 18 or older and live in Newcastle)

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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
<i>Mary D Atticks</i>	Mary D. Atticks	28 Paradise Rd Newcastle ME 04553	11-6-23



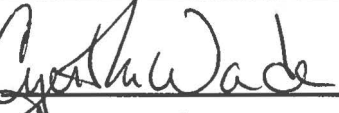

(Note: Anyone 18 or older can sign if they live on N. Newcastle Rd.
It's not just 1 per household).

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<u>Signature</u>	<u>Printed Name</u>	<u>Street Address (Newcastle, ME)</u>	<u>Date</u>
	Kensi Krahe	20 Paradise Rd	7 Nov 23
	Logan Krahe	126 W old county Rd	7 Nov 23
	Cynthia Wade	50 LUCKY Lane	11/7/23
	Valerie Velho	112 Perkins Point Rd	11/7/23



Town of Newcastle FINANCE COMMITTEE ORDINANCE

~~Title: This ordinance shall be known, and may be cited as, the "Finance Committee Ordinance of the Town of Newcastle", and will be referred to herein as "this ordinance".~~

1. COMPOSITION

1.1. The Finance Committee shall consist of ~~seven (7)~~ five (5) citizens appointed by the ~~Select Board of Selectmen~~. Each member shall serve a 3 year term.

Commented [KS1]: Currently, this committee only has one appointed member whose term has not yet expired.

Commented [KS2R1]: Therefore, my initial thought was a slight reduction in the number of members. It may also be difficult to coordinate meeting schedules, etc with 7 members.

2. DUTIES OF THE COMMITTEE

2.1 ~~Serve as Town Budget Committee~~

a. ~~Work with the Board of Selectmen Town Manager to in developing a recommended the annual town budget to present to the Select Board.~~

Commented [KS3]: It may be redundant for the Town Manager and extend the budget process, but it can serve as a good litmus test and chance to make modifications before presenting the budget publicly to the Select Board.

4-02.2 ~~Serve as Town Audit Committee~~

~~4.0.0 Review the annual town audit with Town Treasurer and Auditor~~

~~4.0.0 Work with Town Treasurer and Auditor as needed~~

a. ~~Review the management letter from the external auditor.~~

~~a.b. Attend and participate in the Auditor's presentation to the Select Board.~~

~~Conduct a biannual review of the internal and external financial control procedure, performed in odd numbered years~~

Commented [KS4]: This can be accomplished by the Town Manager and recommended changes brought to the Select Board.

2-22.3 ~~Supervise Investments~~

a. ~~Review monthly statements quarterly or as deemed necessary by the Town Manager to insure validity of the investments.~~

b. ~~Review annually to verify their compliance with the town's investment policy.~~

Commented [KS5]: Supervision of investments has not received the attention that it deserves, but it should be the Town Manager's responsibility.

~~2.3 Review monthly bank statements with Board of Selectmen. Conduct quarterly review of the budget, financial statements, and treasurer's accounts~~

Commented [KS6R5]: I left it in here because it would help with keeping it at the forefront and provide additional feedback on decisions about investments.

2.4 Perform any other duties assigned by the ~~Select Board of Selectmen~~

Commented [KS7]: Another Town Manager/Town Treasurer responsibility

~~3. Repealer~~

~~4.1. All prior Finance Committee Ordinances and amendments stand repealed.~~



Town of Newcastle FINANCE COMMITTEE ORDINANCE

1. COMPOSITION

- 1.1. The Finance Committee shall consist of five (5) citizens appointed by the Select Board. Each member shall serve a 3 year term.

2. DUTIES OF THE COMMITTEE

- 2.1 Serve as Town Budget Committee
 - a. Work with the Town Manager to develop a recommended annual town budget to present to the Select Board.
- 2.2 Serve as Town Audit Committee
 - a. Review the management letter from the external auditor.
 - b. Attend and participate in the Auditor's presentation to the Select Board.
- 2.3 Supervise Investments
 - a. Review monthly statements quarterly or as deemed necessary by the Town Manager to insure validity of the investments.
 - b. Review annually to verify their compliance with the town's investment policy.
- 2.4 Perform any other duties assigned by the Select Board.

TOWN OF NEWCASTLE

PERSONNEL POLICY

MANUAL

SELECT BOARD

Karen Paz, Chair

Joel Lind

Tor Glendinning

Thomas Kostenbader

Rufus Percy

[FURTHER PROPOSED REVISIONS](#): November 15, 2023

For Consideration on December 11, 2023

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I. PREAMBLE

- A. The Select Board hereby adopts the following policy for utilization by the Town of Newcastle in the administration of the personnel activities of all employees, committee members, board members (including the Select Board) and volunteers. These rules and subsequent modifications shall supersede any policy and rules made previously by the Select Board. This policy may be modified by the Select Board at its discretion and may be further modified by town voters.
- B. The purpose of prescribing these rules and regulations is to set forth a uniform and equitable system of personnel administration for the Town of Newcastle, to promote more effective and efficient municipal operations on behalf of the citizenry, and to pursue positive employee morale.
- C. The Select Board may delete, amend, modify, or change any or all of the policy by posting the proposed change in a conspicuous place at the Newcastle Town Office and by emailing such a notice to all employees at least thirty (30) calendar days in advance of the meeting at which the Select Board propose to make modifications or changes. Changes may be made only with approval by a majority of the Select Board with all five (5) members present at the time of voting.
- D. A copy of this policy shall be provided to all employees upon the commencement of their employment and any amendment or revision of this policy shall be provided to all employees as amendments or revisions become effective.
- E. All employees will sign a receipt within one week of being given a copy of the policy, which receipt shall confirm that the employee has read the policy and has been given an opportunity to discuss with the Town Manager any portions of the policy which the employee feels needs clarification.

II. EMPLOYMENT

- A. The employment of personnel shall be the responsibility of the Town Manager.
- B. All applicants must submit a written and completed application based on the format outlined in the job advertisement.
- C. All employees are considered probationary for the first six (6) months of employment. The probationary period shall be considered an extension of the selection process. Probationary employees may be removed at any time during the probationary period without cause and without right to file a grievance.
- D. An applicant who has been convicted of a felony may be excluded from employment if the Town Manager determines that the applicant's conviction bears upon their ability to faithfully perform the proposed duties of the job.
- E. Hiring, firing, and disciplinary action, except for those positions precluded by Maine State Law, shall be the responsibility of, and at the discretion of, the Town Manager. The employee shall be notified of such action in writing.
- F. Employees shall be mindful of the fact that they are representatives of the Town of Newcastle and that their actions reflect on the public image of the Town as a whole. Employees shall always conduct themselves in a respectful and helpful manner and shall exhibit appropriate behavior during all communications and conduct with the public.

III. EMPLOYMENT DISCRIMINATION

Policy: It is the policy of the Town to offer equal employment opportunities to all job applicants and employees. Appointments and promotions are based solely upon qualifications and experience and are free of consideration of race, color, religion, gender, age, marital status, national origin, or disability.

Procedure: Any complaints alleging unlawful discrimination shall be submitted in writing to the Town Manager who will arrange a meeting with the aggrieved party to discuss the matter. The meeting shall take place within five (5) business days from receipt of a written complaint. All information will be held in confidence and will be discussed only with those who have a need to know in order to either investigate or resolve the complaint. The Town Manager shall have ten (10) business days from receipt of a written complaint to conduct an investigation and to attempt to resolve the matter to the satisfaction of the aggrieved party.

If the Town Manager is unable to resolve the matter to the satisfaction of the aggrieved party within ten (10) business days of receipt of the complaint, the aggrieved party may submit a copy of the written complaint to the Select Board. Such a submission shall be made within fifteen (15) business days of the original complaint to the Town Manager. If a complaint involves the conduct of the Town Manager, it may be submitted directly to the Select Board without first being submitted to the Town Manager.

The Select Board shall then have fifteen (15) business days from receipt of the written complaint to investigate and to issue a report, with its findings and recommendations, to the Town Manager. The Town Manager shall, within five (5) working days of the receipt of the report, notify the aggrieved party of the results of the investigation conducted by the Select Board.

IV. TYPES OF APPOINTMENT

- A. FULL-TIME – A full-time employee works 35 to 40 hours per week on a continuing basis. They are subject to all personnel rules and regulations as set forth in this document and at the discretion of the Town Manager for the safety and welfare of the Town and for the Employee in performing Town business. This classification shall be assigned at the discretion of the Town Manager. The employee receives all benefits and rights as provided by these rules.
- B. REGULAR PART-TIME – An employee in this classification works more than 20 hours per week but no more than 30 hours per week, on a continuing basis. They are subject to all personnel rules and regulations set forth in this document and at the discretion of the Town Manager for the safety and welfare of the Town and for the Employee in performing Town business. This classification shall only be assigned at the discretion of the Town Manager. The Town Manager will determine whether employees in this classification are entitled to benefits such as retirement, health insurance, or seniority, and unless outlined in this policy or mandated by the State Worker’s Compensation and Unemployment Compensation Insurance Laws.
- C. IRREGULAR PART-TIME – An employee in this classification works less than 20 hours a week on a continuing basis. They are subject to all personnel rules and regulations set forth in this document and at the discretion of the Town Manager for the safety and welfare of the Town and for the Employee in performing Town business. This classification shall only be assigned at the discretion of the Town Manager. They are not entitled to benefits such as retirement, health insurance, or seniority, and unless outlined in this policy or mandated by the State Worker’s Compensation and Unemployment Compensation Insurance Laws.
- D. TEMPORARY EMPLOYEES – Seasonal/temporary employees work on a non-permanent basis, usually within a limited time frame; seasonal employees work in an industry designated by the State of Maine as a seasonal industry. The employee is terminated at the end of the applicable season. They are not entitled to benefits such as retirement, health insurance, holiday pay, Earned Paid Leave, or seniority, unless mandated by the State Worker’s Compensation and Unemployment Compensation Insurance Laws. They may be terminated for any reason at any time. This classification may be assigned at the discretion of the Town Manager.
- E. OTHER EMPLOYEES – All committee members, board members, volunteers, those working on stipend pay, and those paid from fees collected by the Town of Newcastle are employees as well.

V. ANNOUNCEMENT OF VACANCIES

Recruitment notices shall be prepared setting forth a basic description of the position, minimum qualification requirements or education, skill, and experience preference, application steps to follow, and closing date for submitting application materials. Such notices shall affirm the Town of Newcastle as an Equal Opportunity Employer. Such notice shall first post on bulletin boards in each town work site. Supervisors shall be aware of promotion-ready employees and shall encourage application where appropriate. Notice may be given outside the town office, if necessary, to develop a broad base of applicants. The use of such various media or publicity may be expected to bring notice of vacancies to an adequate number of qualified applicants.

VI. PUBLIC AND EMPLOYEE RELATIONS

- A. Town employees are public servants. Residents and the general public must be treated with courtesy, kindness and consideration. Every employee should remember that they might be the only contact a resident has with their local government. The impression that the employee makes will be long lasting and possibly determine how the resident feels about the local government. Failure of an employee to act with reasonable courtesy may result in disciplinary action or ~~termination~~ dismissal depending on the severity of the incident. Employees are expected to practice a high level of personal hygiene, dress neatly, and conduct themselves in a professional manner.
- B. Employees are prohibited from engaging in any conduct which could reflect unfavorably upon the Town or disrupt the efficient operation of Town Administration. Town employees must avoid any action which might result in, or create the impression of, using public employment for private gain, giving preferential treatment to any person, or allowing complete impartiality in conducting town business.
- C. Cooperation, courtesy, and responsibility shall extend to relations between all employees of the Town and the Public.
- D. The following policies and regulations are provided to assist the employees and Town Administration in functioning at peak efficiency with minimal cost to the taxpayers:
1. Receipt of gifts: A Town employee is prohibited from soliciting or accepting any gifts, gratuity, favor, entertainment, loans or any other item of monetary value from any person, within or outside Town employment, whose interest may be affected by the employee's performance or nonperformance of his or her official duties. Acceptance of nominal gifts, such as food and refreshments in the ordinary course of business meetings or unsolicited advertising or promotion materials such as pens, note pads, calendars, etc. is permitted.
 2. Business Activities and Solicitations: No employee shall engage in any business other than their regular duties during work hours, except for reciprocal notary services.
 3. Confidentiality: Many Town employees have access to confidential information pertaining to persons or property in the town. Employees must not use this privileged information to their private advantage or to provide friends or acquaintances with private advantages. Each employee is charged with the responsibility of releasing only information, which is allowed under Maine's Right to Know Law (1 MRSA §401-410).

VII. WORK WEEK/OVERTIME

- A. **Work Week:** The regular work week for payroll purposes begins on Sunday and ends Saturday at midnight. The Town Manager shall set the hours for the Town employees.
- B. **Overtime and Compensatory Time:** Employees not exempt from the Fair Labor Standards Act shall receive overtime pay in excess of forty (40) hours worked per week. Work means that there were no holidays or vacation time in that week. All overtime shall be paid at the rate of one- and one-half times the employee's normal rate of pay. At the discretion of the Town Manager, overtime may be compensated with Compensatory Time for hours worked beyond forty (40) in a work week at a rate of not less than one and one-half hours for each hour worked for which overtime compensation is required. Such compensatory time shall be granted on a time and a half basis for hours worked beyond forty (40) in one week after any holiday and vacation time. Compensatory time, which may be accrued by any non-exempt employee, shall not exceed a balance greater than 40 hours (i.e., not more than 26.67 of actual overtime hours worked). An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation for any additional overtime hours worked. An employee shall be permitted to use accrued compensatory time within a reasonable period after it is requested if to do so would not unduly disrupt the operations of the department. Compensatory time will not accrue until after 40 hours have been worked. The Town Manager may adjust work schedules to minimize the need to pay overtime as permitted by the Act. All overtime work must be authorized by an appropriate supervisor or by the Town Manager. The Town further reserves the right to assign employees to use accrued compensatory time if the Town deems it in the Town's best interests. Payment for accrued compensatory time upon ~~termination~~ dismissal of employment shall be calculated at the employee's regular rate of pay at the time of ~~termination~~ dismissal or separation.
- C. **Inclement Weather:** Employees will be paid ~~Holiday-regular time pay~~ for workdays when the office is closed due to inclement weather. When a workday is abbreviated due to inclement weather, the employee will be paid for the remainder of their regularly scheduled workday. The Town Manager shall determine when inclement weather warrants closing the office and inform the Select Board and the general public. Upon prior approval by the Town Manager, employees may use Earned Paid Leave if the office remains open in spite of inclement weather.

VIII. EARNED PAID LEAVE

Eligibility:

Full-Time and eligible Regular Part-Time employees are eligible to accrue Earned Paid Leave (EPL) upon employment. EPL is utilized for any short term paid leave including vacations or illnesses. Regular Part-Time employees must earn more than \$1,000 annually to be eligible for EPL.

Accrual:

EPL is accrued based on the number of paid hours up to 40 hours per week (exclusive of overtime or other special payment). EPL is also accrued during leaves of absence with pay but is not accrued during leaves of absence without pay. The EPL accrual rate increases with the employee's length of continuous service.

Full-Time Accrual

Year One – 144 Hours (2.772 hours per week) (.0693 per hour)

Start of Years Two (2) through Ten (10) – 176 Hours (3.384 hours per week) (.0846 per hour)

Start of Years Eleven (11) through Twenty (20) – 225 Hours (4.328 hours per week) (.1082 per hour)

Start of Twenty One (21) years – 272 Hours (5.232 hours per week) (.1308 per hour)

If a separated full-time employee who previously met the eligibility period returns to full-time work within six (6) months, the employee will not have to repeat the two-month eligibility period and prior eligible service will count toward years of continuous service. EPL accrual upon re-hire shall be at the same accrual rate as in effect upon separation from employment. Separations include voluntary resignations and changes to per diem status.

Regular Part-Time Accrual

Eligible employees shall accrue 1 hour of EPL for every 40 hours worked. Such accrual shall be recorded following the submission of each time sheet. Eligible employees, as determined by the Town Manager to be eligible for greater accrual rates of EPL, shall follow the rules of Full-Time employees listed above.

Irregular Part-Time Accrual

Eligible employees shall accrue 1 hour of EPL for every 40 hours worked. Such accrual shall be recorded following the submission of each time sheet. For fire fighters, the amount accrued shall be calculated on the submission of pay at the first payroll warrants in June and December.

Approval:

The use of EPL must be approved by the Town Manager in writing by submitting an email with the request~~written leave request form~~. Every reasonable effort will be made to grant EPL as requested. However, department staffing needs must be given priority. Requests for EPL are to be made to the Town Manager with reasonable notice of two weeks prior to EPL usage, though emergencies, illnesses, and other sudden necessities may prevent ample opportunity for notice.

For Full Time employees, EPL may be advanced up to the amount that would be accrued in that employment year. Any Earned Paid Leave advanced, if not eventually accrued because of [termination-dismissal](#) or separation, shall be refunded either by a reduction in the employee's final paycheck, or, if necessary, in a payment from the terminated or separated employee to the Town.

Maximum Accrual:

A Full-Time employee may accrue up to a maximum of 400 hours of EPL. An eligible Regular Part-Time employee may accrue up to a maximum of 40 hours of EPL. No time shall be accrued beyond the maximum hours allotted respectively.

Managing Your EPL:

Accumulated EPL can provide some insurance against loss of income during an illness or other emergency. Employees are encouraged to retain an adequate amount of EPL to help protect against such a loss. It is each employee's responsibility to manage their EPL properly, ensuring that EPL is available for the unforeseen illness/emergency, and at the same time, avoid exceeding the maximum accrual. During each year of service, the Town of Newcastle encourages employees to take time off from the job for rest and relaxation.

Payment in Lieu of Time Off:

On an annual basis, the Town Manager may approve "EPL cash out." Employees must announce the amount they wish to cash out by June 30th and cash out payments will be issued the first payday in July. No EPL will be accrued on EPL cash out. Full Time employees may cash out a portion of their EPL balance in 40-hour increments but must maintain a minimum of 100 hours of EPL. Eligible Regular Part Time employees may cash out the entirety of their EPL balance.

Departure:

In the event an employee has ended their employment with the Town of Newcastle, the balance of the employee's EPL shall be paid within 14 days of the employee's final day of work.

Usage:

Following two months of eligible employment employees will be eligible to utilize EPL and EPL must be used to cover all leaves of absence, (unless specifically stated otherwise); bringing the employee's paid hours up to their regular scheduled hours. EPL cannot be used as paid time in excess of the employee's regular scheduled work.

EPL may not be utilized during the first two months of eligibility except for emergencies or illness documented by a medical note from the employee's health care provider. Deaths not covered under the Town of Newcastle bereavement policy are eligible for EPL, if EPL is available.

Holidays:

Holiday pay is granted only to Full-Time employees and is based upon the average hours worked on that given workday. Paid holidays include:

New Year's Day	Martin Luther King Jr. Day
Presidents Day	Patriots Day
Memorial Day	Juneteenth
Independence Day	Labor Day
Indigenous People's Day	Veteran's Day
Thanksgiving Day	Day after Thanksgiving
Christmas Eve	Christmas Day

Holidays are scheduled according to the calendar established annually by the Maine Department of Administrative and Financial Services.

IX. LEAVE/LEAVES OF ABSENCE

- A. Bereavement Leave: A Full-Time employee may be excused from work for up to five (5) work days for the death of an immediate family member, as outlined below, and shall be paid their regular rate of pay for the scheduled work hours missed. In the event of the death of an employee's spouse, ~~registered~~ domestic partner, child, or parent, the employee shall, upon request, be granted five (5) additional days of paid bereavement leave. Additional leave may be granted by the employer's supervisor but will be unpaid or will be paid through the utilization of EPL.
- B. For purposes of this article only, immediate family is defined to mean spouse, ~~registered~~ domestic partner, child, parent, sibling, parent-in-law, grandparent, and grandchild.
- C. Leave without pay: An employee may be granted a leave of absence without pay at the discretion of the Town Manager. Employees who are granted a leave of absence may not accumulate EPL time.

However, it is the employee's responsibility to manage their EPL, according to their needs. ~~Employees may not use EPL before it is accrued; therefore, no advance time will be granted.~~ Time off without pay is strongly ~~discouraged, and discouraged and~~ should be an extreme exception. EPL not managed properly that results in one or more instances of time off without pay may result in disciplinary action

From time to time, it may be necessary for an employee to be unexpectedly absent from work. The Town is aware that emergencies, illnesses, or pressing personal business may arise that cannot be scheduled outside an employee's work hours. The Town encourages employees who are sick to stay home and not report to work. If a staff member reports to work and is clearly sick, they may be sent home by the supervisor and the appropriate amount of EPL will be deducted from their EPL balance.

When an employee is not able to work due to illness, the employee must, when possible, inform the Town Manager at least 30 minutes prior to the start time for that day. After three days of failing to call in, the Town may assume the employee has resigned from their position and the Town Manager will begin ~~termination dismissal~~ proceedings.

For any illness extending continuously for ~~three~~ five consecutive work days, the Town may ask the employee to obtain a doctor's certification to confirm the illness and the need for the employee to be out of work, and the anticipated date of the return to work.

Unplanned absences may be considered excessive if they occur frequently or if they show a pattern. An unauthorized absence may lead to disciplinary action and possible [termination dismissal](#) of employment.

D. Family Medical Leave: An employee who has been employed for 12 consecutive months and has worked 1,250 hours during that period is entitled to a total of twelve (12) weeks of family medical leave in any twelve (12) month period. Leave shall be unpaid unless the employee has accumulated vacation or paid time off to apply to the leave request. The employee must give at least thirty (30) days' notice of intended date upon which family medical leave will commence and terminate, unless prevented by medical emergency from giving such notice. The employee is entitled to be restored to the position held by the employee when the leave began or an equivalent position with equivalent pay and benefits.

1. Leave may be consecutive, intermittent, or on reduced hourly schedule if the employee and the Town agree or if medically necessary. This leave may be requested and must be granted for the birth of a child, adoption of a child, placement of a foster child, or for serious illness of the employee, their spouse or domestic partner, child, or parent. Serious illness is defined to include an accident, illness, or condition posing imminent danger of death, transplant, limb amputation, or other similarly severe procedure and/or mental or physical condition requiring constant in home care. The Town shall require medical certification of the need for leave and written approval from the physician before returning to work.

E. Leave for Victims of Domestic Violence: In accordance with Maine Law, the Town will grant employees a reasonable and necessary amount of time off from work without pay if the employee is a victim of domestic violence, domestic assault, sexual assault, or stalking and the employee requires time to:

1. Prepare for or attend court proceedings,
2. Receive medical treatment, or
3. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault, or stalking.

Employees must request the leave as soon as circumstances make it clear that time off is necessary. Approval of leave will be dependent upon (a) whether the absence will create an undue hardship for the Town, (b) whether the employee requested leave within a reasonable

time, and (c) whether the requested leave is impractical, unreasonable or unnecessary given the facts made available to the Town at the time of the request.

If the employee's leave is approved, the employee will be required to first use any accrued EPL before taking unpaid leave. EPL does not accrue during leave and holidays are not paid while on leave. However, employees may be allowed to continue fringe benefits, such as health and dental insurance, at the employee's own expense. Employees will not be discriminated against for taking or asking for leave.

- F. Parental Leave: A regular full-time employee who has completed at least one full year of employment with the Town will be granted an additional four (4) weeks of paid time upon the birth or adoption of their child. This can be used in addition to unpaid Family Medical Leave and short-term disability coverage approved for the same reason. Such time shall also be in addition to the employee's current EPL balance. Parental Leave expires 12 months after the date of birth or placement.

X. HEALTH INSURANCE

- A. Eligibility: Only Full-Time employees are eligible to receive health insurance coverage paid by the town.
- B. Coverage: The Town utilizes the Maine Municipal Employee's Health Trust (MMEHT) to offer insurance coverage to its full-time employees. The MMEHT utilizes its financial reserves to stabilize rates for its members to remain a competitive choice for Maine municipalities. Employees may choose between MMEHT's POS-C or POS 200.
- C. Effective January 01, 2024, The Town of Newcastle will allow any employee who is eligible to enroll in the employer benefits the option of enrolling a domestic partner.*

Any employee who wishes to add a domestic partner will be advised of the requirements set forth in the Domestic Partner Affidavit to add said partner. Furthermore, said employee has been advised there could be tax implications for adding a domestic partner.

The Domestic Partner of an Employee shall be:

- A "life partner of either the same sex or opposite sex of the employee;
- Not legally married or separated, to either the employee or anyone else;
- At least 18 years of age and mentally competent to consent to contract;
- Are each other's Domestic Partners and intend to remain so indefinitely;
- Have been each other's Domestic Partner for at least 12 months prior to the date of the signed Affidavit;
- Are not related by blood to a degree of closeness that would prohibit marriage in the State of Maine;
- Are jointly responsible for each other's common welfare; share financial obligations and share their primary residence.

- D. Cost: The town will pay 85% toward either of the Town sponsored plans above. All employees are responsible for premium costs which exceed the Town's contribution or any additional insurance coverage which is deducted from the employee's pay through the month prior to month covered.
- E. Opt Out: Employees who do not chose to accept the Town's sponsored coverage will receive a stipend in the amount of \$1,000 per year.

XI. INCOME PROTECTION

- A. Eligibility: Only Full-Time employees are eligible to receive short term disability coverage paid by the town. Other town employees are eligible to receive benefits, but the cost of the plan is the employee's responsibility.
- B. Coverage: The Town utilizes the Maine Municipal Employee's Health Trust (MMEHT) to offer insurance coverage to its employees. The MMEHT offers plans which provide income benefits to employees who are unable to work due to non-job-related accidents, injuries, or illnesses.
- C. Cost: The town will pay 100% of the value of MMEHT's income protection plan which covers 55% of the employee's salary. If an employee wishes to have a plan with further coverage, the cost difference will be the employee's responsibility. Employees may utilize any available EPL to further extend their coverage.

XII. RETIREMENT

- A. Eligibility: Only Full-Time employees are eligible to receive retirement contributions paid by the town. Other town employees are eligible to participate in retirement accounts, but the contributions made to that account are employee's responsibility.
- B. Coverage: The Town utilizes Mission Square, formerly known as the International City Managers Association – RC (ICMA-RC) to fund employer contributions to their employees' retirement. Mission Square offers a variety of investment vehicles for employees to utilize to invest their retirement funds. The Town holds no obligation to assist in the decision-making process as to where and how an employee invests their funds within Mission Square.
- C. Cost: The town will fund a 401A account in the amount of 10% of the full-time employee's salary. The employee may choose to fund an additional amount into a 457-plan established in their name as well through a payroll deduction.

XIII. EXPENSES/JURY DUTY

- A. Expenses: Employees who use their own motor vehicle in the performance of their duties shall be reimbursed at the prevailing mileage rate established annually by the Internal Revenue Service. Other travel related expenses (tolls, parking, etc.) shall be reimbursed upon production of a receipt for said expenses, signed by the employee's immediate supervisor. Meals will be reimbursed at a rate not to exceed \$25 per meal, unless prior approval was obtained by the Town Manager.
- B. Jury Duty: The Town Manager must be notified as soon as an employee receives a summons for jury duty. Upon conclusion of jury service, a certificate from the Clerk of Court verifying the dates of service must be obtained. The Town shall pay an employee their normal pay. Remuneration received from the court must be turned over to the town; minus mileage reimbursement. The employee must report to work on days (or partial days) when service is not required by the court or when excused early.
- C. Court Subpoenas: The Town Manager must be notified as soon as an employee receives a summons to testify in court. Upon conclusion of service, a certificate from the Clerk of Court verifying the dates required must be obtained. The Town shall pay an employee their normal pay. The employee must report to work on days (or partial days) when service is not required by the court or when excused early.

XIV. SAFETY

General

The Town considers the health and safety of its employees to be essential to its mission and vital to the efficient operations of the Town. To accomplish this, the Town is committed to providing a safe workplace for its employees and to complying with all state and federal safety regulations.

Safety is a team effort. Accidents, which are generally caused by unsafe acts, unsafe conditions, or a combination of both, can have a direct effect on employees, customers and Town property. We recognize that the success of any accident prevention effort depends on the cooperation and active support of you, your co-workers, managers and supervisors.

The federal Occupational Safety and Health Administration (OSHA) has established mandatory safety guidelines for business and appropriate safety procedures have been instituted throughout the Town. Working safely and complying with such safety procedures is a condition of employment – required by our policies and by law. You are responsible for cooperating in the prevention of injuries to yourself and/or others by observing the following safety rules:

- a. Know your duties and perform them in the safest possible manner, following proper work methods.
- b. Understand and adhere to safety policies and procedures; comply with all Town safety requirements of any safety equipment and/or clothing.
- c. Avoid accidents by being alert to, identifying and correcting unsafe conditions and practices; keep premises free of safety hazards.
- d. The Town has invested in equipment that is designed to enable you to do your work more efficiently and effectively; you are responsible for the proper care and use of this equipment to maintain it in good operating condition.
- e. If you are operating a vehicle – your own or the Town’s – as part of your job duties, you are always expected to observe all traffic regulations and practice safe driving.
- f. Immediately report to your supervisor all identified hazards, unsafe conditions and/or practices, defective or malfunctioning equipment, and any illness, accident or discomfort experienced in the workplace.

Work-Related Accidents and Injuries

Any accident, minor or major, could result in personal suffering and an inability to perform your work well. While every effort is made to ensure that your working environment is as safe as possible, your alertness, cooperation and awareness of accident hazards are key. If you become aware of a hazard, it is your duty to let your supervisor know as soon as possible. Please exercise personal caution and good judgment in all your work. Your well-being and that of fellow employees and customers is everyone's responsibility.

A work-related accident or injury is one that occurs during the hours that you are at work and is directly caused by activities that you perform as part of your job. If you are injured while performing work-related duties, or experience a work-related illness, *you must report it to your supervisor immediately*, even if the injury is a seemingly minor one. Failure to promptly report an injury could affect your ability to obtain workers' compensation benefits later.

If medical attention is required, you will be sent to the Town's occupational health provider and will be asked to provide information regarding the circumstances of your injury or illness, including its nature and severity. When you must lose time from work as a result of your injury, you are expected to keep your supervisor informed, on a regular basis, of your recovery status and return-to-work plans. The Town will make every reasonable effort to accommodate your return to work as quickly as possible.

Fire and Emergency Procedures

While our facilities are maintained and as secure as possible against fire hazards, there may be occasions when a fire or other emergency will require prompt action, including evacuation of the building. Please speak with your supervisor about emergency procedures for your work area.

Security

The Town has instituted measures to safeguard your personal security, as well as Town facilities, products, and equipment. You are expected to follow all Town and department security procedures. Please speak with your supervisor regarding security procedures for your work area.

Use of Vehicles

Personal Vehicle: If you are required to use your personal vehicle for approved business purposes, you will receive a vehicle allowance equal to the current Town mileage reimbursement rate which matches the federal mileage reimbursement rate. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance and is reimbursed to you upon submission of

the proper documentation. The mileage reimbursement is paid only for miles driven on Town business. In addition, you may claim reimbursement for parking fees and tolls actually incurred while on Town business. Your supervisor must approve all reimbursement claims before they are submitted to the Town Treasurer.

In order to use your own vehicle for approved business purposes, you must have a valid unrestricted license from the state in which you operate and a current vehicle inspection sticker. You must also provide proof of insurance; minimum required limits are \$100,000/\$300,000 bodily injury and \$20,000 property damage.

Town-Owned Vehicles: You may have a Town vehicle assigned to you for regular, temporary, or occasional use. If you are assigned a Town vehicle, you are completely responsible for its care, safe operation, and appropriate use. You are expected to obey all federal, state, and local traffic laws and Town policies, and to always demonstrate safe and courteous driving habits. The following rules pertain to the use of Town-owned vehicles:

- a. Vehicles assigned for use during normal working hours only are to be garaged at Town designated facilities overnight. Vehicles assigned to you for your continuing use may, with supervisory permission, be stored at locations other than Town facilities. Managers are responsible for the custody of vehicles assigned to their departments.
- b. Non-employees are permitted to ride in Town vehicles for business-related reasons or in emergency situations but are not permitted to drive Town vehicles. At no time may a Town vehicle be used by anyone other than you or loaned to anyone, including your family members.
- c. Except as expressly authorized by management, Town vehicles – including cars, trucks and plows – are not to be borrowed, used for personal use, or used to transport non-employees in situations unrelated to Town business.
- d. If personal use of a Town vehicle is authorized, accurate records must be maintained regarding business-use mileage and personal-use mileage for tax reporting purposes. Personal use of a Town vehicle may be treated as a taxable benefit to you under IRS guidelines.
- e. You are always expected to use good judgment and common sense when using Town vehicles. This includes using fuel conservation techniques (i.e., shutting off engines when vehicles are left unattended), observing speed limits, and using hands free cell phone devices in a safe manner (e.g., be aware of traffic around you and don't use

phones in heavy traffic; the best course of action is to pull out of traffic while using). It is always required that seat belts be used in all Town-owned vehicles, whether you are a driver or passenger.

- f. You are responsible for paying any fines associated with parking, speeding, or other traffic violation tickets that are issued while the vehicle is assigned to you. Because your driving record and accident history have a direct impact on insurance coverage costs paid by the Town, repeated traffic violations or motor vehicle accidents will result in loss of vehicle privileges and may be cause for disciplinary action. The Town may conduct driver license and/or driving record checks annually or if need arises.

XV. POLITICAL ACTIVITY

While performing their normal work duties, employees shall not seek or accept nomination or election to any office in the Town government and shall not use their influence publicly in any way for or against any candidate for elective office or any current cause within the town government. This rule is not to be construed to prevent employees from becoming or continuing to be members of any political organization, from attending political meetings, from expressing their views on political matters outside of work, or from voting with complete freedom in any election.

Failure to abide by this rule shall result in disciplinary action.

XVI. HARASSMENT

Policy:

It is the policy of the Town that all our employees should be able to work in an environment free from all forms of harassment. Harassment, as defined by this policy, is prohibited. This policy refers not only to supervisor-subordinate actions, but also to actions between co-workers. Any complaints of harassment will be investigated promptly. There will be no intimidation, discrimination or retaliation against any employee who makes a report of harassment.

Sexual Harassment:

It is illegal for any employee to sexually harass another employee and for any supervisory employee to permit any act of sexual harassment in the workplace by anyone.

DEFINITION OF SEXUAL HARASSMENT UNDER STATE LAW

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

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

DESCRIPTION OF SEXUAL HARASSMENT

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

- a. Physical assaults of a sexual nature such as:
 - (1) Rape, sexual battery, molestation, or attempts to commit these assaults; and

- (2) Intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or prodding another employee's body.
- b. Unwanted sexual advances, propositions or other sexual comments, such as:
 - (1) Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way that such conduct in their presence is unwelcome.
 - (2) Preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward; and
 - (3) Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of that employee's job more difficult because of that employee's sex.
 - c. Sexual or discriminatory displays or publications anywhere on municipal grounds by employees, such as:
 - (1) Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic, or bringing into the work environment or possessing any such material to read, display or view at work.
 - (2) Reading or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic; and
 - (3) Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semi-private lockers/changing rooms).

Other Types of Harassment:

Derogatory or vulgar comments regarding a person's sex, religion, age, ethnic origins, physical appearance, or the distribution of written or graphic material having such an effect, are prohibited.

Reporting of Harassment:

Any employee who believes they have been the subject of such harassment should report the alleged conduct to a supervisor or the Town Manager. Any supervisor or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, up to and including discharge.

Training:

All employees must ~~participate inattend~~ a Harassment/Sexual Harassment training course ~~by an authorized instructor.~~

XVII. DRUGS, ALCOHOL & SMOKING TOBACCO

~~A. Smoking of electronic cigarettes, vape pens, cigarettes, cigars, pipes, or other objects giving off smoke and including the use of smokeless tobacco products in or on any Town-owned building, vehicles, or other structure or property under the control of the Town, is prohibited. Smoking outside will be in designated areas only, a minimum of 20' from doors, windows, vents, or openings to the building, per M.R.S.A. Title 22 § 1541-1545.~~

Tobacco. No use of tobacco products, including cigarettes, smokeless tobacco, and electronic cigarettes, is permitted within the facilities or on any Town-owned property at any time. "Property" means the organization's facilities "curb to curb," including offices, grounds, adjacent sidewalks, parking lots, companytown owned vehicles, and employee vehicles parked on owned and leased property.

B. Drugs and alcohol. Alcohol. It is the policy of the Town of Newcastle to prohibit the use of or for any employee to be under the influence of any illicit drugs or alcohol while performing any work associated with any Town government function of any sort. Use of illicit drugs or alcohol during the course of one's duties, or the impaired performance of one's duties by reason of having engaged in the use of illicit drugs or alcohol prior to commencing work shall result in disciplinary action. The Town of Newcastle retains the right and responsibility to expect each employee to report for work and to perform their duties in a manner which does not jeopardize the health and safety of co-workers and the public. Work performance impaired by alcohol or drugs, both legal and illegal, poses a threat to the well-being of employees and the public. Further, the State recognizes that an employee's consumption of drugs and alcohol, both on and off the job, can have a detrimental impact in the workplace. Therefore, it is the Town's policy to maintain an alcohol and drug-free work environment.

In order to protect the health and safety of all Town employees and the general public, the policy follows:

Whenever employees are working, operating any Town vehicle, operating a personal vehicle on Town business, present on Town premises, representing the Town, or conducting Town-related work offsite, they are prohibited from:

- a) using, possessing, buying, selling, manufacturing, or dispensing drugs or alcohol;
- b) being under the influence of alcohol or any drug as defined in this policy.

Drug: any substance that adversely affects an employee's ability to safely and effectively perform their job duties.

Any employee who is under the influence of alcohol or drugs (as defined in this policy), or who possesses or consumes alcohol or drugs on the job or in the workplace has the potential for

disrupting their own, as well as their co-workers', safe and efficient performance of duties. Such employees shall be subject to disciplinary action up to and including dismissal of employment.

Any illegal substance found in the workplace will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Any employee who is convicted of a criminal drug statute violation occurring on the job or in the workplace shall be terminated.

XVIII. RESIGNATION

To remain in good standing upon departure with the Town of Newcastle, all employees resigning from Town employment will give a written two-week notice.

XIX. DISCIPLINARY ACTION

Introduction:

Whenever, in the supervisor's judgment, an employee's performance, attitude, work habits, or personal conduct at any time falls below an acceptable level, the supervisor will inform the employee promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action. In some instances, a specific incident in and of itself may justify severe disciplinary action, up to and including immediate discharge. ~~the~~ The action to be taken depends on the seriousness of the incident and of the employee's past performance and conduct. Supervisors/department heads shall report any disciplinary action taken to the Town Manager within 48 hours of the incident which prompted the disciplinary action. This time limit excludes Saturdays, Sundays and holidays.

Appeal:

An employee who feels that they haves been treated unfairly shall have access to the grievance procedure as outlined in these rules and regulations.

Alcohol and Drug Abuse:

- a. Policy: It is the policy of the Town to recognize alcohol and drug abuse as a treatable disease. However, it is not the intent of the Town to accept below standard performance nor to restrict supervisors in dealing with performance problems.
- b. Whenever appropriate, the Town shall refer employees to appropriate agencies and organizations to seek treatment. However, the possession, sale, or use of ~~illegal~~ drugs (as defined in XVII. Drugs, Alcohol, and Tobacco) on the employer's premises is strictly prohibited and is grounds for immediate dismissal. The use of alcohol on premises is also prohibited, and is grounds for dismissal, except at Town sanctioned events (i.e., receptions, etc.)

Unacceptable Conduct:

Disciplinary action, up to and including immediate dismissal, may result from performance, attitude, work habits, or personal conduct that falls below an acceptable level. Unacceptable conduct includes, but is not limited to, the following:

- a. Insubordination: refusal to comply with the proper order of an authorized supervisor.
- b. Theft or destruction: stealing, misappropriation of Town funds; or carelessly or willfully causing destruction of Town property.

- c. Intoxication or Disgraceful Conduct: conduct under the influence of intoxicants ([see also section b of XVII. Drugs, Alcohol, and Tobacco](#)) while on duty whenever behavior threatens order, safety, health, or public respect for the Town service and when such conduct is solely the fault of the employee.
- d. Discourtesy: discourtesy to the public, supervisors, or co-workers while on the job.
- e. Poor Attendance: habitual tardiness, excessive absence, abuse of sick leave, or absence without authorized leave.
- f. Acceptance of monetary fees: acceptance of money or other valuable consideration given with the intent of influencing the employee in the performance of their official duties.
- g. Improper use of authority: use of official position or authority for personal profit or advantage.
- h. Falsification of Records: including, but not limited to falsification of application papers.
- i. Poor Job Performance: evidence of continued unsound judgment in performing official duties or failure to comply with the adopted policies and procedures of the Town.
- j. Sale of Goods or Services to the Town: Any attempt to sell materials, goods, services, etc., to the Town in which a Town employee may receive financial gain or remuneration.
- k. Criminal Activity: conviction for any criminal activity may be cause for [the dismissal termination](#) of employment.

Reprimands, Suspensions, Discharge:

Disciplinary action may include, but is not limited to, some or all of the following. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating any disciplinary action. In general, three warnings will be given before suspension or [dismissal termination](#). In some instances, however, a specific incident in and of itself may justify severe disciplinary action, up to and including immediate discharge. The action to be taken depends on the seriousness of the incident and of the employee's past performance and conduct.

- a. Oral Reprimand is defined as a verbal notice to an employee that their behavior or performance must be improved or corrected. An oral reprimand may be given by the immediate supervisor and should define the improvement or corrective action required. The supervisor should inform the employee that failure to comply with the oral warning

will result in more serious action. Supervisors shall record the date and the subject of the oral reprimand, and this record shall be placed in the employee's personnel file.

- b. Written Reprimand is defined as a written notice to an employee that their performance or behavior must be improved or corrected. Such notice may be given by an immediate supervisor and shall contain a statement of the cause for the action, improvement or corrective action required of the employee, time frames for such action, and possible results of the employee's failure to comply. Written reprimands shall be placed in the employee's personnel file. An employee receiving a written reprimand may respond to the action and a copy of the response shall be attached to the reprimand.
- c. Suspension is defined as the temporary removal of an employee from duty without pay. An employee on suspension will not receive holiday pay nor accumulate sick time and personal time. Suspension should be used when all other means have been tried without success and it is believed that suspension will bring about the required improvement in the employee's behavior or performance, or when the cause is sufficiently serious to warrant such action. The decision to suspend an employee shall be the responsibility of the Town Manager.
- d. Discharge is defined as the removal of an employee from Town service. Discharge will be used when all other means of improving the employee's behavior have failed, or when the nature of the misconduct warrants this action. The decision to discharge an employee shall be the responsibility of the Town Manager.

XX. GRIEVANCE PROCEDURE

Policy: A grievance is a dispute between any employee and the Town concerning the interpretation or application of the terms of employment. Excluded from consideration as a grievance are those matters pertaining to management's judgments of qualifications and/or performance relating to hiring or promotion of personnel, and compensation adjustments, except that regular employees may appeal performance evaluations.

Procedures: All Personnel

1. Any employee who perceives a grievance as defined, shall, within ten (10) working days submit a written statement / email setting forth the specific nature and details of the grievance to their supervisor, who shall attempt to resolve the matter within five (5) working days thereafter. Proceed to Step 2 if neither a nor b below apply:
 - a. If the employee does not have a supervisor or if the grievance involves the conduct of the employee's supervisor, the grievance shall be submitted directly to the Town Manager (proceed to Step 3).
 - b. If the grievance involves the conduct of the Town Manager, the grievance shall be submitted directly to the Select Board Chair via email (proceed to Step 5).
2. In the event the matter is not thereby resolved, the employee may within five (5) working days following the supervisor's decision, or failure to act, bring the grievance in writing to the attention of the Town Manager.
3. The Town Manager shall schedule a date to hear the grievance of the employee which shall be not less than five (5) nor more than ten (10) working days from receipt of the written statement. The Town Manager shall have five (5) working days thereafter in which to consider the matter and render a decision in writing.
4. The employee may appeal the decision of the Town Manager to the Select Board within five (5) working days by submitting an email request to the Chair of the Select Board and the Town Manager.
5. In the event that the Select Board does not make a decision within thirty (30) days from the date of correspondence with the Chair of the Select Board (as outlined in Step 1a or step 4 above), the unresolved issue shall be submitted to Arbitration, as provided by the Municipal Public Employees Labor Relations Law. Expenses of Grievance Procedures and Arbitration, if any, shall be divided equally between the Town and the employee. Each party shall be responsible for their own legal fees.

XXI. SELECT BOARD

The Select Board shall deal with administrative services solely through the Town Manager and will not give orders to any subordinate of the Town Manager either publicly or privately.

This does not prevent Select Board members from appointing committees or commissions of its own members or of citizens to conduct investigations into the conduct of any official or department, or any matter relating to the welfare of the Town.

XXII. CONFLICT OF INTEREST

Section 1. Statement of Policy

It is the Policy of the Town of Newcastle that the proper operation of democratic government requires that public officials be independent, impartial, and responsible to the citizens, that public office not be used for personal gain, and that the public have confidence in the integrity of its municipal government.

The purpose and intent of this article is to promote the objective of protecting the integrity of the government of the Town of Newcastle against actual or reasonably perceived conflicts of interest, either financial or because of a personal relationship, without creating unnecessary barriers to Public Service.

Section 2. Definitions

A. Personal Relationship

The term “personal relationship” means any family, affectional, or social relationship that is characterized by one or more of the following:

1. Persons who are spouses, or parent and child
2. Persons who share a physical intimacy with each other
3. Persons who acknowledge an ongoing romantic relationship with each other
4. Persons who live together in the same residence
5. Persons who intermingle their financial assets without an accounting of separate ownership interests
6. Financial involvement

B. Financial Involvement

The term financial involvement means any existing (or current efforts toward achieving) ownership or investment interest, contract right, significant customer relationship, or employment relationship, of or with a public official or a person with whom the public official has a personal relationship.

Section 3. Standard of Conduct

A public official shall refrain from participation as an official in a matter when there is an actual, potential, or reasonably perceived conflict of interest arising from a personal relationship or

financial involvement that would cause a reasonable person to believe that the public official cannot act in their official capacity without self-interest.

Section 4. Applicability of Conflict of Interest Guidelines

When a Select person, Board member, Town Manager, or other Town official or employee has a doubt as to the applicability of a provision of this guideline to a particular situation, they should apply to the Select Board for an advisory opinion and be guided by that opinion.

The Select Board, Board member, Town Manager, or other official or employee shall have the opportunity to present their interpretation of the facts at issue and of the applicable provision(s) of the guideline before such advisory decision is made.

Section 5. Select Board

No member of the Select Board, or a firm in which they exercise control during their term of office, shall be allowed to contract with the town to supply any goods or services unless they are procured by a competitive process in which the select person with a conflict of interest has not participated as an official.

It shall be the responsibility of the Select Board to assure the public that a select person having a direct or indirect relationship that could be construed as a conflict of interest has recused themselves from all participation concerning the service to be rendered.

The action shall be recorded in the minutes of the Select Board.

Should any member of the Select Board seek the opportunity to acquire contractual work for the Town, they shall give notice of such interest to the remaining Select Board. This notice shall be placed on the agenda of a regular meeting of the Select Board before bids are advertised for the contractual service. The remaining Select Board shall determine the appropriateness of the proposed participation by a member of the Select Board. The action shall be recorded in the official minutes of the meeting.

Section 6. Other Officials and Employees

Any official or employee of the Town, other than members of the Select Board, who has a personal relationship with anyone in any contractual relationship with the Town or who has a financial interest, directly or indirectly, in any contractual relationship with the Town, or in the sale to the Town of any land, material, supplies, or services, or who is contractor supplying the

Town with any services or materials shall make known their specific interests to the Select Board in writing before proceeding to deliver the services.

Further, the town official or employee shall refrain from voting upon or otherwise participating in any decisions regarding the sale of any contractual services to the Town.

An official or employee of the Town shall be deemed to have direct or indirect financial interest under this section when that person has any financial interest in any business retained by the Town to perform a service, or has a personal relationship with an officer, director, partner, associate, employee, or stockholder for a private corporation business, or other economic entity to which this section relates.

Section 7. Outside Employment

Full-time employment with the Town is considered an individual's primary employment. An employee may not engage in additional employment which in any manner interferes with the proper and effective performance of the duties of their position or results in a conflict of interest. Notification of all outside employment shall be provided to the Town Manager.

Section 8. Use of Town Property

Town-owned vehicles, materials, facilities, or equipment, including shops and tools, shall not be used by town employees or their families for any personal or private use without the express consent of the Town Manager. All facilities and equipment are provided by the public and should be used only for public uses.

Section 9. Gifts and Favors

No Board member or other official or employee shall accept any valuable gifts that total more than \$200.00 per fiscal year, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which, to their knowledge is interested directly or indirectly in any manner whatsoever in business dealing with the Town. Nor shall any such official or employee accept any single gift greater than \$100.00 or any other favor or thing of value that may tend to influence them in the discharge of their duties. Police officers are governed by the law enforcement code of ethics and may not accept any gifts at all.

Section 10. Employment of Family Members

The spouses and children of the Town Manager or a member of the Select Board may not be employed by the Town, with the exception of employment by the School Department. The spouse or child of any Department Head may not be gainfully employed in their department.

Section 11. Representing Private Interests Before Town Agencies or Courts

No Board member or other official or employee whose salary is paid in whole or in part by the Town shall appear in behalf of private interests before any agency of the Town. They shall not represent private interests in any action or proceeding against the interests of the Town in any litigation to which the Town is a party.

A Board member may appear before Town agencies on behalf of constituents in the course of their duties as representative of the electorate or in the performance of public or civil obligations. However, no Board member or other official or employee shall accept a retainer or compensation that is contingent upon a specific action by a Town agency.

Nothing in this guideline shall deny any Board member or other official or employee from appearing before any agency of the Town on their own behalf, provided the records of the proceedings clearly state the fact that they are appearing on their own behalf, and provided further that the nature of their interest is clearly set forth in the records.

Section 12. Disclosure of Interest in Legislation

A Board member who has a financial or other private interest in any legislation shall disclose on the records of the Select Board or other appropriate authority the nature and extent of such interest.

Any other official or employee who has a financial or other private interest, and who participates in discussion with or gives an official opinion to the Board, shall disclose on the records of the Select Board or other appropriate authority the nature and extent of such interest.

Section 13. Violations

Any select person, town official or employee who conceals such financial or personal interest or otherwise violates the requirements of this policy, either intentionally or otherwise, may be subject to recall or removal from office.

XXIII. EMAIL/INTERNET/CELL PHONES

1. “Electronic email, Internet, and telecommunication access are resources made available to Town employees to communicate with each other, other governmental entities, companies, and individuals for the benefit of the Town”.
2. “The system is Town property and intended for Town business. The system is not to be used for employee gain or to support or to advocate for non-Town related business or purposes.”
3. Acceptable and Unacceptable Activities
 - a. The use of Town email and internet will not be used to harass another person, business, or entity of any kind, any illegal activity, personal gain, or to download personal materials. This may or may not be an exhaustive list of unacceptable practices.
 - b. All employees with email or internet access shall not intentionally seek information and will not use Town resources to obtain anything of a personal nature. Employees need to respect the legal protection of programs and data protected by copyright and license. State and federal law prohibits unauthorized use of disclosure of data. As property of the Town the computer systems within it should be protected from harm at all times. Unauthorized downloads or the altering of existing systems including hardware and/or software is prohibited without written authorization. This is by no means a comprehensive list of accepted or unaccepted uses and if a user has a question they should ask. The occasional personal use of email to communicate with a friend in a brief non-offensive manner will be permitted. Also, the occasional order placed over the internet on the employee’s personal credit card is allowed. The Town understands not everyone has a system at home and seeks to be fair and accommodating to its employees.
 - c. The Town has the right and may from time to time monitor sites visited and other computer activity by individual or all users of the system.
 - d. Personal cell phone use must be limited during office hours.
4. Any violation of this section could result in disciplinary action and some violations will result in disciplinary action up to and including dismissal.

XXIV. DISABILITY ACCOMODATION

The Town is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment of qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classification, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all employees on an equal basis.

The Town will not discriminate against any qualified employees or applicants because they are related to or associated with a person with a disability. The Town adheres to any state or local law that provides individuals with disabilities greater protection than the ADA. Furthermore, the Town is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

TOWN OF NEWCASTLE
WARRANT FOR SPECIAL TOWN MEETING

Monday, December 11, 2023

To R. Benjamin Frey, a resident for the Town of Newcastle, in the County of Lincoln, State of Maine,

GREETING:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Newcastle in said County and State, qualified by law to vote in town affairs, to meet at the Fire Station building at 86 River Rd on Monday, the 11th day of December, A.D. 2023 at 7:00 pm, then and there to act upon Article 1 by written ballot and Articles 2-4 to be voted on in an open Town Meeting.

ARTICLE 1: To elect a moderator by written ballot to preside at said meeting.

ARTICLE 2: Shall the town repeal the Purchase and Bid Ordinance? The ordinance will be replaced by a Purchasing and Bid Policy.

A copy of the Select Board supported policy is attached.

ARTICLE 3: Shall the town amend the Core Zoning Code Ordinance in the following section?

- Article 2, District Standards, Section 2. Lots, C. General, 1. a and b

The proposed changes are attached to this warrant.

ARTICLE 4: Shall the town amend the Core Zoning Code Ordinance in the following sections?

- Article 7 Administration, Section 11 Large Project Plan, B. Applicability, 1. And 4.
- Article 7 Administration, Section 12. Subdivision, 1 and 2

The proposed changes are attached to this warrant.

Given under our hands at Newcastle, Maine this 27th day of November 2023.

Karen Paz, Chair

Joel Lind

Tor Glendinning

Thomas Kostenbader

Rufus Percy

A true and attested copy by:

Michelle Cameron, Interim Town Clerk



Town of Newcastle Purchasing and Bid Policy

Purpose: The Purchasing and Bid Policy has been established to:

- spell out the responsibilities and authority of purchasing
- promote consistent and fair relations with vendors
- allow for level competition to set prices
- control spending with budget limits
- set a professional standard of organizational behavior
- create an organized system of checks and balances
- enhance public trust

Definitions:

Professional Services - nonphysical products or services that individuals or companies provide to help manage or improve a specific area of local government businesses.

Spending Authority: The Town Manager is designated by MRSA Title 30-A §2636(7) as the Purchasing Agent for the Town. Accordingly, the Manager and staff are authorized to spend within budget appropriations. Purchases within the dollar ranges specified below must meet the requirements listed.

\$0 - \$5,000. Formal competitive bidding is not required. However, the purchaser should endeavor to get the best value for the money spent. The Town Manager or their designee can approve the purchase.

\$5,000 - \$15,000. Verbal quotations shall be solicited from a minimum of three qualified bidders, if available. The quotes must be documented and attached to the warrant documentation. Signature by the Town Manager is required.

\$15,000 - \$50,000. Written proposals or bids shall be solicited from a minimum of three qualified bidders, if available and attached to the warrant documentation. Signature by the Town Manager is required.

Over \$50,000. Written bid specifications or equivalent shall be approved by the Town Manager. The bid shall be advertised by the most efficient means possible, in order to encourage the widest possible competition. Sealed bids shall be specified and opened at a public meeting. The Town Manager may award the bid to the lowest bidder and authorize or sign the contract.

Annual Maintenance Contracts over \$50,000 – The Town Manager shall coordinate with the Select Board to develop a process to select a contractor and authorize the signing of a contract that is in the best interest of the Town.

Total Cost Bidding: If the Town Manager feels that it is in the best interest of the Town not to award the bid to the low bidder, the manager may refer the award of the bid to the Select Board. The Select Board shall award the bid to the best bidder; not necessarily the lowest bidder; keeping in mind the total cost over the life of the project or equipment, the quality of material, availability of service, contributions by the bidder to the local tax or employment base and other significant factors.

Competitive Purchasing: Competitive bidding requirements may be delegated by the Town Manager to area-wide, County-wide, or State-wide purchasing cooperatives.

Exemptions from Competitive Bidding:

1. Contracts for professional services.
2. Hourly rate contracts, which cannot be effectively estimated.
3. Situations in which it is determined by the Town Manager that only one firm can effectively provide the required service or materials.
4. Emergency repair or replacement where it is determined by the Town Manager that the repair or replacement cannot be delayed sufficiently to conform to the policy.

- 5. The letting of contracts or purchases of additional quantities, where the Town has recently awarded bids as normally required, and the successful bidder is willing to honor the original price.
- 6. Purchases from vendors which have been vetted by a professional association. Such documentation must be attached to invoices for payment.

For exemption items 1-6, the Town Manager will notify the Select Board when an exemption is utilized above the \$15,000 threshold. In the notification, it shall include the reason and the methodology used to assure the best possible price.

Enactment: This policy will be implemented upon a majority vote of the Select Board and repeal of the Purchasing and Bid Ordinance by Special Town Meeting. Any future change or amendment to the policy will also require a majority vote by the Select Board.

Date of Adoption: 08-28-2023 (pending Repeal of Purchasing and Bidding Ordinance)

Karen Paz _____
Chair

Joel Lind _____
Vice Chair

Tor Glendinning _____

Thomas Kostenbader _____

Rufus Percy _____

Legislative History
 XX-XX-XXXX Repeal of the Purchasing and Bidding Ordinance
 08-28-2023 Adoption (implementation contingent on Repeal of Ordinance)

Original:

CORE ZONING CODE

ARTICLE 2, DISTRICT STANDARDS

2. LOTS

A. PURPOSE

- 1. To provide a clear and flexible system for creating lots that reflect the character of a neighborhood.

B. APPLICABILITY

- 1. Applies to all projects that create new lots with actual or virtual lot lines.

C. GENERAL

- 1. All newly created lots must have a lot line abutting a Public Road or Private Road per the Newcastle Driveway, Road, and Entrance Ordinance.
 - a. Newly created lots shall retain the District designation of the original lot.
 - b. New insular lots are prohibited, unless created with a deeded 50 ft wide right-of-way to a Public or Private Road.
 - i. Newly created insular lots wholly held in a nonpublic conservation easement may reduce the right-of-way width access standard to 10 ft for non-vehicular access. Subsequent removal of the lot from the conservation easement shall create a legal non-conformity.
 - c. New flag lots are prohibited.
- 2. Land may be platted to create new corner lots, insular lots, through lots, or waterfront lots.
- 3. Any lot type that has not been described by this Code may not be developed except by special permit.
- 4. Lots must be platted as follows:
 - a. The front lot line must be located along the primary road, or water body.
 - b. For newly created corner lots or through lots that abut two roads, the primary frontage shall be along the Public or Private Road of greatest significance.

Edits:

**CORE ZONING CODE
ARTICLE 2, DISTRICT STANDARDS**

2. LOTS

A. PURPOSE

1. To provide a clear and flexible system for creating lots that reflect the character of a neighborhood.

B. APPLICABILITY

1. Applies to all projects that create new lots with actual or virtual lot lines.

C. GENERAL

1. All newly created lots must ~~have a lot line~~ abutting a Public Road or Private Road which conforms with ~~per~~ the Newcastle Driveway, Road, and Entrance Ordinance.
 - a. Newly created lots shall retain the District designation of the original lot.
 - b. New insular lots are prohibited, unless created with a minimum deeded ~~2450~~ ft wide right-of-way to a Public or Private Road.
 - i. Newly created insular lots wholly held in a nonpublic conservation easement may reduce the right-of-way width access standard to 10 ft for non-vehicular access. Subsequent removal of the lot from the conservation easement shall create a legal non-conformity.
 - c. New flag lots are prohibited.
2. Land may be platted to create new corner lots, insular lots, through lots, or waterfront lots.
3. Any lot type that has not been described by this Code may not be developed except by special permit.
4. Lots must be platted as follows:
 - a. The front lot line must be located along the primary road, or water body.
 - b. For newly created corner lots or through lots that abut two roads, the primary frontage shall be along the Public or Private Road of greatest significance.

Proposed:
CORE ZONING CODE
ARTICLE 2, DISTRICT STANDARDS

2. LOTS

A. PURPOSE

1. To provide a clear and flexible system for creating lots that reflect the character of a neighborhood.

B. APPLICABILITY

1. Applies to all projects that create new lots with actual or virtual lot lines.

C. GENERAL

1. All newly created lots must abut a Public Road or Private Road which conforms with the Newcastle Driveway, Road, and Entrance Ordinance.
 - a. Newly created lots shall retain the District designation of the original lot.
 - b. New insular lots are prohibited, unless created with a minimum deeded 24 ft wide right-of-way to a Public or Private Road.
 - i. Newly created insular lots wholly held in a nonpublic conservation easement may reduce the right-of-way width access standard to 10 ft for non-vehicular access. Subsequent removal of the lot from the conservation easement shall create a legal non-conformity.
 - c. New flag lots are prohibited.
2. Land may be platted to create new corner lots, insular lots, through lots, or waterfront lots.
3. Any lot type that has not been described by this Code may not be developed except by special permit.
4. Lots must be platted as follows:
 - a. The front lot line must be located along the primary road, or water body.
 - b. For newly created corner lots or through lots that abut two roads, the primary frontage shall be along the Public or Private Road of greatest significance.

Original:

**CORE ZONING CODE
ARTICLE 7, ADMINISTRATION**

11. LARGE PROJECT PLAN

A. PURPOSE

1. To provide for the review of projects including the development of individual buildings, modifications to buildings, changes or alterations made to a site, or other projects that may have the potential to create significant offsite impacts, according to the applicability standards below.
2. The Large Project Plan approval process provides an applicant with the opportunity to submit architectural, site, landscaping, or engineering plans so that compliance to the standards of this Code can be determined.

B. APPLICABILITY

1. Projects that create significant on- or off-site impact.
 - a. On-site significant impacts may include but are not limited to excavation, grading, or blasting; noise, glare, or smell; and,
 - b. Off-site significant impacts may include but are not limited to existing utilities, stormwater infrastructure or alterations within the road right-of-way.
2. All new buildings and accessory buildings over 10,000 sf in gross floor area.
3. Building renovations over 10,000 sf in gross floor area.
4. Site improvements creating more than 50 parking spaces.
5. Changes to a nonconforming lot, use, structure, site improvement, if the subject property is over 10 acres in lot area.
6. Building groups that do not trigger subdivision.

12. SUBDIVISION

A. PURPOSE

- 1. To allow for the orderly development of a parcel of land into new dwelling units and lots, and roads that provide access to them.
- 2. To comply with MRSA, Title30-A, Chapter187, Section 4401 et.seq.

B. APPLICABILITY

- 1. The division of a parcel of land into 3 or more lots within any 5 year period that begins on or after September 23, 1971.
- 2. The division of structures into 3 or more dwelling units.
- 3. The construction or placement of 3 or more dwelling units.
- 4. The division of an existing structure used for commercial or industrial use into 3 or more dwelling units.
- 5. Construction of roads.
- 6. Installation of utility services.

Edits:

**CORE ZONING CODE
ARTICLE 7, ADMINISTRATION**

11. LARGE PROJECT PLAN

A. PURPOSE

1. To provide for the review of projects including the development of individual buildings, modifications to buildings, changes or alterations made to a site, or other projects that may have the potential to create significant offsite impacts, according to the applicability standards below.
2. The Large Project Plan approval process provides an applicant with the opportunity to submit architectural, site, landscaping, or engineering plans so that compliance to the standards of this Code can be determined.

B. APPLICABILITY

1. Projects that can reasonably be expected to create significant on- or off-site impact.
 - a. On-site significant impacts may include but are not limited to excavation, grading, or blasting; noise, glare, or smell; and,
 - b. Off-site significant impacts may include but are not limited to existing utilities, stormwater infrastructure or alterations within the road right-of-way.
2. All new buildings and accessory buildings over 10,000 sf in gross floor area.
3. Building renovations over 10,000 sf in gross floor area.
4. The creation of 18 or more dwelling units.
5. Site improvements creating more than ~~50~~20 parking spaces.
6. Changes to a nonconforming lot, use, structure, site improvement, if the subject property is over 10 acres in lot area.
7. Building groups that do not trigger subdivision.

12. SUBDIVISION

A. PURPOSE

1. To allow for the orderly development of a parcel of land into new dwelling units and lots, and roads that provide access to them.
2. To comply with MRSA, Title30-A, Chapter187, Section 4401 et.seq.

B. APPLICABILITY

1. The division of a parcel of land into 3 or more lots within any 5 year period that begins on or after September 23, 1971.
~~The division of structures into 3 or more dwelling units.~~
~~The construction or placement of 3 or more dwelling units.~~
~~The division of an existing structure used for commercial or industrial use into 3 or more dwelling units.~~
2. The division of a parcel of land, through the use of virtual lot lines, into 3 or more virtual lots.
3. Construction of roads.
4. Installation of utility services.

Proposed:

CORE ZONING CODE

ARTICLE 7, ADMINISTRATION

11. LARGE PROJECT PLAN

A. PURPOSE

1. To provide for the review of projects including the development of individual buildings, modifications to buildings, changes or alterations made to a site, or other projects that may have the potential to create significant offsite impacts, according to the applicability standards below.
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1. Projects that can reasonably be expected to create significant on- or off-site impact.
 - a. On-site significant impacts may include but are not limited to excavation, grading, or blasting; noise, glare, or smell; and,
 - b. Off-site significant impacts may include but are not limited to existing utilities, stormwater infrastructure or alterations within the road right-of-way.
2. All new buildings and accessory buildings over 10,000 sf in gross floor area.
3. Building renovations over 10,000 sf in gross floor area.
4. The creation of 12 or more units.
5. Site improvements creating more than 15 parking spaces.
6. Changes to a nonconforming lot, use, structure, site improvement, if the subject property is over 10 acres in lot area.
7. Building groups that do not trigger subdivision.

12. SUBDIVISION

A. PURPOSE

1. To allow for the orderly development of a parcel of land into new dwelling units and lots, and roads that provide access to them.
2. To comply with MRSA, Title30-A, Chapter187, Section 4401 et.seq.

B. APPLICABILITY

1. The division of a parcel of land into 3 or more lots within any 5 year period that begins on or after September 23, 1971.
2. The division of a parcel of land, through the use of virtual lot lines, into 3 or more virtual lots.
3. Construction of roads.
4. Installation of utility services.



Town of Newcastle TRAFFIC & PARKING ORDINANCE

1 AUTHORITY

1.1 This ordinance is adopted pursuant to 30-A M.R.S.A. §3009, 29-A M.R.S.A. §2395 and §2388.

2 PURPOSE

2.1 This ordinance is designed to protect public health, welfare, and infrastructure by regulating the parking and operation of motor vehicles on public ways.

2.2 Restricting vehicle weight extends infrastructure life expectancy on town ways and bridges.

2.3 Reduces safety hazards and the risk of injury to the traveling public.

3 DEFINITIONS

3.1 The definitions contained in Title 29-A M.R.S.A. as amended through 2021 shall govern the construction of words contained in this Ordinance.

3.2 Any words not defined therein shall be given their common and ordinary meaning.

Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection A: Parking

4 SIGNAGE & MEDIA

- 4.1 It shall be the duty of the Town Manager, Road Commissioner, or their designee to erect appropriate signs giving notice of any parking time limit imposed or parking prohibition and no such regulations shall be effective unless said signs are erected and in place at the time of the alleged offense.
- 4.2 The notification of any prohibition may be immediate as determined by the Town Manager, Road Commissioner, or their designee. The notification does not require any public notification by means of public notice requirements or other advance warning or permission by the Select Board. This notice may or may not be published digitally by means of the town website or other social media platforms.
- 4.3 The winter parking ban is a notice and does not require street signage. This parking ban will remain in effect annually.

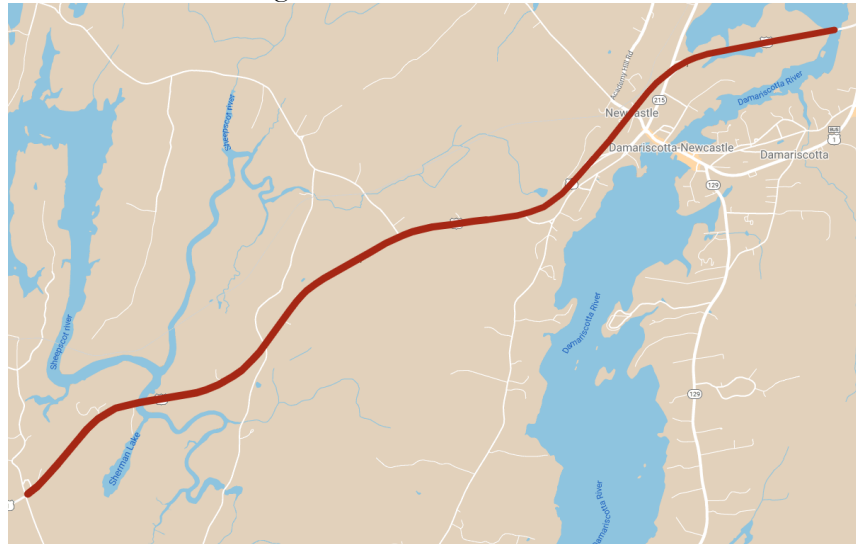
5 REGULATED AREAS – PARKING

- 5.1 Between November 1 and April 15, no vehicle or motorcycle shall be parked on any public street or way from 9:00 p.m. to 7:00 a.m., so as to interfere with or hinder the removal of snow from said street or way by the Town plowing / sanding / salting or loading and hauling.
- 5.2 Parking may be prohibited with notification to facilitate daytime snow removal.
- 5.3 When signs are erected giving notice thereof, no person shall park any motor vehicle at any time on the following public ways or specified portions thereof:

Town of Newcastle TRAFFIC & PARKING ORDINANCE Subsection A: Parking

- a. Route 1 in the Town of Newcastle

Exhibit A: No Parking on Route 1



- b. Both sides of Route 215 (Pond Road) from the intersection at the North end of Academy Hill Road on Pond Road to Austin Rd and the Nobleboro Town Line, and in addition, Austin Road to Mills Road.

Exhibit B: No Parking Sign in Damariscotta Mills



Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection A: Parking

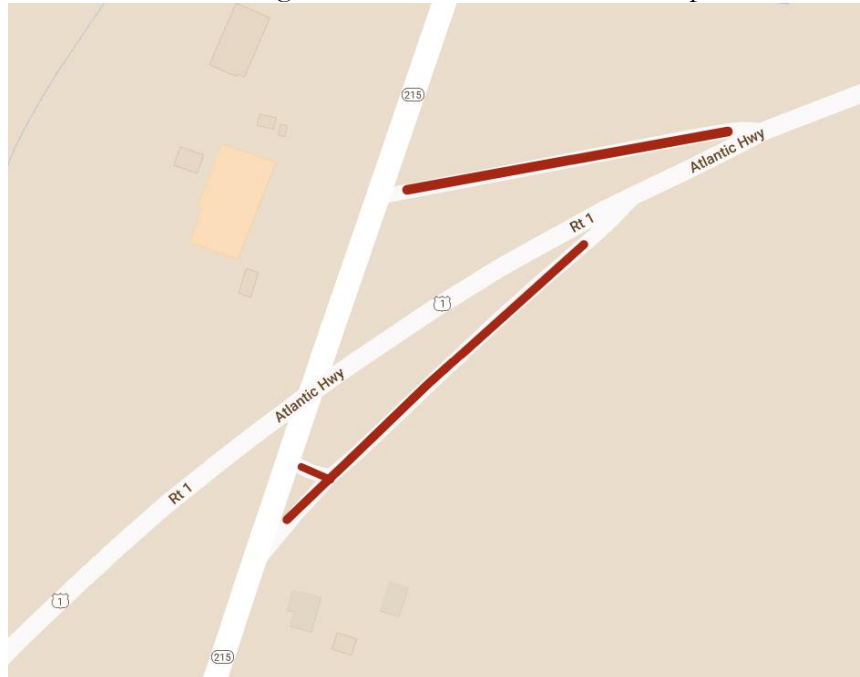
- c. Both sides of River Rd from the intersection of Business. Route 1 to Snead Spur.

Exhibit C: No Parking on River Rd from Business Route 1 to Snead Spur



- d. Both sides of the on and off ramps to Route 1 at Route 215 (Mills Road)

Exhibit D: No Parking on the Route 1 on and off Ramps to Route 215



- e. Any place where an official sign or curb painting so prohibits.

Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection A: Parking

- 5.4 Under no circumstances shall a person park any motor vehicle on the following public ways or specified portions thereof:
- a. On a sidewalk.
 - b. Within 10 feet of a fire hydrant.
 - c. In front of or preventing any access to fire department emergency equipment i.e. sprinkler connections, dry hydrants, designated landing zones.
 - d. On the opposite side of a roadway direction of traffic.
 - e. Upon a bridge.
 - f. Within 20 feet of the nearest corner of the curb at an intersection.
 - g. In front of a public or private driveway or alleyway.

6 PARKING EXCEPTIONS

- 6.1 This ordinance does not apply to motor vehicles parked in prohibited areas for the following reasons:
- a. Mechanical problems or breakdown.
 - b. Emergency situations as verified by Emergency Services, the Town Manager, Road Commissioner, or designee.
 - c. Maintenance, construction, repair or installation of utilities or the public way by any State or municipal agency or utility company.

7 PARKING CONTROL OFFICERS

- 7.1 The Town Manager is authorized to appoint parking control officers who shall have the same powers in the enforcement of parking regulations as sworn law enforcement officers and who may order into court any violator of parking regulations.

78 TOWING – PARKING

- 87.1 Any motor vehicle parked upon a public street or municipal parking lot of the Town of Newcastle in a place, manner or for a length of time prohibited by this Ordinance, or during any parking ban declared by the Municipal Officers/Town Manager/Road Commissioner or their Authorized Designee(s) is hereby declared to be an obstruction in the public way and a menace to the safety of the traveling public.
- 87.2 Any motor vehicle parked which constitutes an obstruction under this section of this Ordinance may, at the request and under the direction of the Town Manager, Road Commissioner, or their Authorized Designee(s) be towed to a suitable garage or storage space and impounded thereon until all towing, storage fees, and fines are paid. Towing and associated expenses will be at the expense of the owner of said

**Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection A: Parking**

vehicle and without the Town being liable for any damage that may be caused by such removal.

Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection A: Parking

98 **DAMAGE – PARKING**

- ~~89~~.1 Should damage occur to personal property as a result of owners placing obstructions or objects in a town road right of way, said damages shall be at the owner's expense.
- ~~98~~.2 Should a registered owner of a motor vehicle prevent the town from snow removal due to obstruction, the contractor shall file a claim through the Town Office to the Town Manager for approval. Upon approval, the registered owner of any motor vehicle found in violation of this ordinance shall be responsible for the costs of said snow removal if additional claims are brought forth.

Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection B: Posted Roads

910 RESTRICTIONS & NOTICES – POSTED ROADS

- 910.1 The Select Board may impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.
- 910.2 Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of 23,000 pounds during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.
- 910.3 Pursuant to 29-A M.R.S.A. § 2395, the notice shall contain, at a minimum, the following information:
- a. The name of the way or bridge
 - b. The gross registered weight limit
 - c. The time period during which the restriction applies
 - d. The date on which the notice was posted
 - e. The signature of the Town Manager, Road Commissioner, or designee
 - f. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way
- 910.4 Whenever a restriction expires or is lifted, the notices shall be removed wherever posted.
- 910.5 Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices.
- 910.6 No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

1011 POSTED ROAD EXEMPTIONS

The following vehicles are exempt under State law:

- 101.1 Any vehicle delivering home heating fuel and operating in accordance with a permit issued by the MDO'T under 29-A M.R.S.A. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for residential or agricultural purpose and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4-A).

Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection B: Posted Roads

~~40~~11.2 The following vehicles are also exempt under the specific provisions of this ordinance:

- a. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
- b. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle.
 - (1) This exemption does not apply to special mobile equipment
 - (2) It shall be a defense to a violation of this sub-section if the combined weight of any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and its load is in fact less than 23,000 pounds.
- c. MaineDOT vehicles or other vehicles authorized by MaineDOT or a municipality or county to maintain the roads under their authority.
- d. Authorized emergency vehicles as defined in 29-A M.R.S.A. § 2054, school buses, a wrecker towing a disabled vehicle of legal weight from a posted roadway, and vehicles with three axles or less under the direction of a public utility and engaged in utility infrastructure maintenance or repair.
- e. Any two axle vehicles registered for a gross weight in excess of 23,000 pounds and less than or equal to 34,000 pounds that are carrying any of the Special Commodities may operate without a permit. Special Commodities includes any of the following:
 - (1) Home delivered heating fuel (oil, gas, coal, stove size wood that is less than 36" in length, propane and wood pellets);
 - (2) Petroleum products;
 - (3) Groceries;
 - (4) Bulk milk;
 - (5) Waste;
 - (6) Animal bedding;
 - (7) Returnable beverage containers;
 - (8) Sewage from private septic tanks or porta-potties;
 - (9) Medical gases;
 - (10) Animal feed.

Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection B: Posted Roads

412 PERMITS – POSTED ROADS

412.1 The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the Town Manager, Road Commissioner, or designee for a permit to operate on a posted way or bridge notwithstanding the restriction. The Town Manager, Road Commissioner or designee may issue a permit only upon all of the following findings:

- a. No other route is reasonably available to the applicant;
- b. It is a matter of economic necessity and not mere convenience that the applicant uses the way or bridge; and
- c. The applicant has tendered cash, a bond or other suitable security running to the municipality in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.

412.2 Even if the Town Manager, Road Commissioner, or designee make the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or bridge maintained by the municipality. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways and bridges.

412.3 In determining whether to issue a permit, the Town Manager, Road Commissioner, or designee shall consider the following factors:

- a. the gross registered weight of the vehicle;
- b. the current and anticipated condition of the way or bridge;
- c. the number and frequency of vehicle trips proposed;
- d. the cost and availability of materials and equipment for repairs;
- e. the extent of use by other exempt vehicles; and
- f. such other circumstances as may, in their judgment, be relevant.

412.4 The Town Manager, Road Commissioner, or designee may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

412.5 An applicant whose permit is denied may appeal the decision through the Town of Newcastle's Board of Appeals

Town of Newcastle
TRAFFIC & PARKING ORDINANCE
Subsection B: Posted Roads

1213 PENALTIES – OVERWEIGHT VEHICLES

1213.1 Each violation shall be deemed a separate offense.

1213.2 Any violation of this Ordinance for being overweight on posted roads shall be a civil infraction and handled as a traffic violation. See Town Fee Schedule.

1213.3 In addition to any fine, the Town of Newcastle may seek restitution for the cost of repairs to any damaged town property, damaged way, or bridge and reasonable attorney fees and costs.

1213.4 Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court.

Town of Newcastle
TRAFFIC & PARKING ORDINANCE

~~143~~ ADMINISTRATION & ENFORCEMENT

~~134~~.1 This Ordinance shall be administered and may be enforced by the Town Manager, Road Commissioner, or designee such as the parking control officer for the parking subsection or a law enforcement officer.

~~145~~ SEVERABILITY

~~4415~~.1 In the event that any portion of this Ordinance is declared invalid by a Court of competent jurisdiction, the remaining portions shall continue in full force and effect.

~~4516~~ EFFECTIVE DATE

~~4516~~.1 This Ordinance shall take effect immediately upon enactment by the municipal officers at any properly noticed meeting.

This Ordinance is hereby approved and signed by the Municipal Officers on September 25, 2023:

Karen Paz, Select Board Chair

Joel Lind, Select Board

Tor Glendinning, Select Board

Thomas Kostenbader, Select Board

Rufus Percy, Select Board

A true & attested copy by: _____

**Town of Newcastle
TRAFFIC & PARKING ORDINANCE**

Michelle Cameron, Interim Town Clerk



Surrounding Areas Town Parking Ticket Fees

Town	Parking in Prohibited Area	Parking Over Allotted Time	Parking in Front of a Hydrant	Parking on a Sidewalk	Other
Bath	\$30	\$30	\$40	\$50 (completely blocked), \$30 (partially blocked)	\$30 (interfering with snow removal)
Damariscotta	\$25	\$25	\$250 (within 10' of hydrant), \$25 (fire lane)	\$25	
Brunswick	\$25	\$15			
Wiscasset		\$20	\$100 (and/or tow)		
Augusta	\$15	\$15	\$15	\$15	
Gardiner	\$30	\$20	\$50	\$30 (sidewalk), \$50 (crosswalk)	
Belfast	\$10	\$10 (after initial warning), \$25 (when not paid within 30 days, will increase by \$25 every 30 days unpaid)	\$25	\$10	
Freeport	\$30	\$30	\$30 (too close to hydrant), \$30/60/120 (fire lane violation)	\$30	
Farmington	\$20	\$0	\$20	\$20	\$200 (parking in handicapped area)

Lisbon	\$30	\$30	\$75	\$30	\$75 (snow removal), \$150 (handicapped area)
Portland	\$40	\$20	\$40	\$40	

CAMDEN — The Camden Select Board unanimously approved and increase of meter violation fines and “milestone” police vacation increases at its Wednesday, July 19, meeting.

The board voted 5-0 to increase parking fines at the Public Landing to \$30 when the 3-hour time limit expires. This was approved as an amendment to the town’s parking traffic regulations. The \$30 parking fines will be a temporary measure for one year as part of the paid parking pilot program for the Public Landing.

The board approved on May 24 a pilot parking program this summer at the public landing. The plan is to put in a kiosk where the visitor takes a ticket and puts it in their windshield while parked at the landing. The cost is likely to be a small amount per hour.

The board modified parking fines for street parking earlier this year but did not cover parking “meters.” Police Chief Randy Gagne told the board not to get “hung up on the meter term” because individual meters will not be located on the Landing. Gagne said the \$30 fine is “straight-up” and consistent with fines in other cities and towns up and down the coast.

Board Vice Chair Alison McKellar asked if this was experimental or temporary, to which board member Sophie Romana replied it was “both.”

“It means we don’t have to change the whole code and for one year we can do experiments,” Romana added.

Street parking will still be 2-hour parking, but vehicles parked longer are subject to a \$10 ticket. This ticket increases by a \$10 increment each time an officer passes the vehicle.

Saco

The Parking Control Officer is responsible for the enforcement of the City's parking ordinances and regulations as enacted by the City of Saco, City Council, and codified in the Municipal Code of Ordinances, or related statutes that govern enforcement of parking regulations and restrictions.

Responsibilities include enforcement of parking rules, regulations as regulated by the posting of appropriate signage, painted curbs, fire hydrants, or other similar parking control devices, or other violations of the City of Saco parking ordinances, or State of Maine law as it relates to the enforcement of on street and off-street Disability Parking areas.

Portland (<https://content.civicplus.com/api/assets/303e2f8f-6d69-41ab-9ef8-664527be814a?cache=1800>)

Sec. 28-11. True name to be given. It shall be unlawful for any person when given a notice by any police, parking control officer, or other authorized person to appear to answer for an offense against any provision of this chapter to give other than his or her true name and true place of his or her residence or address, upon the request of such police, parking control officer, or other authorized person as identified in Sec. 28-12 below. (Ord. No. 183-97, 1-22-97; Ord. No. 65-08/09, 9-15-08)

Sec. 28-12. Private security officers. The police chief or his or her designee may authorize private security officers to enforce the parking regulations on specified city property, such as the Portland international jetport, and the Portland waterfront. Such private security officers shall have the authority to enforce the parking regulations at the specified locations, including without limitation the writing of parking tickets. (Ord. No. 65-08/09, 9-15-08)

Sec. 28-42. Parking control officers. The city manager or his or her designee is authorized to appoint parking control officers who shall have the same powers in the enforcement of parking regulations as are vested in members of the police department of the city and who may order into court any violator of parking regulations. Such parking control officers shall not be considered members of the police department and shall not be subject to the provisions of the civil service ordinance. Parking control officers shall be managed by and report to the parking manager. (Ord. No. 183-97, 1-22-97)

Sec. 28-43. Duties generally. The parking division shall enforce the stopping, standing and parking laws of this city; cooperate with the city traffic engineer, the police department and other officers of the city in the administration of stopping, standing and parking laws of the city and in developing ways and means to improve the traffic conditions; enforce the parking meter system of the city, including the collection of coins and payments therefrom; have the care, maintenance and control of municipal parking lots and garages; issue residential parking stickers; and perform such other duties related to parking conditions in the city as may be assigned by the city manager. Parking control officers shall have the authority to enforce the parking regulations of the city, including without limitation the writing of parking tickets. (Ord. No. 183-97, 1-22-97; Ord. No. 162-11/12, 5-7-12)

Bar Harbor (<https://ecode360.com/8377227#8377227>)

§ 194-5 Authority to install traffic control devices.[Amended 4-16-2019 by Ord. No. 2019-06]

The Police Chief and/or the Director of Public Works, with the approval of the Town Council, shall place and maintain, or cause to be placed and maintained, traffic control signs, signals, and devices required or authorized under this chapter and may place and maintain such additional traffic control devices as he or she may deem necessary to regulate traffic under this chapter or under state law or to guide or warn traffic, including angle parking signs and markings, turning markers, and signs prohibiting left, right or U-turns, the location of which he or she is authorized to determine. All signs or signals required or authorized hereunder shall, so far as practical, be uniform as to type and location throughout the Town. All traffic control signs, signals and devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

Waterville (<https://ecode360.com/38532306#38532306>)

§ 259-2 Enforcement.

It shall be the duty of the Police Department of this City to enforce the provisions of this chapter. Officers of the Police Department are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of this chapter, provided that in the event of a fire or other emergency, or to expedite traffic or safeguard pedestrians, officers of the Police Department may temporarily direct traffic, as conditions may require, notwithstanding the provisions of this chapter.

Brunswick

(https://library.municode.com/me/brunswick/codes/code_of_ordinances?nodeId=PTIIMUCOOR_CH15TRVE_ARTIINGE)

Sec. 15-2. - Enforcement.

The chief of police, through the police officers in his department, shall enforce this chapter and shall regulate the flow of traffic on all public ways. In addition to police officers, parking enforcement officers may enforce the parking regulations set forth in this chapter. When necessary to meet an emergency situation in the interest of the health, safety or general welfare of the residents of the town, the chief may temporarily suspend any provision of this chapter. He may restrict and divert vehicular and pedestrian traffic, and he may restrict or regulate parking. (Ord. of 5-2-88, § 3; Ord. of 1-17-12)

Newcastle Fee Schedule

Category	State Fee	Town Fee	Total	Additional Information
				All fees are yearly unless stated otherwise
ATVs				*As of 10/25 Town fees for will be \$5.00
Resident	\$70.00	\$1.00/\$2.00	\$71.00/\$72.00	Agent fee is 2.00 for new registrations & 1.00 for renewals
Non-Resident	\$115.00	\$1.00	\$116.00	
Non-Resident 7-day	\$110.00	\$1.00	\$111.00	
Sales Tax	Varies	\$0.00	Varies	5.5% Set by the State
Boats				
	Varies by size	Excise tax/Agent Fee		Excise tax amounts vary and are set by the State. Agent fee is 2.00 for new registrations & 1.00 for renewals
Sales Tax	Varies	\$0.00	Varies	5.5% Set by the State
Certified Copies of Vital Records				
1st Copy	\$2.00	\$13.00	\$15.00	
Additional copies purchased the same day	\$0.40	\$5.60	\$6.00	Fee is for each additional copy
Maine Freedom of Access Act (FOAA)				
Hourly rate		\$25.00	\$25.00	First two hours of staff time at no cost per request
Paper copies		\$0.10	\$0.10	per copy
Shipping Costs				Associated/Needed Shipping at cost
Land Use				See next page
Licenses				
Fishing License - Seasonal Resident*	\$25.00	\$2.00	\$27.00	
Fishing License - Resident 1 Day*	\$11.00	\$2.00	\$13.00	
Fishing License - Seasonal Non- Resident*	\$64.00	\$2.00	\$66.00	
Fishing License - Non-Resident 1 Day*	\$11.00	\$2.00	\$13.00	
Fishing License - Non-Resident 3 Day*	\$23.00	\$2.00	\$25.00	
Fishing License - Non-Resident 7 Day*	\$43.00	\$2.00	\$45.00	
Fishing License - Non-Resident 15 Day*	\$47.00	\$2.00	\$49.00	
Hunting/Fishing Combo Resident*	\$43.00	\$2.00	\$45.00	
Hunting/Fishing Combo Non-Resident*	\$150.00	\$2.00	\$152.00	* These represent the most frequent requests for Newcastle See Maine Dept of Inland Fisheries and Wildlife for more
Liquor License	Varies	None		License fees set by the State
Marriage License	\$36.00	\$4.00	\$40.00	

Newcastle Fee Schedule

Category	State Fee	Town Fee	Total	Additional Information
				All fees are yearly unless stated otherwise
Mooring Fees				All fees will be changing next year
Local	\$0.00	\$40.00	\$40.00	
Non-Resident	\$0.00	\$50.00	\$50.00	
Dingy Sticker Only	\$0.00	\$35.00	\$35.00	
Motor Vehicle Registrations				
Vehicle Registration base fee	\$35.00	\$6.00/\$5.00	Varies	Plate fees vary and are set by the State. Higher town fee is for new registrations
Motorcycles	\$21.00	\$6.00/\$5.00	Varies	Higher town fee is for new registrations
Title	\$33.00	\$0.00	\$33.00	Set by the State
Excise Tax	\$0.00	Varies	Varies	Excise is based on a milrate & the MSRP price of the vehicle
Sales Tax	Varies	\$0.00	Varies	5.5% Set by the State
Trailers	Varies	\$6.00/\$5.00	Varies	Higher town fee is for new registrations
Misc Fees				
Cemetery Plots - Glidden Street Only	\$0.00	\$500.00	\$500.00	
Copies per page	\$0.00	\$0.50	Varies	
Copies per page - color	\$0.00	\$1.00	Varies	
Copies of Maps	\$0.00	\$2.00	Varies	
Notary Public Service per Signature	\$0.00	\$5.00	Varies	Fee assessed per customer
Postage	\$0.00	\$1.00	\$1.00	Fee is for standard mailings at customers request
Tax List	\$0.00	\$75.00	\$75.00	Fee is for substantial tax listings
Plumbing Permit	25% of total	75% of total	Varies	See next page
Snowmobiles Registrations				*As of 10/25 Town fees for will be \$5.00
Resident	\$56.00	\$1.00/\$2.00		Higher town fee is for new registrations
Antique	\$33.00	\$1.00/\$2.00		Higher town fee is for new registrations
Non-Resident	\$120.00	\$1.00		
Non-Resident 3 Day	\$75.00	\$1.00		
Non-Resident 10 Day	\$100.00	\$1.00		
Subsurface Permit	25% of total	75% of total	Varies	See next page
Violations				
Parking Tickets		\$25.00	\$25.00	Per Traffic & Parking Ordinance
Overweight on Posted Roads		\$100.00	\$100.00	Per Traffic & Parking Ordinance



Town of Newcastle

www.NewcastleMaine.us

Kevin L. Sutherland - Town Manager

4 Pump Street **6E**
PO Box 386
Newcastle, ME 04553
Tel. (207) 563-3441
Fax. (207) 563-6995

FROM: Kevin L. Sutherland, Town Manager
TO: Newcastle Select Board
DATE: November 22, 2023
RE: **Ordinance and Policy Review Work Plan**

Working with staff, we've developed an extremely ambitious timeline to work through the 23 ordinances and 8 policies between now and June of 2025.

This effort will require a commitment on staff to introduce between 1 and 3 redlined versions of a given ordinance/policy with proposed edits, comments, and suggestions at least once a month. The Select Board would need to commit to holding Town Meetings four times a year (One Annual, three Special).

We've provided two visuals of the same information for what this might look like in Gantt chart form and developed a key to help identify what the goals of each step in the process might entail.

SB = Select Board
PB = Planning Board

KEY

- SB review / discussion / sent to PB / vote to warrant
- SB Public Hearing and vote to put on warrant
- Planning Board (PB) review and discussion
- PB Public Hearing and recommendation to SB
- Select Board Approval
- Town Meeting / Special Town Meeting Approval



View 1: Grouping of Ordinances and Policies by Type and Process of implementation.

These are displayed by type of process to implement and then by order of month of introduction for when we would introduce to the Select Board.

KEY

- SB review / discussion / sent to PB / vote to warrant
- SB Public Hearing and vote to put on warrant
- Planning Board (PB) review and discussion
- PB Public Hearing and recommendation to SB
- Select Board Approval
- Town Meeting / Special Town Meeting Approval



	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6
GENERAL ORDINANCES																					
General Assistance Ordinance																					
General Assistance Appendices																					
Traffic and Parking Ordinance																					
Purchasing and Bid Ordinance																					
Finance Committee Ordinance																					
Fireworks Ordinance																					
Harbor Management Ordinance																					
Joint Shellfish Conservation Ordinance																					
Taniscot Fire and Emergency Services Ordinance																					
Recall of Elected Municipal Officers																					
Transient Seller and Lunch Wagon Ordinance																					

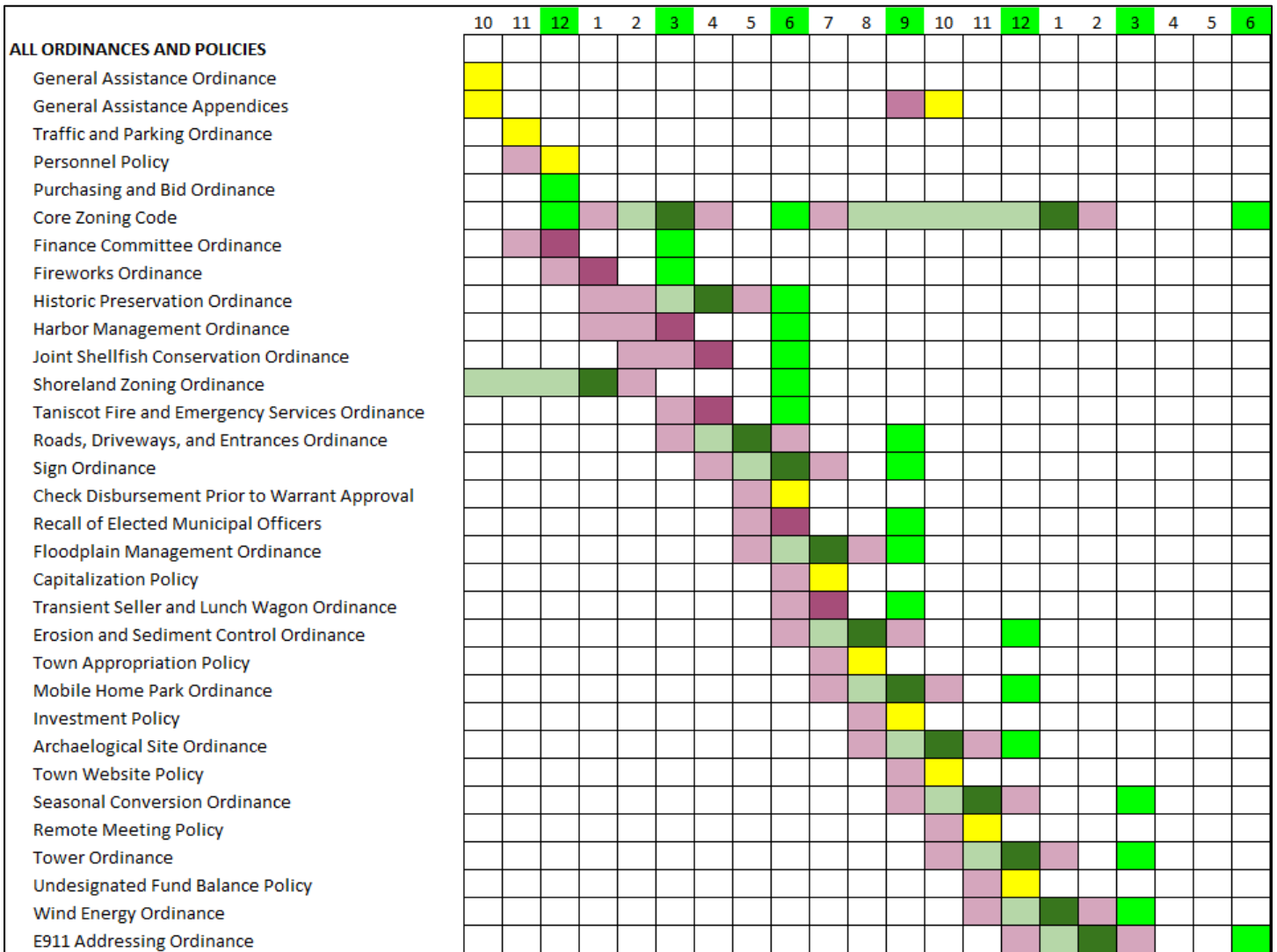
	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6
LAND USE ORDINANCES																					
Shoreland Zoning Ordinance																					
Core Zoning Code																					
Historic Preservation Ordinance																					
Roads, Driveways, and Entrances Ordinance																					
Sign Ordinance																					
Floodplain Management Ordinance																					
Erosion and Sediment Control Ordinance																					
Mobile Home Park Ordinance																					
Archaeological Site Ordinance																					
Seasonal Conversion Ordinance																					
Tower Ordinance																					
Wind Energy Ordinance																					
E911 Addressing Ordinance																					

	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6
POLICIES																					
Personnel Policy																					
Check Disbursement Prior to Warrant Approval																					
Capitalization Policy																					
Town Appropriation Policy																					
Investment Policy																					
Town Website Policy																					
Remote Meeting Policy																					
Undesignated Fund Balance Policy																					

View 2: All Ordinance and Policies in Order by month of introduction.

KEY

- SB review / discussion / sent to PB / vote to warrant
- SB Public Hearing and vote to put on warrant
- Planning Board (PB) review and discussion
- PB Public Hearing and recommendation to SB
- Select Board Approval
- Town Meeting / Special Town Meeting Approval





Town of Newcastle

www.NewcastleMaine.us

Kevin L. Sutherland Town Manager

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 Newcastle, ME 04553
 Tel. (207) 563-3441
 Fax. (207) 563-6995

FROM: Kevin L. Sutherland, Town Manager
 TO: Newcastle Select Board
 CC: Town Staff
 DATE: November 22, 2023
 RE: Select Board List of Project Priorities (Updated)

The Select Board reviewed a memo developed for discussion on November 13th. After that meeting, a survey (Appendix A to this memo) was sent to the Select Board and Town Staff. The survey results include 4 (of 5) Select Board members and 5 (of 9) staff members. A response rate of 64%.

The scoring remains the same as before:

- The top pick for each staff person was weighted a 3, the second priority a 2, and the third priority a 1.
- Since this is the Select Board’s list of priorities, select board members were weighted a 5 for their top priority, a 4 for their second priority, and a 3 for their third priority.

TASKS	Score
DR-4719 - May Day Storm/Lynch Rd	28%
Housing Development Strategy*	16%
Town Property Maintenance Schedule	13%
Fish Ladder Agreement with Nobleboro	8%
Town Office Relocation Strategy	8%
Short-term Rental Ordinance	5%
Cable Franchise Agreement	4%
Downtown Development Strategy*	4%
Island Road Classification	4%
Road Assessment Inventory (RSMS16)	4%
PFAS mitigation / water quality reqs	3%
Revised Emergency Management Plan	3%
Transportation Strategy*	1%
Create a Cemetery Committee	0%
Create a Finance Committee	0%
Explore additional funding opportunities for Broadband	0%
Explore Municipal Solar Options	0%
Initiate a Charter Commission	0%
Sand/Salt Shed Locations	0%

The results below are based on the responses from the survey. Green represents Planning/Code tasks and Orange represents General Admin related tasks. I've tried to incorporate timelines that best reflect when I believe we can work to accomplish them. We also have to develop and approve a budget somewhere in the next 5 months.

TASKS AND TIMELINES FOR REMAINING ITEMS	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3
Downtown Traffing Planning	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green			
Comp Plan Modifications/Implementation	Green	Green	Green	Green	Green												
Ordinance and Policy Housekeeping	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange	Orange
Core Zoning Code Updates	Green	Green	Green	Green	Green	Green	Green	Green									
Shoreland Zoning and Conservation Commission	Green	Green	Green	Green	Green		Green										
TASKS AND PRIORITIES UPDATED 11/27/23 FOR 2024	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3
DR-4719 - May Day Storm and Lynch Road minor span	Orange	Orange	Orange	Orange	Orange												
Housing Development Strategy*						Orange	Orange	Orange	Orange	Orange							
Town Property Maintenance Schedule				Orange	Orange	Orange											
Develop a Fish Ladder Agreement with Nobleboro	Orange	Orange	Orange	Orange													
Town Office Relocation Strategy									Orange	Orange	Orange						

Top 10 Select Board Supported Priorities (11/27/23)

TASKS (in timeline order)	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3
Downtown Traffing Planning	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue			
Comp Plan Modifications/Implementation	Blue	Blue	Blue	Blue	Blue	Blue											
Ordinance and Policy Housekeeping	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue
Core Zoning Code Updates	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue								
Shoreland Zoning and Conservation Commission	Blue	Blue	Blue	Blue	Blue												
DR-4719 - May Day Storm and Lynch Road minor span	Blue	Blue	Blue	Blue													
Develop a Fish Ladder Agreement with Nobleboro	Blue	Blue	Blue														
Town Property Maintenance Schedule				Blue	Blue	Blue											
Housing Development Strategy*						Blue	Blue	Blue	Blue	Blue							
Town Office Relocation Strategy									Blue	Blue	Blue						

Jrnl	Invoice Description	Reference	Proj	Amount	Encumbrance
Description	Account				
00027 TREASURER, STATE OF ME-IFW					
0289	MOSES Report	October			
	Oct. MOSES Report	G 1-350-00		365.00	0.00
	GEN'L GOV. / STATE IFW \$				
		Vendor Total-		365.00	
01503 U.S. BANK EQUIPMENT FINANCE, INC					
0289	COPIER LEASE/MAINT	Town Office			
	T.O. COPIER LEASE & MAINT	E 101-26-01		198.60	0.00
	GEN GOVT - LEASES / COPIER				
		Vendor Total-		198.60	
00355 VANASSE HANGEN BRUSTLIN, INC					
0289	Professional Services	OCTOBER			
	Professional Serv. - OCT	G 1-604-00		23,013.25	0.00
	GEN'L GOV. / FEMA 4719				
		Vendor Total-		23,013.25	
		Prepaid Total-		5,887.24	
		Current Total-		299,835.20	
		Warrant Total-		305,722.44	

THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

DATE: 11/27, 2023

JOEL LIND
TOR GLENDINNING
RUFUS PERCY
KAREN PAZ
THOMAS KOSTENBADER

Jrnl	Invoice Description	Reference	Proj	Amount	Encumbrance
Description	Account				
00277 BANGOR SAVINGS BANK					
0289	Fire Truck Loan Pymt	December			
	Dec. Fire Truck Pymt	E 110-30-60		2,256.92	0.00
	DEBT SERVICE - DEBT SERV / LOAN PYMT FT				
		Vendor Total-		2,256.92	
00033 CENTRAL MAINE POWER CO					
0289	VARIOUS ELECTRIC ACCOUNTS	NOVEMBER			
	35013306861 - FLASHER	E 105-57-03		37.57	0.00
		PUB SAFETY - INFRASTRUCT / FLASHER RT 1			
	35015543313 - BIRD	E 101-67-02		60.73	0.00
		GEN GOVT - BIRD PLAYGR / ELECTRICITY			
	35015543750 - SHPS FD	E 105-68-02		44.30	0.00
		PUB SAFETY - SHEEPSCT STA / ELECTRICITY			
		Vendor Total-		142.60	
00406 CENTRAL MAINE POWER COMPANY					
0289	REFUND/OVERPAYMENT TAXES				
	REFUND OVERPAYMENT TAXES	G 1-168-24		144.69	0.00
		GEN'L GOV. / RE TAXES '24			
		Vendor Total-		144.69	
00314 EES Consulting Inc					
0289	IT Services-Inv#8706	November			
	Support/Consultation	E 101-25-09		1,350.00	0.00
		GEN GOVT - OPERATIONS / COMP SUPPORT			
	Lenovo PCs	E 209-91-07		2,023.89	0.00
		COMPUTER RES - RES ACCT EXP / COMPUTER EXP			
	Firewall & License	E 101-25-11		2,260.00	0.00
		GEN GOVT - OPERATIONS / SOFTWARE			
		Vendor Total-		5,633.89	
00293 ELAN FINANCIAL SERVICES					
0289	VISA COMMUNITY CARD	SOFTWARE PKG			
	SOFTWARE PKG	E 101-25-11		185.57	0.00
		GEN GOVT - OPERATIONS / SOFTWARE			
		Vendor Total-		185.57	
00089 FIRE TECH & SAFETY OF N.E. INC					
0289	Leather Boots	Inv#218204			
	Leather Boots	E 105-05-40		398.00	0.00
		PUB SAFETY - FIRE DEPT / NEW EQUIP			
		Vendor Total-		398.00	
01201 FISH LADDER RESTORATION FUND					
0289	BRIDGE REPLACEMENT				
	BRIDGE REPLACEMENT	E 208-91-01		17,590.56	0.00
		ALEWIFE RES - RES ACCT EXP / ALEWIFE EXP			
		Vendor Total-		17,590.56	
00010 GREAT SALT BAY COMM. SCHOOL					
0289	SCHOOL/ELEMENTARY	NOVEMBER			
	NOV. SCHOOL APPROPRIATION	E 116-60-01		149,770.83	0.00
		SCHOOLS - SCHOOLS / ELEMENTARY			
		Vendor Total-		149,770.83	
00897 HAGAR ENTERPRISES, INC					
0289	SNOW PYMT #4	DECEMBER			
	Snow removal Roads	E 107-41-01		31,167.14	0.00
		PUBLIC WORKS - WINTER OPS / SNOW REMOVAL			
	Snow Downtown	E 107-41-02		5,793.78	0.00
		PUBLIC WORKS - WINTER OPS / SNOW DWNTWN			
		Invoice Total-		36,960.92	
0289	S.Dyer Neck/Storm 9.18-21	Invs 7157&7158	*** SEPARATE ***		
	Hand Labor - Brush (7157)	E 107-43-01		3,900.00	0.00

Jrnl	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj		
Trucking / Tri-Axle (7157)	PUBLIC WORKS - GEN CONTRCTR / LABOR E 107-43-02		1,735.00	0.00
Labor (7158) Culvert Work	PUBLIC WORKS - GEN CONTRCTR / EQUIPMENT E 107-43-01		8,125.00	0.00
Excavator - TB 257 (7158)	PUBLIC WORKS - GEN CONTRCTR / LABOR E 107-42-02		2,990.00	0.00
Crushed Gravel (7158)	PUBLIC WORKS - ANNUAL OPS / GRAVEL-GRDIN E 107-43-04		924.00	0.00
Culvert / Plastic (7158)	PUBLIC WORKS - GEN CONTRCTR / MATERIAL E 107-43-03		700.80	0.00
Trucking / Util. (7158)	PUBLIC WORKS - GEN CONTRCTR / CULVERTS E 107-43-02		1,600.00	0.00
	PUBLIC WORKS - GEN CONTRCTR / EQUIPMENT			
	Invoice Total-		19,974.80	
0289 2023-2024 Salt Purchase	Inv#7224			
23-24 Salt Purchase #7224	E 107-41-05		21,002.96	0.00
	PUBLIC WORKS - WINTER OPS / WINTER SALT			
	Invoice Total-		21,002.96	
	Vendor Total-		77,938.68	
00449 HYGRADE BUSINESS GROUP, INC.				
0289 1099's for Taxes	Inv #817756			
1099s - INV#817756	E 101-25-05		158.37	0.00
	GEN GOVT - OPERATIONS / POSTAGE/ENV			
	Vendor Total-		158.37	
00165 KONICA MINOLTA/SYMQUEST				
0289 500-0622968-000	Copier-Fire Co.			
500-0473754-000	E 105-05-55		12.55	0.00
	PUB SAFETY - FIRE DEPT / ADMIN/OFC			
	Vendor Total-		12.55	
00318 LCTV				
0289 Select Board Meeting	10/23-11/16			
Video Recordings	E 101-25-81		300.00	0.00
	GEN GOVT - OPERATIONS / VIDEO RECORD			
	Vendor Total-		300.00	
01074 LINCOLN COUNTY				
0289 ACO - WAGES	OCTOBER			
ACO WAGES - OCTOBER	E 105-55-01		281.02	0.00
	PUB SAFETY - ANIMAL CNTRL / ANIMAL CNTRL			
	Vendor Total-		281.02	
00013 LINCOLN COUNTY NEWS				
0289 SUBSCRIPTION RENEWAL	1 YR			
1 YR SUBSCRIPTION	E 101-25-55		45.00	0.00
	GEN GOVT - OPERATIONS / ADS			
	Vendor Total-		45.00	
00121 LOUIS DOE, INC.				
0289 NUTS/BOLTS	TOWN OFFICE			
NUTS/BOLTS - TOWN OFF	E 101-25-95		30.64	0.00
	GEN GOVT - OPERATIONS / SUPPLIES			
	Vendor Total-		30.64	
00016 MAINE MUNICIPAL EMPL. HEALTH TRUST				
0289 EMPLOYEES HEATH TRUST	DECEMBER			
Dental	E 101-02-04		194.99	0.00
	GEN GOVT - FRINGE BENEF / VISION/DENTA			
Health (Medical)	E 101-02-02		6,284.52	0.00
	GEN GOVT - FRINGE BENEF / HEALTH INS			
IPP (Income Protection)	E 101-02-05		188.00	0.00
	GEN GOVT - FRINGE BENEF / IPP			

Jrnl	Invoice Description	Reference	Proj	Amount	Encumbrance
Description	Account				
Vision	E 101-02-04			22.31	0.00
	GEN GOVT - FRINGE BENEF / VISION/DENTA				
	Vendor Total-			6,689.82	
00405 NORTHEAST COFFEE COMPANY					
0289	Water for PFAS Residents	3 Sep Invoices			
Main-Adam	E 101-99-99			36.75	0.00
	GEN GOVT - MISC / CONTINGENCY				
ONeil-Will	E 101-99-99			49.00	0.00
	GEN GOVT - MISC / CONTINGENCY				
Sullivan-Jeffrey	E 101-99-99			78.00	0.00
	GEN GOVT - MISC / CONTINGENCY				
	Vendor Total-			163.75	
00102 READY REFRESH/BLUE TRITON BRANDS INC					
0289	TOWN OFFICE WATER	23K0424000511			
TOWN OFFICE WATER	E 101-25-95			98.94	0.00
	GEN GOVT - OPERATIONS / SUPPLIES				
	Vendor Total-			98.94	
01442 TOWN OF DAMARISCOTTA					
0289	INTERLOCAL SHARED PLANNER	NOV. 13 INVOICE			
INTERLOCAL SHARED PLANNER	E 103-01-21			4,257.02	0.00
	PLANNING - COMPENSATION / DEVELOP ADM				
	Vendor Total-			4,257.02	
00354 TOWN OF NOBLEBORO					
0289	(DEC.) TIPPING FEES	TRANSFER STATIO			
DEC. TIPPING FEES	E 102-10-10			9,984.00	0.00
	PUBLIC SRVCE - WASTE DISP / TRANSFER STA				
	Vendor Total-			9,984.00	
01300 TREASURER, STATE OF MAINE-DEH/DEP					
0289	SURCHARGE-(OCT)	October			
SURCHARGE-(October)	G 1-343-00			15.00	0.00
	GEN'L GOV. / PLMBG SURCHG				
	Vendor Total-			15.00	
00022 TREASURER, STATE OF ME-ANIMAL WELF					
0289	Dog Licensing	October			
October Dog Licensing	G 1-365-00			18.00	0.00
	GEN'L GOV. / STATE DOG				
	Vendor Total-			18.00	
00023 TREASURER, STATE OF ME-BMV					
0289	11/3 thru 11/9/2023	BMV Report	*** PAID ***	Check # 2597	
11/3-11/9/23 - BMV Repor	G 1-345-00			1,997.29	0.00
	GEN'L GOV. / STATE MV FEE				
	Invoice Total-			1,997.29	
0289	11/9 THRU 11/17/2023	BMV REPORT	*** PAID ***	Check # 2640	
11/8-11/17/23 BMV Report	G 1-345-00			1,458.18	0.00
	GEN'L GOV. / STATE MV FEE				
	Invoice Total-			1,458.18	
0289	11/17-11/22/2023	BMV Report	*** PAID ***	Check # 2641	
11/17-11/22/23 - BMV Rep	G 1-345-00			2,431.77	0.00
	GEN'L GOV. / STATE MV FEE				
	Invoice Total-			2,431.77	
	Vendor Total-			5,887.24	
00029 TREASURER, STATE OF ME-DHHS/CDC					
0289	Plumbing Report w/Adjust	October			
Oct. Plumbing w/Adjust Am	G 1-342-00			142.50	0.00
	GEN'L GOV. / STATE PLMB				
	Vendor Total-			142.50	