



Presque Isle City Council Meeting

Wednesday, August 2, 2023

Presque Isle Council Chambers

AGENDA

Executive Session at 5:00 PM

Pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations
Pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations
Pursuant to 1 M.R.S.A. § 405(6)(A) to discuss Personnel Matters

PICDA Meeting at 5:45 PM

Call to Order at 6:00 PM

Pledge of Allegiance

Public Hearing

1. Approval of Application for a Malt, Spirituous and Vinous License for American Dream Restaurants LLC d/b/a Pizza Hut with a location of 814 North Main Street
2. Approval of a Malt, Spirituous and Vinous Liquor License and Special Permit for Music, Dancing & Entertainment for Bethany Graves, d/b/a Lotus Lounge, with location of 149 State Street
3. Approval of Application for a Malt, Spirituous and Vinous License for TALK Pizza, LLC d/b/a Pat's Pizza of Presque Isle with a location of 9 North Street
4. Approval to Amend Chapter 43 Planning Board Ordinance

Citizen Comments

Consent Agenda

5. Approve Minutes from July 5, 2023
6. Approve 2023 Warrants #25, #26, and #27 totaling \$1,855,390.93
7. MMA Annual Election
8. Approve Taxi Cab Service License for Shiretown Solutions

Old Business

9. Building & Facilities Update
10. Employee Handbook
11. Charter Amendments
12. Tax Commitment

New Business

13. Workforce Employer Survey by Maren Moir
14. Council Meeting Dates

Manager's Report

Announcements

Adjournment



The Office of the City Manager
Martin Puckett
Email: mpuckett@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Martin Puckett, City Manager
DATE:	July 17, 2023
RE:	August 2, 6:00pm Council Chambers

Executive Session in 3rd Floor Conference Room at 5:00 PM

Pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations
Pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations
Pursuant to 1 M.R.S.A. § 405(6)(A) to discuss Personnel Matters

PICDA Meeting at 5:45 PM

Call to Order at 6:00 PM

Roll Call

Pledge of Allegiance

Public Hearing: Staff recommends approval of following agenda items after public hearings

1. Approval of Application for a Malt, Spirituous and Vinous License for American Dream Restaurants LLC d/b/a Pizza Hut with a location of 814 North Main Street
2. Approval of a Malt, Spirituous and Vinous Liquor License and Special Permit for Music, Dancing & Entertainment for Bethany Graves, d/b/a Lotus Lounge, with location of 149 State Street
3. Approval of Application for a Malt, Spirituous and Vinous License for TALK Pizza, LLC d/b/a Pat's Pizza of Presque Isle with a location of 9 North Street
4. Approval to Amend Chapter 43 Planning Board Ordinance and Planning Board By-Laws

Citizen Comments

Consent Agenda: Can be approved as presented or individually. **Staff recommends approval**

5. Approve Minutes from July 5, 2023
6. Approve 2023 Warrants #25, #26, and #27
7. MMA Annual Election: Annual ballot for Maine Municipal Association Vice President and executive committee members. There are no contested positions.
8. Approve Taxi Cab Service License for Shiretown Solutions: Shiretown is acquiring a local business. Sale was not completed at the time of this memo.

Old Business

9. Building & Facilities Update: A committee met to review the material presented at the July 5th meeting. Councilors Shaw and Green will report on the recommendations for council's consideration.
10. Employee Handbook: Tabled from July 5th meeting. Staff has updated the employee handbook; the majority of changes are formatting issues. Memo and policy provided with changes tracked. Staff recommends approval.
11. Charter Amendments: Discussed at July 5th but no action taken. Council is asked to provide input for possible changes to our guiding document, the city charter. After discussion, council is asked for a motion to proceed. The deadline for finalizing amendments for the ballot is September 6th.
12. Tax Commitment: At the July 5th meeting Council set mill rate at 22.60. The assessor mentioned that the mill rate may impact the TIF districts and there was additional personal property that was added to the valuation. Council has the choice to keep the mill rate thereby increasing the overlay or lowering the mill rate. Staff has provided a resolve to reduce the mill rate and a memo from the assessing office.

New Business

13. Workforce Employer Survey by Maren Moir: DECD Intern will report to council on local workforce needs based on a recent survey of larger employees. No action required.
14. Council Meeting Dates: To adhere to the language in the City Charter for the initial city budget presentation, staff suggests moving the October 4th meeting to September 27th.

Manager's Report

Announcements

Adjournment

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 1

SUBJECT

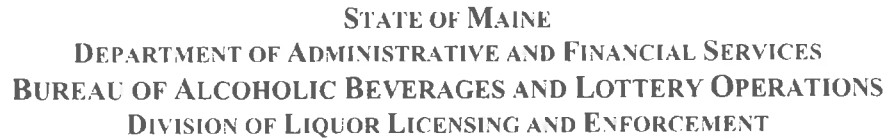
PUBLIC HEARING: Approval of Application for a Malt, Spirituous and Vinous Liquor License for American Dream Restaurants, LLC d/b/a Pizza Hut, with a location of 814 North Main Street (Single Hearing)

INFORMATION

- 1) Application
- 2) Public Hearing Notice

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve Application for a Malt, Spirituous and Vinous Liquor License for American Dream Restaurants, LLC d/b/a Pizza Hut, with a location of 814 North Main Street



All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information;
Type of License and Status

1. New license or renewal of existing license? ☐ New Expected Start date: _____
☒ Renewal Expiration Date: 05/21/2023

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \$ 1,461,181.00 Beer, Wine or Spirits: \$ 7,948.00 Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☐ Wine ☐ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

P.O. Box 781486, KS 67278

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No
7. Is the licensee/applicant(s) a resident of the State of Maine? ☐ Yes ☒ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☒ Yes ☐ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
See Attached		

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Lacey Farley	12/30/1998	Caribou ME

Residence address on all the above for previous 5 years

Name Address:

Lacey Farley 457 Main St. Presque Isle, ME 04769

Name Address:

Name Address:

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Store Capital Corporation 5801 E Princess Dr Ste 190 Scottsdale, AZ 85255-0000

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

See Attached

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

Name: Presque Isle Middle School

Distance: 1.50

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 07/17/2023



Signature of Duly Authorized Person

Signature of Duly Authorized Person

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

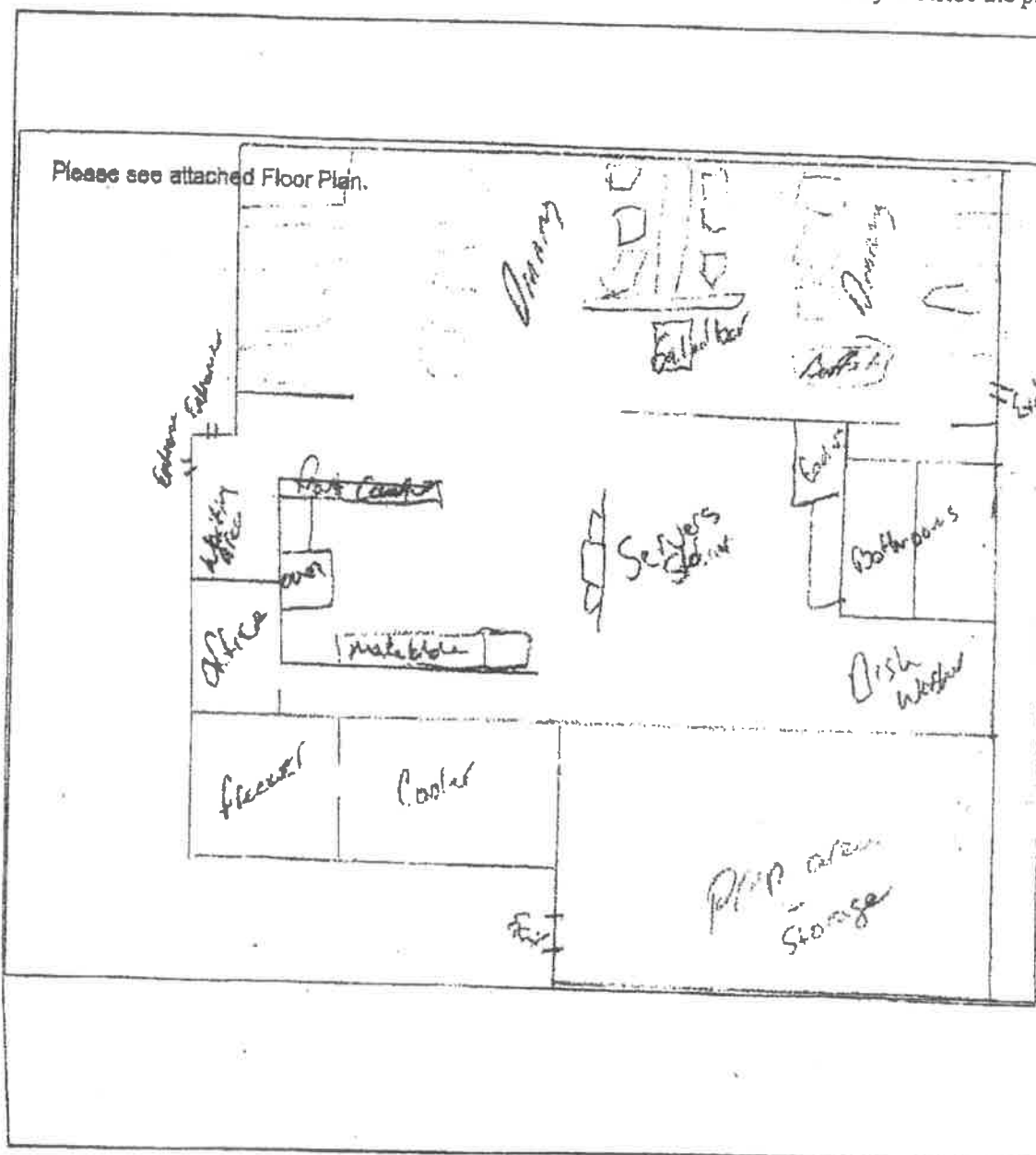
1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of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

A. The bureau shall prepare and supply application forms.

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises
Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: AMERICAN DREAM RESTAURANT, LLC
2. Doing Business As, if any: PIZZA HUT
3. Date of filing with Secretary of State: 04/30/2023 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
JAMES T. SOUZA	2761 LAKE SHORE RD UNT 26	12/31/1968	PRESIDENT	100.0000
	GILFORD, NH 03249			

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

**NOTICE OF PUBLIC HEARING
CITY OF PRESQUE ISLE
LEGAL NOTICE**

NOTICE IS HEREBY given that the Presque Isle City Council will be hold a PUBLIC HEARING on August 2nd, 2023 at 6:00 PM at the Presque Isle Council Chambers. to consider a Malt, Spirituous and Vinous License to

**American Dream Restaurants LLC d/b/a Pizza hut
814 North Main Street**

The public may attend the public hearing or submit written comments. You can obtain more information by contacting the City Clerk's Office at City Hall, 12 Second Street, Presque Isle, ME 04769 or call at 760-2702.

ADA ASSISTANCE: Anyone needing special assistance at the public hearing due to a disability should contact the City of Presque Isle's City Clerk at 760-2702 at least two (2) business days prior to the meeting date.

Per City Council, Kimberly A. Finnemore, City Clerk

July 26, 2023

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 2

SUBJECT

PUBLIC HEARING: Approval for a Malt, Spirituous and Vinous Liquor License and Special Permit for Music, Dancing & Entertainment for Bethany Graves, d/b/a Lotus Lounge, with location of 149 State Street

INFORMATION

- 1) Applications
- 2) Public Hearing Notice

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve a Malt, Spirituous and Vinous Liquor License and Special Permit for Music, Dancing & Entertainment for Bethany Graves, d/b/a Lotus Lounge, with location of 149 State Street.

STATE OF MAINE
BUREAU OF ALCOHOLIC BEVERAGES
APPLICATION FOR
SPECIAL PERMIT FOR MUSIC, DANCING AND ENTERTAINMENT

1. A. Business Name Lotus Lounge - Bethany Graves Phone # 207-768-0199

B. Address 149 State Street St Presque Isle ME 04769
Street City

2. Describe in detail kind and nature of entertainment:

DJ's and live bands.

3. Describe in detail room or rooms to be used under this permit:

First floor @ 149 State.

Dated At 6-22-2023 On _____

N.B. This permit includes all types of entertainment, dancing is inclusive only if you have a dancing license issued by the State Fire Marshall's Office, Department of Public Safety.

\$20.00 Per Year – Single Dance

\$50.00 Per Year

Bethany Graves
(Signature of Individual)

Make check payable to the
City of Presque Isle

(If partnership, by members)

\$115.00 Public Hearing Fee

(Name of Corporation)

THIS APPLICATION MUST BE APPROVED
BY THE MUNICIPAL OFFICERS OR COUNTY
COMMISSIONERS IN THE CASE OF
UNINCORPORATED PLACES

(Place Corporate Seal)

BY _____
(If a Corporation, by a duly authorized officer)

STATE OF MAINE

Aroostook County SS

Dated At _____, Maine, On _____

The undersigned being Municipal Officers of the City of Presque Isle hereby approve the application in accordance with the provisions of Title 28A, Chapter 43, Licenses for the Sale of Liquor to be consumed on the Licensed Premises, §1054 Special permit for music, dancing or entertainment.



All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Legal Business Entity Applicant Name (corporation, LLC): Bethany Graves	Business Name (D/B/A): Lotus Lounge
Individual or Sole Proprietor Applicant Name(s): Bethany Graves	Physical Location: 149 State Street Piscataway NJ 07099
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: bethany622@gmail.com
Telephone # Fax #: 207-768-0199	Business Telephone # Fax #:
Federal Tax Identification Number: 85-3074322	Maine Seller Certificate # or Sales Tax #: 1209945
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? ☐ New Expected Start date: _____
☒ Renewal Expiration Date: 8/19/2023
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input checked="" type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

242 State Street Presque Isle ME 04769.

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☐ Yes ☒ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Bethany S - Graves	09-26-1984	Caribou, ME

Residence address on all the above for previous 5 years

Name Address: 242 State Street
PT ME 04769

Name Address:

Name Address: 9 Burton Street
PT ME 04769

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☒ Yes ☐ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: Bethany Gross Date of Conviction: 11/2022

Offense: Assault Location: Caribou, Maine

Disposition: This was an incident involving the father of my kids, and another female. Non alcohol related.

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Curt Young 149A State Street Presque Isle Maine

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

The first floor will be utilized. All
Sales and storage are on first floor.

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Presque Isle Congregational Church.

Distance: .3 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 6/20/2023

Bethany Graves
Signature of Duly Authorized Person

Signature of Duly Authorized Person

Bethany Graves
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

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

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

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

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

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

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

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

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

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

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

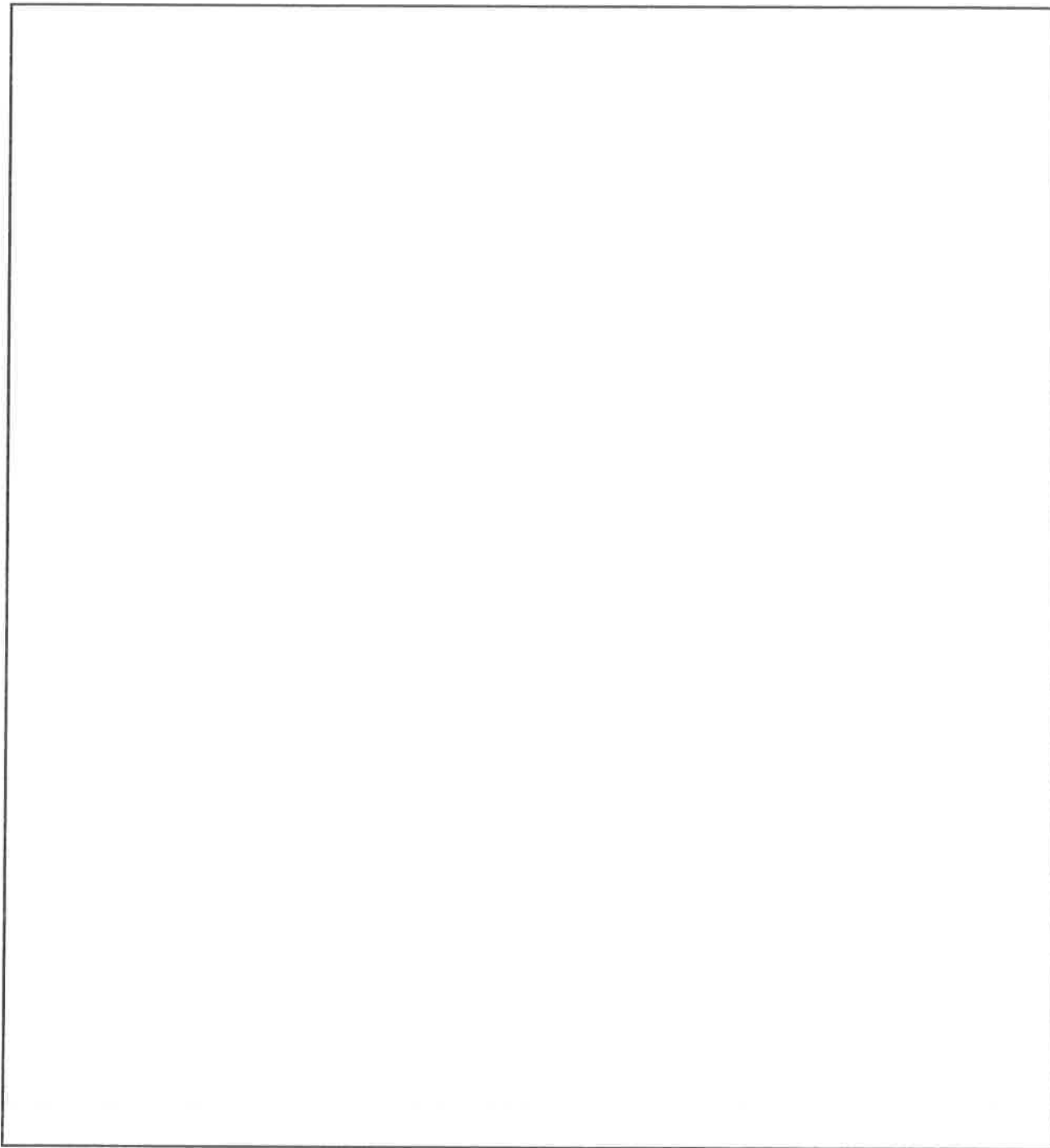
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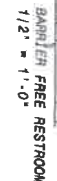
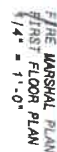
<u>Class of License</u>	<u>Type of liquor/Establishments included</u>	<u>Fee</u>
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.





Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: _____
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: _____ State in which you are formed: _____
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Bethy Crues	242 State Street Presque Isle ME 04769.	9-26-84	owner	100%

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

**NOTICE OF PUBLIC HEARING
CITY OF PRESQUE ISLE
LEGAL NOTICE**

NOTICE IS HEREBY given that the Presque Isle City Council will be hold a **PUBLIC HEARING** on **August 2nd, 2023** at **6:00 PM** at the Presque Isle Council Chambers. to consider a **Malt, Spirituous and Vinous License and Special Permit for Music, Dancing & Entertainment** to

**Bethany Graves, d/b/a Lotus Lounge
149 State Street**

The public may attend the public hearing or submit written comments. You can obtain more information by contacting the City Clerk's Office at City Hall, 12 Second Street, Presque Isle, ME 04769 or call at 760-2702.

ADA ASSISTANCE: Anyone needing special assistance at the public hearing due to a disability should contact the City of Presque Isle's City Clerk at 760-2702 at least two (2) business days prior to the meeting date.

Per City Council, Kimberly A. Finnemore, City Clerk

July 26, 2023

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 3

SUBJECT

PUBLIC HEARING: Approval of Application for a Malt, Spirituous and Vinous Liquor License for TALK Pizza, LLC d/b/a Pat's Pizza, with a location of 9 North Street (Single Hearing)

INFORMATION

- 1) Application
- 2) Public Hearing Notice

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve Application for a Malt, Spirituous and Vinous Liquor License for TALK Pizza, LLC d/b/a Pat's Pizza, with a location of 9 North Street

	Retail Beverage Alcohol Dealers Permit	Alcohol and Tobacco Tax and Trade Bureau (TTB) https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers	(877) 882-3277	
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STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES BUREAU
OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

License No:
Class: By:
Deposit Date:
Amt. Deposited:
Payment Type:
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>

Section I: Licensee/Applicant(s) Information; Type of License and Status

Division Use Only

Legal Business Entity Applicant Name (corporation, LLC): TALK Pizza, LLC	Business Name (D/B/A): Pat's Pizza of Presque Isle
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 9 North Street, Presque Isle, Maine 04769
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: PO BOX 312 Presque Isle, Maine 04769
Mailing address, if different from DBA address: PO BOX 132 Presque Isle Maine, 04769	Email Address: TALKPizzas4@gmail.com
Telephone # Fax #: 207-227-9661	Business Telephone # Fax #: 207-227 -1108
Federal Tax Identification Number: 92-3791-759	Maine Seller Certificate # or Sales Tax #: 7007767
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? X **New** Expected Start date: August 15, 2023 ☐ **Renewal**

Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: 0 Beer, Wine or Spirits: 0 Guest Rooms: 0

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

On Premise Application, Rev. 3/2020 Page 1 of 11

4. Indicate the type of license applying for: (choose only one)

☐ Restaurant Class A Restaurant/Lounge ☒ **Class A Lounge** (Class I, II, III, IV) (**Class XI**) (Class X)

☐ Hotel ☐ Hotel – Food Optional ☐ Bed & Breakfast (Class I, II, III, IV) (Class I-A) (Class V)

☐ Golf Course (included optional licenses, please check if apply) ☐ Auxiliary ☐ Mobile Cart (Class I, II, III, IV)

☐ Tavern ☐ Other: _____ (Class IV)

☐ Qualified Caterer ☐ Self-Sponsored Events (Qualified Caterers Only) *Refer to Section V for the*

License Fee Schedule on page 9

5. Business records are located at the following address:

 9 North Street, Presque Isle < Maine 04769 _____

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company? ☐

Yes ☒ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☒ Yes ☐ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

On Premise Application, Rev. 3/2020 Page 2 of 11

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Country Farms Market in Easton	AGN- 2016-847	84 Center Road, Easton Maine 04740
Country Farms Market in Washburn	AGN- 2015-827	1284 Main Street, Washburn, Maine 04786

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Melissa Saucier Gallagher	06/24/1981	East Millinocket, Maine
Michael Ryan Gallagher	09/27/1979	Drexel, Hill, Pennsylvania
Haley McCrum Kelley	07/29/1981	Presque Isle, Maine
Mark Kelley	08/04/1981	Presque Isle, Maine
Residence address on all the above for previous 5 years		
Name Address: Melissa Saucier Gallagher- 755 Pulcifer Road, Mapleton, Maine 04757		

Name Address: Michael Ryan Gallagher - 755 Pulcifer Road, Mapleton, Maine 04757

Name Address: Haley McCrum Kelley- 174 Bagley Road, Mapleton, Maine 04757

Name Address: Mark Kelley- 174 Bagley Road, Mapleton, Maine 04757

On Premise Application, Rev. 3/2020 Page 3 of 11

13. Will any law enforcement officer directly benefit financially from this license, if

issued? ☒ Yes ☐ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No If No, please

provide the name and address of the owner: Robert Graves: PO BOX 4135, Presque

Isle, Main 04769

On Premise Application, Rev. 3/2020 Page 4 of 11

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Pat's Pizza is located in a plaza, There is front entrance is for customer to come in and a back entrance is for employees. When you enter the restaurant you will enter into the dining area. There are 9 booths and 4 tables with chairs. The back of the restaurant is the bar area with booths. The bar will have 5 bar stools. The kitchen is located next to the bar.. When you enter the kitchen, to left is a prep center for pizza topping, next is the pizza oven. After the pizza oven is a griddle and fryers. Then the freezers and refrigerators are at the end of the kitchen On the other side of the kitchen are sinks, dishwashers, food window and a dough press. In the back of the building are two bathrooms. Located in the rear is a storage area and walk in a walk in cooler. _

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

Name: Zipple Elementary School

Distance: .5 Miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 7/12/23

Signature of Duly Authorized Person Signature of Duly Authorized Person

Hailey Kelly Melissa Gallagher Michael Gallagher
Printed Name Duly Authorized Person Printed Name of Duly Authorized Person

On Premise Application, Rev. 3/2020 Page 5 of 11

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____ ☐

County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

On Premise Application, Rev. 3/2020 Page 6 of 11

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

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

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

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

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or

located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

On Premise Application, Rev. 3/2020 Page 7 of 11

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A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

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 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and

tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.

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On Premise Application, Rev. 3/2020 Page 8 of 11

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Class of License Type of liquor/Establishments included Fee

Class I For the sale of liquor (malt liquor, wine and spirits) \$ 900.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers

Class I-A For the sale of liquor (malt liquor, wine and spirits) \$1,100.00 This class includes only hotels that do not serve three meals a day.

Class II For the Sale of Spirits Only \$ 550.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III For the Sale of Wine Only \$ 220.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV For the Sale of Malt Liquor Only \$ 220.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class III and IV For the Sale of Malt Liquor and Wine Only \$ 440.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class V For the sale of liquor (malt liquor, wine and spirits) \$ 495.00 This class includes only a Club without catering privileges.

Class X For the sale of liquor (malt liquor, wine and spirits) \$2,200.00 This class includes only a Class A Lounge

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On Premise Application, Rev. 3/2020 Page 9 of 11

Section VI Premises Floor Plan

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Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

On Premise Application, Rev. 3/2020 Page 10 of 11

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

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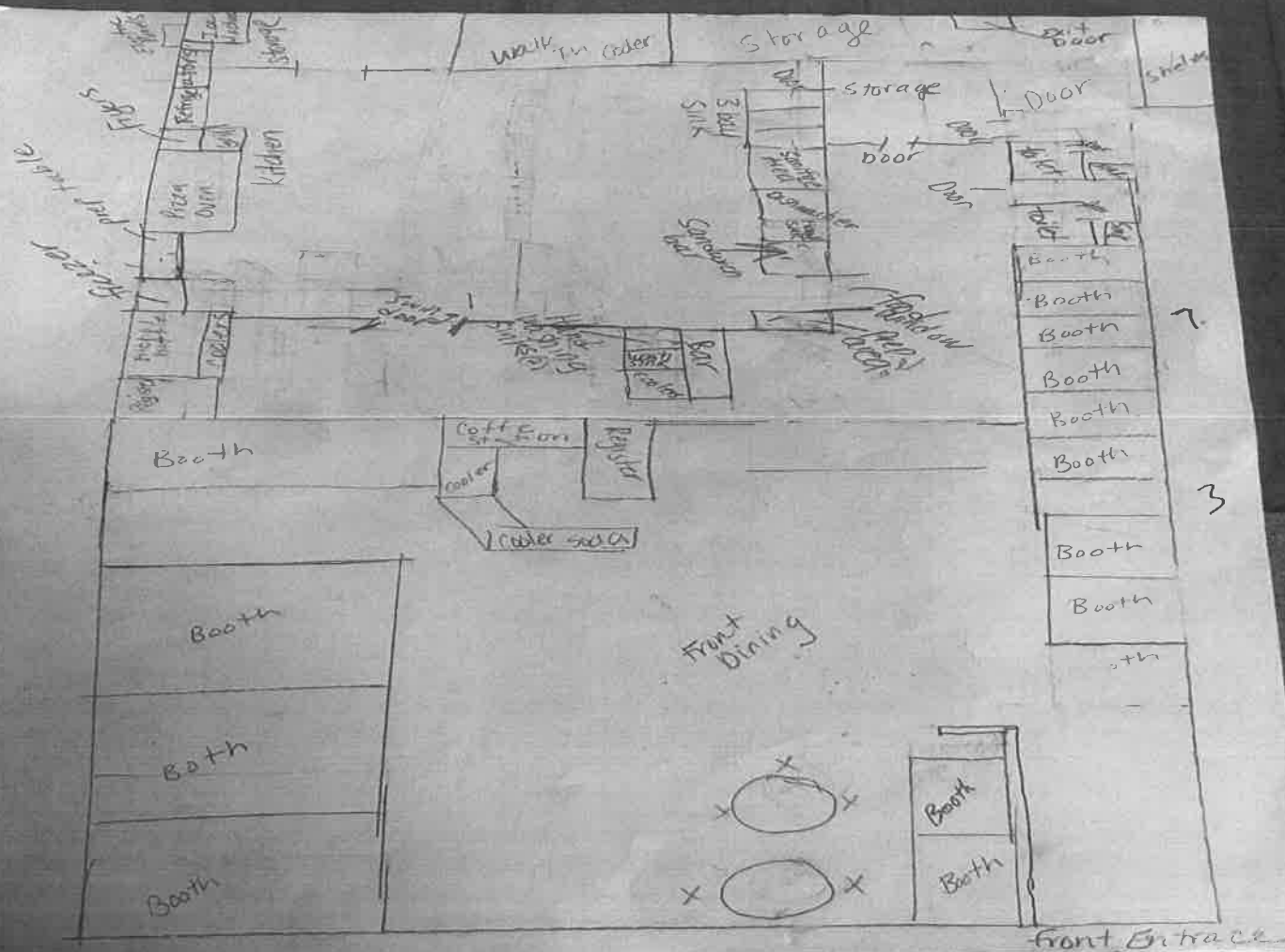
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: TALK Pizza, LLC
2. Doing Business As, if any: Pat's Pizza of Presque Isle
3. Date of filing with Secretary of State: March 2023 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
------	-------------------	---------------	-------	-------------------------

Melissa Gallagher	755 Pulcifer Road, Mapleton, ME 04757	6/24/1981	President	25%
Michael Gallagher	755 Pulcifer Road, Mapleton, ME 04757	9/27/1979	Treasurer	25%
Haley McCrum Kelley	174 Bagley Road, Mapleton, ME 04757	7/29/1981	Vice President	25%
Mark Kelley	174 Bagley Road, Mapleton, ME 04757	8/4/1981	Secretary	25%

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





STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

TELEPHONE: (207) 624-7220

FAX: (207) 287-3434

EMAIL INQUIRIES: maineliquor@maine.gov

Thank you for your interest in becoming a licensed establishment to sell and serve alcoholic beverages in Maine. To avoid any delay in the processing of your application and the subsequent issuance of your liquor license, please use the following checklist to assist you in completing the application. If you are renewing your license, this checklist is useful as well.

- ☐ Your application has been completed in its entirety and is legible. For a renewal, please submit your application 30 days prior to the expiration date of your liquor license.
- ☐ Your application is signed and dated by a duly authorized person.
- ☐ The application assigned and approved by the Town or City Municipal Officers or County Commissioners.
- ☐ The license fee submitted is for the correct fee for the license class for which you are applying and includes the \$10.00 filing fee.
 - ☐ The check must be made payable to "Treasurer, State of Maine"; both the license and filing fees can be submitted on one check.
 - ☐ If the licensee/applicant(s) is in an unorganized township, the application must be approved by the County Commissioners and the \$10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
- ☐ For a renewal, the dollar amount of your gross income for food, liquor and guest rooms, if applicable must be completed – see Section I.1
- ☐ A diagram of the facility to be licensed must accompany all applications whether for a new license or the renewal of an existing license
- ☐ If you are a registered business entity with the Maine Secretary of State's office like a corporation or a limited liability company, you must complete Section VII of the application. This does not need to be completed if you are a sole proprietor.
- ☐ Have you applied for other required licensing from other state and federal agencies? See attached list.

Important – all applications whether for a new license or to renew an existing license for an on-premises liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places to have their application approved and signed prior to submitting it to the Bureau for further consideration.

The address to send your completed application to:

1. Mailing address:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station
Augusta, ME 04333-0008

2. Courier/overnight address:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
19 Union Street, Suite 301-B
Augusta, ME 04330

**The following licenses/permits may be required prior to be licensing as an on-premises licensee with the
Bureau**

Obtain ed ✓	License/Permit	State/Federal Agency to Contact	Telephone Number	Physical Location
	Seller Certificate or Sales Tax Number	Maine Revenue Services www.maine.gov/revenue	(207) 624- 9693	51 Commerce Dr, Augusta
	Health License	Health and Human Services www.maine.gov/dhhs	(207) 287 5671	286 Water St, 3 rd floor, Augusta
	Victualer's License	Municipality where premise is located.	Contact your town office or county office	Contact your town office or county office
	Shellfish License	Marine Recourses www.maine.gov/dmr	(207) 624- 6550	<ul style="list-style-type: none"> • 32 Blossom Lane, Augusta • 194 McKown Point Rd, West Boothbay Harbor • Lamoine State Park, Lamoine • 650 State St, Bangor • 317 Whitneyville Rd, Jonesboro
	Dance or Entertainment License	Fire Marshall's Office www.maine.gov/dps/fmo	(207) 626- 3882	45 Commerce Drive, Suite 1, Augusta
	Federal I.D. Number	www.irs.gov	(800) 829- 4933	
	Legal business names for corporations and limited liability companies and "Doing Business As" Names (assumed names)	Secretary of State, Bureau of Corporations, Elections and Commissions www.maine.gov/sos/cec	(207) 624- 7752	111 Sewall St, 3 rd Fl, Augusta

**NOTICE OF PUBLIC HEARING
CITY OF PRESQUE ISLE
LEGAL NOTICE**

NOTICE IS HEREBY given that the Presque Isle City Council will be hold a PUBLIC HEARING on August 2nd, 2023 at 6:00 PM at the Presque Isle Council Chambers. to consider a Malt, Spirituous and Vinous License to

**TALK Pizza LLC d/b/a Pat's Pizza of Presque Isle
9 North Street**

The public may attend the public hearing or submit written comments. You can obtain more information by contacting the City Clerk's Office at City Hall, 12 Second Street, Presque Isle, ME 04769 or call at 760-2702.

ADA ASSISTANCE: Anyone needing special assistance at the public hearing due to a disability should contact the City of Presque Isle's City Clerk at 760-2702 at least two (2) business days prior to the meeting date.

Per City Council, Kimberly A. Finnemore, City Clerk

July 26, 2023

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 4

SUBJECT

PUBLIC HEARING: Approval to amend Chapter 43 Planning Board Ordinance

INFORMATION

- 1) Memorandum
- 2) Chapter 43 Planning Board Ordinance with changes
- 3) Public Hearing Notice

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to adopt the changes made to Chapter 43 Planning Board Ordinance



City of Presque Isle, Maine

The Office of
Director of Economic & Community Development

Galen Weibley

Email: gweibley@presqueisleme.us

MEMORANDUM

TO:	City Councilors, Martin Puckett, City Manager, & Brad Turner, Finance Director
FROM:	Galen Weibley, Director of Economic & Community Development
DATE:	July 17, 2023
RE:	Public Hearing of Chapter 43 Planning Board Ordinance Amendment

During the June 15, 2023 Planning Board meeting, the Planning Board members reviewed draft changes to the Planning Board Ordinance. The changes are an effort to allow flexibility by the members to adopt meeting procedure rules to govern their meetings which may be updated from time to time as new members join or situations arise. To date, the Planning Board has not had a guiding document outside what each member brought with them from past experiences in service to various clubs and organizations. The proposed revisions will help set a professional tone and expectation from board members and what applicants can expect for a general flow of future meetings.

Revisions to the ordinance have been made as follows:

- Authorize the Chairperson to call for ad-hoc (temporary committee) of members to explore issues in greater detail
- Create new header for the title “Secretary”
- Creates new article called “Rules of Procedure”
- Solidify new article for amendments by majority of members present

Staff recommend the following motion after soliciting public comment:

Suggested Motion: Mr. Chairman, I move that we adopt changes to Chapter 43 Planning Board Ordinance as suggested by the Planning Board.

Enclosures

Ø Chapter 43 Planning Board Ordinance mark-up copy

CHAPTER 43

CITY OF PRESQUE ISLE

Planning Board Ordinance



Adopted by the City Council: March 2, 1998
Repassed by the City Council: February 7, 2000
Repassed by the City Council: January 21, 2004
Repassed by the City Council: January 7, 2008
Repassed by the City Council: March 3, 2008
Repassed by the City Council: January 3, 2012
Amended by the City Council: November 5, 2012
Repassed by the City Council: January 4, 2016
Repassed by the City Council: January 8, 2020
Amended by the City Council:

City Seal

Attest: _____
Kimberly Finnemore, City Clerk

CHAPTER 43 PLANNING BOARD ORDINANCE

Article I: Establishment

Pursuant to Art. VIII, pt. 2, Section 1 of the Maine Constitution and 30-A M.R.S.A. § 3001, the City of Presque Isle hereby established the Municipal Planning Board.

Article II: Appointment

1. Board members shall be appointed by the City Council and sworn by the Clerk, or other person authorized to administer oaths.
2. The Board shall consist of seven (7) members and two (2) alternates. Alternates will be supplied all information as other board members and be part of discussions/deliberations in front of the Board however, an alternate can only vote if a member is absent from the meeting or has a conflict of interest.
3. The term of each member shall be four (4) years except the initial appointment, which shall be for the term of each member serving of the Board, as constituted prior to the enactment hereof. Each alternate member shall be reappointed annually.
4. Appointed members shall continue to serve at the expiration of their term until either a new member has been appointed, or the expiration of ninety (90) days from the end of the term, whichever occurs first.
5. Vacancy: When there is a Vacancy, the City Council shall appoint a person to serve for the unexpired term. A vacancy shall be deemed to have occurred upon the happening of any of the following events: resignation, death, or when a member shall fail to attend four (4) consecutive meetings or fails to attend at least 76% of the regular meetings (unexcused by the Chairperson) during the preceding twelve (12) month period. When a vacancy occurs, the Chairperson shall immediately notify the City Council in writing. The City Council may remove any member or members of the board by unanimous vote, after due notice and hearing.
6. A member of the City Council, while serving in that capacity, may not be a member of the Planning Board.

Article III: Officers

An annual meeting shall be held in February and the following officers shall be elected from members of the Board, and shall serve until replaced.

A. Chairperson

1. The chairperson shall preside at all regular, special and executive session meetings of the Board; and shall conduct the meeting.
2. The Chairperson shall appoint members to the committees of the Board, if any, and shall be ex-officio member of any committee.
3. The Chairperson shall determine agenda items and order of business.
4. The Chairperson shall vote at all regular and special meetings of the Board.
5. The Chairperson may call for special ad-hoc committees as needed for smaller group of members and other stakeholders to research, discuss or debate an action item before reporting recommendation for consideration by the entire membership.

Commented [GW1]: Missing mechanism if we need to study an issue in depth with a group of PB Members that is outside a standing committee.

B. Vice-Chairperson

The Vice-Chair shall assume the duties of the Chairperson when the Chairperson is absent.

C. **Secretary**

The Board also shall appoint annually a secretary to prepare an agenda, provide proper public notice of each meeting, and keep the minutes of the proceedings of the Planning Board; eligible appointments to the position of secretary shall not be limited to members of the Planning Board. In the event the secretary is absent from any meeting of the Board, the Chairperson shall appoint a secretary *pro tempore* for that meeting.

Commented [GW2]: New Title to break up section from Vice-Chair

Article IV: Quorum

No meeting of the Board shall be held without a quorum of four (4) members in actual attendance of such meeting. A member must be present to vote. All decisions shall be by majority vote of those present and voting.

Article V: Meetings

- A. Regular Meetings:** The Planning Board shall hold its regular scheduled meetings at City Hall during a day and time that is selected by the majority of members, unless there is no business to be brought before the Board.

B. Special Meetings: Shall be called by the Chairperson, whenever it is deemed necessary, provided notice thereof is given by publishing in the Star Herald written notice of such meeting, which notices sets forth the subject matter(s) to be addressed at the meeting, the date, and the place of the meeting, at least ten (10) days prior to said meeting; such notice shall also be posted on the Municipal Bulletin Board, City Office, at least ten (10) days prior to said meeting date.

Article VI: Rules of Procedure

The Planning Board may establish by-laws separate from this ordinance to govern meeting decorum, rules of procedure and civic participation from the Board.

Article VII: Appeals

Appeals of any findings, actions, or determination of the Board shall be to the Superior Court, in accordance with Rule 80-B of the Maine Rules of Civil Procedure. The hearing before Superior Court shall be a trial *de novo* without jury.

Article VIII: Amendments

The Planning Board may amend portions of this ordinance by majority (51%) of members present that consist of a quorum with adoption by the majority of the City Council.

Commented [GW3]: New Section for Rule Procedure at meetings

Commented [GW4]: New section to help clarify ordinance amendments in the future

Commented [GW5]: This provision is relating to changing minority rights to speak

**NOTICE OF PUBLIC HEARING
CITY OF PRESQUE ISLE
LEGAL NOTICE**

NOTICE IS HEREBY given that the Presque Isle City Council will be hold a **PUBLIC HEARING** on **August 2nd, 2023** at **6:00 PM** at the Presque Isle Council Chambers. to consider **approval to**

Amend Chapter 43 Planning Board Ordinance

The public may attend the public hearing or submit written comments. You can obtain more information by contacting the City Clerk's Office at City Hall, 12 Second Street, Presque Isle, ME 04769 or call at 760-2702.

ADA ASSISTANCE: Anyone needing special assistance at the public hearing due to a disability should contact the City of Presque Isle's City Clerk at 760-2702 at least two (2) business days prior to the meeting date.

Per City Council, Kimberly A. Finnemore, City Clerk

July 26, 2023

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 5

SUBJECT

CONSENT AGENDA: 2023 Minutes

INFORMATION

1) July 5, 2023 Minutes

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by
Councilor _____ to approve minutes from July 5, 2023



Presque Isle City Council Meeting

**July 5th, 2023
6:00 p.m.
Council Chamber**

Executive Session @ 5:00 p.m.

All Councilors present except Councilor D. Cyr arrived during executive session.

BE IT RESOLVED by Chairman J. Shaw seconded by Deputy Chairman K. Freeman to enter into executive session at 5:00 p.m. pursuant to 1 M.R.S.A. § 405(6)(D) to discuss negotiations.

Vote: 6-0

No action taken

Out of executive session at 5:43 p.m.

Call to Order – Roll Call

Present: Chairman J. Shaw, Councilors C. Green, G. Nelson, M. Chasse and J. Willette and D. Cyr.

Absent Deputy Chairman K. Freeman

City Manager Martin Puckett and City Clerk Kimberly Finnemore were also present.

Pledge of Allegiance

Public Hearing

1. Approval for a Marijuana license renewal to Joe Pelkey and Chase Norton, d/b/a Star City Wellness, with location of 694 Main Street.

Chairman J. Shaw opened the public hearing at 6:01 p.m.

City Manager M. Puckett informed Council that all the City requirements have been met and have no issues.

There were no citizens comments.

Chairman J. Shaw closed the public hearing at 6:02 p.m.

BE IT RESOLVED by Councilor C. Green, seconded by Councilor J. Willette to approve a renewal application for adult use and medical marijuana business to Joseph Pelkey and Chase Norton, d/b/a Star city Wellness with location of 694 Main Street.

Vote: 6-0

Citizen Comments

Wendall Hudson address the Council about the hours of the Rec. Center. Wendall and a few of his buddies like to play pool and have had to leave around 5 when there are other Rec. things going on like Zumba, Basketball. Wendall and his friends are looking for permission to stay and play pool while there are other things going on. City Manager M. Puckett is going to work with Wendall to get a resolution and email Council.

Consent Agenda

2. Approve minutes from June 7, 2023.
3. Approve 2023 Warrants #20-#24 totaling \$2,003,618.31.
4. Approve taxi cab service license for Jeff's Taxi.
5. Drug forfeiture- Nicole McLaughlin in the amount of \$8,255.10.

BE IT RESOLVED by Councilor C. Green, seconded by Councilor J. Willette to approve the consent agenda items #2-#5 as presented.

Vote: 6-0

Old Business

6. Lodging establishment license for Martin's Manor Rentals, LLC at 42 Winter St.

City Manager M. Puckett informed the Council that Eric Martin the property owner has made substantial improvements. All major life safety issues have been corrected. Staff is recommending approval.

BE IT RESOLVED by Councilor M. Chasse, seconded by Councilor J. Willette to approve a lodging establishment license to Eric Martin for Martin's Manor Rentals, LLC with location of 42 Winter Street.

Vote: 5-0-1

Councilor C. Green abstained

7. Lodging establishment license for Clark's Lodge at 22 Pleasant Street.

City Manager M. Puckett informed the Council that the property owner has completed everything but the fire alarm system, currently being designed by Minute Man. Staff recommends approval.

BE IT RESOLVED by Councilor J. Willette, seconded by Councilor M. Chasse to approve a lodging establishment license to Roger Soucy for Clark's Lodge with a location of 22 Pleasant Street.

Vote: 5-0-1

Councilor C. Green abstained

New Business

8. Annual tax commitment.

City Manager M. Puckett spoke on the summery of the tax commitment it's a form that they put together annually that shows the comparison of the 2022 tax commitment verses the 2023 recommendation for the tax commitment. What made a major impact in reduction was, we used some surplus funding to try and lower the mill rate for tax payers. Staff recommends approving resolves once mill rate is determined.

BE IT RESOLVED by Chairman J. Shaw and seconded by Councilor C. Green to accept the 2023 City Budget appropriations by department as shown above. Total appropriations of \$17,245,802 less total revenue of \$9,422,533 for a net spending budget of \$7,823,269 from the General Fund. And for the Airport Fund total expenses of \$3,333,248 less total revenue of \$3,427,812 for a net appropriation from the General Fund of \$-94,564

Vote: 5-1

BE IT RESOLVED by Councilor C. Green and seconded by Chairman J. Shaw, that the City Council authorize the Tax Collector to collect payments of year 2024 taxes in advance.

BE IT RESOLVED by Councilor C. Green and seconded by Chairman J. Shaw, that the Tax Commitment Date for 2023 is July 05, 2023.

BE IT RESOLVED by Councilor C. Green and seconded by Chairman J. Shaw, that the 2023 taxes are due and payable on July 05, 2023.

BE IT RESOLVED by Councilor C. Green and seconded by Chairman J. Shaw, that interest to be paid by the City of Presque Isle shall be at the rate of 3.00 percent per annum on reimbursements due to overpayment (abatement) of taxes.

BE IT RESOLVED by Councilor C. Green and seconded by Chairman J. Shaw, interest on unpaid taxes shall be at the rate of 6.00 percent per annum. Interest on unpaid taxes will begin to accrue on October 18, 2023.

BE IT RESOLVED by Councilor C. Green and seconded by Chairman J. Shaw, that abatements shall be appropriated from the 2023 overlay.

BE IT RESOLVED by Councilor C. Green and seconded by Chairman J. Shaw, that the mill rate for 2023 to be assessed against all taxable real and personal property shall be 0.02260 mils.

Vote: 5-1

9. Airport reserve transfer/ATV.

City Manager M. Puckett said the Airport has an ATV that they use for FAA inspections, they also use it to mow with they pull a bush hog behind it. They have trouble with it overheating, they have tried to repaired the issue. It is untimely a 14-year-old piece of equipment. The engine did end up cracking. The Airport Director is asking for Airport reserves to be reallocated for the purchase of a UTV to replace the 2010 Kubota. Staff recommends approval.

BE IT RESOLVED by Councilor C. Green seconded by Councilor G. Nelson to authorize the transfer of \$30,000 from the Airport passenger terminal re-carpeting reserve account to purchase an ATV for the Airport department.

Vote: 6-0

10. Airport reserve transfer/advertising.

City Manager M. Puckett said we have had an outstanding past 12 months at the Airport. We have boarded more Jan to May of 2023 since 2020. The Airport Director is asking to move \$125,000 from COVIC relief reserves and reallocate towards advertising. Staff recommends approval.

BE IT RESOLVED by Councilor J. Willette seconded by Councilor C. Green to authorize the transfer of \$125,000 from the Airport cares act monies to Airport marketing reserve account for airline advertising.

Vote: 6-0

11. Building & Facilities update.

Chairman J. Shaw read from the memo:

Staff needs guidance on the direction of creating a facilities department and has two main options, each that contain some variables that need to be determined. There is

universal agreement the city needs a person/department to help with maintenance of city owned buildings. During the budget process \$40,000 was moved from the DECD department to be reallocated for facilities. That funding is not enough to fund a position to adequately fill a facilities position to maintain a dozen city owned buildings.

I want to make sure the mission statement, responsibilities & job description match what was discussed at goal setting and meet Council's expectations and City's needs. Tyler Clark has been filling the void of a facilities position and due to his experience and knowledge of facilities, he would be a great fit for the position. Through the multiple meetings with staff, we believe we have these two main options:

Option 1: Start Facilities Department with one person based upon mission statement and job description review. Responsibilities are many for a one-person operation and expectations would require more than just a stipend to adequately address the needs of the city. If a current employee assumes the position as I intend, it would require time to replace the position to make sure training could occur. Depending on when we start the position (soon, or at the beginning of the year) a capital improvement plan can be developed, and inventory/assessment of facility needs completed and oversight of maintenance and construction to help reduce costs can be done.

Option 2: Begin budget development of a Facilities Department. Finance has done preliminary work on a department. The basic premise is to move the maintenance department from the Rec. a& Parks Dept. (four positions) and consolidate into a new department. This would be similar to the structure of the municipal examples listed above. Staff does not recommend doing this for 2023, but plan for budget development in the upcoming budget season for implementation at the beginning of the year. One current concern is that the existing maintenance department already has to prioritize work to be done for just the Rec & Parks Department, and adding the responsibility of the Library, City Hall, Public Works, Public Safety and possible the Airport's four buildings would be too much without additional help.

City Manager M. Puckett put together a large packet of information that includes an overview discussing options with background, job description, mission statement and examples of other municipal facility departments. For discussion, guidance on direction.

Discussion only

12. Schedule public hearing to amend Chapter 43 Planning ordinance and planning board by-laws.

City Manager M. Puckett introduced the DECD director so he could give a review of the Planning Boards request to have a public hearing. Staff recommends.

Galen Weibley gave an overview of the revisions to the ordinance that have been made as follows: Authorize the Chairperson to call for ad-hoc (temporary committee) of members to explore issues in greater detail. Create new header for the title "Secretary." Creates new article called "Rules of procedure." And Solidify new article for amendments by majority of members present.

BE IT RESOLVED by Councilor J. Willette seconded by Councilor D. Cyr to schedule a public hearing for August 2, 2023 to consider adopting the amended Chapter 43 Planning board ordinance.

Vote: 6-0

13. Employee handbook.

City Manager M. Puckett informed the Council. It has been five years since there have been changes made to the employee handbook, so it was time to review the document. The majority of changes were made with formatting and spelling errors but we did make changes in specific areas that help with clarification. The changes were

- Correcting the table of contents and moving page numbers to bottom of page
- Removing deputy city manager references and applying HR Director
- Streamlined the hiring process from a cumbersome 25 steps to 15
- Removed the pay for performance program that was never initiated/funded in 2012
- Political activities/office updated, employees cannot use position to influence elections
- Gifts, gratuities must follow IRS guidelines "de minimus" in value
- Employees that choose to use own vehicle rather than city vehicle will be reimbursed through receipts of gas/diesel
- Smoking policy follows State/Federal guidelines
- Inclement weather (previously called snow days) process updated
- Communication policy altered to reflect recently approved Cyber Policy to remove redundancies
- Health Insurance language clarified-was contradictory, stipend language for not accepting same for all employees
- Sick leave policy includes parental leave and sick bank donation
- Revision removed from the front of the document

BE IT RESOLVED by Councilor C. Green seconded by Councilor J. Willette to table the Employee handbook revisions until next Council meeting on August 2, 2023.

Vote: 6-0

14. Website

City Manager M. Puckett was excited about the progress on the new city website, planning on launching in August. M. Puckett asked Council to look at the progress and make recommendations as soon as possible prior to the launch. Some of the features we are most excited about:

- Modern user-friendly design that is mobile & device friendly to engage with residents
- Prominent interactive calendars with regional events that will be helpful for residents and visitors
- Emergency alert system to notify residents of street closures, storms, and closures
- Job postings for vacant positions within the City of Presque Isle
- Online payment portal for taxes, motor vehicle, atv, snowmobiles, hunting and fishing
- News section to keep the public aware of current initiatives
- Citizen request form to help resolve issues quickly
- Notification system that allows residents to opt in for new events, news, meetings and specific information when it is posted on the website
- Links to various community resources for new residents
- Helpful sections for meetings to include agendas, minutes and videos all in one area by date
- Online forms for vital records, ballots, building permits, business licenses, registration, and boards and committees

A brief demonstration of the website was shown.

Discussion only

15. Charter amendments.

City Manager M. Puckett asked the Council to provide input for possible changes to our guiding document, the city charter. M. Puckett has a list of changes that have been discussed over the last few years.

- Remote meetings
- “Rainy day” fund (currently 0.5% of state valuation) to a capped amount rather than percentage
- Change Warden & Warden Clerk positions from elected to appointed positions
- Vacancies & Forfeiture of office
- Changing title of Chair to major

Discussion only

Managers’ Report

City Manager M. Puckett made the announcement that nomination papers for School Board section #5 and section # 9 and two City Council seats will be up for election.

Nomination papers are available July 31st and needs to be returned by September 8th, 2023. You can pick up nomination papers at the City Clerks office.

Announcements

Acoustic afternoons in the garden at the Vera Estey House Museum on July 1st and 22nd at 2:30 p.m.

Rockin' on Riverside on July 20th at 6:00 p.m.

The City has the following employment vacancies: Police Officer and Firefighter and Paramedic.

We have the following vacancies for Boards/ Committees:

Assessment review, 2-one-year alternates

Audit Committee, 1-four-year member

Zoning Board, 1-three-year member and 1-one-year alternate

Planning Board, 1-one-year alternate

Rec & Parks, 2-one-year alternates

Downtown Revitalization, 1-four-year member

Please see the City Clerk for an application or apply online.

The next regularly scheduled meeting of the Presque Isle City Council will be on Wednesday, August 2, 2023 at 6:00 p.m. (5:00 p.m. for executive session) in the Council Chambers at City Hall

Adjournment

BE IT RESOLVED by Councilor M. Chasse seconded by Councilor C. Green to adjourn at 7:15 p.m.

Vote: 6-0

Attested by: _____
Kimberly A Finnemore, City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 6

SUBJECT

CONSENT AGENDA: 2023 Warrants #22, #26, and #27
totaling \$1,855,390.93

INFORMATION

1) Warrant #25	\$ 441,847.53
2) Warrant #26	\$ 346,962.05
3) Warrant #27	\$ 1,066,581.35

REQUESTED ACTION

BE IT RESOLVED by Councilor _____ seconded by
Councilor _____ to approve 2023 Warrant #25, #26,
and #27 totaling \$1,855,390.93

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 7

SUBJECT

CONSENT AGENDA: MMA Annual Election

INFORMATION

- 1) MMA Voting Ballot
- 2) MMA Proposed Slate of Nominees

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the Voting Ballot.



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of MMA Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 18, 2023

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Melissa Doane, Town Manager, Town of Bradley

☐

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

Shiloh LaFreniere, Town Manager, Town of Jay

☐

Nathaniel Rudy, Town Manager, Town of Gray

☐

Dina Walker, Selectperson, Town of Weld

☐

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____

Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

Return To:

**MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
Email: tchavarie@memun.org**

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2024 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT
(1-Year Term)**

MELISSA DOANE (TOWN MANAGER, TOWN OF BRADLEY)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – 2020)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coor, Clinical Operations/Secretary/Patient Accounts/Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- Member, Executive Board, Municipal Review Committee (2021 – present)
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – 2020)
- Chair, Sponsorship Committee, Maine Town, City & County Management Association (2020)
- Member, Maine Town, City & County Management Association (2005 – present)
- Member, Maine Town & City Clerks Association
- Member, Maine Municipal Tax Collectors & Treasurer Association
- Member, Maine Welfare Directors Association
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate degree, Business Management, Beal College
- Associate degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Certified Municipal Manager, Maine Town, City & County Management Association
- Rookie of the Year Award, Maine Town, City & County Management Association (2009)
- State of Maine Notary
- State of Maine Dedimus Justice

MMA EXECUTIVE COMMITTEE MEMBERS **(3-Year Terms)**

SHILOH LaFRENIERE (TOWN MANAGER, TOWN OF JAY)

Professional & Municipal Experience:

- Town Manager, Town of Jay (2014 - present)
- Treasurer, North Jay and Jay Village Water District (2005 - 2022)
- Code Enforcement Officer, Town of Jay (1997 - 2014)
- Environmental Cod Administrator, Town of Jay (1997 - 2010)
- Wellness Coordinator, Town of Jay (2005 - 2014)
- E911 Addressing Officer, Town of Jay (2010 - 2014)
- Deputy Finance Director, Town of Jay (2012 - 2014)

Other Experience, Committees and Affiliations:

- Institute for Civic Leadership, Maine Development Foundation (2022)
- Member, Maine Town, City & County Management Association (2014 - present)
- Maine Town, City and County Management Association, Ethics Committee (2020 - present) and Membership Services Committee (2021 - present)
- Androscoggin Valley Council of Governments, Vice President (2022 - present); Executive Committee (2019 - present)
- Past Member of the State of Maine Technical Building Codes and Standards Boards (2008 - 2014)
- NorthStar Ambulance Advisory Board (2014 - present)
- Member, Jay-Livermore-Livermore Falls Chamber of Commerce (2014 - present)

Education:

- BS in Business Management, Liberty university, Lynchburg, VA (December 1996)

Awards and Certifications:

- Rising Star Award, Maine Town, City & County Management Association (2017)
- State of Maine Notary

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY)

Professional & Municipal Experience:

- Town Manager, Town of Gray (2021 - present)
- City Manager, City of Hallowell (2016 - 2021)
- Executive Director, Waterville Creates (2014 - 2016)
- Director of Planning and Development, City of Gardiner (2011 - 2014)
- Business Development Specialist (2010 - 2011)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Legislative Policy Committee (2018 - 2021; 2022 - present)
- Member, Governor's Commission on Volunteerism aka Volunteer Maine (2020 - 2023)
- Board of Directors, Maine Council on Aging (2019 - 2023)
- Program Advisory Committee, University of Maine School of Architecture (2016 - present)
- Board of Directors, EcoMaine (2021 - 2022)
- Board of Directors and Treasurer, Kennebec Valley Humane Society (2019 - 2021)
- Board of Directors, Delta Ambulance (2017 - 2021); Vice President (2020 - 2021); Finance Committee (2019 - 2021)
- General Assembly, Kennebec Valley Council of Governments (2016 - 2017 and 2020 - 2021); Secretary of Executive Committee (2016 - 2017)
- Board of Directors, Independent Retailers Shared Services Collaborative (2012 - 2021); Treasurer (2012 - 2021)
- Board of Directors, Maine Craft Association (2012 - 2018; Vice President, 2014 - 2018)

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY) *(continued)*

- Executive Director and Board Secretary, Gardiner Board of Trade (2011 - 2014)
- International City / County Managers Association
- Maine Town / City / County Managers Association
- Maine Association of Realtors (2013 to 2020)

Education:

- Master of Business Administration, 4.0 GPA, Thomas College, Waterville, Maine
- B.S., Environmental Science and Engineering, Cum Laude, 3.5 GPA
- Virginia Polytechnic Institute and State University (Virginia Tech), Blacksburg, Virginia
- Harvard Kennedy School Executive Education Program, Negotiation Strategies (2023)
- Harvard Kennedy School Executive Education Program, State and Local Government (2019)
- New England Economic Development Course, Thomas College (2010)
- Graduate studies in Civil and Environmental Engineering, Virginia Tech

Awards and Certifications:

- Certified Manager, International City / County Managers Association (2023)
- Certified Manager, Maine Town / City / County Manager Association (2019 - 2025)
- Community Development Block Grant Administrator (2018)
- Build Maine Conference Team, Lewiston, Maine (2017 - 2021)
- CityWorks(X)po Conference Fellow, Roanoke, Virginia (2017)
- Maine Licensed Real Estate Broker (2013 - 2020)
- Lead on several Grant Awards (*e.g., US Environmental Protection Agency Brownfields Assessment grant; Maine Bureau of Parks and Lands Submerged Lands Program, Harbor Management and Access Grant Program; Maine Centers for Disease Control and Prevention, Keep ME Healthy grant; Hallowell Fire Station construction grant, private and donation; American Association of Retired People Age-Friendly Community Assessment grant; Harold Alfond Foundation grant; Orton Family Foundation Heart & Soul Community Planning grant; National Park Service Preserve America grant, etc.*)

DINA WALKER (SELECTPERSON, TOWN OF WELD)

Professional & Municipal Experience:

- Selectperson, Assessor and Overseer of the Poor, Town of Weld (2021 – current)
- Election Day Volunteer, Town of Weld (2019 – current)
- Partner, Jones Day (Law Firm), Beijing, China (2016 – 2018)
- International Partner, King & Wood Mallesons (Law Firm), Beijing, China (2012 – 2016)
- Managing Associate, Linklaters LLP (Law Firm), Beijing, China (2011 – 2012)
- Senior Associate, Dewy & LeBoeuf LLP (Law Firm), Beijing, China and Houston, Texas (2009 – 2011)
- Associate, Baker & Daniels, LLP (Law Firm), Indianapolis, Indiana (2005 – 2009)
- Judicial Law Clerk, the Honorable Richard K. Eaton, US Court of International Trade (2004 – 2005)

Other Experience, Committees and Affiliations:

- *Rutgers Law Review*, Editor-in-Chief (2003 – 2004)
- Founder and Organizer, Women's International Forum on Energy (2013 -2016)

Education:

- Rutgers University School of Law, Newark, New Jersey, J.D. (2004)
- University of Pennsylvania, Philadelphia, Pennsylvania, B.A., International Relations (2000)

Awards and Certifications:

- *The Legal 500 (2016)*: “Highly Recommended” Lawyer In the Areas of Projects and Energy (China)
- State of New York, Bar Admission (retired)
- State of Indiana, Bar Admission (inactive)

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 8

SUBJECT

CONSENT AGENDA: Taxi Cab License for Shiretown Solutions

INFORMATION

1) Application provided at meeting

REQUESTED ACTION

BE IT RESOLVED by Councilor _____ seconded by Councilor _____ to approve a Taxi Cab Service License for Shiretown Solutions.

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 9

SUBJECT

NEW BUSINESS: Creation of a Facility/Building Maintenance Position

INFORMATION

- 1) Memorandum
- 2) Facilities Maintenance Description
- 3) Facilities Manager Job Description
- 4) Overview of Augusta Facilities Department
- 5) Overview of Saco Facilities Department
- 6) Overview of South Portland Facilities Department

REQUESTED ACTION

FOR DISCUSSION



City of Presque Isle, Maine

The Office of
City Manager

Martin Puckett

Email: mpuckett@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Martin Puckett, City Manager
DATE:	June 17, 2023
RE:	Buildings & Facilities

Overview: In March, Council held a goal setting session to review goals for 2023-2024. In April council approved the list of goals. The 4th goal was the creation of a Facility/Building Maintenance position to oversee city assets and maintenance. Over the past two months, we have had meetings internally to discuss the creation of the position, budget, responsibilities and a job description.

Organizational Structure As with the other municipalities, there are many different examples of the number of employees, where the department is located, and oversight. The typical comparisons we use (Brewer, Orono, Old Town, Caribou, Skowhegan, Calais) did not have separate facilities departments. The four municipalities below did have separate entities with a wide range of differences. Examples; staff between two to over a dozen and budgets ranging from \$200,000 to \$1.3 million. They had great examples of structure, responsibilities and job descriptions.

Examples of Facility Departments

Augusta: Part of the Developmental Services Department. The department has six full time staff and three part time custodians. 2023 budget of \$1.3 million. Four main buildings to maintain and includes ornamental street lights and traffic signals.

Ellsworth: A separate department of two full time staff. They maintain three buildings that include a large complex that houses city hall, police, and fire stations. Budget of \$193,000.

Saco: Was part of the Parks & Recreation department and now Public Works. The Facilities Division has a staff of three employees and a supervisor that maintain a transportation center, public restrooms and all municipal facilities. The budget of facilities was incorporated into Public Works in 2020 and was \$192,000 at that time. Most interesting about Saco was that they wrestled with the same situation of **creating a facilities department**- a slide from a 2017 presentation is included in the packet of information.

South Portland: A separate department reporting to City Manager. Large staff due to over a dozen buildings to maintain. 2023 budget of \$777,357. Buildings include; Municipal Services Facility, City Hall, two Libraries, Utility Office, Planning, Development & Codes, Community

12 Second Street Presque Isle, ME 04769-2459 Phone: 207.760.2780 Fax 207.764.2501

*The City of Presque Isle is an equal opportunity provider. To file a complaint, write to
HR Director, 12 Second Street Presque Isle, ME 04769, or call (207) 760-2700.*

Center & Pool, Wainwright Building, Redbank Community Center, Willard Beach Snack Bar, Police and Public Safety Building, Central Fire Station, Western Ave. Fire Station, Cash Corner Fire Station, Willard Call Station and Thornton Heights Call Station

Discussion: Staff needs guidance on the direction of creating a facilities department and has two main options, each that contain some variables that need to be determined. There is universal agreement that the city needs a person/department to help with the maintenance of city owned buildings. During the budget process, \$40,000 was moved from the DECD department to be reallocated for facilities. That funding is not enough to fund a position to adequately fill a facilities position to maintain a dozen city owned buildings.

I want to make sure the mission statement, responsibilities & job description match what was discussed at goal setting and meet Council's expectations and City's needs. Tyler Clark has been filling the void of a facilities position and due to his experience and knowledge of facilities, he would be a great fit for the position. Through the multiple meetings with staff, we believe we have these two main options:

Option 1: Start Facilities Department with one person based upon mission statement and job description review. Responsibilities are many for a one person operation and expectations would require more than just a stipend to adequately address the needs of the city. If a current employee assumes the position as I intend, it would require time to replace the position to make sure training could occur. Depending on when we start the position (soon, or at the beginning of the year) a capital improvement plan can be developed, an inventory/assessment of facility needs completed, and oversight of maintenance and construction to help reduce costs can be done.

Option 2: Begin budget development of a Facilities Department. Finance has done preliminary work on a department. The basic premise is to move the maintenance department from the Rec. & Parks Dept. (four positions) and consolidate into a new department. This would be similar to the structure of the municipal examples listed above. Staff does not recommend doing this for 2023, but plan for budget development in the upcoming budget season for implementation at the beginning of the year. One current concern is that the existing maintenance department already has to prioritize work to be done for just the Rec. & Parks Department, and adding the responsibility of the Library, City Hall, Public Works, Public Safety, and possibly the Airport's four buildings would be too much without additional help.

Once council reviews the packet of information, discusses and gives direction to which option they prefer at this time, staff will provide an update and financials at the next council meeting.



City of Presque Isle, Maine

Presque Isle Facilities Maintenance

Facilities and Operations maintains city buildings, parks and supports spaces leased by the City.

Mission

The mission of Facilities Maintenance is to provide technical and operational support for the City's facilities through value added services. We do this through the design, development, operation, and maintenance of City facilities while continually seeking energy efficiency opportunities and improvements for the environmental health of the spaces shared by our employees and citizens.

Responsibilities

Facilities Maintenance provides preventative maintenance, repair, and custodial services on City owned buildings. We also oversee various contracts for outside services such as elevator maintenance, HVAC and controls, etc. We make sure that buildings are efficiently maintained and meet the needs of residents, visitors, and staff.

Our Work

- Maintain architectural style and building appearance
- Reduce maintenance costs
- Invest in facilities- encourage long term planning
- Offer 24/7 on call services in key areas
- Conserve energy and resources
- Safety, accessibility & preparedness
- Oversee electrical, HVAC, and key building infrastructure
- Maintains and repairs buildings, grounds and manages consultants and contractors

Facilities Manager

Department:General Government
Division:
FLSA Status: Non-Exempt

Union: Non-Union
EOE: Skilled Craft
Updated: 1/25/2023

JOB SUMMARY:

Responsible for city-wide Capital Facilities planning, construction and maintenance spanning intradepartmental needs of Police, Fire, Public Works, Recreation & Parks, Library and General Administration buildings and grounds. Combines supervisory and customer service responsibilities; the application of technical knowledge in construction, maintenance and custodial services for building systems operation, maintenance monitoring and repair; and building and grounds security for the City's multi-building assets. Supervises maintenance personnel and custodial supervisor in all aspects of work including hiring and disciplinary actions. Assesses facility needs, recommends, plans and monitors annual budget for facilities capital and maintenance projects. Develops twenty-year Capital Facilities Plan. Provides technical support and supervises personnel conducting capital maintenance construction projects. Supervises and oversees the preparation of construction specifications, bid documents and oversees construction projects.

SUPERVISORY RELATIONSHIP:

Reports to the City Manager. Works under general guidance and direction in carrying out assignments under City policies and procedures, and applicable Federal, State and local regulations. Supervises work projects, maintenance personnel and custodial supervisor. Supervises temporary workers, consultants and construction workers hired by the City, as applicable.

ESSENTIAL FUNCTIONS OF THE JOB:

1. Plans, administers and organizes a comprehensive capital maintenance and repair program for City buildings, facilities and equipment including operation, monitoring and repair; plans and oversees scheduling and implementation of short- and long-range projects; develops and implements an effective preventative maintenance program.
2. Supervises, directs and evaluates the performance of project management and custodial staff & contractual work. Develops and/or coordinates ongoing on-the-job training, vendor training and in-house training for capital construction and maintenance work tasks. Develops and enforces safety and training policies; handles minor and routine disciplinary actions; conducts performance evaluations; approves vacation requests and timesheets.
3. Performs facility condition surveys. Performs facilities development and maintenance cost analysis. Performs short- and long-range planning; develops city-wide Twenty-Year Capital Facilities Plan, and annual Capital Maintenance Plan. Researches and develops specific plans and projects to optimize maintenance and operation costs.

4. Conducts project management and analysis/diagnosis of problems; troubleshoots equipment and system failures and determines best course of action for resolving identified problems.
5. Serves as a resource to other City departments by consulting on facility issues, making referrals, etc. Coordinates with other division and departmental staff to identify and resolve problems and to mitigate and minimize operational conflicts. C
6. Utilizes computerized systems such as maintenance management, building automation, direct digital control, security management, geographic information, and as-built archive systems to schedule, assign, track and record work requests and monitor program accomplishments; maintains records on assets and services; accesses maps and as-built drawings of buildings, facilities and equipment; responds to customer requests; and identifies improvements to the project management and maintenance programs.
7. Reviews work priorities; schedules work assignments; coordinates availability of materials, equipment and personnel. Reviews daily accomplishments; conducts regular inspections and modifies work priorities as necessary. Determines inventory needs for specific equipment/materials. Ensures that work standards adhere to regulations, policies and procedures.
8. Ensures proper operation of all life-safety and security systems, including locks, fire and intruder alarms, access controls, automatic suppression systems and uninterrupted power supplies. Coordinates required inspections, upgrades and repairs. Controls and issues keys and access ID cards. Coordinates regulatory inspection of life-safety systems, conveyance, pressure vessels and boilers.
9. Ensure elevators meet State Department of Labor and Industries code requirements and obtain and monitor contract services and operating permits. Ensure Under Ground Fuel Storage Tanks (UST) meet State and Department of Ecology requirements and maintain licensing. Ensures buildings meet current City Building codes and plan upgrades when appropriate. Ensures City Buildings meet City Fire Department Occupancy code and maintain permits. Ensure compliance with OSHA and safety codes as it applies to building components and maintenance personnel.
10. Provide building assessments and incorporate deficiencies into work requests or capital maintenance improvements to meet Federal Americans with Disabilities Act requirements to ensure compliance with Department of Justice regulations.
11. Prepares preliminary capital and operating budgets. Prepares routine contracts and service agreements; approves expenditures for equipment and materials; prepares and monitors budget for assigned area. Estimates job costs for billable and non-billable work orders.
12. Oversees management of capital facilities construction projects. Supervises design and permit process and preparation of construction specifications and bid documents.
13. Manages City disaster/evacuation routes for specified City buildings. Organizes and conducts evacuation and disaster drills for those buildings.

ADDITIONAL WORK PERFORMED:

1. Conducts routine inspections of facilities. Documents problems noted and corrective

- action taken or planned. Communicates with City staff as appropriate to initiate required corrective action.
2. Conducts maintenance skills training and development programs.
 3. Performs skilled labor as necessary in emergency situations.
 4. Performs other related work of a similar nature or level.

PERFORMANCE REQUIREMENTS (Knowledge, Skills, and Abilities):

Knowledge of:

- Thorough knowledge of facilities-related theory and applications applicable to diverse facilities including the business and technical aspects of facilities management.
- Comprehensive knowledge of facilities and buildings, including knowledge of methods, materials, hazards and tools used in custodial services, facility and equipment system construction, maintenance, monitoring, security and operation. Includes knowledge of the following: HVAC, electrical, mechanical, pneumatics and plumbing systems; carpentry; carpet installation; painting and surface preparation; boiler operation; fire safety systems; building security systems; grounds, roofing, elevator maintenance; and asbestos abatement.
- Working knowledge of Federal, State and local building and other regulations related to repair and renovation of public buildings, including but not limited to State boiler regulations and methods, fuels and materials used in the safe operation of boilers and auxiliary equipment.
- Principles and practices of project management and contract administration.
- Current construction methods, costs and cost estimating.
- Public Works permits, processes and requirements.
- Applicable local, state and federal laws, codes and standards related to construction.
- Fiscal management including budget preparation, cost and budget analysis, expenditure control and records management.

Skill in:

- Supervisory skills to train and evaluate personnel and administer comprehensive performance standards, safety rules, policies and procedures.
- Strong management skills including planning and organizing, problem analysis, and decision making, management control, time management, leadership, interpersonal sensitivity, and relationship building.
- Technical skill to perform preventative and corrective maintenance and to analyze, troubleshoot and correct faults in a public environment.
- The operation of various computer programs including word processing, spreadsheets, database programs and other facilities applications specific to the area of assignment.

Ability to:

- Apply technical solutions to day to day problems in a customer focused environment with a thorough understanding of both customer and technical issues. Includes ability to research, understand, and interpret to others information in complex technical manuals, blueprints, legal codes, drawings, schematics, etc.
- Listen attentively and communicate effectively, both orally and in writing, with individuals and groups in clear, concise language appropriate for the purpose and parties addressed, including preparing and making public presentations which can be understood by non-technical listeners and preparing written reports, materials, correspondence, and procedures.
- Establish and maintain effective working relationships with other employees, City officials, contractors and developers, representatives of other governmental agencies and the general public.
- Willingness and ability to accept "on-call" status and respond to off hours situations,

- perform evening and weekend assignments.
- Lead and respond effectively in emergency, hazardous, or other high stress circumstances.
 - Demonstrate Teamwork and Cooperation.
 - Maintain consistent and punctual attendance.
 - Physical ability to perform the essential functions of the job, including:
 - Frequently operate a computer and read a computer screen or typewritten page;
 - Correctible visual acuity, hearing and manual dexterity sufficient to operate a motor vehicle;
 - Move between work sites, including undeveloped land and project development sites;
 - Occasionally lifts objects (lids, covers, etc.) up to fifty (50) pounds.
 - Occasionally required to climb, balance, bend, stoop, kneel, crouch and/or crawl.

WORKING ENVIRONMENT:

Work is performed indoors in an office environment and outdoors work and visits to building site locations sometimes in confined spaces and in awkward positions to inspect and review work performed by City personnel, contractors, and other persons. Hazards are infrequent but may include: fumes, dust, asbestos, gasses, moving mechanical equipment parts, extreme temperatures, maintenance and repair of pressurized water systems, inadequate lighting and loud noises.

EXPERIENCE AND TRAINING REQUIREMENTS:

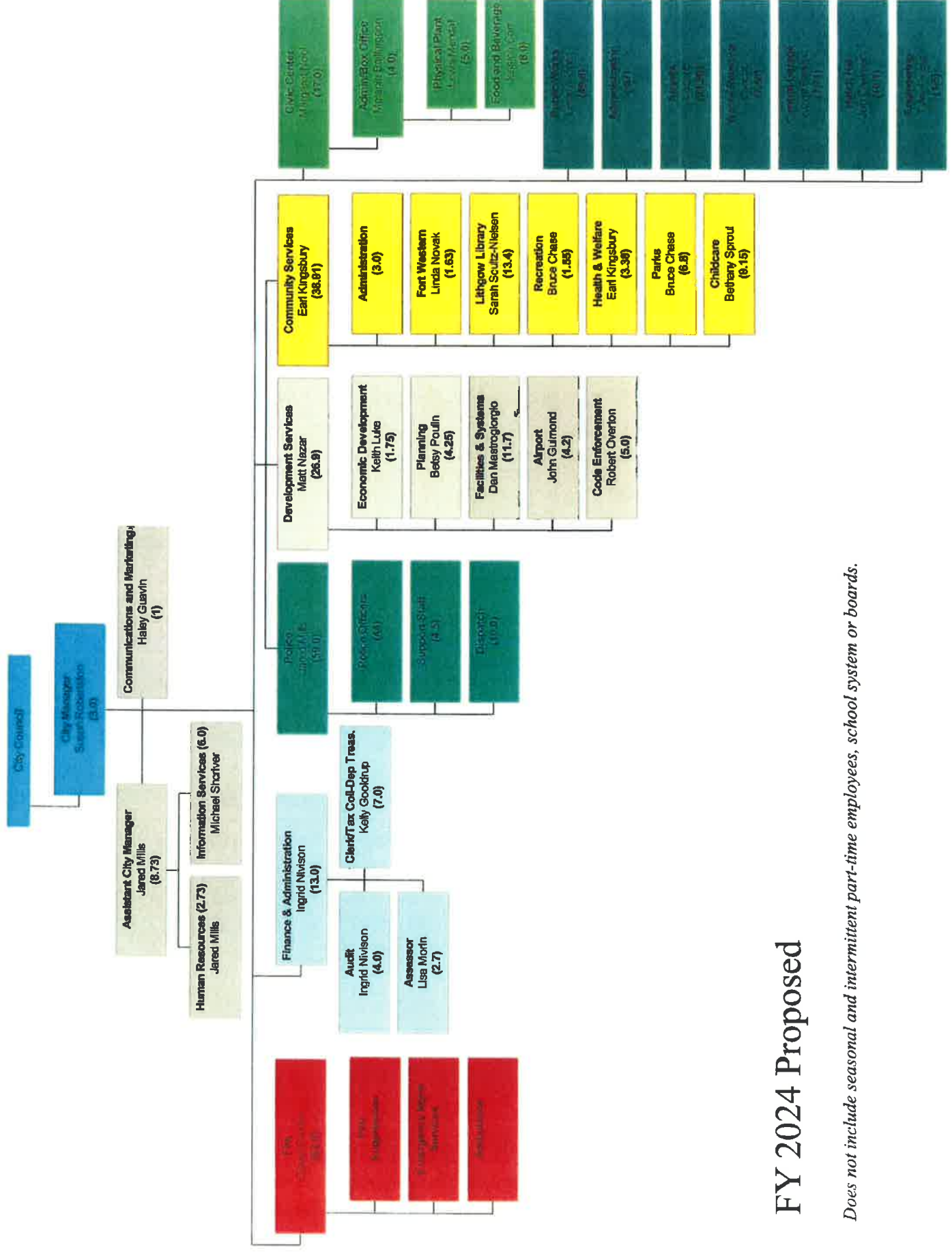
- Bachelor's Degree in Engineering, Architecture, Construction Management or related field, OR
- At least six years of facilities management planning and operation in a comparable environment with demonstrated cost control, budget planning, team building, and leadership accomplishments.
- Training or experience working with low-pressure boiler operation including regulations, safety features, and maintenance procedures and a general knowledge of heating, air-conditioning and control systems required.
- Prior formal training in the construction trades or prior education in facilities maintenance preferred.
- Demonstrated project supervision experience and formal management training strongly desired.
- Continuing education in public facilities management services preferred.
- An equivalent combination of education and experience sufficient to provide the applicant with the knowledge, skills and ability to successfully perform the essential functions of the job will be considered.

NECESSARY SPECIAL REQUIREMENT:

- Valid Maine State driver's license and good driving record. A three-year driving abstract must be submitted at time of hire with periodic re-verification required
- Must be able to complete an asbestos abatement certification per federal requirements and successfully pass State health check annually.
- Employment contingent upon passing a criminal convictions check, local background check and fingerprinting.
- Must be able to respond to emergency call-out within one (1) hours' time or assign and individual.
- Physical and mental ability to perform the work assigned.
- Must obtain a valid first-aid/CPR card and complete blood borne pathogens training within 6 months of appointment.

DRAFT

City of Augusta Organizational Structure



FY 2024 Proposed

Does not include seasonal and intermittent part-time employees, school system or boards.

DEVELOPMENT SERVICES

FACILITIES MAINTENANCE

Purpose/Mission Statement:

This Bureau's purpose is to establish consistent, safe, and quality maintenance practices to and for the facilities and infrastructure systems overseen through this bureau; to keep the facilities and systems in a good state of repair; to maintain a healthy clean environment, within the facilities, in which to work; to maintain fully functional systems; and to establish quality maintenance programs to accomplish these tasks.

The Facilities Bureau is responsible for the maintenance and upkeep of all City-Owned structures, life safety systems, each building's heating/cooling mechanical systems, electrical equipment, plumbing systems, elevator equipment, emergency equipment, as well as the street lighting, traffic signal systems, and the traffic signal communication infrastructure throughout the city. Through the efforts of this bureau, the building occupants and the public benefit greatly from well-maintained facilities and systems. Additionally, the public benefits from the efforts of this bureau by reducing the need for replacement of the facilities and systems prematurely. This bureau continues to strive for more consistently maintained facilities and systems through the use of combined efforts, pooled resources, and quality maintenance programs.

Goals and Objectives:

- Continue to revise existing contractual services to best provide the services necessary to maintain all new and existing equipment within all city facilities.
- Continue updating all on-going five-year repair and maintenance plans for each facility inclusive of routine maintenance work and capital improvement projects.
- Continue to provide guidance for the new Police Department facility development to make sure we are using cost effective materials and mechanicals for maintenance purposes.
- Continue to work with MDOT on the upgrade to the traffic signal equipment at all intersections. This project will be ongoing throughout 2023.
- Supervise, and complete the Dickman Parking Garage Renovation by fall of 2023.

	FY 2021 ACTUAL	FY 2022 ACTUAL	FY 2023 PROJECTED	FY 2023 ADOPTED	FY 2024 PROPOSED	AMOUNT CHANGE	PCT CHANGE
FACILITIES MAINTENANCE							
SALARIES - REG. EMPL.	448,273	454,560	475,000	490,646	560,916	70,270	14.32%
SALARIES-PARTTIME/TEMP	0	0	0	100	100	0	0.00%
OVERTIME	787	7,081	8,500	8,000	8,000	0	0.00%
HEALTH BENEFITS	94,455	83,611	90,000	103,717	79,780	-23,937	-23.08%
FRINGE BENEFITS	49,096	50,565	50,000	56,436	64,035	7,599	13.47%
	592,611	595,817	624,500	658,899	712,831	53,932	8.19%
ADVERTISING SERVICES	323	698	900	1,275	1,395	120	9.41%
POSTAGE	27	29	40	75	75	0	0.00%
TELEPHONE	16,848	26,687	26,800	16,815	16,815	0	0.00%
TRAFFIC SIGNALS	36,305	78,909	35,000	39,500	51,500	12,000	30.38%
TRAINING	0	692	2,500	5,500	5,000	-500	-9.09%
MILEAGE REIMBURSEMENT	1,361	1,511	900	990	1,188	198	20.00%
CITY CENTER EQUIP MAINT	18,847	19,340	45,000	39,545	48,575	9,030	22.83%
LIBRARY REPAIR/MAINT. EQUIP	16,279	18,562	19,000	24,750	33,848	9,098	36.76%
MOTOR POOL	24,694	24,694	24,695	24,695	24,702	7	0.03%
POLICE REPAIR/MAINT. EQUIP	16,935	19,485	18,500	21,900	23,935	2,035	9.29%
REPAIRS AND MAINT. OF EQUIPMENT - BUKER	15,876	15,541	15,500	16,990	23,300	6,310	37.14%
FIRE REPAIR/MAINT. OF EQUIPMENT	27,358	19,667	50,000	43,560	51,020	7,460	17.13%
CONTRACTED SERVICES	17,548	14,120	14,746	14,600	15,120	520	3.56%
PARKING GARAGE REPAIR/MAINT	1,197	2,957	2,092	12,755	32,100	19,345	151.67%

	FY 2021 ACTUAL	FY 2022 ACTUAL	FY 2023 PROJECTED	FY 2023 ADOPTED	FY 2024 PROPOSED	AMOUNT CHANGE	PCT CHANGE
FACILITIES MAINTENANCE							
CITY CENTER REPAIR BUILDING	30,893	38,711	41,000	41,500	52,600	11,100	26.75%
LIBRARY REPAIR/MAINT. BLD	5,796	13,502	35,000	25,200	29,600	4,400	17.46%
POLICE REPAIR/MAINT. BLDG	14,414	18,789	28,000	23,800	24,400	600	2.52%
FIRE REPAIR/MAINT. BLDG	23,292	22,207	24,500	17,800	23,000	5,200	29.21%
BUKER REPAIR/MAINT BLDG		8,986		33,500	28,050	-4,550	19.36%
	267,992	345,067	384,173	394,750	486,223	91,473	23.17%
OFFICE SUPPLIES	230	576	400	450	500	50	11.11%
NATURAL GAS	63,148	98,190	101,000	126,028	126,028	0	0.00% **
PROPANE	51	161	45	0	0	0	0.00%
GASOLINE,OIL & LUBRICANT	1,589	1,352	1,750	3,000	2,100	-900	-30.00%
WEARING APPAREL	2,031	2,515	2,540	3,800	3,800	0	0.00%
SMALL TOOLS & IMPLEMENTS	5,784	1,559	2,750	2,800	2,800	0	0.00%
CLEAN & DISINFECT SUP.	16,689	14,318	15,000	21,100	21,100	0	0.00%
CONSTRUCTION MATERIALS	0	0	500	1,000	1,000	0	0.00%
	89,521	118,671	123,985	158,178	157,328	-850	-0.54%
GENERAL REIMBURSEMENT	0	0	0	0	0	0	0.00%
LEASES	123,475	123,475	123,552	123,552	123,552	0	0.00%
	123,475	123,475	123,552	123,552	123,552	0	0.00%
EQUIPMENT	739	0	3,300	3,300	3,300	0	0.00%
	739	0	3,300	3,300	3,300	0	0.00%
TOTAL FACILITIES MAINTENANCE	1,074,339	1,183,050	1,258,510	1,338,679	1,483,234	144,555	10.80%

COMMUNITY SERVICES						
	FY 2021 ACTUAL	FY 2022 ACTUAL	FY 2023 PROJECTED	FY 2023 ADOPTED	FY 2024 PROPOSED	AMOUNT CHANGE
COMMUNITY SERVICE ADMINISTRATION	245,961	239,489	253,072	253,358	297,840	44,482
PUBLIC LIBRARY	837,559	834,240	841,798	923,332	984,947	61,615
RECREATION	152,743	195,277	223,614	221,772	244,301	22,529
PARKS AND CEMETERY	1,054,526	1,188,782	1,117,079	1,088,999	1,119,436	30,437
FORT WESTERN	116,178	166,082	129,306	117,556	148,182	30,626
BICENTENNIAL NATURE PARK	8,385	23,945	38,250	25,998	39,748	13,750
HEALTH AND WELFARE ADMINISTRATION	232,851	201,721	276,789	277,889	261,242	-16,647
GENERAL ASSISTANCE	719,017	244,439	338,850	476,700	414,000	-62,700
TOTAL COMMUNITY SERVICES	3,367,220	3,093,975	3,218,758	3,385,604	3,509,696	124,092
						3.67%

FACILITIES MANAGER

- Proposing hiring a Facilities Manager at no additional cost to the city.
 - How?
 - This individual would be tasked with finding savings in current utility and facility maintenance budgets
 - Easier to ensure if this is created to oversee both school and city buildings
-

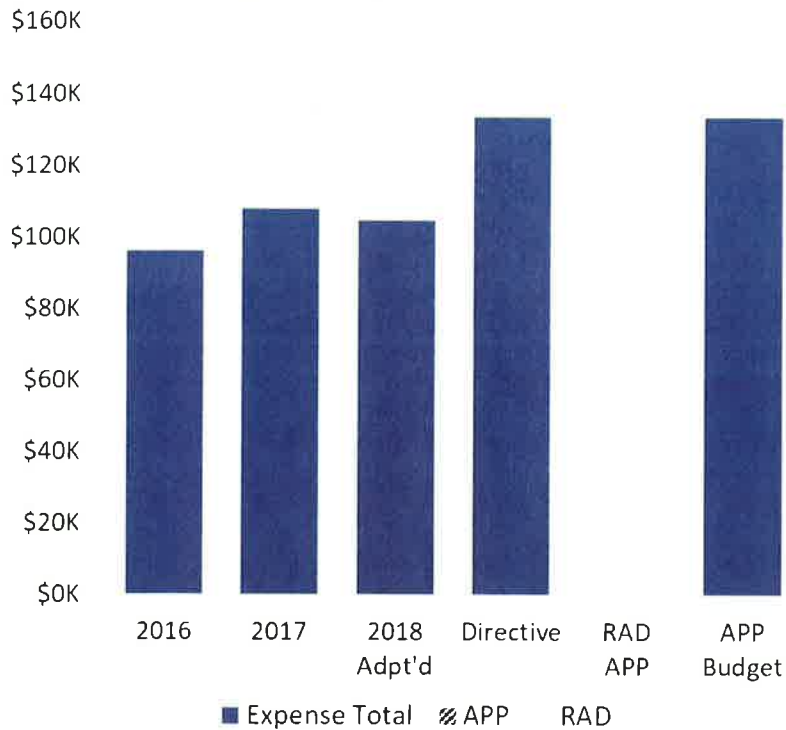
FACILITIES MANAGER

- Why?
 - Currently this falls on a department head within the building (a lower priority on their to do list).
 - Work occurring in one building may not be lined up with work in another building.
 - Economies of scale with shared contracts.
 - A global approach with resources and priorities to buildings with the greatest need.
-

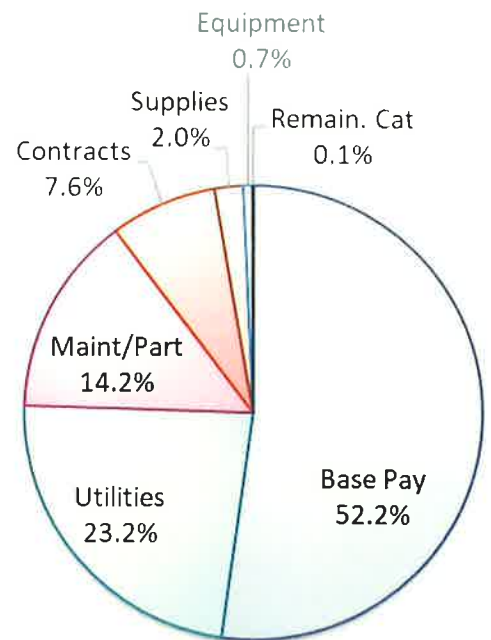
Building Maintenance 2019 Budget

	Category	FY 2016 Actual	FY 2017 Actual	FY 2018 Adopted	Directive Budget	RAD	APP	Approved Budget
Expense	Base Pay	42,116	56,558	40,614	69,734	0	0	69,734
	Contracts	7,203	8,052	10,100	10,100	0	0	10,100
	Equipment	299	590	850	900	0	0	900
	Maint/Part	12,359	9,708	17,500	19,000	0	0	19,000
	Supplies	1,061	2,143	2,700	2,700	0	0	2,700
	Trav/Train	0	31	100	100	0	0	100
	Utilities	33,262	31,066	33,048	31,048	0	0	31,048
Expense Total		96,300	108,147	104,912	133,582	0	0	133,582
Operating Income		(96,300)	(108,147)	(104,912)	(133,582)	0	0	(133,582)

Budgeted Expenses Over Time

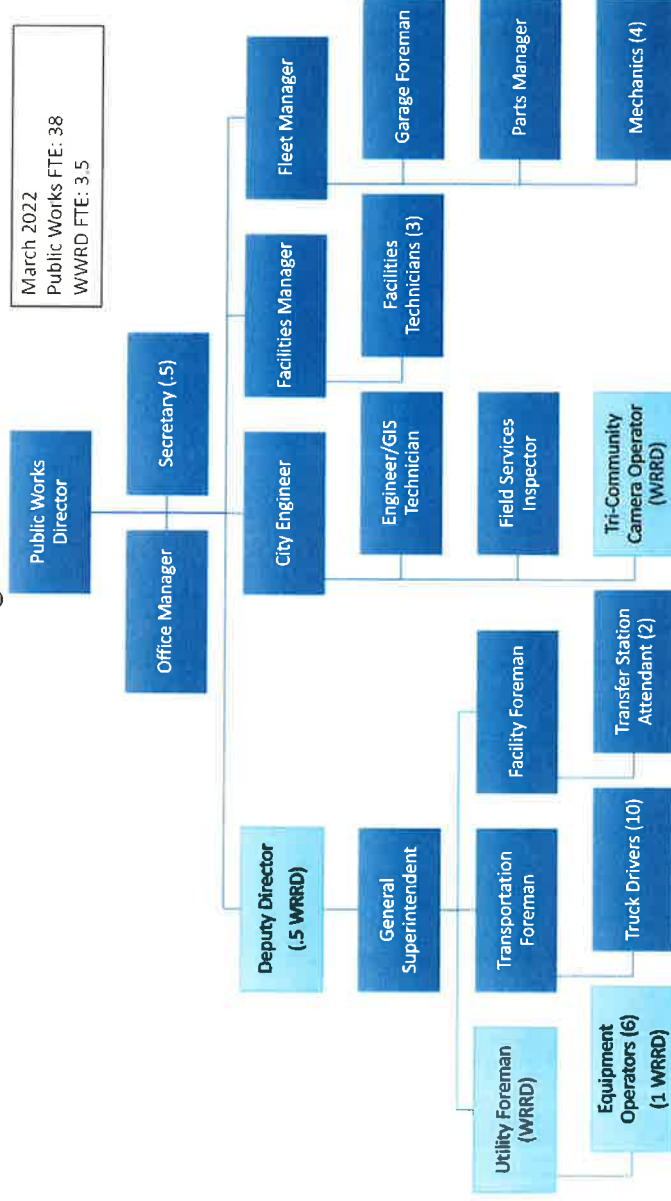


Budgeted Expenses by Category



Public Works

Public Works Organization Chart



The Public Works Department plans, maintains, and operates public infrastructure needed and desired by the citizens of Saco in a prompt, courteous, safe, efficient, and cost-effective manner.

Our diverse services of design, construction, maintenance, procurement, and emergency response span across these focus areas:

- Transportation: Roads, bridges, sidewalks, traffic control devices, right of way.
- Sanitation: Collection and disposal of solid waste (trash/recycling) and bulky waste handling.
- Utilities: Stormwater and wastewater infrastructure, street lighting.
- Facilities: All City department buildings, Saco Transportation Center, seasonal restrooms.
- Engineering: Design, studies, inspection, surveying, reporting, mapping, and compliance.
- Fleet: All City and School Department cars, trucks, equipment, generators, trailers, hoists.

Performance Data & Goals for Fiscal Year 2022

Public Works strives to meet the community's needs and expectations through continuous improvement in:

Goal: Manage Engagement and Communication: Online work order system, committee correspondence, project coordination, staff training.
Performance Data: Capital Improvement Plan has increased by a factor of 10 since it's low in 2010 with no staff increases to support administration.

Goal: Enable Service Delivery: Route planning, staff and resource allocation, contracted services consolidation, regional partnerships.
Performance Data: Road pavement condition rating at a 15-year high of 93.70 out of a possible 100. One major traffic improvement project (Route 112) and one major pedestrian improvement project (Route 1 sidewalks) underway.

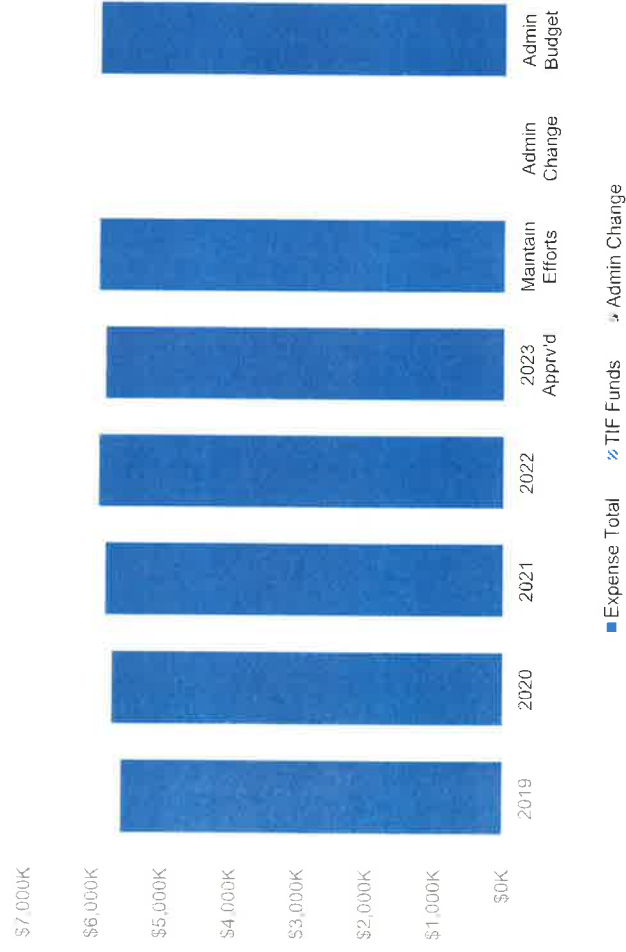
Goal: Innovate and Adapt: Equipment and technology upgrades, meeting stormwater mandates, incorporating comprehensive plan goals.
Performance Data: 1500 streetlights converted to LED. Electric access upgrades across 6 major facilities.

Public Works Budget Overview (Includes Building Maintenance)

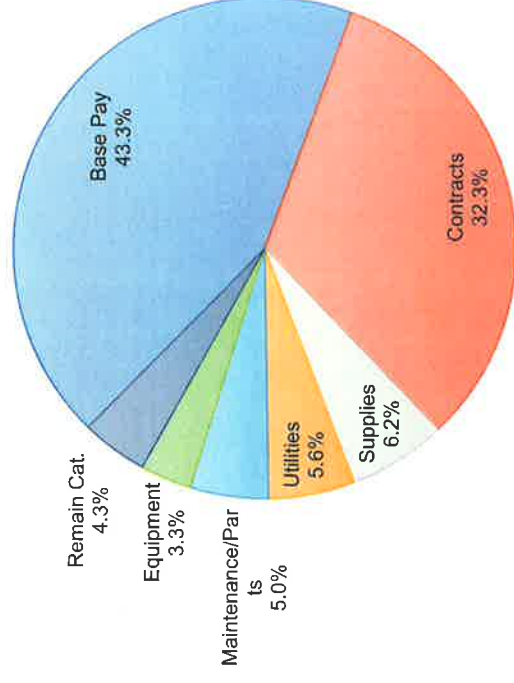
In Fiscal Year 2020, Building Maintenance was merged into the Public Works Department and renamed to "Facilities". This change was made in order to improve support for the department and provide management at the senior staff level. For FY2024, capital investment in paving, sidewalks, storm drains, and parking lots was moved to the Capital Plan.

Type	Category	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Curr (as of Feb)	FY 2023 Approved	\$ Change	% Change	Maintenance of Effort	Administrator's Changes	Administrator's Budget
Expense	Base Pay	1,867,831	1,928,939	1,926,541	2,147,557	1,451,440	2,265,934	238,475	10.5%	2,504,409	0	2,504,409
	Capital	923,207	885,858	935,272	923,801	622,413	601,000	(430,000)	(71.5%)	171,000	0	171,000
	Contracts	1,471,132	1,526,659	1,660,267	1,439,540	1,229,907	1,733,118	137,413	7.9%	1,870,531	0	1,870,531
	Equipment	221,413	225,345	162,912	158,973	129,546	192,700	140	0.1%	192,840	0	192,840
	Fees	24,740	51,455	40,892	49,358	16,488	42,947	0	0.0%	42,947	0	42,947
	Maintenance/Parts	193,043	259,083	281,981	395,781	191,435	276,000	13,770	5.0%	289,770	0	289,770
	Medical	858	1,108	997	916	605	1,000	0	0.0%	1,000	0	1,000
	Miscellaneous	0	0	(2,465)	1,652	(17)	0	0	0	0	0	0
	Overtime	149,521	136,043	104,699	136,400	96,507	171,248	3,039	1.8%	174,287	0	174,287
	Supplies	299,212	290,251	222,495	269,332	219,679	323,389	37,932	11.7%	361,321	0	361,321
	Travel/Training	10,503	11,668	5,060	11,530	12,034	14,500	13,500	93.1%	28,000	0	28,000
	Utilities	433,206	419,395	500,828	405,996	159,723	229,424	92,728	40.4%	322,152	0	322,152
Expense Total		5,594,667	5,735,805	5,839,479	5,940,837	4,129,762	5,851,260	106,997	1.8%	5,958,257	0	5,958,257
Revenue	Local	211,529	212,394	251,927	282,484	189,875	227,900	27,850	12.2%	255,750	0	255,750
	Taxes	4,725,708	4,570,160	4,706,464	4,684,268	3,210,826	4,518,000	110,000	2.4%	4,628,000	0	4,628,000
Revenue Total		4,937,237	4,782,554	4,958,391	4,966,751	3,400,701	4,745,900	137,850	2.9%	4,883,750	0	4,883,750
Net Cost to Tax Base		(657,430)	(953,251)	(881,088)	(974,086)	(729,060)	(1,105,360)			(1,074,507)		(1,074,507)

Budgeted Expenses Over Time



Budgeted Expenses by Category



Public Works General Fund Line Item Budget (Includes Building Maintenance)

In Fiscal Year 2020, Building Maintenance was merged into the Public Works Department and renamed to "Facilities". This change was made in order to improve support for the department and provide management at the senior staff level. Accounts associated with Building Maintenance have been merged into the Public Works summary budget (above) and line item budget (below) in order to provide improved analysis on the history of the department. Accounts associated with Building Maintenance from when it was reported as a separate department are labeled "0006 - Bldg Maint" in the line item budget below while those reported under Public Works are labeled "Public Works - Facilities". For FY2024, capital investment in paving, sidewalks, storm drains, and parking lots was moved to the Capital Plan.

Public Works (Includes Building Maintenance) Line Item Detail	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Curr (as of Feb)	FY 2023 Approved	\$ Change	% Change	Maintenance of Effort	Administrator's Changes	Administrator's Budget
Expense											
BP - Base Pay											
0030 Public Works - : Department Head Wage 10480 - 500101 - 00000	101,425	105,579	108,305	111,650	73,080	114,462	5,720	5.0%	120,182	0	120,182
0030 Public Works - : Supervisory Wages 10480 - 500102 - 00000	442,588	442,860	420,513	419,960	275,787	416,614	44,387	10.7%	461,001	0	461,001
0030 Public Works - : Non-Supervisory Wage 10480 - 500103 - 00000	127,573	147,460	107,082	132,636	90,341	131,498	192,109	146.1%	323,606	0	323,606
0030 Public Works - : Clerical Wages 10480 - 500104 - 00000	73,695	81,274	83,436	86,923	57,394	88,338	(88,338)	(100.0%)	0	0	0
0030 Public Works - : Temporary/Seasonal W 10480 - 500113 - 00000	20,092	6,560	6,032	1,800	9,961	33,210	5,411	16.3%	38,621	0	38,621
0030 Public Works - : Laborer Wages 10480 - 500130 - 00000	944	0	0	0	0	40,560	0	0.0%	40,560	0	40,560
0030 Public Works - : Equipment Operator W 10480 - 500131 - 00000	340,576	380,025	351,614	396,381	278,666	415,813	(39,978)	(9.6%)	375,835	0	375,835
0030 Public Works - : Truck Driver Wages 10480 - 500132 - 00000	391,317	343,004	382,808	458,664	301,421	461,552	74,922	16.2%	536,474	0	536,474
0030 Public Works - : Mechanic Wages 10480 - 500133 - 00000	241,608	265,171	259,689	314,230	212,696	334,755	26,478	7.9%	361,234	0	361,234
Public Works - Centr: Mechanic Wages 10490 - 500133 - 00000	1,465	0	0	0	0	0	0	0	0	0	0
0030 Pub Works Facil: Supervisory Wages 10494 - 500102 - 00000	60,812	67,050	73,683	78,204	50,796	79,560	3,973	5.0%	83,533	0	83,533
0030 Pub Works Facil: Non-Supervisory Wage 10494 - 500103 - 00000	65,727	89,956	133,399	147,109	101,299	149,573	13,790	9.2%	163,363	0	163,363
BP - Base Pay Total	1,867,831	1,928,939	1,926,541	2,147,557	1,451,440	2,265,934	238,475	10.5%	2,504,409	0	2,504,409
CP - Capital											
0030 Public Works - : Signs 10482 - 500347 - 00000	12,820	20,566	22,368	20,372	10,896	16,000	0	0.0%	16,000	0	16,000
0030 Public Works - : Road Striping 10482 - 500475 - 00000	88,471	32,950	140,090	88,780	102,516	100,000	0	0.0%	100,000	0	100,000
0030 Public Works - : Camp Ellis Erosion 10482 - 500476 - 00000	26,588	25,890	16,397	34,233	9,790	30,000	0	0.0%	30,000	0	30,000
0030 Public Works Ca: Vehicles Purchase 10492 - 500916 - 00000	0	0	0	0	(7,600)	0	0	0	0	0	0
0030 Public Works Ca: Construction Materia 10486 - 500910 - 00000	0	0	0	0	0	0	25,000	(100.0%)	25,000	0	25,000
0030 Public Works Ca: Sidewalk Imp Plan An 10486 - 500910 - 03700	47,522	44,392	49,223	45,264	23,016	20,000	(20,000)	(100.0%)	0	0	0
0030 Public Works Ca: Storm Drain Projects 10486 - 500910 - 03714	26,587	23,393	34,923	31,906	13,274	30,000	(30,000)	(100.0%)	0	0	0
0030 Public Works Ca: Parking Lot Paving 10486 - 500910 - 03727	23,741	27,138	28,953	24,805	6,175	25,000	(25,000)	(100.0%)	0	0	0
0030 Public Works Ca: Paving Plan Annual R 10486 - 500910 - 03861	697,468	711,529	643,318	678,441	464,346	380,000	(380,000)	(100.0%)	0	0	0
CP - Capital Total	923,207	885,858	935,272	923,801	622,413	601,000	(430,000)	(71.5%)	171,000	0	171,000
CT - Contracts											
0006 Build. Maint. - : Copier 10422 - 500338 - 00000	2,809	0	0	0	0	0	0	0	0	0	0
0006 Build. Maint. - : Contracted Services 10422 - 500428 - 00000	6,236	397	0	0	0	0	0	0	0	0	0
0030 Public Works - : Copier 10482 - 500338 - 00000	0	0	0	648	1,021	878	213	24.3%	1,091	0	1,091
0030 Public Works - : Advertising 10482 - 500341 - 00000	2,714	1,847	2,240	981	534	2,000	0	0.0%	2,000	0	2,000

Public Works (Includes Building Maintenance) Line Item Detail											
	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Curr (as of Feb)	FY 2023 Approved	\$ Change	% Change	Maintenance of Effort	Administrator's Changes	Administrator's Budget
0030 Public Works - : Contracted Services 10482 - 500428 - 00000	49,808	107,431	77,512	63,182	55,039	77,200	0	0.0%	77,200	0	77,200
0030 Public Works Ga: Contracted Services 10492 - 500428 - 00000	22,775	41,038	35,968	24,369	24,829	40,000	10,000	25.0%	50,000	0	50,000
0030 Public Works St: Contracted Services 10500 - 500428 - 00000	0	0	0	0	91,699	47,740	0	0.0%	47,740	0	47,740
0030 Pub Works Traff: Contracted Services 10510 - 500428 - 00000	1,196	47,163	(11,840)	13,258	(10,938)	1,500	0	0.0%	1,500	0	1,500
0030 Pub Works Facil: Contracted Services 10496 - 500428 - 00000	22,275	5,109	7,098	6,399	6,954	8,300	3,700	44.6%	12,000	0	12,000
0030 Pub Works Waste: Solid Waste Tipping 10484 - 500431 - 00000	526,950	551,813	597,348	555,784	346,310	618,500	11,500	1.9%	630,000	0	630,000
0030 Pub Works Waste: Msw/Ryc Curbside Coll 10484 - 500432 - 00000	690,519	640,833	767,932	609,173	590,173	784,000	32,000	4.1%	816,000	0	816,000
0030 Pub Works Waste: Transfer Station 10484 - 500434 - 00000	135,770	118,702	170,828	146,746	105,258	141,000	74,000	52.5%	215,000	0	215,000
0030 Pub Works Waste: Hazardous Waste Coll 10484 - 500551 - 00000	9,192	11,446	11,028	19,000	19,028	12,000	6,000	50.0%	18,000	0	18,000
0030 Pub Works Waste: Universal Waste Coll 10484 - 500552 - 00000	889	879	2,154	0	0	0	0	0	0	0	0
CT - Contracts Total	1,471,132	1,526,659	1,660,267	1,439,540	1,229,907	1,733,118	137,413	7.9%	1,870,531	0	1,870,531
EQ - Equipment											
0006 Build. Maint. - : Minor Equipment 10422 - 500317 - 00000	2,653	576	0	0	0	0	0	0	0	0	0
0006 Build. Maint. - : Clothing/Boot Allowa 10422 - 500325 - 00000	62	0	0	0	0	0	0	0	0	0	0
0030 Public Works - : Tool Allowance 10480 - 500316 - 00000	2,506	2,805	2,750	2,720	2,400	3,750	0	0.0%	3,750	0	3,750
0030 Public Works - : Clothing/Boot Allowa 10480 - 500325 - 00000	15,400	18,780	14,514	14,997	15,067	18,050	0	0.0%	18,050	0	18,050
0030 Public Works - : Minor Equipment 10482 - 500317 - 00000	104,923	83,091	42,288	14,584	45,159	55,000	0	0.0%	55,000	0	55,000
0030 Public Works - : Uniforms/Safety Equi 10482 - 500324 - 00000	9,481	11,146	8,316	6,664	2,654	7,000	2,500	35.7%	9,500	0	9,500
0030 Public Works - : Furniture & Fixtures 10482 - 500350 - 00000	1,030	243	871	448	79	1,000	0	0.0%	1,000	0	1,000
0030 Public Works - : Rental Equipment 10482 - 500354 - 00000	8,600	6,500	12,766	17,978	1,350	12,000	0	0.0%	12,000	0	12,000
0030 Public Works Ga: Minor Equipment 10492 - 500317 - 00000	8,062	9,056	10,383	5,870	2,415	10,000	0	0.0%	10,000	0	10,000
0030 Public Works Ga: Vehicle Consumables 10492 - 500318 - 00000	45,085	49,134	44,632	47,734	30,305	50,000	0	0.0%	50,000	0	50,000
0030 Public Works Ga: Uniforms/Safety Equi 10492 - 500324 - 00000	2,854	1,942	2,726	3,891	1,895	2,500	(2,500)	(100.0%)	0	0	0
0030 Public Works Ga: Rental Equipment 10492 - 500354 - 00000	85	0	0	389	(1,185)	0	0	0	0	0	0
0030 Pub Works Facil: Clothing/Boot Allowa 10494 - 500325 - 00000	501	1,920	1,280	2,490	1,485	1,400	140	10.0%	1,540	0	1,540
0030 Pub Works Facil: Minor Equipment 10496 - 500317 - 00000	0	1,095	1,478	2,000	998	2,000	0	0.0%	2,000	0	2,000
0030 Pub Works Waste: Curbside Program Sup 10484 - 500435 - 00000	20,171	39,057	20,888	39,208	26,924	30,000	0	0.0%	30,000	0	30,000
EQ - Equipment Total	221,413	225,345	162,912	158,973	129,546	192,700	140	0.1%	192,840	0	192,840
FE - Fees											
0030 Public Works - : Dues & Memberships 10482 - 500330 - 00000	12,335	23,384	12,515	13,107	764	12,000	0	0.0%	12,000	0	12,000
0030 Public Works - : Computer Software 10482 - 500360 - 00000	10,950	26,974	27,630	34,604	15,072	28,947	0	0.0%	28,947	0	28,947
0030 Public Works - : Filing Fees/Licenses 10482 - 500370 - 00000	1,455	1,097	747	1,647	652	2,000	0	0.0%	2,000	0	2,000
FE - Fees Total	24,740	51,455	40,892	49,358	16,488	42,947	0	0.0%	42,947	0	42,947
MD - Medical											
0030 Public Works - : Medical 10482 - 500394 - 00000	858	1,108	997	916	605	1,000	0	0.0%	1,000	0	1,000
MD - Medical Total	858	1,108	997	916	605	1,000	0	0.0%	1,000	0	1,000

Public Works (Includes Building Maintenance) Line Item Detail		FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Curr (as of Feb)	FY 2023 Approved	\$ Change	% Change	Maintenance of Effort	Administrator's Changes	Administrator's Budget
MN - Maintenance/Parts												
0006 Build. Maint. - : Staff Vehicle Operat	10422 - 500321 - 00000	4,340	(165)	0	0	0	0	0	0	0	0	0
0006 Build. Maint. - : Building Repairs & M	10422 - 500351 - 00000	11,432	2,737	0	0	0	0	0	0	0	0	0
0030 Public Works - : Building Repairs & M	10482 - 500351 - 00000	15,234	15,411	15,026	9,991	16,881	15,000	3,000	20.0%	18,000	0	18,000
0030 Public Works - : Repairs/Maintenance	10482 - 500410 - 00000	15,100	6,690	13,994	14,698	11,345	14,000	0	0.0%	14,000	0	14,000
0030 Public Works - : Train Station Expens	10482 - 500477 - 00000	40,633	47,795	46,997	43,259	23,854	40,000	3,770	9.4%	43,770	0	43,770
0030 Public Works Ga: Vehicle & Equipment	10492 - 500320 - 00000	109,293	154,117	180,501	155,057	95,065	159,000	0	0.0%	159,000	0	159,000
0030 Public Works Ga: Repairs/Maintenance	10492 - 500410 - 00000	7,795	659	792	1,677	(1,685)	5,000	0	0.0%	5,000	0	5,000
0030 Public Works St: Repairs/Maintenance	10500 - 500410 - 00000	7,124	(181)	1,544	142,432	10,101	10,000	0	0.0%	10,000	0	10,000
0030 Pub Works Traff: Repairs/Maintenance	10510 - 500410 - 00000	(17,907)	19,893	6,176	13,708	24,586	18,000	0	0.0%	18,000	0	18,000
0030 Pub Works Facil: Staff Vehicle Operat	10496 - 500321 - 00000	0	0	311	0	0	0	0	0	0	0	0
0030 Pub Works Facil: Building Repairs & M	10496 - 500351 - 00000	0	12,127	16,641	14,960	11,289	15,000	7,000	46.7%	22,000	0	22,000
MN - Maintenance/Parts Total		193,043	259,083	281,981	395,781	191,435	276,000	13,770	5.0%	289,770	0	289,770
MS - Miscellaneous												
0030 Public Works - : Miscellaneous Expens	10482 - 500400 - 00000	0	0	(2,465)	1,365	(557)	0	0	0	0	0	0
0030 Pub Works Facil: Miscellaneous Expens	10496 - 500400 - 00000	0	0	0	286	541	0	0	0	0	0	0
MS - Miscellaneous Total		0	0	(2,465)	1,652	(17)	0	0	0	0	0	0
OT - Overtime												
0030 Public Works - : Overtime 10480 - 500114 - 00000		119,341	114,043	81,131	106,363	75,709	140,858	0	0.0%	140,858	0	140,858
0030 Public Works - : Call Time Wages 10480 - 500134 - 00000		30,096	17,825	17,063	19,482	10,159	21,849	2,185	10.0%	24,034	0	24,034
Public Works - Centr: Overtime 10490 - 500114 - 00000		1	0	0	0	0	0	0	0	0	0	0
0030 Pub Works Facil: Overtime 10494 - 500114 - 00000		83	4,176	6,095	10,076	9,481	8,000	800	10.0%	8,800	0	8,800
0030 Pub Works Facil: Call Time Wages 10494 - 500134 - 00000		0	0	409	479	1,159	541	54	10.0%	595	0	595
OT - Overtime Total		149,521	136,043	104,699	136,400	96,507	171,248	3,039	1.8%	174,287	0	174,287
SP - Supplies												
0006 Build. Maint. - : Office Supplies 10422 - 500301 - 00000		543	58	0	0	0	0	0	0	0	0	0
0006 Build. Maint. - : General Supplies 10422 - 500302 - 00000		687	0	0	0	0	0	0	0	0	0	0
0006 Build. Maint. - : Cleaning Supplies 10422 - 500308 - 00000		1,293	12	0	0	0	0	0	0	0	0	0
0006 Build. Maint. - : Postage 10422 - 500337 - 00000		0	20	0	0	0	0	0	0	0	0	0
0030 Public Works - : Meal Allowance 10480 - 500349 - 00000		2,110	2,150	1,000	1,530	1,360	3,039	0	0.0%	3,039	0	3,039
0030 Public Works - : Office Supplies 10482 - 500301 - 00000		4,776	3,871	4,212	2,760	1,896	4,000	0	0.0%	4,000	0	4,000
0030 Public Works - : General Supplies 10482 - 500302 - 00000		15	0	0	0	88	0	0	0	0	0	0
0030 Public Works - : Winter Sand 10482 - 500305 - 00000		19,972	0	11,350	14,696	13,520	15,000	0	0.0%	15,000	0	15,000
0030 Public Works - : Chemicals 10482 - 500306 - 00000		157,769	179,544	104,423	123,790	147,803	180,000	37,932	21.1%	217,932	0	217,932
0030 Public Works - : Cleaning Supplies 10482 - 500308 - 00000		2,175	719	1,620	3,518	924	3,500	0	0.0%	3,500	0	3,500
0030 Public Works - : Aggregates 10482 - 500310 - 00000		42,940	32,141	23,620	39,116	13,661	35,000	0	0.0%	35,000	0	35,000
0030 Public Works - : Books/Manuals 10482 - 500332 - 00000		0	213	145	239	0	350	0	0.0%	350	0	350

Public Works (Includes Building Maintenance) Line Item Detail	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Curr (as of Feb)	FY 2023 Approved	\$ Change	% Change	Maintenance of Effort	Administrator's Changes	Administrator's Budget
0030 Public Works - : Postage 10482 - 500337 - 00000	738	642	1,084	553	195	600	0	0.0%	600	0	600
0030 Public Works - : Printing 10482 - 500344 - 00000	480	459	1,903	1,320	0	1,000	0	0.0%	1,000	0	1,000
0030 Public Works - : Asphalt - Cold Patch 10482 - 500345 - 00000	18,617	21,983	27,884	23,084	10,289	22,000	0	0.0%	22,000	0	22,000
0030 Public Works - : Street Supplies 10482 - 500346 - 00000	17,615	16,282	18,510	18,065	10,297	18,700	0	0.0%	18,700	0	18,700
0030 Public Works - : Construction Matera 10482 - 500348 - 00000	0	0	40	23	0	0	0	0.0%	0	0	0
0030 Public Works - : Guard Rails 10482 - 500447 - 00000	3,710	8,549	1,686	9,764	0	8,000	0	0.0%	8,000	0	8,000
0030 Public Works Ga: Cleaning Supplies 10492 - 500308 - 00000	6,465	2,368	1,357	0	162	0	0	0.0%	0	0	0
0030 Public Works Ga: Oils & Lubricants 10492 - 500315 - 00000	19,308	16,554	17,720	22,330	15,714	23,500	0	0.0%	23,500	0	23,500
0030 Pub Works Facil: Office Supplies 10496 - 500301 - 00000	0	630	(187)	602	480	700	0	0.0%	700	0	700
0030 Pub Works Facil: General Supplies 10496 - 500302 - 00000	0	558	779	949	367	1,000	0	0.0%	1,000	0	1,000
0030 Pub Works Facil: Cleaning Supplies 10496 - 500308 - 00000	0	3,499	5,348	6,993	2,923	7,000	0	0.0%	7,000	0	7,000
SP - Supplies Total	299,212	290,251	222,495	269,332	219,679	323,389	37,932	11.7%	361,321	0	361,321
TT - Travel/Training											
0006 Build. Maint. - : Travel 10422 - 500339 - 00000	0	238	0	0	0	0	0	0.0%	0	0	0
0030 Public Works - : Training 10482 - 500322 - 00000	4,422	2,186	2,502	5,417	2,881	5,000	5,000	100.0%	10,000	0	10,000
0030 Public Works - : Travel 10482 - 500339 - 00000	3,426	4,629	1,616	3,071	2,332	4,000	0	0.0%	4,000	0	4,000
0030 Public Works Ga: Training 10492 - 500322 - 00000	2,656	3,868	0	1,135	960	4,000	0	0.0%	4,000	0	4,000
0030 Pub Works Facil: Travel 10496 - 500339 - 00000	0	747	942	1,907	5,862	1,500	8,500	566.7%	10,000	0	10,000
TT - Travel/Training Total	10,503	11,668	5,060	11,530	12,034	14,500	13,500	93.1%	28,000	0	28,000
UT - Utilities											
0006 Build. Maint. - : Heating Fuel 10422 - 500313 - 00000	12,466	0	0	0	0	0	0	0.0%	0	0	0
0006 Build. Maint. - : Electricity 10422 - 500333 - 00000	42	0	0	0	0	0	0	0.0%	0	0	0
0006 Build. Maint. - : Cmp 3501-0932-206 10422 - 500333 - 30934	16,333	0	0	0	0	0	0	0.0%	0	0	0
0006 Build. Maint. - : Cmp 3501-1565-963 10422 - 500333 - 30935	1,317	0	0	0	0	0	0	0.0%	0	0	0
0006 Build. Maint. - : Water 10422 - 500334 - 00000	1,389	0	0	0	0	0	0	0.0%	0	0	0
0030 Public Works - : Heating Fuel 10482 - 500313 - 00000	15,084	14,482	30,695	17,459	8,283	18,581	(1)	(0.0%)	18,580	0	18,580
0030 Public Works - : Electricity 10482 - 500333 - 00000	0	0	5,821	8	0	0	0	0.0%	0	0	0
0030 Public Works - : Cmp 3501-3081-779 10482 - 500333 - 20901	1,033	1,052	1,447	1,598	826	2,000	406	20.3%	2,406	0	2,406
0030 Public Works - : Cmp 3001-1481-303 10482 - 500333 - 20905	6,066	5,159	608	17,886	7,920	20,000	(54)	(0.3%)	19,946	0	19,946
0030 Public Works - : Cmp 3501-2933-889 10482 - 500333 - 20955	608	626	639	740	324	1,500	(675)	(45.0%)	825	0	825
0030 Public Works - : Cmp 3501-5997-972 10482 - 500333 - 30903	2,006	1,855	506	0	0	0	0	0.0%	0	0	0
0030 Public Works - : Electricity 3501-294 10482 - 500333 - 30904	14,823	14,135	4,255	0	0	0	0	0.0%	0	0	0
0030 Public Works - : Electricity 3501-652 10482 - 500333 - 30906	2,038	3,258	85	0	0	0	0	0.0%	0	0	0
0030 Public Works - : Water 10482 - 500334 - 00000	4,171	3,280	7,574	5,868	6,202	9,750	0	0.0%	9,750	0	9,750
0030 Public Works - : Telecom 10482 - 500336 - 00000	15,155	18,737	30,221	32,270	20,521	29,777	(2,273)	(7.6%)	27,505	0	27,505
0030 Public Works Ga: Gas & Diesel 10492 - 500319 - 00000	59,116	106,657	98,426	118,722	70,912	100,000	66,000	66.0%	166,000	0	166,000
0030 Public Works St: Cmp 3501-2611-816 10500 - 500333 - 20909	289,334	229,269	299,191	180,554	29,018	24,259	12,265	50.6%	36,524	0	36,524
0030 Public Works St: Cmp 3501-5240-530 10500 - 500333 - 20910	316	241	252	367	186	287	265	92.4%	552	0	552

Public Works (Includes Building Maintenance) Line Item Detail	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Curr (as of Feb)	FY 2023 Approved	\$ Change	% Change	Maintenance of Effort	Administrator's Changes	Administrator's Budget
0030 Public Works St: Cmp 3501-2235-772 10500 - 500333 - 20911	(8,891)	1,598	203	1,566	441	2,059	299	14.5%	2,358	0	2,358
0030 Public Works St: Cmp 3501-0585-251 10500 - 500333 - 20913	558	486	541	375	83	544	585	107.5%	1,129	0	1,129
0030 Public Works St: Cmp 3501-0962-260 10500 - 500333 - 20922	2,687	2,590	2,801	3,079	1,870	2,749	1,886	68.6%	4,635	0	4,635
0030 Public Works St: Cmp 3501-7031-663 10500 - 500333 - 20941	861	837	902	1,177	673	911	860	94.4%	1,771	0	1,771
0030 Public Works St: Cmp 3501-6764-702 10500 - 500333 - 20942	427	411	447	545	262	440	380	86.3%	820	0	820
0030 Public Works St: Cmp 3501-3063-868 10500 - 500333 - 20945	324	334	319	447	219	339	333	98.1%	672	0	672
0030 Public Works St: Cmp 3501-3063-868 10500 - 500333 - 20946	230	231	242	296	128	249	196	78.8%	445	0	445
0030 Public Works St: Cmp 3501-1565-088 10500 - 500333 - 20947	193	200	199	232	83	160	98	61.2%	258	0	258
0030 Public Works St: Cmp 3501-1113-228 10500 - 500333 - 20948	214	253	253	330	236	231	139	60.1%	370	0	370
0030 Public Works St: Pw Cmp 3501-2867-889 10500 - 500333 - 20950	319	347	335	484	192	347	383	110.3%	730	0	730
0030 Public Works St: Cmp 3501-5796-903 10500 - 500333 - 20952	343	261	304	414	173	335	288	85.9%	623	0	623
0030 Public Works St: Cmp 3501-5979-855 10500 - 500333 - 20953	253	304	304	373	187	330	86	26.1%	416	0	416
0030 Public Works St: Cmp 3501-6511-426 10500 - 500333 - 20960	4,065	2,628	2,697	4,477	2,528	3,410	1,583	46.4%	4,993	0	4,993
0030 Public Works St: Cmp 3501-1941-578 10500 - 500333 - 20962	301	279	238	385	193	305	126	41.2%	431	0	431
0030 Public Works St: Cmp 3501-2031-189 10500 - 500333 - 20963	811	747	817	1,129	607	790	470	59.5%	1,260	0	1,260
0030 Public Works St: Cmp 3001-2155-682 SI 10500 - 500333 - 20965	0	80	280	340	179	0	380	0	380	0	380
0030 Public Works St: Cmp 3001-2155-690 SI 10500 - 500333 - 20966	0	83	304	316	177	0	353	0	353	0	353
0030 Public Works St: Cmp 3001-2291-529 Ov 10500 - 500333 - 20968	0	6	220	308	147	0	343	0	343	0	343
0030 Public Works St: 3001-2231-707 Ocean 10500 - 500333 - 20969	0	25	267	369	182	0	411	0	411	0	411
0030 Public Works St: 3001-2231-715 Ocean 10500 - 500333 - 20970	0	36	353	425	192	0	474	0	474	0	474
0030 Public Works St: 3001-2231-723 Caroli 10500 - 500333 - 20971	0	28	305	321	180	0	358	0	358	0	358
0030 Public Works St: Cmp 3001-2869-282 Co 10500 - 500333 - 20972	0	0	160	301	170	0	336	0	336	0	336
0030 Public Works St: Cmp 3001-4597-543 10500 - 500333 - 20975	0	0	0	0	118	0	0	0	0	0	0
0030 Public Works St: Cmp 3001-4762-154 10500 - 500333 - 20976	0	0	0	0	35	0	0	0	0	0	0
0030 Public Works St: Cmp 3001-4762-162 10500 - 500333 - 20977	0	0	0	0	19	0	0	0	0	0	0
0030 Public Works St: Cmp 3001-4762-170 10500 - 500333 - 20978	0	0	0	0	28	0	0	0	0	0	0
0030 Public Works St: Cmp 3001-4762-170 10500 - 500333 - 20979	0	0	0	0	102	0	0	0	0	0	0
0030 Public Works St: Cmp 3001-4651-464 10500 - 500333 - 30973	0	0	0	0	16	0	0	0	0	0	0
0030 Pub Works Traff: Electricity 10510 - 500333 - 00000	0	0	112	1,243	0	0	0	0	0	0	0
0030 Pub Works Traff: Cmp 3501-3565-052 10510 - 500333 - 20914	717	706	686	892	456	775	568	73.3%	1,343	0	1,343
0030 Pub Works Traff: Cmp 3501-3630-534 10510 - 500333 - 20915	507	457	362	512	269	535	236	44.2%	771	0	771
0030 Pub Works Traff: Cmp 3501-3657-891 10510 - 500333 - 20916	530	480	496	579	307	497	376	75.7%	873	0	873
0030 Pub Works Traff: Cmp 3501-4748-954 10510 - 500333 - 20917	421	416	357	536	264	461	347	75.2%	808	0	808
0030 Pub Works Traff: Cmp 3501-4770-651 10510 - 500333 - 20918	550	539	539	685	347	570	462	81.0%	1,032	0	1,032
0030 Pub Works Traff: Cmp 3501-6434-082 10510 - 500333 - 20919	827	856	822	1,176	504	877	894	102.0%	1,771	0	1,771
0030 Pub Works Traff: Cmp 3501-7172-186 10510 - 500333 - 20920	336	328	311	433	214	372	280	75.3%	652	0	652
0030 Pub Works Traff: Cmp 3501-2054-447 10510 - 500333 - 20924	206	208	199	287	134	229	204	89.1%	433	0	433
0030 Pub Works Traff: Cmp 3501-2805-251 10510 - 500333 - 20925	592	574	498	562	394	701	146	20.8%	847	0	847
0030 Pub Works Traff: Cmp 3501-3638-131 10510 - 500333 - 20926	356	360	344	477	266	397	323	81.4%	720	0	720
0030 Pub Works Traff: Cmp 3501-7108-289 10510 - 500333 - 20928	435	431	445	494	265	476	269	56.4%	745	0	745

Public Works (Includes Building Maintenance) Line Item Detail										FY 2023				Maintenance of Effort		Administrator's Changes		Administrator's Budget	
		FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Curr (as of Feb)	FY 2023 Approved	\$ Change	% Change										
Public Works (Includes Building Maintenance)																			
0030 Pub Works Traff: Cmp 3501-1497-522 10510 - 5003333 - 20929		304	313	306	396	198	291	149	51.3%					440		0		440	
0030 Pub Works Traff: Cmp 3501-7021-920 10510 - 5003333 - 20940		183	186	180	286	145	205	226	110.1%					431		0		431	
0030 Pub Works Traff: Pw Cmp 3501-1792-658 10510 - 5003333 - 20943		435	350	280	392	195	439	150	34.1%					589		0		589	
0030 Pub Works Traff: Cmp 3501-3521-139 10510 - 5003333 - 20944		447	394	465	649	349	517	208	40.2%					725		0		725	
0030 Pub Works Traff: Cmp 3501-4595-884 10510 - 5003333 - 20951		1,484	1,490	1,516	1,874	1,061	1,564	1,256	80.3%					2,820		0		2,820	
0030 Pub Works Traff: Cmp 3501-0579-999 10510 - 5003333 - 20961		896	792	719	1,346	762	1,165	336	28.9%					1,501		0		1,501	
UT - Utilities Total		433,206	419,395	500,828	405,996	159,723	229,424	92,728	40.4%					322,152		0		322,152	
Expense Total		5,594,667	5,735,805	5,839,479	5,940,837	4,129,762	5,851,260	106,997	1.8%					5,958,257		0		5,958,257	
Revenue																			
LC - Local																			
Sewer Inspection Fee: Sewer Inspection Fee 10200 - 300705 - 00000		2,750	2,550	3,950	2,500	1,000	2,500	0	0.0%					2,500		0		2,500	
Transfer Station Fee: Transfer Station Fee 10190 - 300704 - 00000		127,166	142,663	187,901	183,518	120,364	153,000	30,500	19.9%					183,500		0		183,500	
Public Works: Public Works Revenue 10170 - 300702 - 00000		62,890	54,900	44,841	86,909	65,821	55,000	0	0.0%					55,000		0		55,000	
Public Works: Street Opening Permi 10170 - 300706 - 00000		7,245	3,305	2,475	6,580	240	500	3,500	700.0%					4,000		0		4,000	
Public Works: Flow Control Ordinan 10170 - 300707 - 00000		1,850	750	2,900	2,650	1,850	2,900	(550)	(19.0%)					2,350		0		2,350	
Recycled Waste And F: Recycled Waste & Fee 10320 - 300756 - 00000		9,628	8,226	9,860	327	0	14,000	(5,600)	(40.0%)					8,400		0		8,400	
LC - Local Total		211,529	212,394	251,927	282,484	189,875	227,900	27,850	12.2%					255,750		0		255,750	
TX - Taxes																			
Excise Taxes: Motor Vehicle Excise 10020 - 300201 - 00000		3,881,491	3,293,730	3,192,926	3,238,339	2,310,358	3,400,000	20,000	0.6%					3,420,000		0		3,420,000	
Excise Taxes: Boat Excise 10020 - 300202 - 00000		16,724	16,666	21,165	19,508	4,166	18,000	0	0.0%					18,000		0		18,000	
Excise Taxes: Rapid Renewal Excise 10020 - 300200 - 00000		827,493	1,259,764	1,492,373	1,426,420	896,303	1,100,000	90,000	8.2%					1,190,000		0		1,190,000	
TX - Taxes Total		4,725,708	4,570,160	4,706,464	4,684,268	3,210,826	4,518,000	110,000	2.4%					4,628,000		0		4,628,000	
Revenue Total		4,937,237	4,782,554	4,958,391	4,966,751	3,400,701	4,745,900	137,850	2.9%					4,883,750		0		4,883,750	

FACILITIES DEPARTMENT

929 Highland Ave.

(207) 347-4144

Don (Skip) Hopkins-Facilities Manager

dwhopkins@southportland.org

Ron Dion-Deputy Facilities Manager

rdion@southportland.org

VISION

The Departments vision is that the City of South Portland's Departments and the Community will have safe, clean and accessible facilities that directly support the vision and missions of each of the City's Departments.

MISSION STATEMENT

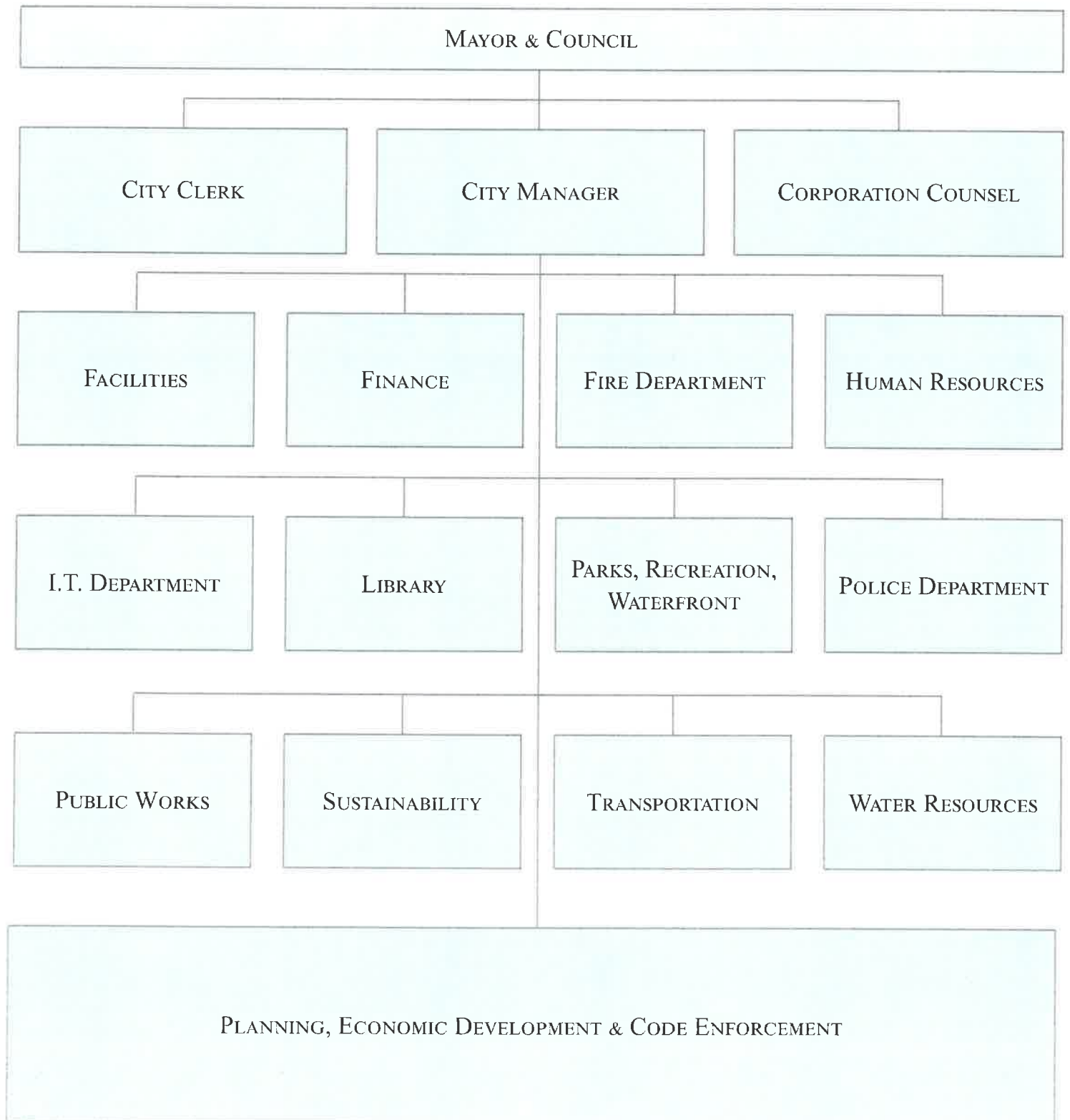
The mission statement of the Facilities Department is to treat each city department, their staff along with the community as highly valued customers, by being responsive to each facilities needs and allowing each department to focus on their own core missions. Facilities will be professionally managed, operated and maintained in an efficient manner and within established budgets. The Facilities Department shall maximize the service life of all City Facilities and equipment, protecting valuable public assets, through regular preventative maintenance and collaboratively prepared long-term capital plans. The Facilities Staff recognizes the uniqueness of each department's building and operational needs, therefore accomplishes their work in a way that minimizes service interruptions. Sustainability and energy efficiency are at the forefront of the Facilities Department operations and practices, and staff shall endeavor to incorporate these into all aspects of their work.

The Facilities Department is responsible for the maintenance, repair, custodial services and capital improvement projects of approximately 300,000 square feet of the City's facilities, including Municipal Services Facility, City Hall, Assessors Office, Main & Branch Library's, Water Resources, Planning, Development & Codes, Community Center & Pool, Wainwright Building, Redbank Community Center, Willard Beach Snack Bar, Police and Public Safety Building, Central Fire Station, Western Ave. Fire Station, Cash Corner Fire Station, Willard Call Station and Thornton Heights Call Station. This division maintains the structures, including all facilities' infrastructure. Custodial services are also provided along with transport of supplies and equipment between the various departmental locations of throughout the City.

PERFORMANCE OBJECTIVES

- *Provide a safe, clean and healthy work and activity environment for staff and the community.
- *Prolong the useful life of major building components through routine and preventative maintenance programs.
- *Improve quality standards for cost efficient repairs.
- *Survey all facilities for deferred and new maintenance needs.
- *Work directly with the Sustainability Department to develop energy savings programs.

CITY OF SOUTH PORTLAND ORGANIZATIONAL CHART



CITY OF SOUTH PORTLAND, MAINE

FY24 Budget - Line Item Summary

City Manager's Recommendation

March 20, 2023

			FY22	FY23	FY23	FY24	FY24	FY24	FY24
			Actual	Budget	Projection	Dept Request	CM Recommended	\$ +/-	% +/-
59 FACILITIES									
10159061	611000	HOURLY	374,230	551,095	413,628	664,729	493,081	(58,014)	-10.5%
10159061	611500	SALARY	86,096	92,684	92,825	101,365	105,902	13,218	14.3%
10159061	612500	OVERTIME	12,620	3,000	22,000	6,000	6,000	3,000	100.0%
10159061	622000	TELEPHONE	600	-	(350)	-	-	-	0.0%
10159062	621500	POSTAGE	60,322	29,000	11,775	12,800	17,800	(11,200)	-38.6%
10159062	622000	TELEPHONE	2,331	4,850	2,308	600	600	(4,250)	-87.6%
10159062	622400	WATER & SEWER	1,995	2,636	2,636	2,636	2,636	-	0.0%
10159062	622500	ELECTRIC	79,706	-	-	-	-	-	0.0%
10159062	623500	AUTO MILEAGE	70	1,000	1,000	1,000	1,000	-	0.0%
10159062	625000	CLEANING	1,703	1,000	22,000	59,800	59,800	58,800	5880.0%
10159062	626500	MOTOR VEHICLE MAINTENANCE	360	1,000	1,000	1,000	1,000	-	0.0%
10159062	627000	EQUIPMENT MAINTENANCE	8,804	5,170	5,170	166,077	137,452	132,282	2558.6%
10159062	627500	BUILDING MAINTENANCE	49,265	25,000	25,000	-	-	(25,000)	-100.0%
10159062	627510	BUILDINGS-LEASED	-	100	100	-	-	(100)	-100.0%
10159062	628800	CONTRACTED SERVICES	4,915	2,214	132,549	126,301	104,872	102,658	4636.8%
10159062	628800	CONTRACTED SERVICES	120,039	-	-	-	-	-	0.0%
10159062	628802	ENGINEERING SERVICES	-	7,500	5,381	-	-	(7,500)	-100.0%
10159062	628806	CONTRACTED SERVICES -ENERGY	150	-	-	-	-	-	0.0%
10159063	630500	OFFICE SUPPLIES	346	500	500	500	500	-	0.0%
10159063	631500	HEATING FUEL	8,065	8,520	8,520	8,520	8,520	-	0.0%
10159063	632000	GAS & OIL	669	720	720	720	720	-	0.0%
10159063	632501	VEHICLE WASH	20	-	-	-	-	-	0.0%
10159063	634500	CLOTHING	1,632	1,200	1,200	1,200	1,200	-	0.0%
10159063	636500	CLEANING SUPPLIES	11,221	10,000	10,000	35,000	35,000	25,000	250.0%
10159063	638800	BUILDING MAINT SUPPLIES	-	20,286	-	112,000	98,000	77,714	383.1%
10159063	638800	BUILDING MAINT SUPPLIES	8,918	-	-	-	-	-	0.0%
10159063	639900	MISC SUPPLIES	3,512	1,000	3,009	6,432	-	(1,000)	-100.0%
10159064	641000	RENT	14,857	6,432	6,432	450	450	(6,432)	-100.0%
10159065	650500	OFFICE EQUIPMENT	-	450	450	-	-	-	0.0%
10159065	658000	BUILDINGS	1,905	2,000	-	-	-	(2,000)	-100.0%
10159065	658500	BUILDING IMPROVEMENTS	-	-	-	-	-	-	0.0%
10159088	900001	TRANSFERS OUT	72	-	-	-	-	-	0.0%
TOTAL			854,424	777,357	767,853	1,307,130	1,074,533	297,176	38.2%

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM #10

SUBJECT

NEW BUSINESS: Amend Employee Handbook

INFORMATION

- 1) Memorandum
- 2) Employee Handbook with changes

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to adopt the changes to the Employee Handbook.



City of Presque Isle, Maine

The Office of
City Manager

Martin Puckett

Email: mpuckett@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Martin Puckett, City Manager
DATE:	June 18, 2023
RE:	Employee Handbook

It has been five years since there have been changes made to the employee handbook, so it was time to review the document. The majority of changes were made with formatting and spelling errors but we did make changes in specific areas that help with clarification. Below is a summary of the changes:

- Correcting the table of contents and moving page numbers to bottom of page
- Removing deputy city manager references and applying HR Director
- Streamlined the hiring process from a cumbersome 25 steps to 15
- Removed the Pay for Performance program that was never initiated/funded in 2012
- Political activities/office updated, employees cannot use position to influence elections
- Gifts, gratuities must follow IRS guidelines "de minimus" in value
- Employees that choose to use own vehicle rather than a city vehicle will be reimbursed through receipts of gas/diesel
- Smoking policy follows State/Federal guidelines
- Inclement weather (previously called snow days) process updated
- Communication policy altered to reflect recently approved Cyber Policy to remove redundancies
- Health Insurance language clarified- was contradictive, stipend language for not accepting same for all employees
- Sick leave policy includes parental leave and sick bank donation
- Revisions removed from the front of the document

Recommended Motion: To approve changes to the employee handbook as presented.

City of Presque Isle Employee Handbook

Formerly Known As: Personnel Rules and Regulations



Approved by the City Council: February 5, 1996
Date Effective: February 15, 1996

Attest:

Kimberly Finnemore, City Clerk

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Table of Contents

Purpose:	1
ARTICLE I GENERAL PROVISIONS	1
Section 1.1 Conditions of Employment	1
Section 1.2 Equal Employment Opportunity	1
Section 1.3 Affirmative Action Plan	2
Section 1.4 Drugs and Alcohol	2
Section 1.5 Harassment Policy	3
1.5.1 Sexual Harassment Policy	4
1.5.2 Harassment/Sexual Harassment Complaint Procedure	5
Section 1.6 Policy on Workplace Threats and Violence	5
ARTICLE II EMPLOYMENT CATEGORIES	6
Section 2.1 Employment Classification Categories	6
2.1.1 Exempt Positions	6
2.1.2 Non-Exempt Positions	6
2.1.3 Probationary Employees	6
2.1.4 Regular Full-Time Employees	7
2.1.5 Regular Part-Time Employees	7
2.1.6 Temporary, Seasonal and As-Needed Employees	7
ARTICLE III RECRUITMENT AND SELECTION	7
Section 3.1 Anti-Nepotism	7
Section 3.2 Re-Employment	8
Section 3.3 Hiring Policy	8
3.3.1 Applications and Posting Procedures	8
3.3.2 Standard Selection Procedures	9
3.3.3 Physical Examinations	10
ARTICLE IV PERSONNEL AND COMPENSATION MANAGEMENT	10
Section 4.1 Pay Plan	10
Section 4.2 Position Classification and Job Description	10
4.2.1 Revision of Job Description and Positions	11
4.2.2 New Positions	11

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Section 4.3 <u>Non Union Employees Compensation Policy</u>	11
4.3.1 <u>Program</u>	11
4.3.2 <u>Administration</u>	11
4.3.3 <u>Cost of Living Adjustments (COLA)</u>	12
4.3.4 <u>Reclassification and Appeals Procedure</u>	13
4.3.5 <u>Repeal of Conflicting Resolutions or Settlements</u>	13
4.3.6 <u>Savings Clause</u>	13
Section 4.4 <u>Probationary Period</u>	13
4.4.1 <u>Length of Probationary Period</u>	14
4.4.2 <u>Release of New Probationer</u>	14
4.4.3 <u>Advancement of Probationer to Regular Status</u>	14
4.4.4 <u>Release of Promotional Probationer to Lateral Transfer Probationer</u>	14
Section 4.5 <u>Performance Evaluations</u>	14
4.5.1 <u>Probationary Evaluations</u>	14
4.5.2 <u>Annual Performance Evaluations</u>	15
4.5.3 <u>Discretionary Performance Evaluation</u>	15
4.5.4 <u>Review with Employee</u>	15
4.5.5 <u>Effects of a Substandard Rating</u>	16
ARTICLE V <u>HOURS OF WORK/RECORDKEEPING/OVERTIME</u>	16
Section 5.1 <u>Hours of Work</u>	16
Section 5.2 <u>Attendance</u>	16
Section 5.3 <u>Unauthorized Absences</u>	17
Section 5.4 <u>Meal and Rest Breaks</u>	17
Section 5.5 <u>Record Keeping/Time Sheets</u>	18
Section 5.6 <u>Overtime/Compensatory Time</u>	18
5.6.1 <u>Exempt Positions</u>	18
5.6.2 <u>Nonexempt Positions</u>	18
5.6.3 <u>Non-exempt Call Back</u>	19
Section 5.7 <u>Additional Compensation</u>	19
ARTICLE VI <u>EMPLOYMENT PERFORMANCE AND CONDUCT</u>	19
Section 6.1 <u>Off Duty Conduct and Employment</u>	20

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Section 6.2 Personal Appearance Standards	21
Section 6.3 Confidentiality and Security	21
Section 6.4 Conflict of Interest	21
Section 6.5 Political Activity and Contributions	21
6.5.1 Solicitation and Handbills	21
6.5.2 Political Office	22
6.5.3 Federal Hatch Act	22
Section 6.6 City Property/City Vehicles	22
Section 6.7 Return of City Issued Property	22
Section 6.8 Salvaging/Scavenging	22
Section 6.9 Gratuities	23
Section 6.10 Personal Business/Telephone Calls	23
<u>Section 6.11 Animals in the Workplace Policy</u>	<u>23</u>
<u>ARTICLE VII DISCIPLINE POLICY AND PROCEDURES</u>	<u>23</u>
* Section 7.1 Disciplinary Illustrations	24
7.1.1 Attendance	24
7.1.2 Behavior	24
7.1.3 Performance	25
Section 7.2 Types and Progression of Discipline	25
7.2.1 Counseling	25
7.2.2 Verbal Warning	26
7.2.3 Written Reprimand	26
7.2.4 Temporary Relief from Duty	26
7.2.5 Suspension	26
7.2.6 Disciplinary Demotions	27
7.2.7 Removal/Discharge from Employment	27
7.2.8 Initiating Discipline: Consideration and Notice	27
7.2.9 Appeal of Suspension or Discharge	28
<u>ARTICLE VIII DISPUTE RESOLUTION</u>	<u>28</u>
Section 8.1 Dispute Resolution Procedures	28
<u>ARTICLE IX TRAVEL/MEETING AND EXPENSE POLICY</u>	<u>28</u>

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Section 9.1 Authority to Travel	29
Section 9.2 Educational/Meeting Activities Expenses.....	29
9.2.1 Expense Guidelines	29
Section 9.3 Mode of Travel	30
9.3.1 Use of Personal Vehicle	30
Section 9.4 Travel Time	30
Section 9.5 Vehicle Allowances.....	30
ARTICLE X EMPLOYMENT SEPERATION	30
Section 10.1 Resignation	30
Section 10.2 Layoff.....	31
Section 10.3 Checkout Upon Separation.....	31
Section 10.4 Death of an Employee	31
ARTICLE XI MISCELLANEOUS PROVISIONS	32
Section 11.1 Smoking Policy	32
Section 11.2 Personnel Files	32
Section 11.3 Safety	32
Section 11.4 Training	32
Section 11.5 Snow days/ Inclement Weather.....	32
11.5.1 Weekday Snow Closing	32
11.5.2 Weekend Snow Closing	32
11.5.3 Making it to Work	32
Section 11.6 Communication Policy	32
ARTICLE XII EMPLOYEE BENEFITS AND EXPENSES	35
Section 12.1 Eligibility	35
Section 12.2 Pro-ration/Cost Sharing and Scope of Benefits	36
Section 12.3 Mandatory Benefits and Expenses	36
12.3.1 Qualifying Pension Plan.....	36
12.3.2 Medicare	36
12.3.3 Unemployment Insurance	36
12.3.4 Worker's Compensation Insurance	37
Section 12.4 Discretionary Benefits	37

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12.4.1 <u>Maine PERS</u>	37
12.4.2 Deferred Compensation Annuity	37
12.4.3 <u>Health Insurance</u>	37
12.4.4 <u>Health Insurance Stipend</u>	37
12.4.5 Income Protection	38
12.4.6 Life Insurance	38
12.4.7 Retirement Plan	39
<u>ARTICLE XIII LEAVES AND ABSENCES</u>	39
Section 13.1 Vacation	39
13.1.1 Eligibility	39
13.1.2 Vacation Credits	40
13.1.3 Vacation Accrual	40
13.1.4 Use of Vacation	40
Section 13.2 Holidays	40
13.2.1 Holiday on a Scheduled Work Day	41
13.2.2 Holidays that Fall During Vacation Leave	42
Section 13.3 Sick Leave	42
13.3.1 Sick Leave: Self	42
13.3.2 Sick Leave: Immediate Family Member	42
13.3.3 <u>Maternity/Paternity</u> Leave	42
13.3.4 <u>Sick Leave Donation</u>	42
13.3.5 Sick Leave Notification to Supervisor	42
13.3.6 Supervisor's Record Keeping Responsibilities	43
13.3.7 Medical Certification	43
13.3.8 Earning and Accrual	43
13.3.9 Abuse of Sick Leave	43
13.3.10 Unused Sick Leave	43
Section 13.4 Bereavement Leave	43
Section 13.5 Administrative Leave	44
Section 13.6 Jury Duty	44
Section 13.7 Military Leave	45

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Section 13.8 Reserve Service.....	44
Section 13.9 Leave of Absence Without Pay	45
Section 13.10 Family Medical Leave and Leaves for Victims of Violence.....	45
Section 13.11 Work Related Injury Leave.....	46

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PURPOSE:

The purpose of the policies in this handbook is to provide City of Presque Isle (hereinafter referred to as the City) leaders with an inclusive set of policies, procedures and standard practices regarding its employees. Based on City philosophy and goals, these policies are intended to help the City carry out its objectives in the best possible way and to coordinate the efforts and interests of all departments within the City. These policies do not contain area-specific operating procedures, which should be developed, communicated and administered by the department heads.

ARTICLE I GENERAL PROVISIONS

Section 1.1 Conditions of Employment

Tenure of employees covered by these policies is conditioned on necessity for the performance of work, the availability of funds and satisfactory performance of work as determined by the department head, with the approval of the City Manager.

These policies are not intended to guarantee employment for any specific duration. While the City's goal is to develop long-term employment relationships with its employees, either the employee or the City may terminate the employment relationship at any time, for any reason, with or without cause or notice. The City also reserves the right at its sole discretion to terminate or suspend the employment of any employee whenever it is believed such action is in the best interest of the City and/or fellow employees.

Each employee will receive a copy of the Employee Handbook during their employee orientation either in hand or email. Every employee will be required to become familiar and understand the policies as set forth in the Employee Handbook. Employees will be provided with a new copy when any rules are amended, deleted or added. Employees who may need clarification of any part of the Employee Handbook, should direct their questions to the Human Resource Director. All employees will be required to sign acknowledgement of the receipt of these policies, which will be placed in their personnel file.

These policies do not constitute an employment contract. The policies and benefits provided to employees by the City are subject to change and may be modified at the discretion of the City Council when they deem necessary.

Section 1.2 Equal Employment Opportunity

Employment decisions will be based on the principles of equal employment opportunity, unless a bona fide occupational qualification exists, recruitment, testing selection and promotion will be administered without regard to race, color religion, sex, national origin, ancestry, age, physical or mental disability, sexual orientation, whistleblower activity, previous assertion of a claim or right under the Maine Worker's Compensation Act or marital status.

Further, personnel actions and conditions of employment, such as compensation, benefits, layoffs, job assignments, employee development opportunities, discipline and termination shall be administered without regard to race, color religion, sex, national origin, ancestry,

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age, physical or mental disability, sexual orientation, whistleblower activity, gender identity and expression, previous assertion of a claim or right under the Maine Worker's Compensation Act or marital status.

Reasonable accommodations will be made for any qualified individual, applicant or employee, in accordance with the provisions of the Maine Human Rights Act and the Americans with Disabilities Act.

Department Heads and supervisors are responsible for awareness of and response to potential discriminatory situations. Employees are required to cooperate fully with the investigation and/or resolution of any discrimination complaint. Department Heads and supervisors are required to actively prevent and correct retaliation or harassment toward any employee who has been involved in the filing, investigation, or resolution of a discrimination claim.

The Human Resource Director will address and attempt to resolve employee complaints regarding discrimination and harassment as expeditiously as possible. Department Heads and supervisors are required to contact the Human Resource Director if they receive a complaint of this nature.

Section 1.3 Affirmative Action Plan

The City shall establish and maintain an Affirmative Action Plan that would:

1. Identify whether qualified applicant or employees are currently experiencing unlawful discrimination;
2. Identify and correct those personnel practices or procedures which have or may have an adverse impact on the employment opportunities of minorities and women.

Section 1.4 Drugs and Alcohol

It is the City's desire to provide a drug-free, healthful and safe workplace. To promote this goal, employees are required to report to work in the appropriate mental and physical condition to perform their jobs in a satisfactory manner.

City employees may possess and consume alcohol off City premises during a City approved event or function that is approved by the City Manager. Attendance to such event or function shall be optional. Employees shall conduct themselves in a professional manner at all times, keeping in mind that non-sexual harassment and sexual harassment policies are in full force and effect during all City events and functions. At no event or function shall alcoholic beverages be offered or served to minors. At no time shall the City supply, sell, serve or incur the expense for the consumption of alcohol by City employees and in no instance shall alcoholic beverages be charged to any City account. Employees who choose to consume alcoholic beverages are required to follow State laws.

Except for planned, scheduled special events with approval of the Department Head, while on City premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or engage in the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs. Violations of this policy may lead to disciplinary action, up to and including

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termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

It shall be permissible to use unopened alcohol as gifts during special events and/or holidays.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger the public or other individuals in the workplace. The employee must receive in writing from their attending physician, what, if any, limitations are imposed by using the prescribed medicine. A copy must be provided to the employee's supervisor when the prescribed drug limits or impairs the employee's ability to perform their job, especially the operation of machines, equipment, motor vehicles, etc.

To inform employees about important provisions of this policy, the City offers a drug-free and substance abuse program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees and consequences of violations of this policy.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Human Resource Director to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee abstains from use of the problem substances; abides by all City policies, rules, and prohibitions relating to conduct in the workplace, and if granting the leave will not cause the City any undue hardship.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace, should discuss them with their supervisor, Human Resource Director or City Manager without fear of reprisal.

Section 1.5 Harassment Policy

The City recognizes that each employee has the right to work in an environment that is free from intimidation, hostility and offensiveness. The City will not tolerate any employee harassing another employee based on race, color, sex, national origin, age, religion, gender identity and expression or disability. Such harassment not only violates City policy - it is illegal.

Examples of harassment related to race, color, sex, national origin, age, religion, gender identity and expression or disability include the following:

1. Subjecting employees to ridicule, slurs, offensive jokes or derogatory actions.
2. Threats.
3. Unwelcome sexual advances, gestures, comments or contact.

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4. Refusal to work with an employee, or to cooperate in performing work assignments.
5. Basing employment decisions or practices on submission to harassment.
6. Inequitable disciplinary actions and work assignments.

It is important to note that we all come from diverse backgrounds, what one may not find offensive, another might. If you find something offensive, inform the person that you do not find their behavior or comments appropriate, or let the supervisor know that you are offended. Once a person has been informed of his/her inappropriate behavior, continuance of that behavior will not be tolerated.

Supervisory and management staff who are aware of any form of harassment must take prompt action to stop it. Any employee who feels they are a victim of harassment shall report the offense to their supervisor immediately. If the worker's immediate supervisor is the source of the alleged harassment, the employees shall report the problem to the Human Resource Director or City Manager. An investigation of the allegations will be made. Any employee determined to have engaged in harassment of another employee shall be subject to disciplinary action up to and including discharge.

1.5.1 Sexual Harassment Policy

Title VII of the Civil Rights Act of 1964 and the Maine Human Rights Act provides that it shall be unlawful discriminatory practice for any employer, because of the sex of any person, to discharge, refuse to hire, or otherwise discriminate against that person with respect to any matter directly or indirectly related to employment. Harassment of an employee on the basis of sex violates Federal and State law.

It is the policy of the City that all employees have the right to work in an environment free of discrimination, which includes freedom from sexual harassment by administration, supervisors, co-workers, the public or other business contacts. This policy is intended to prohibit offensive conduct, either physical or verbal that threatens human dignity and employee morale, and which interferes with a positive productive work environment.

Guidelines clarifying unlawful sexual harassment by the Federal Equal Opportunity Commission and Maine Human Rights Act are as follows:

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

1. Submission to sexual conduct is an explicit or implied term or condition of an individual's employment;
2. The submission or rejection of sexual conduct by an individual is the basis for any employment decision affecting that individual; or
3. Sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature have the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

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

1. Slurs, jokes or degrading comments of a sexual nature
2. Unwelcome sexual advances
3. Suggestive or lewd remarks
4. Requests for sexual favors
5. Repeated offensive sexual flirtation or propositions
6. Display of sexually suggestive pictures or objects
7. Unwelcome physical contact or touching such as patting, pinching or brushing against another's body.

The City administration will not tolerate any form of sexual harassment at the workplace. Any employee determined to have engaged in sexual harassment as described by both federal and state law shall be subject to disciplinary action up to and including discharge from employment.

It is the policy of the City that no personnel action be taken affecting an employee (either favorably or unfavorably) on the basis of conduct that is not related to job performance, including such conduct as submitting to sexual advances, protesting sexual overtures or raising a complaint concerning the alleged violation of this policy.

The City Manager, department heads and supervisors are responsible for monitoring behavior which can be construed to be harassment and for initiating necessary action to eliminate such behavior.

Any employee who feels they are a victim of sexual harassment or who has knowledge of that kind of behavior is urged to report such conduct immediately to their immediate supervisor, department head, the Human Resource Director, or the City Manager. No employee will be retaliated against for complaining about sexual harassment. Recognizing the sensitivity of this matter, all investigations will be conducted in a confidential manner as possible.

1.5.2 Harassment/Sexual Harassment Complaint Procedure

If an employee is being harassed by their supervisor or someone in their management chain, the employee is not expected to report the harassing conduct to that person, and, instead is expected to report to the Human Resource Director or the City Manager.

When warranted by the facts discovered through the investigation, the City may take disciplinary action against any employee found to have engaged in harassment in accordance with the policy.

Section 1.6 Policy on Workplace Threats and Violence

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

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

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

All City personnel are responsible for notifying one of the following: their department head, the Human Resource Director or the City Manager of any threats which they have witnessed, received or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when the behavior is job related or might be carried out on a City-owned site or is connected to City employment. Employees are responsible for making the report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.

All individuals who apply for, or obtain, a protective or restraining order which lists any City locations as being a protected area, must provide to their department head, Human Resource Director or the City Manager, a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted and a copy of any protective or restraining order which is made permanent.

The City understands the sensitivity of the information and has developed confidentiality procedures, which recognizes and respects the privacy of the reporting employee(s).

ARTICLE II EMPLOYMENT CATEGORIES

Section 2.1 Employment Classification Categories

2.1.1 Exempt Positions

Those positions in accordance with the Fair Labor Standards Act that are exempt from the minimum wage and overtime regulations. These positions may be salaried.

2.1.2 Non-Exempt Positions

Those positions in accordance with the Fair Labor Standards Act that are not exempt from minimum wage and overtime regulations. These positions rate of pay shall be on an hourly basis.

2.1.3 Probationary Employees

New, re-hired, or promoted employees who serve as prescribed period of close supervision and evaluation in order to assess their ability and adaptation. Probationary employment may be terminated at the will and discretion of the City without advance notice, or by the employee.

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2.1.4 Regular Full-Time Employees

Employees hired to regularly work a minimum of forty (40) hours per week on a continuous basis following satisfactory completion of a probationary period.

2.1.5 Regular Part-Time Employees

Employees hired to regularly work a set average number of hours for less than 40 hours per week on a continuous basis following satisfactory completion of a probationary period.

2.1.6 Temporary, Seasonal and As-Needed Employees

Employees holding jobs of limited or specified duration, such as, but not limited to the following instances: special project; position vacancy pending appointment; the absence of a position incumbent; abnormal work load; emergencies; or other reason established by the City.

2.1.6A Temporary

Temporary Employees may work either full-time or part-time work schedules, but are limited to a specified duration. A temporary employee's date of hire will be the first day he/she starts employment with the City. The date of hire will not change if the employee moves from a temporary position to a regular position in the same classification, providing there is no break in service due to layoff or of the employee's own accord, prior to six months of continuous service. A temporary employee will be paid the prevailing rate and be entitled to holiday pay as outlined in Section 13.2. The date of hire will be used for purposes of any step increases and for determination of vacation earnings at the appropriate years. Eligibility for clothing allowance, if applicable, will be effective after six months of employment and paid at the appropriate intervals in practice at the time. When regular status is obtained, the employee will be covered in the Employee Handbook accordingly. Service time as a temporary employee will count towards the probation period.

2.1.6B Seasonal

Seasonal Employees work during a specific season such as winter or summer.

2.1.6C As-Needed

As-Needed Employees are hired for employment for short, erratic work schedules.

Temporary, seasonal and as-needed employees will not be eligible to receive City-sponsored benefits; earn sick or vacation leave; be entitled to holiday pay; accrue any form of service credit; or use the Administrative Review Procedure to file formal grievances, except in matters pertaining to alleged discrimination.

*Exception to Temporary Employees and Section 13.2 Holidays.

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ARTICLE III RECRUITMENT AND SELECTION

Section 3.1 Anti-Nepotism

For the purpose of this section only, "immediate family" shall include spouse, domestic partner, parent, sibling, mother-in-law, father-in-law, children, son-in-law, daughter-in-law,

brother-in-law, sister-in-law, grandparent, and grandchild, any relationship arising from adoption or corresponding "step" relation. This policy will include couples who at common law, would be regarded as partners in a common-law relationship.

A member of the immediate family may not be employed in positions where such employment will result in the existence of a supervisor/subordinate relationship.

A member of the immediate family may not be employed in positions where one will have responsibility for reviewing and approving financial, budget, or purchase transactions; or in recommendations and/or decision making in any matter concerning appointment, promotion, salary, retention or termination of a member of the immediate family.

In the instance that two employees become part of an immediate family, they are to be treated in accordance with this policy. Should termination of employment result, the decision of who should terminate will be left up to the two effected employees. However, if a decision cannot be reached within 60 working days of the City's first knowledge of the relationship, the City will terminate one of the employees. The City Manager will make the decision based on each employee's length of service, performance, and the input from each supervisor and department head.

Section 3.2 Re-Employment

An employee who leaves service with the City and is re-employed later, is considered a new employee. For the purposes of determining seniority and fringe benefits, an employee's length of service shall be calculated from the most recent date of hire.

Any employee who retires from the City, and is eligible to receive retirement benefits from the Maine State Retirement System and continues their employment with the City shall not be eligible to the City's 401(a) plan, or receive City contributions to a 457 plan.

Section 3.3 Hiring Policy

The purpose of this policy is to provide consistency in the City's hiring and promotion procedures, so long as it is not in violation of any State or Federal statute or law.

3.3.1 Applications and Posting Procedures

Applications for employment will only be accepted when a vacancy is open.

All regular full-time and regular part-time position vacancies or newly created positions are to be filled through the use of the standard selection procedure and under the direction of the Human Resource Director.

Promotions are encouraged to give employees in lower level positions opportunities to move to higher level positions. Part-time employees may be given opportunity for full-time vacancies. Presque Isle volunteer firefighters shall be given added consideration for regular firefighter position vacancies based on the number of years of service with the City's Fire Department.

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In the best interest of the City, external recruitment shall be conducted in an effort to find the most qualified job candidates and emphasis will be placed upon attainment of the highest levels of appropriate education and directly related job experience. Internal posting of open full time positions will be offered at the same time as external recruitment. Internal applications are encouraged.

Vacancies for all department head positions will be filled by accepting internal and external applicants, following the Standard Selection Procedure. The City Manager will be responsible for the recruitment and selection process for department heads. The City Manager will make their recommendation to the City Council for the candidate to fill the department head vacancy. The City Manager's recommendation of a candidate is subject to confirmation by the City Council. The City Manager may delegate to the Human Resource Director any aspect of the selection process, such as, placing advertisement, notifications to applicants, record keeping, etc.

When the vacancy of City Manager occurs, the City Council shall use the Standard Selection Procedures. They will review, rate and screen all applicants. They may delegate to the Human Resource Director any aspect of the selection process, such as, placing advertisements, notifications to applications, record keeping, etc.

3.3.2 Standard Selection Procedures

In order to maintain Affirmative Action and Equal Opportunity Employment obligations, promotions and the hiring and selection process must be centralized and directed through the Human Resource Director using the following:

- A. Establish minimum requirement and insure they are included in:
 - a. Job description
 - b. Advertisement
- B. Establish hiring process and time frame:
 - a. Advertising
 - b. Application deadline or until suitable candidate is found
 - c. Resume/application review
 - d. Date of test, if appropriate
 - e. Establish list of oral board members, if appropriate
 - f. Date of first interview
 - g. Date of second interview, if appropriate
 - h. Background check, if applicable
 - i. Medical examination, if applicable
 - j. Target date of hire
- C. Order exams (if necessary), notify applicants, administer exam
- D. Notify successful applicants and schedule interview. Include test score, if applicable
- E. Conduct first/second interview as applicable
- F. Notify applicants who did not clear first interview
- G. Recommend and finalize applicant to hire,
- H. Conduct background investigation - Must have signed authorization form
- I. Make initial employment offer contingent on medical examination results, if

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<#>Notify applicants of examination date, if applicable¶
<#>Administer exam¶
<#>Notify oral board members¶

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I. Have medical exam conducted, if applicable

K. Notify of medical exam results

L. Make final decision to hire/not hire

M. Establish employment starting date

N. Complete record keeping

O. Hiring of all City positions are made with the approval of the City Manager.

3.3.3 Physical Examinations

Physical examinations may be required of any regular employees. An offer of employment may be contingent on the applicant's ability to pass a physical conducted to the relativity of the essential job functions for which the applicant has applied. The physical will be conducted by a physician of the City's choice. Cost of the physical will be the responsibility of the City. Psychological or polygraph tests may be conducted for positions when applicable and not in conflict with any State or Federal law.

ARTICLE IV PERSONNEL AND COMPENSATION MANAGEMENT

Section 4.1 Pay Plan

A pay plan shall be adopted which establishes appropriate pay ranges and may be adjusted on an individual basis to attract qualified applicants.

Section 4.2 Position Classification and Job Descriptions

To develop and maintain a clear structure of job responsibility and work activity relationships with the City and to keep meaningful the relatedness of an employee's job and associated pay, performance standards and other employment conditions. The City shall maintain job descriptions on each separate class of employment, to allocate individual employee positions into job classes, and to classify or reclassify positions as necessary, based on the best interests of the City. While it is the intent of this policy to describe and classify jobs in specific ways, as a means of benefiting the organization's employment structure, this policy should not be misconstrued to restrict or confine job responsibility assigned to employees where flexibility in assigning employees new but related job activities is tantamount to the success of City's operations.

The Human Resource Director will be responsible for preparing and maintaining job descriptions on all separate classes of employment with the aid and assistance of supervisors and employees. Such job descriptions shall contain the designation as to whether position(s) covered by the job description are categorized as exempt or non-exempt, in addition to duty and qualification specifications. All job descriptions will be reviewed periodically to determine their continued accuracy, completeness, compliance with applicable State and Federal laws, and relevance to the City's pay and performance evaluation system.

Each employee will be allocated to a position approved by the City Manager. Position vacancies will be filled on the basis of job description standards after notification of the pending vacancy to the Human Resource Director.

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4.2.1 Revision of Job Descriptions and Positions

Job descriptions and the allocations of employees to positions may be revised or altered from time to time at the sole discretion of the City Manager as a means of ensuring operational efficiency and the changing nature of meeting the organizations needs. When and where it is deemed appropriate, the City will endeavor to advise affected employees of changes in job description details or their allocation to a specific position, including the determination to abolish positions, in which case employees may be offered other positions for which they are qualified, if they exist.

Upon submission of a reclassification request, the Human Resource Director may evaluate the position by consulting with the affected employee(s) and supervisory personnel, and gather any other information pertinent to the issues(s) under consideration. A report of the evaluation findings and recommendations will be submitted to the City Manager, who may also consult with supervisory personnel, in order to determine a proper course of action. Should a reclassification evaluation involve creation of a new job description, the City Manager may approve reclassification pending final approval of the new job description and pay rate recommendation. All reclassifications must have final approval of the City Council.

4.2.2 New Positions

New positions are those in which there is an identified, justified and appropriate list of job tasks and qualification standards sufficiently different from existing position descriptions to the position is an addition to positions of the existing workforce. In either case, new position requests must be recommended by the City Manager and approved by the City Council. Upon approval, and if required, a job description will be prepared and a pay rate will be established for the position prior to filling such position.

Section 4.3 Non-Union Employees Compensation Policy

1. The following is the administrative policy covering professional, technical, administrative and supervisory employees, which are not otherwise covered by a labor union. The purpose of the administrative policy is to establish a standard for the administration of compensation for employees. It shall be the policy of the City of Presque Isle to provide a compensation package that will attract and hold above-average employees.

4.3.1 Program

This policy is based on current year pay scales, including the minimum and maximum ranges, for all ranges in steps covered by the plan.

4.3.2 Administration

The various provisions of the pay plan shall be administered in accordance to the following:

1. New Employees. New employees' compensation will be determined by placing them on the pay scale at the appropriate level based on the job. They will be placed at the appropriate step based on relative experience as is outlined in Section 4.3.3 #5 below. All initial placement decisions will be reviewed and recommended by the

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Human Resource Director and approved by the City Manager.

2. Promotions and Supervisory Appointments. An employee promoted shall be placed at the appropriate pay level for the new position and placed at the appropriate step, based on relative experience as is outlined in Section 4.3.3 #5. The exact adjustment shall be recommended by the Human Resource Director and approved by the City Manager.
3. Transfers. No adjustment to an employee's salary shall be made when an employee moves laterally in the same class grade.
4. Demotions. In the event of a demotion, the employee's wage rate will be altered, if necessary, to coincide with the new assigned class grade in accordance to the City's Personnel Policy entitled Classification and Pay Plan. The exact adjustment shall be recommended by the Human Resource Director and approved by the City Manager.
5. Step Placement. Each step within the pay plan will represent a specific number of years of service, including credit for prior work experience. The steps, once established, may only be changed by the City Council. Steps represent the accumulation of a number of years of service, i.e. the third step would equate to a person who had entered their fifth year of service as of the effective date, but not yet obtained required years of service to be included in the next step.
6. Effective Date. The effective date that employees will be credited with one additional year of service will be January 1 of the given year, regardless of the anniversary date, unless the anniversary date occurs after October 1 but prior to January 1.
7. Placement Criteria. The following criteria shall be used as a general guide to determine the initial placement of all personnel in the plan.
 - a. Time in current position in the city was given direct credit on a 1 to 1 ratio.
 - b. Time in a similar community, in a similar job was also given a 1 to 1 ratio.
 - c. Time in a position once removed from the current position, in Presque Isle, was generally given a credit for a 1 to 1 ratio.
 - d. Time in a position once removed from the current position, in a similar community, was generally given a credit of 1 to 1.
 - e. Time in a position, twice removed, from the current position, but still some form of management, in Presque Isle, was generally given credit for 1 year for every 3 years of actual service.
 - f. Time in a position, twice removed, from the current position, in a larger or similar community, was generally given a 3 to 1 credit.
 - g. Time in a similar position, but in a smaller community, was generally given 2 years for every 3 years of service.
 - h. Any other appropriate historical information that might be appropriate can be factored in.

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4.3.3. Cost-Of-Living Adjustments (COLA).

COLA increases, if granted, shall be effective on a date determined by the City Council to all employees assigned to the pay plan. The amount of the increase, if any, shall be determined annually by the City Council. COLA increases will be implemented by "aging" the pay scale by the voted COLA.

4.3.4. Reclassification and Appeals Procedure

An employee whose job functions and/or level of skill that has been significantly altered as a result of a change in job duties may request consideration for reclassification according to the following procedure:

1. The initial request will be submitted to the employee's department head.
2. The department head will evaluate the request and recommend approval or disapproval to the City Manager.
3. The City Manager will refer the request to the **Human Resource Director** for evaluation and recommend approval or disapproval to the City Manager.
4. The City Manager will then either approve or disapprove the request.
5. The City Manager shall notify the City Council of any approved reclassifications.
6. This process may also be used for any employee that would like to appeal a decision regarding the implementation of this policy.

4.3.5. Repeal of Conflicting Resolutions or Statements.

All resolutions or statements in conflict with the provisions of this policy are hereby repealed.

4.3.6. Savings Clause

If any section, sentence, clause or phrase of this policy is held, for any reason to be inoperative, void or invalid, the validity of the remaining portion of this resolution shall not be affected. It being the intention of the City Council in adopting this resolution that no portion thereof, or provision herein, shall become inoperative or fail by reason of the invalidity of any other portion or provision and, the City Council does hereby declare that it would have severally passed and adopted the provisions contained herein separately and apart one from the other.

Section 4.4 Probationary Period

The probationary period is an intrinsic part and extension of the employee selection process during which the employee will be considered in training and under careful observation and evaluation by supervisory personnel. Generally, this period will be utilized to train and evaluate the employee's effective adjustment to work tasks, conduct, observance of rules, attendance and performance of job responsibilities and to provide for the release of any probationary employee whose performance does not meet required standards of job progress or adaptation. The probationary period is for a new employee or a regular employee who has transferred to a new position. If a regular employee transfers to a new position, he/she becomes a probationer under all the same conditions as a new employee in the probationary

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A completed report of the probationary period employee's performance must be submitted no later than twenty (20) calendar days before the expiration of the probationary period.

4.4.1 Length of Probationary Period

The length of the probationary period for all positions shall be six (6) months, unless otherwise specified in a union or employment contract.

4.4.2 Release of New Probationer

New hires may be terminated at the will and discretion of the City at any time during the probationary period. Should such termination be regarded as necessary and appropriate by either the employee or the City. In cases of probationary release from City service, formal advance notice by the City is not required.

Should the probationary employee not be formally recommended for advancement to regular status as prescribed, the employee shall be considered unacceptable and released from City service no later than the last day of the probationary period.

4.4.3 Advancement of Probationer to Regular Status

If, at the conclusion of the employee's probationary period, the employee's performance and employment conditions have been satisfactory in all respects in the opinion of supervising personnel and advancement to regular status is deemed mutually advantageous to the City and the employee, such retention recommendation is to be made to the Human Resource Director prior to expiration of the employee's probationary period. Such a recommendation will be accompanied by a completed, final probationary performance evaluation. Upon approval of the City Manager, the employee shall then be advanced to regular employment status.

4.4.4 Release of Promotional Probationer or Lateral Transfer Probationer

A regular employee under promotional or lateral transfer probation, whose performance or other employment conditions are determined to be unsatisfactory during the probationary period, will be reinstated to their former position or comparable position, if vacant, or released from City service, the determination of which shall be at the sole discretion of the City Manager.

Section 4.5, Performance Evaluations

The City maintains a policy of evaluating the job performance of its employees as a means of measuring efficiency and effectiveness of City operations, providing employees with meaningful information about their work and aiding the City in making personnel decisions related to such areas as training, compensation, promotion, job assignments, retention and long-range planning of our operations.

4.5.1 Probationary Evaluations

Each employee will receive a formal written performance evaluation at least 20 days prior to the end of the initial probationary period as a means of determining such job characteristics as; adjustments to employment conditions, integration into the City workforce, job learning

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progress, attendance and any other feature of the individual's job that is significant to retention, decision making and the prospects of job success. During this period of initial employment, each employee shall receive close supervision, instruction, review of work, training, and any other guidance that is supportive of the employee's opportunity for success on the job.

The probationary period evaluation should be completed and submitted to the personnel department ~~prior to the end of the~~ probationary period (recommended 3 months for a 6-month probationer or 6-months for a one year probationer). The final probationary period evaluation should be completed and submitted to the personnel department at least twenty (20) calendar days prior to the conclusion of the employee's probationary period. Upon the signed authorization of the department head, the applicable employee will be given a copy of the final evaluation report as confirmation of the City's intent to continue his or her employment as a regular employee rather than as a probationary employee.

4.5.2 Annual Performance Evaluations

Annual reports of each employee's performance are to be completed by supervisory personnel and discussed with the department head prior to presentation to the employee. It is the responsibility of the department head to see that evaluations are completed and submitted within the proper time frames. The rating supervisor will provide the employee with a copy of the evaluation report at the time of discussion with the employee. A completed, signed and dated copy will then be submitted to the Human Resource Director for placement in the employee's personnel file.

Where supervisors have identified characteristics of an employee's performance needing improvement, the supervisor should be as specific as possible in describing the deficiency and the ways and means of improving to an acceptable level. Supervisors are to retain a copy of each of their employee's evaluation report for the purpose of follow-up to any actions required or for reference in general.

4.5.3 Discretionary Performance Evaluation

When in the opinion of supervisory or management personnel, there arises a marked change in the performance of an employee that is not disciplinary in nature, an unscheduled performance evaluation can be completed in the same manner as an annual evaluation. Typically, discretionary performance reports are completed, reviewed with the employee and placed in the personnel file as a means of formally recognizing the need to correct significant declines in an employee's performance.

4.5.4 Review with Employee

All formal performance evaluations will be thoroughly discussed with the applicable employee to point out both areas of successful performance and areas that need improvement or that are unacceptable. Employees are to be encouraged to comment about their work performance in writing or verbally and to discuss working conditions and offer suggestions for improving department operations.

Employees shall sign the performance report to acknowledge awareness of its contents and discussion with the rating supervisor. The employee's signature does not necessarily mean that

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the employee fully agrees with the contents of the report and the employee may so state on the form before signing.

4.5.5 Effects of a Substandard Rating

A substandard rating, as applied to performance evaluations means rating below the rating level of satisfactory. Employees receiving a substandard rating or ratings may have their employment conditions modified in the following manner:

- Ineligibility for promotional consideration until the deficiency is corrected.
- Withholding of a merit or performance-based wage increase, for which the employee may have been eligible, until deficiency is corrected.
- Transfer to a comparable position or demotion of an indefinite duration.
- Termination.

Specific action that may occur as the result of a substandard rating(s) will depend on, but is not limited to such considerations as the weight or significance of the evaluation category compared to the importance of other aspects of job performance and the length of time pertinent job factors have been observed by the rating supervisor.

Employees receiving substandard ratings will be re-evaluated within three (3) months to document the particulars of progress in deficient categories unless the rating has resulted in transfer, demotion or termination. If the employee's performance in the deficient categories has improved to at least a satisfactory rating, while maintaining acceptable performance in other performance categories, the department head may recommend the implementation of any merit or performance pay increase otherwise due, and/or restoration of promotional considerations.

ARTICLE V HOURS OF WORK/RECORDKEEPING/OVERTIME

Section 5.1 Hours of Work

The normal work week for full-time employees shall be forty (40) hours, unless otherwise specified in a union or employment contract. Departments are authorized to develop working hours that provide the greatest service to the public and best meet departmental operating requirements, as well as within the confines of each department's operating budget. Changes in permanent work schedules proposed by any department must first be approved by the City Manager and City Council. The work period for payroll purposes for the City generally begin at 12:01 am on Sunday and ends at 12:00 pm midnight on Saturday.

Section 5.2 Attendance

Consistent attendance and punctuality are considered imperative ingredients in the City's business operations and therefore an integral part of each employee's performance standards based on objective measurements. Poor, uncertain or irregular attendance produces disruptive results in City operations, lowers overall productivity and continuity of work and often is burdensome to other employees.

Employees are expected and required to report to their designated work location at the

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prescribed time and manner work activity is to commence. Tardiness, unexcused absences or failure to report as required may result in disciplinary action. In the event an employee cannot report to work as scheduled, the employee shall notify supervisory personnel as soon as practical of the absence. In all cases of an employee's absence or tardiness, the employee shall provide supervisory personnel with a legitimate reason for the absence and, if applicable, the probable duration of absence. If circumstances render the absence durations speculative or unknown, the absent employee will be required to call supervisory personnel daily to report the status of absence.

Excessive absenteeism, regardless of reason (s), which renders an employee insufficiently available for work will be evaluated on a case-by-case basis to determine the merits of correctional retention or termination.

Section 5.3 Unauthorized Absences

An employee who is absent from his or her assigned work location or schedule without official leave approval from supervisory personnel shall be considered absent without authorized leave. In such cases, the City shall regard the job as abandoned and the employee automatically terminated, unless the employee can provide the City with acceptable and verifiable evidence of extenuating circumstances.

Employees who are absent without notice or authorization and who subsequently report to work shall provide a detailed reason for such absence and regardless of stated reasons, may be subject to disciplinary action including termination.

Section 5.4 Meal and Rest Breaks

Employees are entitled and encouraged to take meal and rest periods at times and under conditions prescribed by supervisory personnel.

Non-compensable meal periods of at least thirty (30) minutes shall be provided for all full-time non exempt employees and should be taken not more than six (6) hours after the start of the employee's workday. Employees are encouraged not to consume food at their workstations, except under special conditions approved by their supervisors. In that instance the employee will be paid for the meal period or allowed compensatory time. The City has the ability to adjust the employee's schedule to compensate for any extra hours worked so as not to exceed payment of their regularly scheduled hours for that pay period.

Rest breaks may be granted at department head's discretion as a principle of sound personnel management, not as a right of employment. The policy governing breaks for City employees who work full-time is one (1) fifteen (15) minute break in the first half of the work shift and one (1) fifteen (15) minute break in the second half of the work shift. Break time may not be taken at the beginning or end of a work shift, immediately before or after lunch, accumulated or be applied towards an alternative work schedule.

Break time is calculated as the time the employee is away, travel time included, from work and does not mean only the time spent at the place it is taken.

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Inherent in the practice of allowing breaks is the absolute necessity of having personnel available at all times to assure coverage of telephone and public contact locations. Work demands may preclude the granting of a rest break.

Section 5.5 Record Keeping/Time Sheets

The department head is responsible for accurate and legible completion and timely submission of their employee's timesheet or time card. All employees exempt or non exempt, must record actual hours of work as well as paid or unpaid leave on their time sheets/cards. The timesheet/card must be completed and submitted to the appropriate supervisor for approval.

All time to be paid to each employee is to be submitted on the forms provided by payroll. Each department's weekly payroll form is to be reviewed and signed by the department head or in their absence, by their designee. Weekly payroll forms are to be submitted to the Payroll Clerk or designee by no later than noontime on Monday to insure timely receipt of the paycheck. When holidays fall on a Monday, the payroll forms will be submitted by no later than noontime on Tuesday.

Payday for all City employees is on Thursday of each week, unless departments are otherwise notified.

Falsification of a time record is a serious breach of City policy and grounds for disciplinary action including the possibility of dismissal.

Section 5.6 Overtime/Compensatory Time

5.6.1 Exempt Positions

These positions are exempted from the Fair Labor Standards Act. Exempt employees are paid a salary commensurate of the position responsibility regardless of the hours required. At the City Manager's discretion, administrative leave may be granted to an exempt employee when they have consistently worked excessive hours beyond the normal (40) hour work week. All administrative leave for four (4) hours or more must be pre-approved by the City Manager.

5.6.2 Nonexempt Positions

These positions are covered by the Fair Labor Standards Act and are entitled to overtime/compensatory time as follows:

Overtime or compensatory time off shall be paid or allowed for hours actually worked by non exempt employees during the work week in excess of forty (40) hours and shall be computed at one and one-half (1 ½) times the base hourly rate. Overtime shall be scheduled and determined by the supervisor or department head. If the supervisor determines that overtime is mandatory, except for when compensatory time is policy by department as allowed under the Fair Labor Standards Act, the employee shall be compensated with compensatory time off. If the supervisor determines that overtime is mandatory, the employee may choose either the monetary compensation for overtime hours or they may choose to use compensatory time off in lieu of the actual cash payment of overtime hours. However,

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the employee must express their intent of the method of overtime reimbursement prior to actually working any overtime. Compensatory time will be kept by the payroll clerk and cannot exceed the number of hours allowed by the Fair Labor Standards Act (two hundred and forty (240) hours) or the cap previously determined for individual positions, but in no case to exceed the limits as set forth in FLSA. For the purposes of this section only, "hours worked" shall include holidays, vacation, bereavement or sick leave for calculating overtime.

Compensatory time must be used within twelve (12) months of earning the compensatory time. An extension of ninety (90) days beyond the twelve (12) months may be permitted when such time off cannot be mutually scheduled by the employee and supervisor. The request for time off must be directed to the employee's supervisor and approved by the department head prior to taking time off. The department head shall make reasonable attempts to grant the employee's request for using compensatory time. The request for use of compensatory time off may be denied if the employee's absence from work would "duly disrupt" the operations of the department as defined by FLSA. The City maintains their rights under the FLSA to require the employee to take compensatory time off during periods in which the workload is light.

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5.6.3 Non-exempt Call Back

A "call back" is defined as an unscheduled (less than 24 hour notice) official assignment of work which does not immediately precede or immediately follow an employee's regularly scheduled working hours. A call back shall be compensated for at a straight time rate with a two (2) hour minimum guarantee to time actually worked at the appropriate rate of pay, whichever is greater. Actual time spent on call back will be counted toward the accumulation of hours under the Fair Labor Standards Act for the purpose of determining time and one-half payment. In no case may the employee receive payment twice for the same call back. This section does not apply to scheduled overtime, call in time annexed to the beginning of the work shift or held over time annexed to the end of the work shift or day.

Section 5.7 Additional Compensation

No employee shall receive any direct or indirect compensation for the performance of service or for performing his or her duties, other than by the City.

ARTICLE VI EMPLOYMENT PERFORMANCE AND CONDUCT,

Employees are expected to maintain the highest standards in the performance of their jobs. They are prohibited from engaging in any conduct that would affect the employee's ability to perform their job, reflect unfavorably upon the City or disrupt the efficient operation of the City.

Employees of the City are expected to conduct themselves in a professional and courteous manner when dealing with the public or outside agencies. In addition, each employee shall strive to maintain courtesy, respect and understanding for each other at all levels of the organization. Employment with the City is a privilege. Acceptance of that privilege means that all employees become representatives of the City which is a great responsibility and should not be taken lightly. Employees must conduct themselves with the highest ethical

standards at all times, both at work and in their personal lives. Expression of derogatory statements regarding City officials, coworkers and policies of the City is considered unbecoming conduct and is prohibited.

- Being rude is never appropriate. We must treat one another with courtesy and respect.
- Treat every co-worker as a professional.
- Show consideration. Treat others as you wish to be treated.
- Be tolerant of fellow employees. Recognize that conflicts may exist among co-workers, but courtesy is expected. Set aside differences when working together.
- Be supportive of fellow employees by offering help when possible. Cooperation is expected in the workplace.
- Be loyal to your co-workers and the City. Do not undermine other people's work.
- Be discreet about what you say. Respect co-workers' privacy and confidentiality. Gossip about fellow co-workers is destructive and is not acceptable.
- Welcome new employees. Be supportive by offering help and setting an example of the cooperation expected in the workplace.
- Address problems by going to the appropriate person.

Section 6.1 Off Duty Conduct and Employment

Full time employment with the City is considered an individual's primary employment. Generally, the City regards the off duty activities of employees to be their own personal matter. However, certain types of off duty activities by employees represents concern to the City and for that reason the following is established with the intent to specify conditions and guide employees.

1. Employees who engage in, or are associated with illegal or inappropriate conduct, the nature of which adversely affects the City or their own ability or credibility to carry out their employment responsibilities may be subject to disciplinary action including termination.
2. Employees may engage in off duty employment provided that such employment does not conflict with the employee's work schedule or job performance.
3. Officials shall not disclose confidential information acquired in the course of official duties or use such information to further personal interests.
4. Demonstrate the highest standards of personal integrity, honesty and conduct in all activities in order to inspire public confidence and trust in City employees. Engage in no activity, either directly or indirectly, which is inconsistent with the conscientious performance of city duties.
5. Not engage in off-duty personal conduct which affects your job performance or adversely affects the public trust and confidence placed in you. Such conduct includes, but is not limited to, criminal conduct, such as acts of domestic violence, child abuse or neglect, consensual sexual relationships between City employees with a supervisor/subordinate relationship, operating motor vehicles under the influence and other inappropriate off-duty personal conduct.
6. City employees are in a position of trust that implies a duty to act in the best interest of the public and is taken seriously by the City. All employees must conduct their duties with integrity.

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Section 6.2 Personal Appearance Standards

Employees shall dress appropriately for their position and maintain reasonable standards of neatness and cleanliness. Employees are expected to dress in a manner consistent with the nature of work performed. If there are questions as to what constitutes proper attire, employees should consult with their supervisor or department head. Employees, who are inappropriately dressed, in the opinion of supervisory personnel, may be sent home and required to return to work in acceptable attire. Under this circumstance, employees will not be paid for the time away from work.

Section 6.3 Confidentiality and Security

It is the City's policy to maintain strict control over the unauthorized entrance or use of City property, cash or other items of monetary value, personnel or general assistance records, certain computer information or other records or information considered being confidential. Employees who are assigned keys, given special access or assigned job responsibilities in connection with safety, security or confidentiality of such records, material, equipment or items of monetary value will be required to use sound judgment and discretion in carrying out their duties and will be held accountable for any wrong doing or acts of indiscretion.

Information about employees or any matters considered being confidential or delicate shall not be divulged to anyone other than persons who have a right to know or are authorized to receive such information.

Confidential information obtained as a result of employment with the City is not to be used by an employee for the purpose of furthering any private interest or a means of making personal gains.

Section 6.4 Conflict of Interest

No employee authorized to make purchases or contract for services shall have any direct or indirect financial interest or personal gain in any purchase or contract.

Employees shall act in the best interest of the City and shall avoid making any decisions or directing influence to the parties making decisions when it would be determined to be a conflict of interest. Employees shall inform their supervisor, department head or the City Manager as soon as they recognize a possible conflict of interest.

Section 6.5 Political Activity and Contributions

No employee shall participate in any political activity that would be in conflict or incompatible with the performance of his or her official functions and duties with the City.

6.5.1 Solicitation and Handbills

No employee may use his/her official authority or position for the purpose of influencing or interfering with or affecting the results of any election, nor shall he/she solicit funds or contributions or accept or receive funds or contributions from City employees for political purposes. No employee may distribute pamphlets or handbills, wear buttons or other indication of support for any particular candidate, political party or political cause during such

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times while they are performing their official functions and duties with the City. Nothing herein shall be construed to prohibit any City employee from participating in the political process during off-duty hours and in his/her capacity as a private citizen.

6.5.2 Political Office

Any City employee may seek election for political office as a member of the City Council or any other elective office. However, such employee shall be placed on an unpaid leave of absence status from the date of candidacy for such position is announced or nomination papers filed and until completion of the election process. During his/her leave of absence, the employee shall not use any official City title in his/her political campaign, nor shall such employee's official authority or influence be used to affect the results of the election. If elected to any political office and such office is deemed incompatible with his/her duties as a City employee, such employee shall terminate his/her employment with the City prior to assumption of the elective office.

6.5.3 Federal Hatch Act

All employees covered by restrictions of the Federal Hatch Act, so called, shall be subject to its provisions. Where such provisions are more restrictive than the provisions contained herein, such additional restrictions shall apply.

Section 6.6 City Property/City Vehicles

Employees that drive City owned vehicles are expected to maintain a valid driver's license. Any employee who loses their license due to suspension is responsible to report to their supervisor immediately and stop operating City vehicles until the license is reinstated. If the employee continues to drive a City vehicle while under suspension and places the City at risk, the employee will be disciplined up to or including termination.

City vehicles are not to be used for personal business. Mileage reimbursement amounts are outlined in Section 9.3.1.

Employees shall not have personal gas cans on any City vehicle. The only gas cans on City vehicles will be cans that are the appropriate type of fuel cans for the contents and the contents are to be used only for the City.

No guns are allowed in City vehicles or City buildings, except by authorized law enforcement personnel.

Section 6.7 Return of City Issued Property

Any employee issued keys, equipment, tools, clothing etc. in the course of their employment with the City shall return the same items upon termination of employment with the City. It will be the responsibility of the department head whose department issued such items to see to it that all property is returned and in reasonable condition prior to the employee's last day of work.

Section 6.8 Salvaging/Scavenging

Property of the City shall not be converted to personal use or for personal gain and will be

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disposed of as outlined in the City's Procurement/Disposal Policy. Property other than City property abandoned and intended for disposal may be processed according to established departmental or City wide procedures.

Section 6.9 Gratuities

No employees shall accept any gift, fee, discount, favor or anything of value that may be intended to influence him/her in the discharge of his/her duties. De minimus gratuities may be accepted if approved by the department head or supervisor. To be de minimis, benefits must be of unusual or occasional frequency, not have a value of more than \$100 (with certain exceptions) and not be cash or cash equivalent.

Section 6.10 Personal Business/Telephone Calls

City employees are discouraged from conducting personal business on City time. Unless it is an emergency, City employees shall be prohibited from making personal calls which result in a cost to the City on City phones and cell phones, to include fax machines, unless they use a personal calling card or otherwise bill the expense of the long distance call to their personal phone. An exception to the use of personal use of phones and cell phones is allowed for City approved travel as outlined in Section 9.2. Educational/Meeting Activities Expenses.

Section 6.11 Animals in the Workplace Policy

The City is responsible for assuring the health and safety of all employees. In keeping with this objective, The City does not permit pets at city owned buildings except for city manager approved events. Some individuals may feel threatened or be distracted by the presence of animals and may cause allergic reactions. In addition, the City wishes to prevent pets from fouling the city owned buildings.

Anyone who requires the help of a service animal (defined by 28 CFR 36.104 as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability") will be permitted to bring a service animal to a city owned building, provided that the animal's presence does not create a danger to others and does not impose an undue hardship upon the company.

ARTICLE VII DISCIPLINE POLICY AND PROCEDURES

The intent of this policy is to openly communicate the City's standards of conduct, particularly conduct considered undesirable, to all employees as a means of avoiding their occurrence. The City also believes that such policies and procedures are necessary for the orderly operation of City services and for the protection and fair treatment of all employees. Employees are therefore urged to use reasonable judgment at all times and to seek supervisory advice in any doubtful situation.

As a matter of policy, City administration shall seek to resolve conduct and performance problems in the most informal and positive manner possible. This may be achieved through counseling, additional training or supervisions and verbal cautions. However, under those circumstances when disciplinary action, including termination, becomes a necessary means of modifying undesirable situations, the City has established the conditions and procedures

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that follow.

To insure the equitable processing of disciplinary actions, the Human Resource Director will be responsible for the proper handling of such matters, including the assurance that employee rights are protected, and that appropriate action is taken when circumstances warrant. Supervisory personnel shall consult with the Human Resource Director prior to the implementation of discipline when practical. No employee shall be terminated without the consent of the City Manager.

Section 7.1 Disciplinary Illustrations

The illustrations of unacceptable conduct cited below are to provide specific and exemplary reasons for initiating disciplinary action and to alert employees to the more commonplace types of human conduct are unpredictable; no attempt has been made here to establish a complete list. Should there arise instances of unacceptable conduct not included in the following list, the City may likewise find it necessary and appropriate to initiate disciplinary action in accordance with these policies and procedures.

7.1.1 Attendance

1. Improper or unauthorized use or abuse of paid leave.
2. Excessive absenteeism, regardless of reason, the effect of which disrupts or diminishes operational effectiveness.
3. Being absent without authorized leave or repeated unauthorized late arrival or early departure from work.
4. Abuse of break and lunch periods.

7.1.2 Behavior

1. Willful or negligent violation of the policies as stated here in the Employee Handbook, department operating rules or procedures or related directives.
2. Failure to carry out a direct order from a supervisor, except where the employee's safety may reasonably be jeopardized by the order or the order is illegal or in conflict with any law.
3. Engaging in a conflict of interest.
4. Conduct that discredits the employee or the City or willful misrepresentation of the City.
5. Conviction of a crime, including convictions based on a plea of not guilty or of a misdemeanor involving conduct that is regarded as immoral, the nature of which reflects the possibility of serious consequences related to the continued assignment or employment of the employee.
6. Knowingly falsifying, removal or destruction of information related to employment, payroll or work related records or reports.
7. Soliciting outside work for personal gain during business hours; participating in any off-duty employment that adversely affects the employee's performance of work for the City.
8. Discourteous treatment of the public or other employees, including harassing, coercing, threatening or intimidating others.
9. Conduct that interferes with the management of City operations.

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10. Violation or neglect of safety rules or contributing to hazardous conditions. See safety handbook for examples of safety violations.
11. Unauthorized use of City property.
12. Physical altercations.
13. Any act or conduct that is discriminatory in nature toward another person's race, creed, color, national origin, sex (including sexual harassment), age, religious beliefs or political affiliations.
14. Accepting gratuities intended to influence the employee's job performance.
15. Misuse of City telephones.
16. Possession, display or use of explosives, firearms or other dangerous weapons while on duty or on City property. (Except for police officers and other authorized employees in the performance of their duties.)
17. Possession of alcohol, narcotics or drugs while on City property (except in the official discharge of police duties). Alcohol may only be on City property at sanctioned events as authorized by the City Manager.
18. Failure to notify the supervisor as soon as practical if an employee's job description requires that they operate City equipment or vehicle and the employee does not have a valid driver's license or does not have a valid driver's license in the class required of the job description to operate City equipment or vehicle.
19. Smoking anywhere except in designated areas.

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7.1.3 Performance

1. Inefficiency, incompetence or negligence in the performance of duties, including failure to perform assigned tasks or training or failure to discharge duties in a prompt competent and reasonable manner.
2. Refusal or inability to improve job performance in accordance with written or verbal direction after a reasonable trial period.
3. Refusal to accept reasonable and proper assignments from an authorized supervisor.
4. Intoxication or incapacity on duty due to the use of alcohol or drugs.
5. Driving under the influence of alcohol or drugs while on duty; suspension of driver's license where job duties require driving.
6. Careless, negligent or improper use of City property equipment or funds, including unauthorized removal or use for private purpose or use involving damage or unreasonable risk of damage to property.
7. Unauthorized release of confidential information or official records.

Section 7.2 Types and Progression of Discipline

Depending on the nature and circumstances of an incident, discipline will normally be progressive and bare reasonable relationship to the violation. A serious or major performance or behavior deficiency may result in more severe disciplinary action and may not necessarily be preceded by less severe forms of disciplinary action. The types of discipline that may occur are as follows in general order of increasing formality and seriousness.

7.2.1 Counseling

Counseling is a discussion to explain an actual performance deficiency and emphasizing

expected standards. Supervisors shall make every attempt not to ignore minor deficiencies, but rather to correct them. Sometimes the employee may need further training or they may not know the proper procedure. Find out if corrective measures can be taken to improve employee performance. Counseling shall be documented by the supervisor and placed in the employee's personnel file.

7.2.2 Verbal Warning

A verbal warning is a verbal statement by the supervisor to an employee, usually pointing out an unsatisfactory element of job performance, is intended to be corrective or cautionary. A verbal reprimand informally defines the area needing improvement and informs the employee that failure to improve may result in more serious actions. Verbal warnings shall be documented by the supervisor and placed in the employees personnel file.

7.2.3 Written Reprimand

A written reprimand is the first level of formal discipline. The written reprimand shall be issued by the supervisor with approval of the department head. The written reprimand 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 employees failure to comply. An employee receiving a written reprimand may respond to that action and a copy of the response shall be attached to the reprimand. A copy which shall be signed by both the employee and supervisor shall be given to the employee and the Human Resource Director for placement in the employee's personnel file.

7.2.4 Temporary Relief from Duty

Under certain circumstances, it may be necessary to restrict an employee immediately from performing duties at the worksite. The circumstances usually involve potential danger to the employee, co-workers or the public, or the employee's inability to discharge assigned duties satisfactorily. Because of the need for immediate action, the decision to relieve an employee from duty is typically the responsibility of the supervisor. In these situations, the following procedure is to be followed:

1. The supervisor taking the action to relieve from duty an employee will, as soon as practical, notify the department head, and as soon as possible, prepare a written statement of the action taken and the reasons for such action.
2. The department head will prepare, together with the supervisor, the statement of charges and document any supporting evidence.
3. The department head and Human Resource Director will review all evidence to determine disciplinary direction.

7.2.5 Suspension

A suspension is the temporary removal of an employee from duty, generally without pay. Suspension shall 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. A department head may recommend the suspension of an employee after carefully reviewing all facts and reviewing same with the City Manager.

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Employees will be provided a letter of suspension, which will state the effective date; length of duration; reasons for action, including a statement of the particular facts which evidence each performance deficiency and identification of each performance deficiency; a list of exhibits and witnesses supporting the statement of facts; a notice to the employee of their rights to appeal the action.

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In no event will the use of paid time be allowed during a period of suspension without pay. Should a paid holiday occur during a period of suspension without pay, the suspension period will be extended by the number of holidays occurring during the suspension period.

7.2.6 Disciplinary Demotions

Under circumstances of demotion for disciplinary reasons, an employee may be reallocated from a present job to one having lower responsibilities, skill requirements, performance standards and rate of pay upon recommendation of supervisory personnel and/or the department head. The decision to demote an employee shall be the City Managers. A copy of such a written notice will be given to the affected employee and the Human Resource Director for placement in the employee's personnel file.

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7.2.7 Removal/Discharge from Employment

An employee may be removed or discharged from employment with the City when the employee's work or misconduct warrants, after the employee receives cause, notice and hearing.

Employees will be provided a letter of discharge, which will state the effective date; reasons for action, including a statement of the particular facts which evidence the reason(s) for discharge; a list of exhibits and witnesses supporting the statement of facts; a notice to the employee of his/her rights to appeal the action.

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7.2.8 Initiating Discipline: Consideration and Notice

Supervisory and management personnel shall be guided in their consideration of disciplinary matters by the following illustrative, but not exclusive, conditions:

1. The degree of severity of the offense
2. The number, nature and circumstances of similar past offenses
3. Employee's length of service and service record
4. Provocation, if any, contributing to the offense
5. Previous warnings related to the offense
6. Consistency of penalty application
7. Equity and relationship of penalty offense

Disciplinary notice to employees should, as a general rule, contain the following information:

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1. A statement of the disciplinary action to be taken and its effective date
2. A statement of the reason(s) for imposing the discipline and the nature of the violation
3. Attachment of any supporting material or evidence where appropriate

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Service of disciplinary notice will be deemed to have been made upon personal presentation or by certified mail addressed to the employee's last known address on file. Upon receipt of disciplinary notices for placement in an employee's personnel file, the Human Resource Director may assign a recall date to the document at which time it may be reviewed for a determination of continued retention, assigned a new recall date or mailed to the employee as evidence of removal from the employee's file.

7.2.9 Appeal of Suspension or Discharge

The employee may appeal a suspension/discharge to the City Manager within ten (10) working days of notice of suspension/discharge. After reviewing all facts and evidence, the City Manager will put in writing his/her final decision. Should the City Manager find in favor of the suspended/discharged employee, he/she may reinstate a suspended/discharged employee at any time and may authorize back pay. The City Manager's decision shall be final.

ARTICLE VIII DISPUTE RESOLUTION

In consideration that a dispute, complaint or problem may arise periodically concerning working conditions policies and practices or decisions made by City representatives that effect an employee's job, the City has established the following dispute resolution procedure. It is the intent of this policy and procedure to afford employees a voice in those matters that have a potential adverse, unjust, or inequitable effect on their employment conditions. The City is desirous of solving problems as promptly, justly, objectively and confidentially as possible.

Section 8.1 Dispute Resolution Procedures

The three (3) steps involved in the dispute resolution procedure are:

1. Discuss the dispute with the immediate supervisor including the nature of the concern and possible appropriate remedies. If a satisfactory solution cannot be reached within ten (10) working days or if the nature of the problem is not within the supervisor's authority, the employee should proceed to step two.
2. Present the issue in writing to the department head, who will investigate, examine and evaluate the factual basis of the situation in an attempt to reach a satisfactory solution. Every effort will be made to provide the employee with a written decision and the reasons thereof within ten (10) working days. If the department head's decision is not satisfactory to the employee, proceed to step three.
3. Within five (5) working days following the receipt of the department head's decision, the employee should arrange an appointment to present and discuss the issue with the City Manager. On the basis of information provided in this meeting, or related written documents, the City Manager may conduct further inquiries to fully consider all relevant facts and circumstances, followed by a final decision to the employee and other's concerned generally within fifteen (15) working days. The City Manager's decision shall be final.

ARTICLE IX TRAVEL/MEETING AND EXPENSE POLICY

Periodically, it may be necessary, desirable or appropriate to the benefits of the City and/or

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individual employees to attend or participate in activities outside the normal work location. Such activities may include attendance at lectures, meetings, training programs, conferences or specialized courses of instruction. Attending or participating in these activities may be either at the request of the employee or required by the City, but in no case will it be regarded as an officially authorized activity until advance written approval has been granted by the department head or the City Manager. Employees seeking approval may be required to submit a written request detailing information upon which a decision can be rendered such as dates, hours, location, costs and expenses, nature and purpose of activity and justification for attending.

Although the City encourages all employees to self-initiate various methods and means of enhancing their job performance, particular skills and promotional qualifications, such outside involvement will not qualify for hours worked compensation unless the City requests or directs the non-exempt employee's attendance. Time spent at any City sponsored training, lecture or meeting that is voluntary on the part of the employee will not be counted as "hours worked" as outlined in the Fair Labor Standards Act.

Section 9.1 Authority to Travel

All travel outside of Aroostook County must be approved in advance by the proper authority as follows: department heads travel approved by the City Manager; all other employees travel approved by their department head.

Section 9.2 Educational/Meeting Activities Expenses

When the employee's attendance constitutes an expense to the City, the employee will provide an advance itemization of all known or estimated costs in connection with attendance. The City may pay in advance or reimburse the employee upon submission of receipts in reasonable form and amount. Customary expenses may include, but not limited to, registration fees, materials, meals, transportation, tolls, and parking. Alcoholic beverages shall not be considered a customary expense eligible for reimbursement.

Employees shall be required to submit receipts and an accurate accounting of all expenses (on prescribed forms), regardless if an advance for expenses was provided, within five (5) working days after the employee's return to work. Over-payments of advances will be refundable by the employee and underpayments will be reimbursable to the employee. The City retains the right not to pay for unauthorized or unreasonable expenses or expenses for other than City employees. Travel reimbursement expenses shall be submitted on a Travel Reimbursement Expenses form.

9.2.1 Expense Guidelines

When possible, an outline of anticipated expenses should be pre-approved by the department head or City Manager. Employees are encouraged to use prudent judgment when incurring expenses. Whenever possible, competitive rates should be sought for lodging.

A suggested guideline for daily meal expenses shall follow the current rate of the GSA per diem allowance to include tips. Employees may elect to receive the per diem rate with prior approval of the City Manager. However, the City Manager shall review travel expenses that exceed the

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guidelines and at his/her discretion may make exceptions based on each situation as warranted. Otherwise, receipts must accompany reimbursement requests. The City Manager shall be entitled to reimbursement for all reasonable expenses, including travel and meals, incurred by the City Manager in the performance of his duties. The City Manager will maintain records and written receipts as required by the City's policy or the City Manager may accept the GSA per diem allowance rate in lieu of a direct cost reimbursement.

Section 9.3 Mode of Travel

Travel costs in connection with approved and bona fide business activities will be paid by the City where use of private, City car pool, or commercial transportation is necessary and payment will be on the basis of least-cost mode of transportation where there is a choice. The mode of transportation must be known and approved. Prior approval shall be obtained in advance for passengers who are not City employees.

Employees are expected to utilize the City car pool for all transportation when possible and available. Employees must be pre-authorized to use their own vehicle for conducting City business in order to receive mileage compensation.

9.3.1 Use of Personal Vehicle

Where travel has been approved for use of an employee's personal vehicle, the employee shall incur necessary expenses to assure that the vehicle is in sound and safe operating condition and may be required to prove the vehicle is properly indemnified. In cases of an employee's business related travel by personal vehicle, the employee will be reimbursed for actual gas/diesel costs through submission of receipts.

Section 9.4 Travel Time

Travel time in connection with City approved travel will be considered compensable hours worked for non exempt employees as defined in the Fair Labor Standards. Travel for non exempt employees in connection with work, training or conferences outside of their regular workday should be discussed with the City Manager prior to the employee's travel.

Section 9.5 Vehicle Allowances

A vehicle allowance may be provided to employees at the discretion of the City when it is deemed necessary and practical for the employee to use their personal vehicle when conducting City business on a regular basis. In most instances, the City will cover the expenses of operating the vehicle within the boundaries of Presque Isle. However, annual documentation will be drawn up between the City and the employee specifying the terms and conditions of their particular vehicle allowance. Employees receiving vehicle allowances must be able to provide the City with proof that the vehicle being used for City business, is in good operating condition, and insured in adequate amounts and types of coverage.

ARTICLE X EMPLOYMENT SEPARATION

Section 10.1 Resignation

An employee wishing to leave employment in good standing shall file a written resignation as soon as possible, but at least two (2) weeks prior to the effective date, stating reason(s)

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for the resignation. Department heads shall provide at least a 30-day written notice of resignation prior to the effective date stating reason(s) for the resignation. The employee's resignation shall be promptly forwarded to the Human Resource Director. Failure of the employee to give such notice will be noted on the employee's service record and may result in denial of future employment by the City.

Section 10.2 Layoff

An employee may be subject to a non-disciplinary, involuntary termination through layoff in connection with a shortage of funds, abolition of a position or lack of need for the work performed by an employee or group of employees. In such cases, affected employees will be given as reasonable an amount of advance notice as conditions permit, preferably at a minimum (2) weeks.

Order of layoff – The layoff of employees shall be made in inverse order, determined by the length of service in the class and in the department or by another organizational unit involved. An employee affected by layoff shall have the right to displace a similarly classified employee within the department who has less seniority in a lower position. In order to retreat to a lower position, an employee must have more seniority than at least one of the incumbents in the retreat position and request displacement action in writing to the City Manager within five (5) working days of receipt of notice of layoff.

The name of employees who either are laid off or continue employment in a lower position will be placed on a re-employment list giving the position held at the time of layoff. The re-employment list will be maintained for a period of eighteen (18) months from the date of placement on the list. When a vacancy occurs in a position for which a re-employment list exists, persons appearing on the list will be considered for reemployment, in inverse order of their layoff dates, prior to consideration of other persons for employment.

Seasonal, as-needed employees and probationary employees are exempt from the order of layoff and recall provisions.

Section 10.3 Checkout Upon Separation

Employees, who resign, retire or are removed/discharged or laid off will be required to turn in any City owned property, clothing, keys, working materials etc. no later than their final workday. The City Manager, Human Resource Director, or Department Head will conduct an exit interview with all regular full time and part time employees prior to termination. An appointment to conduct the exit interview shall be set up at the convenience of both parties prior to the last week of work.

Section 10.4 Death of an Employee

Separation shall be effective as of the date of death of the employee. Any wages, stipend or other allowance due the employee as of their date of death, shall be paid to the estate of the employee. Accrued vacation due the deceased employee shall be paid to the beneficiary designated in writing by the employee and on file with the Human Resource Director. All of the deceased employee's accrued sick leave (in no case to exceed the maximum accrual) at time of death shall be paid to the beneficiary designated in writing by the employee and on

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file with the Human Resource Director.

ARTICLE XI MISCELLANEOUS PROVISIONS

Section 11.1 Smoking Policy

The City has a no smoking policy at all properties, buildings, structures, vehicles and equipment. Smoking is also prohibited in the vicinity of entrances to City facilities and overhead and pass doors to garages, process areas and shop areas at all facilities.

Section 11.2 Personnel Files

Personnel files are maintained for City employees. Employees may review their file during regular business hours at City Hall by making a request in advance to the Human Resource Director. Such personnel files shall include, but not limited to, any formal or informal evaluations and reports relating to the employee's character, work habits, compensation and benefits and leave time records.

Section 11.3 Safety

It is the prime safety objective for the City to provide employees with the safest working environment possible. A safety handbook has been developed to outline management and employee responsibilities regarding safety. All employees are to be provided with a copy (or emailed a copy) of the City's Safety Handbook during the department's employee orientation process and periodically as updated.

Section 11.4 Training

Where the City determines that training/educational opportunities reasonably related to the employee's position are mutually beneficial, the City may reimburse in part or whole for such education.

Section 11.5 Snow Days/Inclement Weather

The City Manager, or designee, shall make an announcement posted on the home page of the City's website; social media and local WAGM for storm closure or delayed opening announcements.

11.5.1 Weekday Snow Closing

If City Hall closes, the Library and Community Center will also close. Non-essential employees at the Airport, Police Dept., Fire Department and Public Works will also not come to work.

11.5.2 Weekend Snow Closing

The Community Center and Library will determine their opening/closing for the day. Upon determination they will notify the City Manager.

11.5.3 Making it to Work

It is up to the employee's discretion to make it to work during a snow event. If the employee self elects to not come into work, then said employee shall take a vacation day, personal day, or use accrued compensatory time. If City operations close for a portion of a day and the employee elected to not come in to work at all and took a vacation day, personal day, or used accrued compensatory time, then a full vacation day, personal day, or hours of compensatory time equal to a full day will be charged. Employees on a previously approved vacation shall

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not have any vacation leave credited back in the event City Hall is closed a full or partial day during the time period of their vacation.

Section 11.6 Communication Policy

All electronic communication devices owned/leased by the City are intended for business use. Although some incidental use of email, internet access telephones, faxes or other such electronic communication devices is expected (costs for personal long distance calls, faxes or other extra expenses generated by use of electronic communications is to be reimbursed to the City), it must be understood that such use is a privilege which may be limited or removed if the privilege is abused or for any reason at the discretion of the City. Except for incidental use, no electronic communication device is to be used for the employee's personal gain or to support or advocate for non-business related activities or purposes. All data and electronic messages within any electronic device system owned/leased by the City are the property of the City. As such, no communications of any type through electronic mail systems or internet connection can be considered private. Some forms of electronic communications have been found to be public record and may be subject to the freedom of access laws, depending on their content.

In addition, consistent with any confidential relationships or obligations with customers, other governmental agencies, businesses or organization that may exist, the City reserves the right to authorize its City Manager, department heads and/or supervisors to review the contents of employee's email internet communications when necessary for business or performance purposes. Employees may not intentionally intercept, eavesdrop, record, read, alter or receive other person's email messages without proper authorization. Most faxes received are considered confidential and employees should treat them as such. Passwords used for computers should periodically be changed to ensure security of the system. Users should not share their passwords with anyone else, other than as his or her supervisor may require.

General Prohibitions:

The City's electronic communication systems may be used only for lawful purposes. The transmission, distribution or storage of any information, data or material in violation of any applicable law or regulation of this policy is prohibited. Without limitation of the foregoing, it is prohibited to create, transmit, distribute or store any information, data or material that:

- Is libelous, defamatory, hateful or constitutes an illegal threat or abuse or contains ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, age, disability or religious beliefs.
- Is obscene or constitutes child pornography, contains sexually explicit images or messages or may be construed as offensive abusive or threatening.
- Infringes any copyright, trademark, trade secret or intellectual property right.
- Is solicitation for commercial ventures, religious or political causes outside organizations or other non-job related solicitations except for incidental personal use.
- Is or encourages conduct that would constitute a criminal offense or give rise to civil

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liability.

Guidelines:

Employees are expected to abide by the generally accepted rules of etiquette for all electronic communications. These include, but are not limited to the following:

1. General Guidelines

- a. Be polite.
- b. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language.
- c. Note that email is not private. Both internal and internet transmissions can be easily intercepted by others and can be altered enroute.
- d. Do not send unencrypted confidential or proprietary information over the internet. If you are uncertain whether material is confidential or proprietary, consult with your supervisor.
- e. Material that would be considered inappropriate, offensive or disrespectful to others should not be accessed or stored.
- f. Respect copyrights and licenses.

2. Security Responsibilities:

- a. If you identify a security problem notify your department head; department heads shall notify the City Manager.
- b. Do not reveal your account password or allow another person to use your account.
- c. Do not use another individual's account.
- d. Any user identified as a security risk or having a history of problems with other computer systems may be denied access.

3. Vandalism/Harassment

- a. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the internet or other networks. This includes, but not limited to creating and/or knowingly uploading computer viruses.
- b. Vandalism and/or harassment will result in disciplinary action.
- c. Harassment is defined as the annoyance of another user or the interference in another user's work. This includes, but is not limited to, the sending of unwanted email.

This policy applies to all employees, contractors, part time employees, volunteers and other individuals who are provided access to any City electronic communication devices. Any third party utilizing any electronic communication devices of the City should be made aware of this policy and agree to abide by it.

Supervisors or management may access an employee's email of employees on leave of absence, vacation or are transferred from one department to another department and it is necessary for the City's business purpose.

The misuse of any electronic communication device may be sufficient cause for discipline in

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<#>Use only services or files you have authorization to access.¶
<#>Always represent yourself as yourself - never someone else.¶

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accordance with the City's Employee Handbook, and/or other applicable rules or laws. In addition, in the event of suspected, alleged or actual illegal activity, the City may notify or cooperate with applicable law enforcement authorities for potential civil or criminal investigation or prosecution.

The City assumes no responsibility for any unauthorized charges made for personal use of any electronic communication device. Employees will directly reimburse the City for any cost incurred that is a result of personal use of any electronic communication device.

Social Media

This policy applies to all employees of the City when engaged in any social media communication for business or personal purposes when the communication relates to the City, its employees, or City related matters. The same general conduct policies that are applicable to employee's activities in general, such as our Employee Performance and Conduct and Harassment policies, are applicable to employee's online activities. Legal ethical and responsible behavior is expected at all times.

Employees should use social media for personal business on their own time. Any social media used during work time should be for business purposes and should not negatively affect employee's productivity or performance. Respect your audience when engaging in social media activity. Don't use ethnic or racial slurs, personal insults, obscenity or engage in any conduct that would not be acceptable in our workplace. Always evaluate your contribution's accuracy and truthfulness. Before posting any online material, ensure that the material is accurate, truthful and without factual error.

The City respects the legal rights of all employees and in general what you do on your own time is your business. However, activities in or outside work that affect your job performance, the work environment, or interests of the City are a proper focus for this policy. None of the requirements of this policy are intended to infringe upon your legal rights under Federal and State labor laws. If you have any questions about the application of this policy, we encourage you to speak with the City Manager.

ARTICLE XII EMPLOYEE BENEFITS AND EXPENSES

The City strives to provide equitable and cost effective benefits for employees in recognition of the influence employment benefits have on the economic and personal welfare of each employee. Employees should likewise recognize that the total cost to provide the benefit program described herein is a significant supplement to each employee's pay and should therefore be viewed as additional compensation, paid in benefit form on behalf of the employee. Not all benefits are eligible to part time employees due to requirements set forth by the provider requiring employees to work a minimum number of hours per week on a continuing basis. Those eligibility requirements will be so noted with each benefit affected.

Section 12.1 Eligibility

Policies, provisions and procedures that govern the City's benefit program will apply to all

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regular full time and regular part time employees including those in probationary status preliminary to those two classifications.

Employees are responsible for notifying the City in writing within 20 days of the change when any of the following changes occur such as marital status, add or drop of dependents, address changes, name changes etc.

Should the City incur any cost for dependents that resulted in the employee's failure to notify the City within the required time frame, the employee must reimburse the City for all incurred expenses.

Section 12.2 Pro-ratio/Cost Sharing and Scope of Benefits

Where employees work a regularly scheduled workweek of less than full time, some benefits will be determined on a pro-rated number of hours based on the employee's actual accrual rate. For example, eligible regular part time employees will be credited with vacation and sick leave, but at a smaller accrual rate than that for full time employees.

Benefits and expenses will be separated into two groups:

1. Mandatory - those that are required by State or Federal law. The costs for these often are controlled by law.
2. Discretionary - those that the City selects and controls based on such considerations as cost and desirability of benefit provisions.

Where costs of discretionary benefits may exceed the City's interest, ability or willingness to pay the full premium rate to maintain previous benefit levels, employees may be required to share in the cost to continue such benefit plan.

Section 12.3 Mandatory Benefits and Expenses

12.3.1 Qualifying Pension Plan

All employees are required to participate in a qualifying pension plan as defined by IRS, Section 89.

1. MainePers System

Employees hired prior to July 1, 1996 remain in the old MainePers System. The City withdrew from MainePers System after that date.

2. Social Security

Employees hired after July 1, 1996 will participate in the Social Security System.

12.3.2 Medicare

Medicare must be deducted from all employees hired after April 1, 1986.

12.3.3 Unemployment Insurance

Eligibility to receive unemployment compensation benefits is based on State of Maine law.

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12.3.4 Worker's Compensation Insurance

Eligibility to receive worker's compensation is based on State of Maine law

Section 12.4 Discretionary Benefits

12.4.1 MainePERS

Effective in 2020, the City offers the availability of MainePers System. Employees who join MainePers System are not eligible for the City's 401A or the City's Deferred Compensation Annuity (457) match.

12.4.2 Deferred Compensation Annuity (457)

The City offers the availability of a Deferred Compensation Plan. Deferred compensation plans are designed for employees of public organizations allowing participants to defer a portion of their federal income taxes while setting aside money for retirement. Both contributions and your earnings on those contributions are excluded from current federal income tax liability.

12.4.3 Health Insurance

The City currently participates in the Maine Municipal Employees Health Trust Comprehensive Plan. Regular full time and part time employees averaging 30 hours or more per week are eligible to participate in the health insurance program. Dependents of these employees are eligible as defined in the summary book. Coverage becomes effective 30 days after the date of hire and to the first of the next month. Health coverage for employees leaving service with the City will terminate on the last day of the month they cease active work. COBRA (Federal Continuation of Coverage Law) may allow eligible employees and dependents to continue coverage for up to 18 months at the group's rate plus an additional administrative charge. The terminating employee is responsible for premium payments after separation.

Regular Full time Employees: The City's contribution rate towards PPO1500 health insurance premiums will be 80% of the employees single coverage cost and 70% of the employees with child/family coverage cost. Any full time employee with 19 years of service will receive \$35.00 weekly towards their insurance premium.

Regular Part time Employees: Employees who work 30 hours or more on a continual basis shall be eligible to receive a pro-rated (on the above) City contribution of health insurance premiums. Any part time employee with 19 years of service will receive a pro-rated weekly discount towards their insurance premium.

12.4.4 Health Insurance Stipend

The City offers stipends for employees who are eligible, but do not participate in the City's health insurance to the fullest. Stipends are on an annual basis and do not become part of the employee's wages. Stipends are subject to all applicable Federal and State taxes and MainePers. Stipends are prorated on a monthly basis and will be paid to the employee through payroll on the last pay week of each month that the employee qualifies. Employees are not provided stipends for dropping dependents that are no longer eligible for health insurance

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coverage under the City's group plan. Employees who qualify for a stipend must be able to demonstrate that they or their dependents have other health insurance coverage. Stipends will not be implemented until verification of insurance is provided to the City.

Stipends are as follows for eligible regular full time employees:

- Employee with no dependent eligible for the City's health insurance who does not take coverage for themselves: \$1,000 per year.
- Employee eligible for Employee/child coverage drops the child coverage reverting the employee to single coverage: \$800 per year.
- Employee drops their coverage and child coverage, therefore is not covered on the City's insurance: \$1,800 per year.
- Employee who has spouse eligible for family coverage on the City's insurance and does not cover the spouse: \$600 per year.
- Employee who has dependents eligible for family coverage on the City's health insurance and does not cover those dependents (Employee would have single rate coverage): \$1,200 per year.
- Employee along with dependents who are eligible for family coverage on the City's health insurance and does not cover themselves and dependents: \$2,200 per year.
- Employee whose spouse works for the City and both qualify separately for the City's health insurance (the stipend will be paid to the employee who is not the contract employee on the health insurance) \$600 per year.

Stipends for regular part time employees will be prorated on the above according to the average number of hours the employee normally works.

12.4.5 Income Protection

The City offers the availability of short-term disability insurance. Income protection is available through the Maine Municipal Employee's Health Trust by a weekly payroll deduction.

12.4.6 Life Insurance

Employees who are eligible for participation in the Maine Municipal Employees Health Trust are covered for an amount equal to one time their annual salary in term life insurance. Employees not joining in the first 30 days of employment must file evidence of insurability in the future and may be turned down due to medical reasons. This also applies to the supplemental and dependent coverages mentioned below,

Supplemental coverage can be purchased by the employee for 1, 2 or 3 times their annual salary. Dependent life insurance is also available at the employee's expense for eligible family members.

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Employees hired after September 30, 2012 shall only be eligible for a stipend if they are eligible to receive health insurance and do not elect to take any. In those cases, the employee will receive twenty percent (20%) of the current city contribution for single coverage, based on the most recent date of hire standard (i.e. September 30, 2012). Employees that opt to take lesser coverage but still elect some level of coverage shall not be eligible for a stipend.¶

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Coverage available is based on the employee's annual salary rounded off to the next highest thousand. Insurance can be canceled but not refunded.

12.4.7 Retirement Plan

A retirement benefit is available for regular full-time employees and regular part-time employees working a minimum of 20 hours per week. For employees that are eligible for the 401(a) plans, a 457 plan is also offered. A 457 plan is a deferred annuity that is available for employees to voluntarily participate in. For an employee participating, the City will match the employee contribution up to an amount of one (1%) of the employee's gross wages.

The City retirement benefits outlined above are not mandatory requirements. The plan and contribution amounts may be changed from time to time by a vote of the City Council.

Employees will receive contributions on a monthly basis. Vesting Schedule:

<u>Years of Service</u>	<u>Vesting Percent</u>
Less than 2 years	0%
2 years, but less than 3	40%
3 years, but less than 4	80%
4 years or more	100%

ARTICLE XIII LEAVES AND ABSENCES

All of the following leaves of absences are considered discretionary benefits, except those required under State or Federal law, those so indicated with an (*) are such and may be changed when the law governing the leave changes. All other discretionary leaves are provided as part of the benefit package to the employee and may be changed or deleted at the discretion of the City Council.

Section 13.1 Vacation

The City believes that employees and the City benefit from scheduled time for each regular employee to enjoy relaxation and recreation and to return to work in a revitalized condition. In order to provide for such absence, the City has adopted the following paid annual leave plan.

During recruitment of an exempt position at the discretion of the City Manager, the vacation schedule can be offered for up to five years seniority.

13.1.1 Eligibility

Probationary employees are not eligible to take vacation, but will be given credit for accrued vacation hours retro-actively to their date of employment, once regular employment status is achieved. An employee who leaves employment with the City with less than one year of service will not be entitled to any vacation pay at time of separation.

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13.1.2 Vacation Credits

Regular full time employees

Service Length	Monthly Credit HRS	Annual Vacation HRS
Less than 5 years of continuous service	6.67	80
5 to 14 years of continuous service	10.00	120
15 to 19 years of service	13.33	160
20 or more years of continuous service	16.66	200

Regular part time employees working a minimum of 20 hours per week shall earn vacation credits pro-rated to those earned by regular full time employees for the same continuous service length.

13.1.3 Vacation Accrual

Regular full time employees may accrue no more than 320 hours of vacation at any time. Time in excess of that limit will be forfeited. Regular part time employee's accrual is prorated on the 320 hours limit. This will be prorated according to the number of hours averaged per week as a percentage of 40 hours. Upon the time of retirement, the retiree will receive the accrued monetary amount of vacation on the books, but in no case to exceed 320 hours.

13.1.4 Use of Vacation

Vacation may be used in a single continuous period, in separate weeks, in days or hours. In no case will vacation time be taken for less than one half hour increments. However, vacation may not be taken for more than two consecutive weeks, unless approved by the department head or City Manager.

Vacation requests must be submitted to the supervisor in writing at least (10) working days prior to the start of the vacation start date, unless otherwise approved by the supervisor. The supervisor will confirm or disapprove each vacation request and will post the hours of vacation use on the employee's time sheet accordingly. Request for vacation time date will be granted on first written request received and/or by employee seniority.

Section 13.2 Holidays

It shall be the policy of the City to ensure that all regular full time employees enjoy the same number of holidays each year. The following holidays shall be paid holidays for all regular full time employees:

1. New Year's Day
2. Martin Luther King Day
3. Presidents' Day
4. Memorial Day
5. Juneteenth Day (June 19)
6. Independence Day
7. Labor Day
8. Indigenous Peoples' Day (Columbus)

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9. Veterans' Day
10. Thanksgiving Day
11. Day after Thanksgiving
12. ½ Day Christmas Eve
13. Christmas Day
14. Personal Day
15. Personal Day

Personal days are approved by the department head or City Manager and should be requested in advance of use. Personal days are to be used in the calendar year and cannot be accrued from one year to the next. Personal days cannot be taken for less than ½ hour increments.

Regular part time employees, temporary employees and full time seasonal employees shall be paid for the above holidays from number 1 through 13, when it falls on a day which they would regularly be scheduled to work. They will receive holiday pay for the number of hours they would have been scheduled to work on that day. Regular part time employees working a minimum of 20 hours per week and up will be entitled to the personal days. Personal days will be prorated for part time employees. The proration will be based on 8 hours for regular full time employees. Regular part time employees hired to work holidays as part of their regular schedules are not entitled to holiday pay, however they will be paid in accordance to 13.2.1.

The City will determine on what day the holiday is observed. Generally, holidays which occur on a Saturday will be observed on the preceding Friday, and Sunday holidays will be observed on the following Monday.

13.2.1 Holiday on a Scheduled Work Day

At the option of the department head, nonexempt regular full time employees who are required to work on the observed holiday, in addition to their regular holiday pay, will be granted either a work day with leave within six months of the holiday they worked, or may be paid for time worked in accordance with rules governing overtime.

Regular part time employees, who are required to work on the observed holiday, will be paid time and one half for hours worked on a holiday. For departments with more than a Monday through Friday operation, the department head will determine the holiday for purposes of overtime (i.e. actual holiday or observed day). Exempt emergency personnel who are required to respond to an emergency on the holiday observed by the City, may, through authorization of the City Manager, be given a day off in lieu of the holiday worked. That time off must be preapproved by the City Manager and be taken within six months of the holiday worked or be forfeited. Exempt employees who are required to work on the holiday observed by the City for purposes of staffing shortages, special events, or because the exempt employee is required to be at their place of work for the necessity of the public, may by special permission of the City Manager, take a day off with pay in lieu of the holiday within six months of the holiday worked or forfeit that day off. Exempt employees who will be working the holiday, must, unless it's an emergency; have it preauthorized by the City Manager.

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Regular full time employees working an alternative work schedule to Monday through Friday, whose regular day off falls on a holiday, will be given at the discretion of the department head a day off with pay, in lieu of the holiday, or paid for the holiday at their regular straight time for the average number of hours they work on a daily basis, but in no case to exceed eight hours of pay. The day off in lieu of the holiday must be taken within six months of the date the City observed the holiday or be forfeited.

13.2.2 Holidays that Fall During Vacation Leave

When an employee is on vacation leave and a holiday occurs, the employee will be paid the holiday and will not be charged for vacation for that day on which the City observes the holiday. The only exception is for police personnel who are allowed to accrue holidays.

Section 13.3 Sick Leave

In establishing this policy, the City has intended to provide a method of furthering the health and general welfare of regular employees, as well as establishing standards to insure maximum and reasonable job attendance. Therefore, City provided sick leave should not be viewed as a right to be used at an employee's discretion nor as a permissive level of absence. Rather, it is a privilege of paid time away from work duties where such absence is necessary in the following circumstances.

13.3.1 Sick Leave: Self

Sick leave shall be granted to employees who are unable to work because of illness, injury, medical appointments, maternal/paternal leave or other ongoing treatment.

13.3.2 Sick Leave: Immediate Family Member

The required necessary medical care or doctor's visitation of the employee's immediate family or others living in the employee's household who are ill. Immediate family shall be defined as the employee's parent, spouse, child, registered domestic partner, registered domestic partner's child, step-parent, or step-child. Sick leave may also be used in the above instances for any other dependent relative residing in the employee's household. Special circumstances may be approved by the City Manager.

13.3.3 Sick Leave: Maternal/Paternal Leave

All employees who are welcoming a child – including fathers and adoptive parents – receive one week of fully paid parental leave. Additional unpaid leave may also be available under the Family and Medical Leave Act.

13.3.4 Sick Leave Donation

Employees may donate their sick leave to another employee so long as the hours donated do not reduce their own hours to less than 40 hours. Hours may be donated in one hour increments. The maximum amount of donation is 40 hours. A Sick Leave Donation Form must be filed with the Human Resource Director.

13.3.5 Sick Leave: Notification to Supervisor

Employees who are unable to report to work due to sick leave conditions as outlined above are

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required to notify their supervisor at the earliest opportunity. Employees who must leave work due to illness or sick leave condition should likewise advise their supervisor. It is the responsibility of every employee to report circumstances of the sick leave, recovery progress and probable duration.

13.3.6 Supervisor's Record Keeping Responsibilities

Supervisors are responsible for verification, reporting and record keeping of sick leave. Supervisors are to notify the Human Resource Director any time an employee is out on sick leave for three or more consecutive days.

13.3.7 Medical Certification

In all cases of an employee's use of paid or unpaid leave for reasons of a threatening contagious condition, the employee will be required to submit a medical certification of fitness to resume work activities from a physician. Similarly, an employee on sick leave for three or more days may be required to submit a physician's certification to resume work or justify a continued absence.

13.3.8 Earning and Accrual

For all regular full time employees, sick leave is earned after one month of employment and for each full month of employment thereafter at the rate of eight hours per month. Sick leave may be accrued up to a maximum of 960 hours. Employees hired after January 1, 2012 may accrue to a maximum of 480 hours.

Regular part time employees who are regularly scheduled to work a minimum of 20 hours per week, earn sick leave after one month of employment and for each full month of employment thereafter, Sick leave accrual maximum for part time employees will be prorated on the full time maximum. Sick leave may not be charged for less than one half hour or for increments other than half hours.

13.3.9 Abuse of Sick Leave

Employees found to abuse or fraudulently use sick leave will be subject to disciplinary action, up to, and including termination. Failure of employees to follow these procedures may be treated minimally as an unexcused absence.

13.3.10 Unused Sick Leave

Employees will not be allowed any payout of accrued sick leave upon termination of employment. An employee who is eligible to draw a retirement pension from the MainePers System or the 401(a) Plan, at the time of leaving active service with the City, and who has a minimum service time of ten years, shall be entitled to receive an amount equal to their wages at the time of such retirement of one third the number of hours of unused sick leave which they have accrued (in no case to exceed 320 hours or regular pay).

Section 13.4 Bereavement Leave

In the event of the death of the employee's spouse, registered domestic partner, child,

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registered domestic partner's child, mother, father, brother, sister, mother-in-law, father-in-law, son-in-law, daughter in-law, brother in-law, grandmother, grandfather, grandchildren, step parent, step child, the commensurate in-laws of the registered domestic partner, the partner of the employee as regarded by common law marriage, or other person residing in the household of the employee, the employee shall be entitled to up to three days leave for the purpose of attendance at the funeral and assisting in the necessary family arrangements. Such leave shall be with pay and without any deduction from sick leave. The City Manager may at their discretion grant any needed additional time that the Manager deems necessary for the above mentioned.

An amount of time determined by the department head, but in no case to exceed one day, will be allowed for attendance at funerals of the following relatives of the employee and spouse not provided for by the above paragraph: aunt, uncle, niece, nephew, step mother, step father, brother-in-law, sister-in-law, or any other relative when such relative is living in the same household as the employee. This amount of time is deductible from sick leave.

Section 13.5 Administrative Leave

Administrative leave applies only to employees classified as exempt. An employee in this classification may request administrative leave by prescribed form to the City Manager or their department head. It is granted by the City Manager or department head when circumstances for the request warrant the leave. All administrative leave for eight or more hours shall be approved by the City Manager.

Section 13.6 Jury Duty

Employees are to notify their supervisors promptly upon receipt of a jury summons and subsequent notice of selection to serve as a juror. Employees so required to provide this community service will receive their regular rate of pay for normal hours worked up to a minimum of forty hours not to exceed thirty workdays for this occasion of absence, provided the employee submits evidence of the summons and selection notice. Paid absences for jury duty must be so noted on the employee's time sheet by the supervisor for each pay period in which this form of absence occurs. Employees will be required to remit to the city treasurer the daily compensation from the court. However, the employee may retain the mileage reimbursement. An employee excused by the court for any reason shall be required to return to work promptly thereafter. Time paid for jury duty shall not be counted for purposes of overtime compensation. This provision applies only to regular employees and not to probationary employees.

Section 13.7 Military Leave

An employee who enters active military duty in a branch of the U.S. Armed Forces will be granted an unpaid military leave for that period of time in which reemployment is protected by law. Such employee will be eligible for reemployment to the same or equivalent position held prior to the leave, provided the employee applies to the City for reemployment into the former position within 90 days from the date of military release.

Section 13.8 Reserve Service

Regular employees who are members of the organized military reserves and who are

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required to perform field duty or training will be granted reserve service leave, not to exceed ten working days in any calendar year. For any such period of reserve service leave, excluding weekend duty, the City will pay the employee the balance between service pay and allowances and the employee's regular daily compensation, the total equaling the regular pay of the employee had they been in service of the City during the period of leave provided that the employee on reserve service leave furnishes their department head an official statement by military authorities giving their rank, pay and allowances. When in the instances of any such military training, the total pay received is equal to or exceeds that which would be earned by the employee in service to the City; such leave shall be without pay. In all cases, the employee must submit documentation of remuneration received by the military as a condition of City compensation.

Section 13.9 Leave of Absence Without Pay

Leave of absence without pay is an authorized absence from work on a short term basis. All leaves of absence must be approved by the City Manager and each request will be considered on its own merits, with weight given to the employee's work record, the needs of the department affected and generally if it is in the interest of the City to grant such a leave.

* During the employee's approved leave of absence without pay, their position may be filled by limited term appointment, temporary promotion, or temporary assignment of another employee. At the expiration of the leave of absence without pay, the employee, has the right to the reinstatement of their position, provided the position vacated still exists.

* A leave of absence without pay that exceeds one week will not count as service time. Vacation and sick leave will not accrue until the employee returns to work. The employee may remain on the City's health insurance at their own expense.

* A granted leave of absence without pay does not constitute a break in service. Failure of the employee to return to work on the expiration of the granted leave without pay will be deemed a resignation from service, unless the employee has been granted an extension of leave by the City Manager.

Section 13.10 Family Medical Leave and Leaves for Victims of Violence

The City follows the State and Federal Family and Medical Leave Act. Any employee wishing to take family or medical leave should make an appointment with the City Manager to discuss in full detail the provisions that are available to the employee under the acts.

Employees are required to provide at least a thirty day advance notice should they intend to take leave under the Family Medical Leave Act. In emergency situations, employees should give notice of their intent to take leave as soon as practical. The City will require medical certification of the condition requiring the need for leave under FMLA.

* The maximum amount of leave time is twelve weeks in a rolling twelve month period. The City shall count the twelve month period beginning on the first known date that the leave commences. It will not be based on the calendar year.

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An employee on Family Medical Leave will continue to earn vacation and sick leave accrual on the same basis before the leave. The same holiday entitlement will be provided employees on family medical leave that was in existence at the time their leave commenced.

M.S.R.S. Title 26 Section 850 Employment for victims of violence, requires an employer to grant reasonable and necessary leave from work with or without pay for an employee to:

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

Employees who may need to utilize this leave should speak with the Human Resource Director to request the leave. At this time or if requested earlier, a copy of the law will be provided and the employee will be informed of any other leave time that may be available to the employee, paid or otherwise.

For both the Family Medical Leave and the Employment Leave for Victims of Violence, the City allows the use of accrued vacations, holidays and in eligible circumstances, sick leave.

Section 13.11 Work Related Injury Leave

An employee who is on worker's compensation leave receiving benefits that are less than their normal weekly compensation (excluding overtime) may supplement the difference with any accrued sick or annual leave time available to them, but in no case may they exceed what their normal weekly compensation would be.

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My signature acknowledges that I have received the latest update of the City's Employee Handbook revised and passed by a Council vote on _____, 2023. I understand it is my responsibility to read the handbook and become familiar with policies that affect me. Should I have any questions relating to the above, I shall direct these to the Human Resource Director.

Date: _____

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REVISIONS
Revised:
Section 2.1 – Employment Classifications Categories Section 13.2 – Holidays
Section 13.3 – Sick Leave subsection 13.3.2 – Sick Leave Immediate Family Member
Approved by the City Council: June 4, 2001
Revised:
Section 3.1 – Anti-Nepotism
Section 6.6 – City Property/City Vehicles added language on personal gas cans not permitted on City vehicles
Section 9.3 – 9.3.1 – Use of Personal Vehicle changed mileage reimbursement to \$0.35 cents per mile
Approved by the City Council: Decemb

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 11

SUBJECT

NEW BUSINESS: Charter Amendments

INFORMATION

1) Memorandum

REQUESTED ACTION

FOR DISCUSSION



City of Presque Isle, Maine

The Office of
City Manager

Martin Puckett

Email: mpuckett@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Martin Puckett, City Manager
DATE:	June 17, 2023
RE:	Charter Amendments

Over the past few years, the council has brought up issues that they would like to modify in the council charter. State Statute outlines the process for revisions and amendments. Basically, a charter “revision” is a fundamental change in the form of government as established by the charter, while a charter “amendment” is merely a change or correction of *detail*. Maine Municipal Association and the City Attorney would be asked for guidance in the process and help categorize if the changes were revisions or amendments.

Amendment Procedure. Charter amendments may be initiated by order of the municipal officers, each amendment must be limited to a single subject, but more than one section of a charter may be amended as long as the amendments are germane to a single subject. If the municipal officers initiate an amendment, they must, by order, provide for notice and hearing on the proposed amendment(s). Hearing notice must be published in a newspaper at least 7 days in advance and must contain the text and a brief explanation of the proposed amendment. Within 7 days after the hearing, the municipal officers must order the proposed amendments placed on a ballot at the next regular municipal election held at least 30 days after the order is passed, or they may order a special election to be held at least 30 days after the order. It is recommended that the 60 day filing deadline contained in 30-A M.R.S. § 2528 be adhered to as well.

Revision Procedure. For revisions of a charter, the same process must be followed to starting a new charter. It is a lengthy process often taking a year to complete. A referendum question would be required to establish a charter commission. Once approved by voters, three members must be appointed by the municipal officers within 30 days after the election. Election of members (generally 6) may be held at the same referendum as for the commission or at the next scheduled regular or special municipal or state election. Once elected, the charter commission has 12 months to report to the council with recommended changes and then hold a referendum. The Charter Commission has the ability to make various recommendations for consideration.

Charter Revisions/Amendments must be done by ballot and have a hearing at least 60 days prior to the referendum and absentee ballots available 30 days prior to the referendum. If council would like to proceed with an amendment or revisions, we would need to have a public hearing with the proposals by the **September 6th** council meeting.

At least 2 weeks before the election, the municipal officers must have the proposed amendments and any summary of the amendment printed, make copies available to the voters in the clerk's office, and post the amendment and any summary in the same manner that proposed ordinances are posted. 30-A M.R.S. § 2105.

Previously Proposed Modifications. Over the past few years there have been some topics that have been brought up multiple times. One of the most compelling reasons to make changes to the charter is the requirement for in person voting. With the Executive Order allowing remote meetings over, council may not use remote meetings to conduct business.

Items listed in no particular order:

- Remote Meetings
- “Rainy Day” Fund (currently 0.5% of State Valuation) to a capped amount rather than percentage
- Change Warden & Warden Clerk Positions from elected to appointed positions
- Process to determine tied elections
- Vacancies & Forfeiture of Office
- Changing title of Chair to Major

Once council has discussed the list of modifications and added/removed items, staff will work with MMA and City Attorney to determine if the changes are amendments or revisions. Staff will provide language revisions at August meeting.

Proposed Motion: For Staff to provide Council with language for charter changes for consideration at the August meeting.

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 12

SUBJECT

NEW BUSINESS: Annual Tax Commitment Update

INFORMATION

- 1) Memorandum from Brad Turner, Finance Director
- 2) Memorandum from Lewis Cousins, Assessor
- 3) 2023 Municipal Tax Rate Calculation Form

REQUESTED ACTION

Please see attached resolve.



City of Presque Isle, Maine

Finance Department

From the desk of:

Bradley Turner

Email: bturner@presqueisleme.us

MEMORANDUM

TO:	Presque Isle City Council
FROM:	Bradley Turner, Finance Director
DATE:	July 19, 2023
RE:	Set 2023 mil rate

- The City Council Authorizes the Tax Collector to collect payments of year 2024 taxes in advance.
- That the Tax Commitment Date for 2023 is August 02, 2023.
- That the 2023 taxes are due and payable on August 02, 2023.
- That the interest to be paid by the City of Presque Isle shall be at the rate of 3.00 percent per annum on reimbursements due to overpayment (abatement) of taxes.
- That interest on unpaid taxes shall be at the rate of 6.00 percent per annum. Interest of unpaid taxes will begin to accrue on October 18, 2023.
- That abatements shall be appropriated from the 2023 overlay.
- That the mill rate for 2023 to be assessed against all taxable real and personal property shall be **22.40 mils.**

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the above as presented.

The Office of City Assessor
Lewis Cousins
Email: lcousins@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Lewis Cousins, City Assessor
DATE:	July 11, 2023
RE:	2023 Commitment & Mil Rate Update

Following the July 5th Council Meeting the assessing dept. did a final review of all the assessed values, recalculation of the TIF amounts, and verified all the information involved in the setting of the mil rate.

As a result of the reduced valuation of several properties in the Downtown TIF District, combined with the reduced mil rate, the previous years' downtown TIF amount was offset and reduced to zero for 2023. In addition, the BLD TIF also was reduced due to the mil rate decrease. Combined, the reduction in TIF amounts is slightly over \$88,000 in assessments to the city.

Several properties within the TIF District contributed to the reduction in the TIF plan amount values for 2023. Most notable were the Aroostook Centre Mall reduction and Burger King demolition. There were other smaller amounts due to use changes.

In addition, during the final review, increased personal property value was discovered and added in to accounts with missing declarations.

The attached Tax Rate Calculation Form has been updated to reflect these findings and allows for an additional \$0.20 reduction in the 2023 mil rate while maintaining the overlay in the range discussed on July 5th. It is presented for your consideration based on these findings.

2023 MUNICIPAL TAX RATE CALCULATION FORM

Municipality: PRESQUE ISLE

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

1.	Total taxable value of real estate	1	\$524,061,400 (from page 1, line 6)
2.	Total taxable value of personal property	2	\$49,607,300 (from page 1, line 10)
3.	Total taxable value of real estate and personal property (Line 1 plus line 2)	3	\$573,668,700 (from page 1, line 11)
4. a.	Total exempt value for all homestead exemptions granted	4a.	\$46,085,600 (from Page 1, line 14f)
b.	Homestead exemption reimbursement value	4b.	\$35,025,056
5. a.	Total exempt value of all BETE qualified property	5a.	\$61,371,700 (from page 2, line 15c)
b.	BETE exemption reimbursement value	5b.	\$36,049,737
6.	Total valuation base (Line 3 + line 4b + line 5b)	6	\$644,743,493

ASSESSMENTS

7.	County tax	7	\$953,404.00
8.	Municipal appropriation	8	\$17,245,802.00
9.	TIF financial plan amount	9	\$100,636 (must match page 2, line 16c + 16d)
10.	Local education appropriation	10	\$6,467,318.00
11.	Total appropriations (Add lines 7 through 10)	11	\$24,767,160.00

ALLOWABLE DEDUCTIONS

12.	Anticipated state municipal revenue sharing	12	\$2,900,000.00
13.	Other revenues: (All other revenues that have been formally appropriated to reduce the commitment such as excise tax revenue, T.G. reimbursement, renewable energy reimbursement, trust fund or bank interest income, appropriated surplus revenue, etc. (Do not include any homestead or BETE reimbursement))	13	\$7,567,533.00
14.	Total deductions (Line 12 plus line 13)	14	\$10,467,533.00
15.	Net to be raised by local property tax rate (Line 11 minus line 14)	15	\$14,299,627.00
16.	\$14,299,627.00 x 1.05 = \$15,014,608.35 (Amount from line 15)		Maximum Allowable Tax
17.	\$14,299,627.00 ÷ \$644,743,493 = 0.02218 (Amount from line 15) (Amount from line 6)		Minimum Tax Rate
18.	\$15,014,608.35 ÷ \$644,743,493 = 0.02329 (Amount from line 16) (Amount from line 6)		Maximum Tax Rate
19.	\$573,668,700.00 x 0.02240 = \$12,850,178.88 (Amount from line 3) (Selected Rate) (Enter on page 1, line 13)		Tax for Commitment
20.	\$14,299,627.00 x 0.05 = \$714,981.35 (Amount from line 15)		Maximum Overlay
21.	\$35,025,056 x 0.02240 = \$784,561.25 (Amount from line 4b) (Selected Rate) (Enter on line 8, Assessment Warrant)		Homestead Reimbursement
22.	\$36,049,737 x 0.02240 = \$807,514.10 (Amount from line 5b) (Selected Rate) (Enter on line 9, Assessment Warrant)		BETE Reimbursement
23.	\$14,442,254.23 - \$14,299,627.00 = \$142,627.23 (Line 19 plus lines 21 and 22) (Amount from line 15) (Enter on line 5, Assessment Warrant)		Overlay

(If Line 23 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant, Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 13

SUBJECT

NEW BUSINESS: Workforce Employer Survey

INFORMATION

1) Verbal Presentation by Maren Moir

REQUESTED ACTION

VERBAL PRESENTATION

PRESQUE ISLE CITY COUNCIL MEETING

For:

August 2, 2023

AGENDA ITEM # 14

SUBJECT

NEW BUSINESS: Council Meeting dates

INFORMATION

1) Memorandum

REQUESTED ACTION

**MOTION INCLUDED IN MEMO TO MOVE REGULARLY
SCHEDULED COUNCIL MEETING**



The Office of the City Manager
Martin Puckett
Email: mpuckett@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Martin Puckett, City Manager
DATE:	July 18, 2023
RE:	Council Regular Meeting Date

The City Charter dictates the initial budget submission be at least 90 days prior to the end of the year (Dec. 31). Similar to previous years, we have held a meeting the last week of September. To adhere to the Charter, I would recommend we move the regularly scheduled meeting from October 4th to September 27th.

Suggested motion: To move the regularly scheduled meeting on October 4th to September 27th.

PRESQUE ISLE CITY COUNCIL ANNOUNCEMENTS

Wednesday, August 2, 2023

- Northern Maine Fair is August 3rd to the 6th
- AACCA Vintage Tour 2023 goes from August 16th to the 19th
- Rockin' on Riverside on August 17 with Star City Syndicate
- Crown of Maine Balloon Fest will start on August 24th
- Acoustic Afternoons in the Garden at the Vera Estey House Museum on August 26 at 2:30 pm.
- The City has the following employment vacancies:
Firefighter/Paramedic
- We have the following vacancies for Boards/Committees:
Assessment Review, 2 – one year alternates
Audit Committee, 1 – four year member
Zoning Board, 1 – three year member and 1 - one year alternate
Planning Board, 1 – one year alternate
Rec & Parks, 2 – one year alternates
Downtown Revitalization, 1 – four year member
Please see the City Clerk for an application or apply online.
- The next regularly scheduled meeting of the Presque Isle City Council will be on Wednesday, September 27, 2023 at 6:00 pm (5:00 pm for executive session) in the Council Chambers at City Hall.