CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

CITY CLERK'S OFFICE

May 29, 2015

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF THE ROCKLAND CITY COUNCIL WILL BE HELD IN CITY COUNCIL CHAMBERS AT ROCKLAND CITY HALL, 270 PLEASANT STREET, ROCKLAND, MAINE ON MONDAY, June 1, 2015 AT 5:30 P.M. FOR THE FOLLOWING PURPOSE(S):

[Please Note Starting Time and Date]

Discussion – Report on Order #17 – Options for 1 Park Drive
& Coast Guard Collection

Set Agenda for June 8, 2015 Regular Meeting

YOUR PUNCTUAL ATTENDANCE IS REQUESTED
PER ORDER OF THE MAYOR OF THE CITY OF ROCKLAND

STUART H. SILVESTER
CITY CLERK

MEMORANDUM

To: Mayor Isganitis and City Council

From: James D Chaousis II, City Manager

Date: May 1st, 2015

Re: Report on Order #17- Options For One Park Drive and Coast Guard Collection

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On March 9th, 2015 the City Council ordered specific action and recommendations to come forward from my office regarding One Park Drive and the Coast Guard collection. Some of this order was technical and easy and the rest was challenging and grueling. The technical aspects of the order have been complied with.

- The City has verified that property insurance is paid and current.
- Critical expenses have been paid and are current.
- The collection is secure to the most reasonable level.

Making technically and fiscally viable recommendations on options has been a challenge and demands some explanation of the history of the arrangements and the collection.

Maine Lighthouse Museum and City History

In 2004, the City, the Museum, and other community organizations entered into a lease of One Park Drive from MBNA Corporation with a shared vision of establishing a visitor's center, police station, and a site for the public display of significant lighthouse, life-saving, and other maritime artifacts and memorabilia formerly housed at the City's Shore Village Museum on Limerock Street. The lighthouse collections consisted largely of items belonging to the U.S. Coast Guard and on loan to the City since the 1970s, and the City's own collection of similar maritime artifacts. The City and the Museum entered into a Revocable License Agreement to document the City's loan of these collections to the Museum, stating as the sole consideration for the loan the requirements that the Museum insure them, and make the collections available for display to the general public for a minimum of 500 hours per year.

On March 19, 2007, the City, the Museum, and the sponsor of the annual Lobster Festival in Rockland – The Rockland Festival Corporation – entered into a Memorandum of Understanding for the purchase of One Park Drive from MBNA's successor, Bank of America, and for the establishment of a condominium association to consist of three units in the structure owned, respectively, by the Museum, the City, and the Festival Corporation. The parties closed on the purchase of the property, the resale of Unit 1 to the Museum and Unit 3 to the Festival Corporation, and the establishment of the One Park Drive

The group created the Business Condominium Association, on September 6, 2007. The Museum capitalized its $250,000 purchase price for Unit 1, and fit-out and operational costs, with a loan from Camden National Bank. As the owner of Unit 1, the largest unit in the Condo

MEMORANDUM

Association, the Museum secured a 50% controlling vote on the Condo Association Board, with the City having 30% and the Festival Corporation 20%.

Unfortunately, almost immediately from the formation of the Condo Association and notwithstanding the Museum's important role on its Board, the Museum fell into arrears on annual dues and Capital Expenditures Reserve assessments approved by the Board. The annual dues fund operational costs such as the heating and air conditioning plant, fuel, and common element expenses. The Capital Expenditures Reserve was established to fund capital expenses such as needed roof repairs and a current, urgent need for a new boiler and related HVAC system upgrades. The City and the Festival Corporation have consistently paid its operating and capital reserve assessments in full and on-time. Yet, as of February 27, 2015, the Museum has not paid any of its Capital Expenditures Reserve and Special Assessments since 2009, totaling $88,500, or the bulk of the its annual dues since 2012, leaving an outstanding annual dues balance of $59,914.47. All in all, the Museum owes the One Park Drive Business Condominium Association $148,414.47.

These arrearages have left the Condo Association in dire straits and facing urgent operational and capital expenditures far in excess of the Association's current resources. In recent years, the City and Festival Corporation have agreed to pay their own assessment early, to fund winter heating costs, but this short term remedy obviously does not address the deteriorating condition of the heating plant serving the building. In addition to the Condo Association's operational, maintenance, and capital needs, the Museum itself has sustained plumbing and water damage in Unit 1 which it has failed to repair, and the Museum has failed to maintain the elevator serving the unit, resulting in the revocation of the State license needed to operate the elevator. Moreover, the City was recently notified that the Museum has failed to pay the premium to insure the City's collections, a mandate imposed under the Agreement for the protection of the collections. In sum, the Museum's arrearages and insolvency threaten the condition and value not only of the Museum's unit, but of the entire building, including the City's lighthouse artifacts collections, and the City's Police Station.

The City has been given to understand that the Museum is consistently in arrears in its mortgage payments to Camden National Bank, and that the Museum's total indebtedness to the Bank has grown over the years to $512,000.

Notwithstanding these severe financial challenges, the Museum has not implemented, or even formulated, a financial plan to bring the Museum's many debts current and to adequately protect the collections and the building. Assurances over the years have not resulted in action, and the Museum's financial position continues to worsen.

The City's Revocable License Agreement under it which it placed the U.S. Coast Guard and City collections in the Museum's care will terminate on July 31, 2015. The Museum has not requested that the Agreement be renewed, and indeed has not demonstrated how the

Museum can possibly continue to operate. Against the backdrop of the Museum's long-standing and worsening financial posture, the City Council has concluded that it can no longer entrust the valuable lighthouse artifact collections to the Museum's care. The City has requested, instead, that the Museum provide the City with access to the collections for the purposes of conducting an inventory and planning next steps in how these valuable artifacts may continue to be made available for public display consistent with the City's obligations to the U.S. Coast Guard, and in a manner that is consistent with the City's obligations to its taxpayers.

US Coast Guard Concerns

The collection on loan from the US Coast Guard is sensitive in the manner that the City is responsible for the collection. I didn't immediately alert the Coast Guard of our concerns with the collection out of fear of returning the loaned pieces.

Obviously, by now, everyone is familiar with the correspondence from Arlyn Danielson, Coast Guard Curator. She explains her consideration of the financial situation and overall artifact loan at the Maine Lighthouse Museum. The most recent loan agreement has been in place since 2004, but the bulk of the material included in this loan has been on continuous exhibition for over 20 years. In order to properly preserve, care for, and maintain these important artifacts we need to make arrangements to return them to the Coast Guard as soon as possible. The duration of this loan as well as the recent financial hardships have put this collection of valuable and historically significant artifacts at risk.

Coast Guard records indicate that the Maine Lighthouse Museum has over 700 items on loan. This loan, having been established many years ago and under unusual circumstances, is an outlier in terms of the number of items on the agreement. In order to maintain consistent control and monitoring ability for Coast Guard heritage assets with the staff and financial resources at hand, loans executed today are generally limited to under 10 items to any one organization.

However, in the interests of maintaining a Coast Guard artifact presence and interpretive opportunity for Rockland, going forward, the Coast Guard is willing to consider a much smaller, tightly focused loan of artifacts to the museum (only 50 to 60 items), but cannot renew the vast majority of items for extended loan.

The Coast Guard is planning on visiting the Maine Lighthouse Museum on June 8th and 9th. At that time, the City will be expected to provide a written proposal articulating our vision for a professionally planned exhibition. Items that we would approve for continued loan will have to be in good to excellent condition and able to withstand further time on display. Alternatively, if the City decides that a loan renewal of fewer artifacts within a professionally designed exhibition is not feasible, the City and the Coast Guard can discuss the issues pertaining to the return of the entire collection.

MEMORANDUM

Suggestion

I have had a few conversations with fellow stakeholders about a theoretical plan. Ideally, it would be more developed by now but I have been stretched on resources. Also, the news from the Coast Guard has accelerated my delivery of this proposal. Some framework of this proposed action must be presentable to the Coast Guard when they attend Rockland to inspect the collection. Please forgive its rudimentary structure.

A coalition of investors can be formed in short notice with Council support to make an offer to Camden National Bank to purchase the debt owned by the Maine Lighthouse Museum. Very brief conversations have been had with the Penobscot Bay Chamber of Commerce, the American Lighthouse Foundation, and the Penobscot Marine Museum about joining this coalition due to shared interest in the future of the condo, visitor's center, and the collection. Ideally, the Maine Lighthouse Museum and interested donors can join this coalition.

If each investor produced $50,000 to $60,000, the coalition could produce an offer of $200,000 to $300,000 for the purchase of the Camden National Bank debt. I believe the bank would consider this proposal. This is a calculated expense for the City because the cost incurred in returning the collection will be much more than investment in the debt. This also provides full control of the building and collection in the event that the current Maine Lighthouse Museum defaulted on the debt.

In control of the Maine Lighthouse Museum debt, the coalition of investors would mandate restructuring of the bylaws of the Maine Lighthouse Museum. The investing coalition would name designees to represent positions on the restructured Maine Lighthouse Museum Board of Directors. With governance control of the Maine Lighthouse Museum, ownership of the assets, and professional museum experience the restructured Maine Lighthouse Museum Board of Directors is poised for success. The investor coalition can consider the forgiveness of the debt.

The City can award a new sublease to the newly restructured Maine Lighthouse Museum if approved by the City Council. I think it is important to establish reporting criteria. That will ensure that the City does not fall into this situation again.

The City is not interested in running a nonprofit museum, and therefore, should consider leveraging its interest in the Maine Lighthouse Museum. The Maine Lighthouse Museum Board of Directors should apportion the responsibilities of the business through administrative contracts to the investors' host organizations. Ideally, the Chamber of Commerce can run the building and visitor center. The museums can split responsibilities of the donation and use additional display space for comingling their collections.

Additionally leveraging the City's interest in the museum, we could address the donation to Rockland Main Street, LLC. The City donates $30,000 annually to Rockland Main Street, LLC. Rather than incrementally increasing donations to this organization the City could use its

interest to carve out office space for the City. This City office space would be donated to Rockland Main Street to reduce overhead. This would likely include shared meeting space with the Chamber of Commerce. Increasing the cooperation between the Chamber of Commerce and Rockland Main Street by proximity will further the vision of the City and increase the potential of the City donation.

Risk

With investment there is risk and this is not risk free.

- The investment in the Maine Lighthouse Museum debt may not be sufficient.
- The US Coast Guard may not let the City retain a meaningful amount of the collection or any at all.
- The Coast Guard may make the City return the entire collection after investing in the museum debt.
- The coalition may not be prepared to join forces with the City.
- The public may resist any City intervention.
- The Maine Lighthouse Museum may not cooperate.
- There is limited time to act and convince the Coast Guard.

Recommendation

I have a hard time recommending to the Council to take risks. I am in a profession where conservative financial calculations are rewarded over boldness but the unfunded liability of the US Coast Guard taking the collection is likely severe. Pieces in the collection are expensive and sensitive. Some are priceless. The community investment in the museum is hard to calculate but also valuable. The City has obligations to the building, the collection, and the visitor's center. I recommend that the city enact my plan but I defer to the City Council's better understanding of the community values.

By taking the leading role in this plan it changes the default storyline. No longer is the Maine Lighthouse Museum failing but it is recovered. The community's rallying investment is no longer spent on debt and bills but the long term vision of the museum. I believe donors will be more likely to get involved. Our federal representatives can help the City negotiate with the Coast Guard and they have already shown interest.

This is one of the more difficult situations I have been asked to weigh in on. It is far from normal public administrative assignments. There are sensitive attachments to the history of the museum. Change will not be easy or embraced but there is a hopeful outcome.

I believe in the community support that will follow.

DRAFT

ITEMS FOR 06/08/15 REGULAR MEETING:

Communications:

a. Letter from Leslie Mulhearn – Resignation from Board of Assessment Review

Licenses and Permits:

a. Liquor License – Rock Harbor Pub & Brewery (Postponed from 5/11/15)
b. Liquor & Entertainment Licenses – Myrtle Street Tavern
c. Lodging House License – Berry Manor Inn
d. Liquor & Entertainment Licenses – In Good Company
e. Liquor & Entertainment Licenses – The Pearl
f. Application for Special Taste Testing Event – Lobster Festival Corp.

Resolves:

#26 Accepting Donations – Library
#27 Commendation – Dennis Camber (20 Years of Service)

Ordinances in Final Reading & Public Hearing:

#14 Authorizing Quit Claim Deed – Sale of 20 Katahdin Ave.
#15 Ch. 17, Art. VIII Tillson Avenue Parking

Ordinances in First Reading:

#16 Authorizing Reconveyance – 7 Second Street

Orders:

#39 Authorizing Bids – Sale of City Properties
#40 Accepting Forfeited Assets – H. Hoffman
#41 Authorizing Docking Fee Waiver – Windjammer Races
#42 Authorizing Docking Fee Waiver – Lobster Boat Races
#43 Fees for Special Events On City Property Involving Service of Alcohol
#44 Authorizing Letter of Intent & Negotiations – Recreation Lease
#45 Authorizing License Agreement – Moran Insurance – Heat-Pump Roof

City of Rockland, Maine

FEBRUARY 12 20 15

This is to Certify that

LESLIE MULHEARN

has this day, qualified before me as

BOARD OF ASSESSMENT REVIEW

for the current municipal term.

Attest City Clerk

MAY 27 2015

Sorry I won't be able to serve as I am moving to Scarborough.

Leslie Mulhearn

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Daniel W Pease Phone 207-993-7488

Address of Applicant P.O. Box 1594
Rockland, ME 04841

Name of Business Rock Harbor, Inc Phone 207-701-7811

Address of Business 416 Main St / P.O. Box 1594
Rockland, ME 04841

Name of Property Owner (if different) Willard + Cheryl Pease

Type of License(s): X Liquor X Victualer X Entertainment

____ Lodging House ____ Commercial Hauler ____ Landscape Contractor

____ Billiard Room ____ Second Hand Merchant ____ Other (Specify) ____

Type of Business Restaurant

Expiration of Current License 5/13/15

Fee(s) Paid $300.00 Date 5/1/15

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature ____ Date ____

Approved By: License # ____

____ Code Officer ____ Date

____ Approved ____ Inspected; See Report

[illegible] Fire Inspector 5/7/15 Date

✓ Approved ____ Inspected; See Report

____ Police Chief ____ Date

____ City Clerk ____ Date

Rockland, City of Promise --- Gateway of the Penobscot

ROCKLAND POLICE DEPT.
One Police Plaza
Rockland, Maine 04841

"Serving since 1854"

Bruce Boucher
Chief of Police

Christopher Young
Deputy Chief of Police

TO: Stuart Sylvester, City Clerk

FM: Christopher J. Young, Deputy Chief of Police

RE: Liquor License Renewal, Dan Pease (Rock Harbor)

Mr. Sylvester,

It has been brought to my attention that Dan Pease is up for a renewal of his liquor license for Rock Harbor which is located at 420 main St. in Rockland. On 05/02/15, Mr. Pease was found to be in violation of his liquor license by consuming alcohol after hours at Rock Harbor and by his own admission, being intoxicated at that time. Please review the attached report prepared by Officer William Smith for further details.

The Chief and I have discussed this matter and would suggest that if Mr. Pease has his liquor license renewed it is done with the condition that he attends a Tips Training class or provides documentation that he has already done so. During Mr. Pease's conversation with Officer Smith on the violation date, Mr. Pease admitted that he did not know certain rules he was required to follow in order to be compliant with his liquor license. It is our belief that should Mr. Pease attend a Tips Training, it would educate him with regards to the rules and regulations he is required to abide by.

Thank you,

Christopher J. Young
Deputy Chief of Police

Telephone (207)594-0317
Fax (207)594-0313

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Leslie A. Spiers Phone 915-9019

Address of Applicant 13 South St.
Rockland, ME 04841

Name of Business Myrtle Street Tavern Phone 915-9019

Address of Business 12 Myrtle St
Rockland, ME 04841

Name of Property Owner (if different) SAME

Type of License(s): X Liquor X Victualer X Entertainment

____ Lodging House ____ Commercial Hauler ____ Landscape Contractor

____ Billiard Room ____ Second Hand Merchant ____ Other (Specify) ____

Type of Business Tavern

Expiration of Current License 6-28-2015

Fee(s) Paid $300 Date 5-28-15

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature [signature] Date 5-28-15

Approved By: License # ____

____ Code Officer ____ Date
____ Approved ____ Inspected; See Report

____ Fire Inspector ____ Date
____ Approved ____ Inspected; See Report

____ Police Chief ____ Date

____ City Clerk ____ Date

Department of Public Safety Division

Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY
License No. Assigned:
Class:
Deposit Date:
Amt. Deposited:

PRESENT LICENSE EXPIRES 06-28-2015

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

- ☐ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTIONAL FOOD (Class I-A)
- ☒ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) Leslie A. Spiers, Pres. **DOB:** 05-16-1954	**2. Business Name (D/B/A)**
Myrtle Street Tavern, Inc. **DOB:**	
DOB:	**Location (Street Address)** 12 Myrtle Street
Address 12 Myrtle St.	**City/Town** Rockland **State** ME **Zip Code** 04841
P.O. Box 416	**Mailing Address** P.O. Box 416
City/Town Rockland **State** ME **Zip Code** 04841	**City/Town** Rockland **State** ME **Zip Code** 04841
Telephone Number 207-975-9019 **Fax Number** n/a	**Business Telephone Number** 207-975-9019 **Fax Number**
Federal I.D. # 20-2887440	**Seller Certificate #** 1083639

3. If premises are a hotel, indicate number of rooms available for transient guests: n/a
4. State amount of gross income from period of last license: ROOMS $ 0 FOOD $ 34,000 LIQUOR $ 400,000
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐
7. If manager is to be employed, give name: n/a Self
8. If business is NEW or under new ownership, indicate starting date: n/a

   Requested inspection date: _____ Business hours: _____
9. Business records are located at: 12 Myrtle Street, Rockland, ME 04841
10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

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

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Leslie A. Spiers, President, Sole Shareholder	05-16-1954	Lexington, MA

Residence address on all of the above for previous 5 years (Limit answer to city & state
Rockland, Maine

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

Name: Leslie A. Spiers Date of Conviction: _____

Offense: OUI Location: Rockland, ME

Disposition: Guilty

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If **Yes**, give name: _____

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

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

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____
Tavern serving Food + Spirits

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

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mile Which of the above is nearest? State run Kindergarten

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐
If YES, give details: The First, MA Mortgage

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

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

Dated at: Rockland, ME (Town/City, State) on April 29 (Date), 2015

Please sign in blue ink

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

State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

For Office Use Only:

License #: _____

Date Filed: _____

Supplemental Information Required for Business Entities Who Are Licensees

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name: Myrtle Street Tavern, Inc.

2. Other business name for your entity (DBA), if any: —

3. Date of filing with the Secretary of State: 05-25-2005

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: n/a

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Kelly A. Spiers	13 South St, Rockland ME 04841	5/16/154	100 %

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

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

Yes ☒ No ☐

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: Leslie A Spiers

Date of Conviction: 03-2004

Offense: OUI -

Location of Conviction: Rockland, ME

Disposition: Guilty 1st Offense

Signature:

Signature of Duly Authorized Person

4-29-15
Date

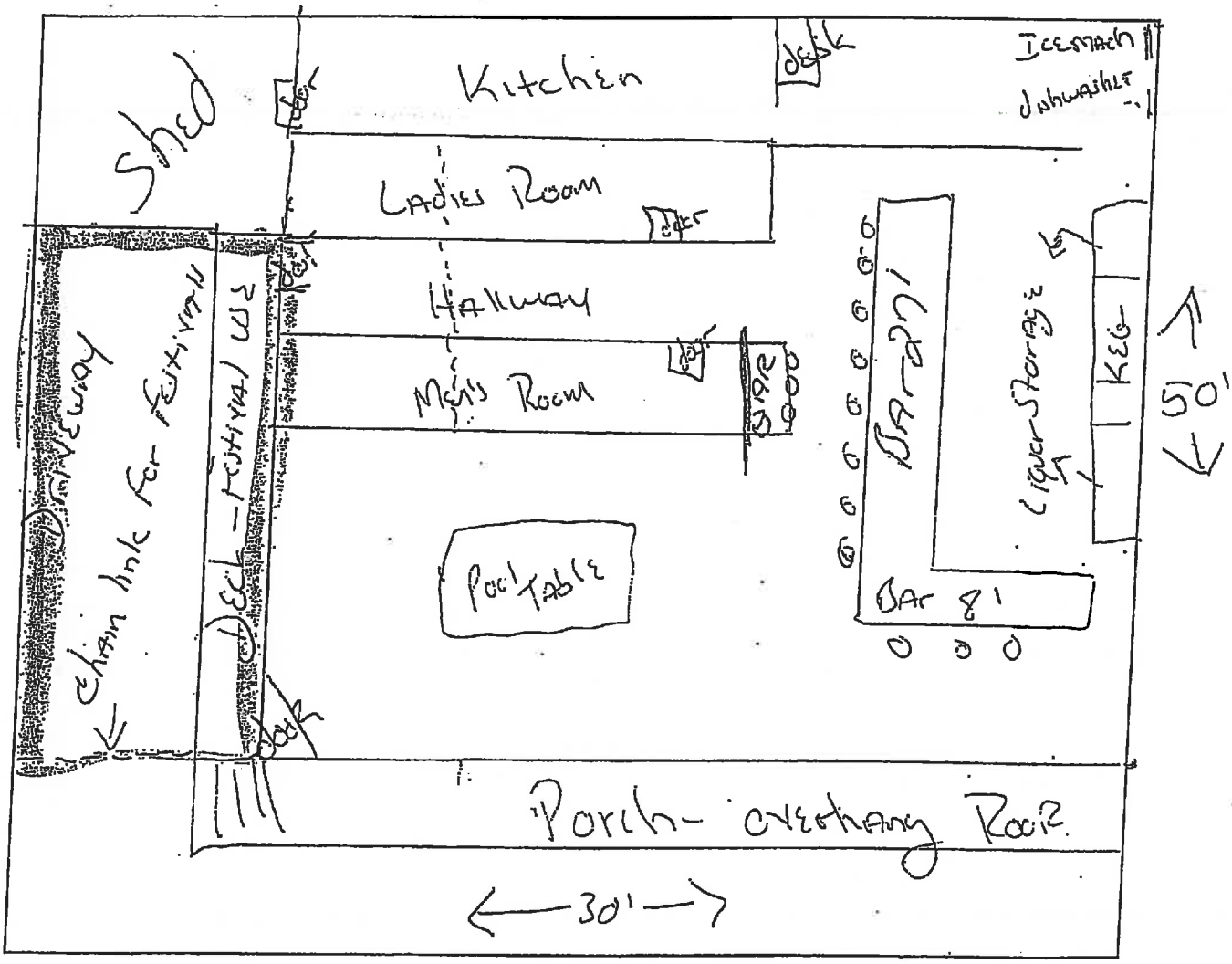
Leslie A. Spiers
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

PREMISE DIAGRAM



To be used seasonally for festivals with a chainlink divider and always manned with staff

On/OffPremDiag2003

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant MICHAEL LAPOSTA & CHERYL MICHAELSEN Phone 207-596-7696

Address of Applicant 81 TALBOT AVE
ROCKLAND ME 04841

Name of Business BERRY MANOR INN Phone 207-596-7696

Address of Business 81 TALBOT AVE
ROCKLAND ME 04841

Name of Property Owner (if different) _____

Type of License(s): _____Liquor _____Victualer _____Entertainment

__X__Lodging House _____Commercial Hauler _____Landscape Contractor

_____Billiard Room _____Second Hand Merchant _____Other (Specify) _____

Type of Business B+B LODGING

Expiration of Current License _____

Fee(s) Paid $100 Date 5/21/15

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Cheryl Michaelsen Date 5/19/15

Approved By: License # _____

_____ Code Officer _____ Date
_____Approved _____Inspected; See Report

_____ Fire Inspector _____ Date
_____Approved _____Inspected; See Report

_____ Police Chief _____ Date

_____ City Clerk _____ Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Melody Wolfertz - / Angus Enterprises Phone 207-596-9378

Address of Applicant P.O. Box 233
Rockland Me 04841

Name of Business Angus Enterprises dbA In Good Company Phone 207-593-9110

Address of Business 415 Main St
Rockland, Me 04841

Name of Property Owner (if different) Peter Sandefur

Type of License(s): X Liquor X Victualer X Entertainment

____ Lodging House ____ Commercial Hauler ____ Landscape Contractor

____ Billiard Room ____ Second Hand Merchant ____ Other (Specify) ____

Type of Business Restaurant

Expiration of Current License 7·14·15

Fee(s) Paid $300 Date ____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Melody Wolfertz Date 5·28·15

Approved By: License # ____

____ Code Officer ____ Date

____ Approved ____ Inspected; See Report

____ Fire Inspector ____ Date

____ Approved ____ Inspected; See Report

____ Police Chief ____ Date

____ City Clerk ____ Date

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER: 5999	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES 7-7-15

INDICATE TYPE OF PRIVILEGE: ✓ MALT ✓ SPIRITUOUS ✓ VINOUS

INDICATE TYPE OF LICENSE:

- ✓ RESTAURANT (Class I,II,III,IV)
- ✓ HOTEL-OPTINONAL FOOD (Class I-A)
- ✓ CLASS A LOUNGE (Class X)
- ✓ CLUB (Class V)
- ✓ TAVERN (Class IV)
- ✓ RESTAURANT/LOUNGE (Class XI)
- ✓ HOTEL (Class I,II,III,IV)
- ✓ CLUB-ON PREMISE CATERING (Class I)
- ✓ GOLF CLUB (Class I,II,III,IV)
- ✓ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) **DOB:**	**2. Business Name (D/B/A)** Angus Enterprises dba In Good Company
Melody Wolfartz **DOB:** 8-5-63	
DOB:	**Location (Street Address)** 415 Main St
Address 124 Beechwood St	**City/Town** Rockland **State** Me **Zip Code** 04841
1	**Mailing Address** P.O. Box 233
City/Town Thomaston **State** Me **Zip Code** 04861	**City/Town** Rockland **State** Me **Zip Code** 04841
Telephone Number 207-596-9378 **Fax Number** —	**Business Telephone Number** 207-593-9110 **Fax Number**
Federal I.D. # 16-1680300	**Seller Certificate #** 5999

3. If premises is a hotel, indicate number of rooms available for transient guests: 0
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $326,863.00 LIQUOR $151,515.49
5. Is applicant a corporation, limited liability company or limited partnership? YES ✓ NO ✓

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ✓ NO ✓

Dated at: _____ on _____, 20 _____
Town/City, State Date

Please sign in blue ink

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

_____ _____
Print Name Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

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

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

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

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

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

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

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

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

FILING FEE ..... $ 10.00

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

7. If manager is to be employed, give name: Melody Wolfertz

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: 415 Main St

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

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

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Melody Wolfertz	8.5.63	Knox County

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

124 Beechwood St, Thomaston Me 04861

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ☑ If **Yes**, give name: _____

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

16. Does/do applicant(s) own the premises? Yes ☐ No ☑ If **No** give name and address of owner: Peter Sandefur

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

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

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/4 miles Which of the above is nearest? School

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

If YES, give details: Camden National Bank

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

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

State of Maine

Bureau of Alcoholic Beverages

Division of Liquor Licensing and Enforcement

For Office Use Only:
License #: _____
Date Filed: _____

Supplemental Information Required for Business Entities Who Are Licensees

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

Angus Enterprises

2. Other business name for your entity (DBA), if any:

In Good Company

3. Date of filing with the Secretary of State: 8/6/2003

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Melody Wolfertz	124 Beechwood St	8.5.63	98

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☑

8. If Yes to Question 7, please provide the name and law enforcement agency:

_____

Name: _____ Agency: _____

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

Yes ☐ No ☑

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

_____

Signature:

Melody Wolfertz
Signature of Duly Authorized Person

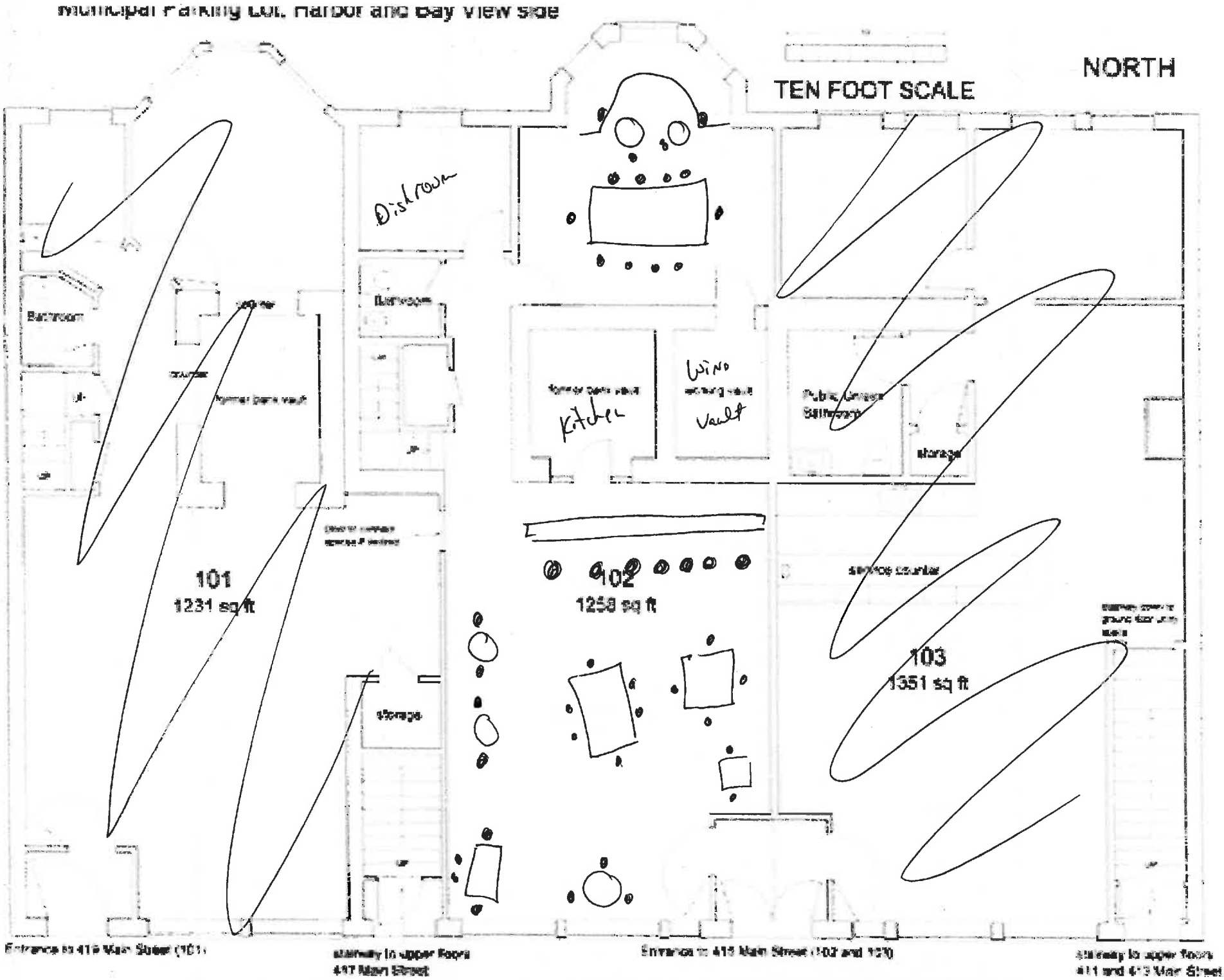
5-28-15
Date

Melody Wolfertz
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



Main Street Route One FIRST FLOOR STOREFRONTS

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Linda Novak Phone 207 542 8862

Address of Applicant PO Box 373
Owls Head ME 04854

Name of Business The Oyster Bar at The Pearl Phone 207 542 8862

Address of Business 275 Main St. (Rear)

Name of Property Owner (if different) Frank Ferraiolo

Type of License(s): ✓ Liquor ✓ Victualer ✓ Entertainment

____ Lodging House ____ Commercial Hauler ____ Landscape Contractor

____ Billiard Room ____ Second Hand Dealer ____ Other (Specify) ____

Type of Business Restaurant

Expiration of Current License New

Fee(s) Paid $300 Date 5/29/15

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature ____ Date 5/29/15

Approved By: License # ____

____ Code Officer ____ Date
____ Approved ____ Inspected; See Report

____ Fire Inspector ____ Date
____ Approved ____ Inspected; See Report

____ Police Chief ____ Date

____ City Clerk ____ Date

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES_____

INDICATE TYPE OF PRIVILEGE: ☑ MALT ☑ SPIRITUOUS ☑ VINOUS

INDICATE TYPE OF LICENSE:

- ☑ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) OHME OYSTER LLC **DOB:**	**2. Business Name (D/B/A)** The Oyster Bar at The Pearl
DOB:	
DOB:	**Location (Street Address)** 275 Main St. (Rear)
Address PO Box 373	**City/Town** Rockland **State** ME **Zip Code** 04841
	Mailing Address PO Box 373
City/Town Owls Head **State** ME **Zip Code** 04854	**City/Town** Owls Head **State** ME **Zip Code** 04854
Telephone Number 207 542 8862 **Fax Number**	**Business Telephone Number** 207 542 8862 **Fax Number**
Federal I.D. #	**Seller Certificate #**

3. If premises is a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ _____ LIQUOR $_____
5. Is applicant a corporation, limited liability company or limited partnership? YES ☑ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☑ NO ☐

7. If manager is to be employed, give name: Linda Novak

8. If business is NEW or under new ownership, indicate starting date: June 24 2015

Requested inspection date: ASAP Business hours: 3pm – 9pm

9. Business records are located at: 275 Main (Rear)

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

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

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Linda Novak	9/2/69	Toronto

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

30 January Lane Owls Head ME 04854

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ☑ If **Yes**, give name: _____

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

16. Does/do applicant(s) own the premises? Yes ☐ No ☑ If **No** give name and address of owner: Frank Ferraiolo

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ☐ NO ☑ Applied for: May 29 2015

19. 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? 2 miles Which of the above is nearest? School.

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

If YES, give details: _____

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

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

Dated at: Rockland ME on May 29, 2015
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Linda Novak
Print Name

Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

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

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

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

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

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

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

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

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

FILING FEE ..... $ 10.00

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

CITY OF ROCKLAND, MAINE

RESOLVE #26

IN CITY COUNCIL

June 8, 2015

RESOLVE Accepting Donations - Library

WHEREAS, the Friends of the Rockland Public Library donated $1,753.09 for books to be added to the Library's Collection, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, Eloise Law, Plattsburgh, New York, donated $100 to the Rockland Public Library as a thank you for research assistance provided by staff, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003);

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City gratefully accepts these donations and directs that a letter of thanks be sent to each donor in recognition of their generous donations.

Sponsor: City Manager
Originator: City Manager

CITY OF ROCKLAND, MAINE

RESOLVE #27

IN CITY COUNCIL

June 8, 2015

RESOLVE Commendation – Dennis Camber

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT Dennis E. Camber is hereby commended and congratulated for 20 years of service to the City of Rockland with the Fire Department.

AND, be it further Resolved that a Plaque and a Certificate of Commendation be presented to Lt. Camber as a token of the City's appreciation for his years of service to the Community.

Sponsor: City Council
Originator: City Council

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #14

IN CITY COUNCIL

May 11, 2015

ORDINANCE AMENDMENT Authorizing Sale of City Property – 20 Katahdin Avenue

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized to issue a municipal quit claim deed to Ryan Lawrence of Rockland, Maine, for a City-owned parcel of land and the building(s) thereon located at 20 Katahdin Avenue, Rockland, Maine (Tax Map #71-C-9) for $32,000; said sale being subject to the execution and substantial compliance with terms and conditions set forth in a purchase and sale agreement incorporated herein by reference.

Sponsor: City Council
Originator: City Manager

First Reading 5/11/15
First Publication 5/21/15
Public Hearing 6/8/15
Final Passage
Second Publication
Effective Date

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #15
IN CITY COUNCIL

May 11, 2015

ORDINANCE AMENDMENT: Tillson Avenue Parking Limits

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 17, Traffic and Vehicles, ARTICLE VIII, Schedules, SECTION 18-802, Schedule II, Time Limits on Parking, AND SECTION 8-809, Schedule IX, Handicapped Parking Spaces, BE AMENDED AS FOLLOWS:

Sec. 8-802, Schedule II Time Limits on Parking

1. General Limitation. Parking time limited between 9:00 AM and 6:00 PM on Mondays, Tuesdays, Wednesdays, and Thursdays, and between 9:00 AM and 9:00 PM on Fridays and Saturdays, with the exception of Sundays and public holidays:

Street	**Area Affected**
D. Thirty-Minute Limit	
2. Tillson	A. North side between the Thorndike Parking Lot entrance and Captain Spear Drive, one space beginning 57 feet east of the Thorndike Parking Lot entrance.

* * * *

Sec. 17-809 Schedule IX. Handicapped Parking Spaces

Handicapped parking spaces shall be established and clearly designated and maintained as such in the following areas:

15. Tillson Avenue – One (1) handicapped parking space, north side 40 feet east of the Thorndike Parking Lot entrance.

First Reading 5/11/15
First Publication 5/21/15
Public Hearing 6/8/15
Final Passage
Second Publication
Effective Date

Sponsor: Mayor Isganitis
Originator: Parking Advisory Committee

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #16

IN CITY COUNCIL

June 8, 2015

ORDINANCE AMENDMENT Authorizing Reconveyance by Bill of Sale – 7 Second Street

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized, on behalf of the City, to issue a Bill of Sale to Theresa Hilchey for property located at 7 Second Street, as shown on Rockland Tax Map #58-A-8-7, in substantial conformance with the terms, conditions and provisions of the Reconveyance Agreement incorporated herein by reference. If the Ms. Hilchey fails to sign the Reconveyance Agreement and comply with its requirements by September 11, 2015, the City Manager is authorized to solicit bids for the sale of said property.

Sponsor: City Council
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER #39

IN CITY COUNCIL

June 8, 2015

ORDER Authorizing Bids – Sale of City-Owned Properties

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to solicit bids for the sale of the following City-owned parcels of land, with building(s) thereon:

- 15 Garden Avenue (Tax Map #60-A-3)
- 44 Old County Road (Tax Map #83-A-9)
- 35 Broadway (Tax Map #18-A-8)
- 99 West Meadow Road (Tax Map #84-B-8)
- 319 Broadway (Tax Map #23-A-3)
- 328 Limerock Street (Tax Map #66-B-8)

The City also reserves the right to accept and/or reject any or all bids. Should no acceptable bids be received, the City Manager is further authorized to recommend to the Council disposition of the properties by other appropriate means.

Sponsor: City Manager
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER #40

IN CITY COUNCIL

June 8, 2015

ORDER Accepting Forfeited Assets – H. Hoffman

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, pursuant to 15 M.R.S. §§ 5824(3) and 5826(6), the City of Rockland hereby grants approval of the transfer of the Defendant *in Rem* listed below, or any portion thereof, on the ground that the Rockland Police Department did make a substantial contribution to the investigation of the case:

- $15,040.00 U.S. Currency
- One .25 ca. Raven Arms pistol (Serial #1855919)
- One Colt .38 Special (Serial #449106)
- One .22 ca. Browning pistol

State of Maine v. Herman Hoffman, Superior Court Docket # CR-14-303.

Sponsor: City Manager
Originator: Police Department

STATE OF MAINE
Lincoln, ss

SUPERIOR COURT
Criminal Action
Docket No. CR-14-303

State of Maine	}	
	}	Municipality of Rockland
v.	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Herman Hoffman,	}	
Defendant;	}	
	}	
And	}	
	}	
$15,404.00 U.S. Currency,	}	
Defendant(s) In Rem #1	}	
	}	
One .25 ca. Raven Arms pistol,	}	
Serial # 1855919;	}	
One Colt .38 special, Serial # 449106;	}	
One .22 cal. Browning pistol	}	
Defendant(s) In Rem #2	}	

NOW COMES the municipality of Rockland, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem #1 ($1,540.00 U.S. Currency), or any portion thereof, on the grounds that the Rockland Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Rockland, Maine does hereby approve of the transfer of the Defendant(s) in Rem #1, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Rockland municipal legislative body on or about _____.

Dated: _____

_____
Municipal Officer
Rockland, Maine
(Impress municipal legislative body seal here)

CITY OF ROCKLAND, MAINE

ORDER #41

IN CITY COUNCIL

June 8, 2015

ORDER Authorizing Docking Fee Waiver – Windjammer Races

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, the overnight docking fees at the Public Landing on July 3, 2015 are hereby waived for those schooners participating in the Annual Windjammer Races on the weekend of July 4, 2015. The estimated fees would total approximately $2,400.

Sponsor: City Manager
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER #42

IN CITY COUNCIL

June 8, 2015

ORDER Authorizing Docking Fee Waiver – Lobster Boat Races

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, the overnight docking fees at the Public Landing for June 20, 2015 are hereby waived for those boats participating in the Annual Rockland Lobster Boat Races on June 21, 2015. The estimated fees would total approximately $1,400.

Sponsor: City Manager
Originator: City Manager

To Whom it may concern:

We are requesting a waiver of the dock fee, for the Lobster Boats that dock the night before our races every year at the Public Landing Pier. The event is June 21st and the night we are asking for is June 20.

This is a great event for Rockland, and we appreciate your support.

Dorothy Black
Chairperson Rockland Lobster Boat Race Committee.

CITY OF ROCKLAND, MAINE

ORDER #44

IN CITY COUNCIL

June 8, 2015

ORDER Authorizing Letter of Intent & Negotiations – Long Term Recreation Lease

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a non-binding Letter of Intent with the Penobscot Bay YMCA for providing recreational services at the Rockland Community Building/Recreation Center and other recreation department facilities and resources, and to negotiate a long-term lease for the same, to be presented to the City Council for approval by ordinance.

Sponsor: City Manager
Originator: City Manager

the YMCA

FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

President
Jim Nelson

Vice President
Jill Delano

Secretary
Andrea Conover

Treasurer
Andy Clement

Dan Bookham
Jim Bowditch
Jim Butler
Joe Curll
Leslie Eaton
Tom Girard
Maureen Gordon
Jim Grimes
Sally "Nan" Lasbury
Bill Leone
Mary Alice McLean
Heidi Neal
Jennifer Roper
Monica Shields
Neale Sweet

Executive Director
Troy Curtis

May 19, 2015

City of Rockland
Rockland City Hall
270 Pleasant Street
Rockland, ME 04841
Attn: James D. Chaousis, City Manager

Dear Mr. Chaousis,

Please let this letter serve as formal notification of the Penobscot Bay YMCA's interest in assisting the City of Rockland in its efforts to provide recreational services to Rockland citizens. While the YMCA only has limited information to base this proposal on, we feel that a more comprehensive plan could be developed over time with a greater amount of dialog and coordination with the City. We are very pleased to share in this proposal an outline of our capacity as an organization to serve the community, and a sample scenario of how this arrangement may look. Please do not consider this proposal a firm commitment on our behalf, nor hold us to any individual concept we may propose in this document. All ideas and strategies we're suggesting are subject to change based on ongoing collaboration with the City.

In the spirit of transparency and disclosure, we will describe the YMCA business model, and our experiences managing similar programmatic models in our region. This long and successful history, coupled with our strong community development and property management experience, I believe, will position us as a strong candidate to serve in the capacity outlined in your RFI.

The Penobscot Bay YMCA has 100 years of history providing programming that meets the youth development, healthy living and social needs of Knox County, and we truly look forward to the opportunity to engage the City of Rockland and its residents in a meaningful process to ensure necessary recreational services are available to the community in the future. If after you read this proposal, you have any additional questions or comments; please feel free to contact me at 236-3375, ext. 201.

Sincerely,

Troy Curtis
Chief Executive Officer

PO Box 840 • 116 Union Street • Rockport, Maine 04856
Phone: 207.236.3375 • Fax: 236.8458 • www.penbayymca.org

Please remember the Penobscot Bay YMCA in your will.

REQUEST FOR INFORMATION

I. Organization History

The mission of the Penobscot Bay YMCA is to provide high-quality services that meet the youth development, healthy living and social needs of individuals and families in the communities we serve.

We are a 501c3 non-profit association of men, women and children of all ages and from all walks of life joined together by a shared passion: to strengthen the foundation of our community.

With a commitment to nurturing the potential of kids, promoting healthy living and fostering a sense of social responsibility, the Y ensures that every individual has access to the essentials needed to learn, grow and thrive. Though the world may be unpredictable, one thing remains certain—the Y is, and will always be, dedicated to building healthy, confident, secure and connected children, families and communities.

The Penobscot Bay YMCA was founded in 1915 as the Camden YMCA, and is one of the country's oldest continually operating small community YMCAs. From 1916 until 2002, it operated from a center village site in Camden, Maine. In November, 2002, the Y moved to a new state-of-the art 62,000 sq. ft. facility on Union Street in Rockport, which allowed the Y to expand its offerings and reach out to a regional market.

Today, the Penobscot Bay YMCA serves more than 6,000 members, ranging in age from six-week-old infants in our child-care program to seniors into their 80s and beyond.

The Y is currently the largest child-care provider in Knox County, serving almost 300 children on a weekly basis through its day care, drop-in care and after-school programs. The YMCA has the most comprehensive set of youth sports programs in Knox County, with more than 500 children participating in its youth socc er, gymnastics, competitive swimming, rock climbing and basketball programs. We operate four summer camp programs in the region, including the Summer Recreation Program for the Town of Camden. We provide health and wellness activities to nearly 1,000 individuals each day, utilizing three unique fitness centers, the only competitive pool in the region and the recently opened Rockland Harbor YMCA Branch of our organization. Additionally, the Penobscot Bay YMCA operates the Teen Center in Camden, which serves more than 100 adolescents daily in after-school programming. In 2014, more than 500 different teens participated in programs and activities at the Teen Center, all of which are free to the region's teen population.

The YMCA currently owns or leases space at five locations throughout Knox County. These facilities currently include our main facility at 116 Union Street in Rockport, and 120 Union Street in Rockport (where we conduct after-school programming, wellness programing and house our local Healthy Maine Partnership coalition). We own and operate the Teen Center at 10 Knowlton Street in Camden, which is an 8,000-square-foot facility, including a skate park. In

addition, we lease a space at the Mid Coast Recreation Center (where we operate a child-care center), we lease space from the Town of North Haven to operate a fitness center for the island, and finally we lease space at 12 Water Street in Rockland where our Rockland Harbor Branch is located.

The Penobscot Bay YMCA is governed by a voluntary group of 21 community members elected each year by the YMCA membership. This group of volunteers provides strategic direction, policy development, fiduciary oversight and fundraising support, and oversees the Chief Executive Officer of the YMCA. The YMCA CEO then employs and directs the 55 full-time and 100+ part-time employees who work to fulfill the mission of the Y each day in our greater community.

II. YMCA Business Model

The YMCA business model is predicated on three unique but connected sources of revenue. As the metaphorical lifeblood of the organization, membership serves as the basis for all our work. The Y is, at its heart, a membership-based organization, and its service-delivery model is based on this system. While one-third of all YMCA revenue is derived from membership, no individual is turned away from membership because of the inability to pay. To accomplish this goal, the YMCA employs various financial-assistance tools to ensure that individuals with demonstrated financial need have access to all YMCA services. Currently the YMCA has more than 6,000 members, representing nearly 15% of the total population of Knox County.

The second leg of the YMCA business model is comprised of program revenue, which, once again, makes up approximately one-third of the Ys annual budget. These dollars are derived from fees for services and are charged to both members and non-members a like. While many programs are offered free of charge to members, other programs are offered on a pay-for-service basis. As an example, all youth sports programs, most aquatic programs, advanced-level fitness programs and all child-care services are offered at a cost to members and non-members alike. These fees are greatly reduced if the participant is currently a YMCA member, and once again no one is turned away because of the inability to pay.

Finally, the YMCA depends greatly on the generosity of individuals, businesses and foundations to provide donations and other forms of charitable support to ensure that we can meet the needs the communities that we receive. In fact, the YMCA is able to generate more than 15% of total operating revenue each year through these contributed sources. Volunteers and staff dedicated to this effort are essential to the mission and service model of the YMCA, as donated funds provide support to those unable to pay for programs and access to the Y, while at the same time allowing the Y to subsidize certain programs that are important to community.

III. Proposed City of Rockland Program Delivery Model

The Penobscot Bay YMCA proposes that the Rockland Recreation Department be managed and operated in the same manner that all YMCA facilities and programs are offered to the community. The foundational step for this change would be to require that either a membership or day pass be purchased to access the Rockland Recreation Facility. In addition, all programs and services provided by the YMCA would be subject to a fee consistent with other programs offered within the Y. As a part of any membership situation, members would have full access to not only the existing Rockland Recreation Facility, but all YMCA facilities in our region.

All major programs listed in the RFI could be offered as a part of a programming menu for the residents of Rockland. In addition, numerous other programs, such as a comprehensive offering of group-exercise programs, new youth-sports programming and expanded summer-camp opportunities are just a few examples of how the YMCA would attempt to make this relationship mutually beneficial for both the community and the Y.

At least one full-time staff member would be responsible for the oversight of both the Recreation Facility and the programs offered as a part of this relationship. Existing YMCA staff and community partnerships would be engaged to support programming needs and to increase the efficiency of the program delivery system. For example, the YMCAs existing Camping Director would assume the responsibility of organizing and leading any summer-camp program that would be operated out of City facilities. Additional part-time and seasonal employees would be hired to lead and run programs and services when necessary. Leadership oversight, human resource support and other types of organizational resources necessary to implement this new relationship would be provided by the YMCA staffing infrastructure that currently exists. Any new positions created by this partnership would be opened up to the community, and we'd encourage existing City Recreation Department employees to apply.

We propose that the YMCA sign a $1 per year management agreement with the City of Rockland that would allow the YMCA to operate the existing Rockland Recreation Building as its own facility, with autonomy over hours of operations, programs offered and fees charged. The City would retain ownership of the building and maintain responsibility to cover capital, repairs and utilities costs associated with the facility. The YMCA would provide staff to manage the space and any programming offered at the facility, as well as supervisory staff, and we will clean the facility.

IV. City of Rockland Recreation Department Pro Forma

The Penobscot Bay YMCA has a strong desire to engage in a productive dialog with the City of Rockland regarding this opportunity. Those conversations would allow the Y to gather and process the necessary information to develop a meaningful financial pro forma for presentation to City officials. By getting questions answered regarding existing revenue sources, expense lines and some basic market information, we can develop a strong, reliable financial tool.

As outlined above, the basic YMCA business model would be employed as we explore this opportunity, and we anticipate that City financial support would be necessary to make any arrangement work for both parties. As with any recreation-based business opportunity, the primary cost driver will be personnel expenses, and those types of costs can be variable depending on the anticipated service volume.

In summary, the YMCA would be happy to meet in the future to discuss this opportunity and ultimately present a meaningful financial model that potentially could benefit all parties concerned. Most important, the YMCA remains committed to meeting the youth development, health living and social needs of those living and working in the City of Rockland.

All information and concepts shared in this proposal are subject to change and in no way commit the Penobscot Bay YMCA to any course of action.

CITY OF ROCKLAND, MAINE

ORDER #45

IN CITY COUNCIL

June 8, 2015

ORDER Authorizing License Agreement – Heat-Pump Roof

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, pursuant to the Code of Ordinances, Ch. 15, Art. I, Sec. 15-137(B), E.C. Moran Insurance Company, Inc. is hereby granted a license for the installation at and maintenance of a shed-style roof structure over a heat pump on the Kimball Lane façade of the building located at 425 Main Street (Tax Map #4-B-15); and

THAT, the City Manager is hereby authorized to enter into a License Agreement with E.C. Moran Insurance Company, Inc., reciting the terms and conditions of such license in substantial conformance with the attached form of agreement.

Sponsor: City Manager
Originator: City Manager

CITY OF ROCKLAND, MAINE

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Sponsor: City Manager
Originator: City Manager

E. C. Moran Company, Inc.
Insurance

425 MAIN STREET, ROCKLAND, MAINE 04841 • 207-594-4300

May 29, 2015

To: City Manager and Rockland City Council

During the past winter we had an issue with ice from the roof melting and dripping onto our Heat Pump, building up ice on top and in behind, and creating an issue.

We would propose to add a small shed roof over the heat pump so that ice does not build up on top.

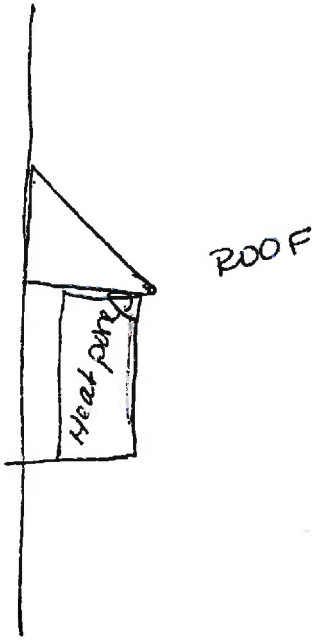
We would have the heat pump roof extend out from the building the same distance as the heat pump or no more than a couple inches past the heat pump, be the same width across the building as the heat pump, not more than two feet tall.

Sincerely,

Patricia

Patricia J Moran Wotton, owner
E. C. Moran Company, Inc.

insure@ecmoran.com • www.ecmoran.com • FAX: 207-594-2607


Heat pump
ROOF