

APR 05 2023

Warrant for the Hollis Annual Town Meeting

BY: 

Fiscal Year: July 1, 2023– June 30, 2024-Draft 04-05-23

STATE OF MAINE

COUNTY OF YORK/ss

To Any Resident, in the Town of Hollis in the County of York, State of Maine.

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants in said Town of Hollis qualified to vote in town affairs to meet at the Hollis Community Building, 35 Town Farm Road in said Town of Hollis on Tuesday, the thirteenth day of June A.D. 2022 (June 13, 2023) at 6:45 a.m. in the forenoon to act on ARTICLE 1 and by secret ballot on Articles # 2 through #26 as set out below, the polling hours to be from seven o'clock in the forenoon until eight o'clock in the evening.

Article 1: To elect a moderator to preside at said meeting.

Article 2: To elect the necessary Town Officials:

One (1) Select Board Member, Assessor, & Overseer of the Poor for a three (3) year term.

One (1) Town Clerk for a three (3) year term.

Article 3: Shall the Town raise, appropriate and expend up to \$1,435,570 for General Government Operations?

	2022 – 2023	2023 - 2024
0100 Administration	\$ 151,200	\$ 179,750
0101 Broadcasting	\$ 9,500	\$ 9,500
0103 Treasurer Office	\$ 58,838	\$ 63,625
0104 Town Clerk Office	\$ 59,273	\$ 67,000
0105 Elections	\$ 32,000	\$ 44,200
0106 Tax Collector Office	\$ 70,025	\$ 74,695
0107 Assessing Office	\$ 82,295	\$ 82,950
0150 Legal Fees	\$ 20,000	\$ 25,000
0400 Operations & Maintenance	\$ 133,450	\$ 164,000
0800 Salmon Falls Library	\$ 40,000	\$ 38,800
1300 Insurance	\$ 358,800	\$ 370,800
1400 Maine PERS/457 Retirement	\$ 110,700	\$ 77,000
1600 FICA (withholding)	\$ 115,000	\$ 124,000
1800 Animal Control	\$ 15,200	\$ 15,650
2298 Veteran's Flags	\$ 900	\$ 900
2500 Code Enforcement Office	\$ 107,750	\$ 97,700

\$ 1,364,131

\$ 1,435,570

Select Board Recommends

Finance Committee Recommends

Article 4: Shall the Town raise, appropriate and expend up to \$28,916 for the following Committees and Boards?

	2022 – 2023	2023 - 2024
1275 Comprehensive Plan Comm.	\$ 0	\$ 8,000
2200 Planning Board	\$ 15,000	\$ 16,916
2205 Finance Committee	\$ 1,200	\$ 1,400
2210 Appeals Board	\$ 2,000	\$ 1,500
2350 Community Clothing Closet	\$ 500	\$ 500
2370 Conservation Commission	\$ 600	\$ 600
	<u>\$ 19,300</u>	<u>\$ 28,916</u>

Select Board Recommends

Finance Committee Recommends

Article 5: Shall the Town raise, appropriate and expend up to \$361,912 for the Recreation Department and Sports Complex?

	2022 - 2023	2023 - 2024
1200 Hollis Recreation Department	\$ 307,010	\$ 326,112
1219 Sports Complex	<u>\$ 34,450</u>	<u>\$ 35,800</u>
	<u>\$ 341,460</u>	<u>\$ 361,912</u>

Select Board Recommends

Finance Committee Recommends

Article 6: Shall the Town raise, appropriate and expend up to \$1,325,000 for Public Works?

	2022 – 2023	2023 - 2024
500 Snow & Sanding	\$ 540,000	\$ 643,000
600 Highway	\$ 170,000	\$ 170,000
601 Paving	\$ 200,000	\$ 200,000
900 Solid Waste Disposal	\$ 279,500	\$ 296,000
2000 Street Lights	<u>\$ 16,000</u>	<u>\$ 16,000</u>
	<u>\$ 1,205,500</u>	<u>\$ 1,325,000</u>

Select Board Recommends

Finance Committee Recommends

Article 7: Shall the Town raise, appropriate and expend up to \$1,167,183 for Emergency Services provided by the Hollis Municipal Fire & Rescue Department?

	2022-2023	2023 - 2024
300 Emergency Services	\$ 989,733	\$ 1,167,183

Select Board Recommends

Finance Committee Recommends

Article 8: Shall the Town raise, appropriate and expend up to \$77,690 for General Assistance, the State mandated welfare program?

	2022-2023	2023 – 2024
1000 General Assistance	\$ 25,000	\$ 77,690

Note: State Refunds are now being put in a Revenue Account

Select Board Recommends

Finance Committee Recommends

Article 9: Shall the Town raise, appropriate and expend up to \$34,300 for the following non-municipal requests?

	2022 - 2023	2023 - 2024
2299 York County Shelters	\$ 850	\$ 1,000
2300 Visiting Nurse Service	\$ 1,100	\$ 1,100
2301 York County Comm. Action	\$ 3,400	\$ 3,400
2303 Kids Free to Grow	\$ 675	\$ 700
2304 Caring Unlimited	\$ 1,100	\$ 1,100
2307 So. Maine Agency on Aging	\$ 2,750	\$ 2,750
2312 Boy Scouts Troop #323	\$ 600	\$ 500
2333 Girl Scouts Troop #323	\$ 600	\$ 500
2314 Red Cross	\$ 400	\$ 400
2315 Buxton-Hollis Historical	\$ 1,000	\$ 1,100
2317 VNA Home Health	\$ 250	\$ 250
2318 Maine Public Broadcasting	\$ 100	\$ 100
2320 Saco River Corridor Comm.	\$ 300	\$ 600
2323 La Dawn Therapeutic Riding	\$ 1,000	\$ 0
2329 Life Flight of Maine	\$ 750	\$ 1,000
2330 So ME Veteran's Cemetery Assn	\$ 500	\$ 500
2332 Waban	\$ 200	\$ 200
2400 Saco River Community TV	\$ 17,500	\$ 18,800
XXXX Maine Behavioral Healthcare	\$ 0	\$ 300
	\$ 33,275	\$ 34,300

Select Board Recommends

Finance Committee Recommends

Article 10: Shall the Town authorize the Select Board and Tax Collector to:

1. Charge Interest on unpaid taxes, determine the rate thereon, set the due date for taxes, and to set the date on which interest shall commence. Tax Collector charging interest at a rate of 8% per annum, that taxes be due and payable in two (2) payments. The first due on November 1, 2023 and the second on May 1, 2024 with interest commencing on the first half on November 15, 2023 and the second half on May 15, 2024;

2. Accept prepayment of taxes;

3. Set the interest rate to be paid by the Town on the refunded overpayment of taxes for the 2023-2024 Fiscal year set at 4% as recommended by the Tax Collector & Select Board; and

4. Apply all tax payments to the oldest outstanding taxes first?

Select Board Recommends

Article 11: A property tax levy limit has been established for the Town by State Law in the amount of \$1,294,654.00 in the event that the municipal appropriations approved by the voters exceed that limit, shall the Town vote to increase the property tax limit?

Select Board Recommends

Article 12: Shall the Town accept and apply estimated anticipated revenues and reimbursements in the amount of \$ 3,283,364 to the 2023-2024 Tax Commitment?

	2022 - 2023	2023 - 2024
MDOT Block Grant	\$ 54,244	\$ 53,948
Code Enforcement Fees	\$ 120,000	\$ 120,000
Dog Fees	\$ 800	\$ 800
Excise Tax	\$ 1,075,000	\$ 1,075,000
Rescue Fees	\$ 120,000	\$ 200,000
Parks & Recreation Fees	\$ 180,000	\$ 190,000
Misc. Rev & Reimbursements	\$ 85,000	\$ 85,000
BETE Reimbursements	\$ 712,500	\$ 675,000
Homestead Reimbursements	\$ 275,000	\$ 240,000
Tree Growth Reimbursements	\$ 30,000	\$ 38,500
Veteran's Exemption Reimbursements	\$ 3,000	\$ 3,000
State Revenue Sharing	\$ 447,912	\$ 512,116
General Assistance State Reimbursement	unreported	\$ 45,000
Cable Franchise Fees	\$ 45,000	\$ 45,000
	\$ 3,148,456	\$ 3,283,364

Select Board Recommends

Article 13: Shall the Town raise, appropriate, and expend up to \$35,150 for the non-municipal Hollis Center Public Library?

Note: This article is from a Citizen Petition

Select Board Does Not Recommend

Finance Committee Recommends

Article 14: Shall the town authorize the Select Board to carry forward specific account balances from the current year to the same accounts for the ensuing year for the specific purpose of each account?

Select Board Recommends

Article 15: Shall the town accept the State Snowmobile Registration Funds and disburse them to the Hollis Snowmobile Club for the purpose of maintaining Hollis's Snowmobile Trails?

Select Board Recommends

Article 16: Shall the town authorize the Select Board to sell town property (real estate) and place the money in a non-lapsing reserve account to spend on a New Town Hall or other town improvements?

Select Board Recommends

Article 17: Shall the Town authorize the Select Board to spend from the TIF (Tax Incremental Financing) Account # 2025, as they deem advisable, to fund and meet unanticipated expenses and/or emergencies that are clearly authorized in the TIF agreement?

Select Board Recommends

Article 18: Shall the Town allow the Select Board to spend up to \$251,261.59 of Coronavirus Local Fiscal Recovery Funds (a/k/a American Rescue Plan Act or "ARPA" funds) received by the Town from the federal government for qualified projects, as authorized by the Select Board?

Select Board Recommends

Article 19: Shall the Town authorize the Select Board to annually spend up to \$200,000 from Undesignated Funds, as they deem necessary to fund and meet unanticipated expenses and/or emergencies that may occur, with the unanimous vote of the Select Board and approval of the Finance Committee for each occurrence?

Select Board Recommends

Article 20: Shall the Town adopt the Town of Hollis Zoning Map?

Select Board Recommends

Planning Board Recommends

Article 21: Shall the Town vote to amend the "Employment, Illness, Disability, and Absence Ordinance" as written?

Select Board Recommends

Article 22: Shall the Town vote to amend the "Circulation of Petitions Ordinance" as written?

Select Board Recommends

Article 23: Shall the Town enact an Ordinance entitled "Donations, Gifts, Reimbursements and Fees Ordinance for the Town of Hollis, Maine" as written?

Select Board Recommends

Article 24: Shall the Town vote to amend the "Animal Control Ordinance for the Town of Hollis" as written? OR

Shall the Town vote to repeal the "Animal Control Ordinance for the Town of Hollis" and follow the Maine State Statutes and Rules for Animal Welfare as outlined in M.R.S.A. Title 7?

Article 25: Is the Town in favor of ceasing allowance of cluster housing subdivisions?

Article 26: Totem Pines Road Acceptance when transferred from the TP Homeowners association?

Given under our hands this _____ day of April, A.D. 2023

Hollis Select Board:

David McCubrey, Chair

John Rogala, Member

Mary Hoffman, Member

Martha E. Huff, Hollis Town Clerk

Received by Town Clerk:

Registrar of Voters Notice:

The Registrar of Voters office will be open to register voters prior to the election. The Registrar of Voters will be available at the polls to correct any errors, correct a name or address on the voting list and to accept registrations of eligible persons and accept new enrollments.

A person who is not registered to vote may not vote in any election.

A voter who is not enrolled in a political party may not vote in a primary election.

Return on Warrant

Hollis Annual Town Meeting being held on June 13, 2023

Town of Hollis, York County, State of Maine

Date: _____, 2023

Pursuant to the within warrant to me directed, have notified and warned the inhabitants of said Town, qualified as herein expressed, to meet at said time and place, and for the purposes of therein named, by posting an attested copy of said warrant at the Hollis Town Hall, Your Country Store, and the Hollis Town Clerk's Office in said town, being 1 public and conspicuous places in town, on the _____ day of _____, 2023 A.D., being at least seven days before the Annual Town Meeting on June 13, 2023.

Signed: _____

A True Attested Copy : _____







Hollis Town Clerk

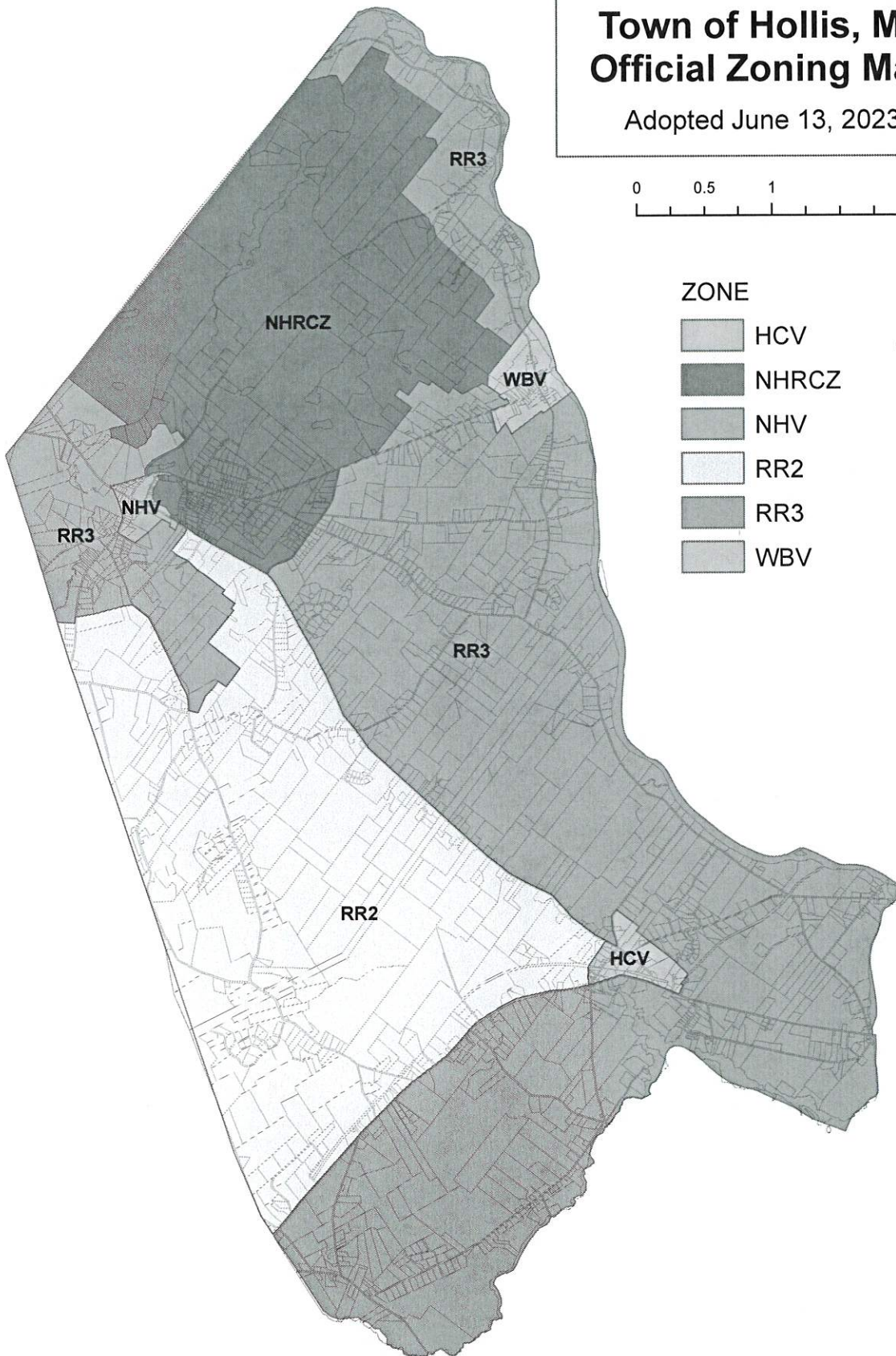
Town of Hollis, ME Official Zoning Map

Adopted June 13, 2023

0 0.5 1 2 Miles

ZONE

-  HCV
-  NHRCZ
-  NHV
-  RR2
-  RR3
-  WBV



This is the official Zoning Map of the Town of Hollis, ME, pursuant to Section 4.2 of the Zoning Ordinance, approved by the voters on June 13, 2023. Attested by:

Town Clerk

Planning Board Chair

Date



RECEIVED

APR 05 2023

BY: 

Employment, Illness,

Disability and Absence

Ordinance

for the Town of Hollis

Enacted: November 2012; Amended June 13, 2023

Certified Copy By: _____

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS BOLDED & HIGHLIGHTED, DELETIONS ~~CROSSED OUT~~

Section 1. Authority

This Employment, Illness, Disability and Absence Ordinance is enacted pursuant to the Town's home rule powers conferred by Article VIII, part second of the Maine Constitution and Title 30-A, §§2001, 2109 and 3001 of the Maine Revised Statutes Annotated. In the event any State or Federal law is amended in any manner that would affect any section of this Ordinance, this Ordinance shall be automatically amended to comply with such amendments.

Section 2. Purpose.

The purpose of this Ordinance is to establish a written document outlining certain terms and conditions regarding employee compensation and employment during times of extended illness, long term disability or absence.

Section 3. Optional income insurance coverage.

The Maine Municipal Association which is the Town's Insurance provider offers optional Disability Income Insurance to those employees that qualify (at the employee's expense) to provide weekly pay for up to 52 weeks should the employee suffer long term illness or disability and not be able to work. These benefits begin the first day of an accident and the eighth day of an illness. This coverage is available at time of hire for non-elected employees and time of election for elected employees and during specific times of the year may be offered by Maine Municipal as open enrollment.

Section 4. Retirement Plans.

New hires that are eligible for employee benefits as outlined in Town Policy #19 – Insurance Benefits, may elect to participate in the following MainePERS Retirement Plans: 3C Plan for full-time Fire and EMS employees, and AC Plan for all other full-time eligible employees. They are also eligible to participate in the MaineSTART 457 Deferred Compensation Program. Enrollment and plan information is available from the Select Board and Plan Administrators.

Section 5. Paid Time Off.

Town Hall and Library employees must work an average of 20 hours or more per week to be eligible for Paid Time Off.

Parks and Recreation employees must work an average of 30 hours or more per week to be eligible for Paid Time Off.

Fire and EMS employees Paid Time Off will be governed by the Town of Hollis Municipal Fire and Emergency Medical Services Ordinance, as adopted in 2022.

On-call, stipend, temporary, part-time, per-diem and seasonal employees are not eligible for Paid Time Off.

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS **BOLDED & HIGHLIGHTED, DELETIONS **CROSSED OUT****

Paid Time Off includes the following:

Holiday Pay. ~~Employees that average 20 hours or more per week~~ Employees will receive pay for holidays that close the Town Hall during a regularly scheduled work day.

Personal Day. Eligible employees may use one (1) day of their available or unused sick time per year as a personal day.

Sick Leave. Sick leave shall be earned at the rate of six (6) work days for each year worked for any employee who averages 20 hours or more per week. The maximum amount of sick leave an employee, ~~either hourly or salaried~~, may accumulate is twelve (12) days. Additional sick time shall not accrue while any employee is out on any unpaid leave. ~~On-call, stipend, temporary, part-time, and seasonal employees are not entitled to sick leave benefits, regardless of the amount of hours they work in any given week.~~

Storm Days. **If inclement weather closes a Town department, regularly scheduled employees of that department eligible for Paid Time Off will be paid for their regularly scheduled day.** ~~If the Town office is closed or closing early due to inclement weather on a regularly scheduled work day, employees that are scheduled to work that day will be paid for their regular pay for the day.~~

Vacation Time. See Section 40 **6** Paragraph **D 4.**

No Town of Hollis employee either appointed or elected shall receive compensation when out for an illness, disability or other reason of more than their accrued sick time plus any applicable vacation time unless otherwise defined in this Ordinance. If any employee receives either Optional Income Insurance coverage payments or worker's compensation payments during any absence that qualifies as FML-qualifying leave, that employee may elect, but is not required, to use accrued sick or vacation time to bring their pay up to their usual weekly base pay. Once accrued sick and vacation time are exhausted for any employee, either appointed or elected, the Town shall stop paying that individual when they fail to appear for work and perform their duties as scheduled, unless otherwise defined in this Ordinance or otherwise required under State or federal law.

Section 6. Categories of Leave. (OLD SECTION 10)

A. Bereavement Leave.

Full-time and part-time employees shall be excused from work with pay for up to five (5) calendar days in the event of the death of spouse, domestic partner (as defined by the Maine Municipal Employee Health Trust), child or parent and up to three (3) calendar days in the event of the death of another member of the immediate family. Immediate family is defined to mean brother, sister, mother-in-law, father-in-law, grandfather, grandmother, grandchildren, step-father, step-mother, stepchildren or other relative living in the same household as the employee.

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING

AMENDMENTS **BOLDED & HIGHLIGHTED**, DELETIONS ~~CROSSED OUT~~

The Department Head with the ~~Board of Selectmen's~~ **Select Board's** approval may grant bereavement Leave.

B. Leave for Military Reserve Training / Active Duty.

In accordance with State and Federal Law, eligible employees will be granted time off from work for annual training obligations or active service in the United States armed services. Employees engaged in active military service will be placed on military leave of absence status. Employees should advise Department Head or the ~~Selectmen~~ **Select Board** of the dates of their military service and present any military orders ~~as far in advance as possible, unless military necessity prevents such notice.~~ The Town will pay employees the difference between service pay and the employee's regular compensation for a period of up to two weeks in any one-year period, provided that the employee on Reserve Service furnishes his/her Department Head or the ~~Selectmen~~ **Board** an official statement by military authorities giving his/her rank, pay and allowances. Employees should confer with their Department Head or the ~~Board of Selectmen~~ **Select Board** concerning the rights and requirements of re-employment.

C. Loss of work for Jury Duty.

The Town shall pay to employees, both hourly and salaried, their regularly scheduled pay for time missed while serving on or appearing for jury duty as required (along with a reasonable amount of time for travel to and from the court house). Jury duty and/or subpoenas to appear in Court must be presented to the Town to be eligible for such pay. The employee shall sign over their court pay check to the Town when received.

D. Vacation.

~~Vacation time shall be in accordance with this Ordinance.~~

Eligible Town Hall and Library employees who are regularly scheduled to work 20 or more hours per week, and eligible Parks and Recreation employees who are regularly scheduled to work 30 or more hours per week are entitled to Vacation Time.

I. After the first six (6) months of employment, one (1) week of vacation time will be awarded;

II. After one (1) year of continuous employment, two (2) weeks of vacation time will be awarded;

III. After four (4) years of continuous employment, three (3) weeks of vacation time will be awarded;

IV. After nine (9) years of continuous employment, four (4) weeks of vacation time will be awarded;

V. A week of vacation is equal to ~~the weekly hours the Town Hall is open, but must not exceed~~ the employee's regularly scheduled **weekly hours worked and** base workweek pay, and cannot ~~ex~~ exceed 40 hours of pay for hourly employees ~~(a week of~~

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS ~~BOLDED & HIGHLIGHTED~~, DELETIONS ~~CROSSED OUT~~

~~vacation pay is equal to the average amount of pay the employee would receive in a regularly scheduled work week);~~

~~VI. Employees who are regularly scheduled to work less than twenty (20) hours per week are not eligible for vacation time;~~

VI. Attendance time at regularly scheduled meetings, i.e. ~~Budget Committee, Planning Board, etc.~~ does not add to the regularly scheduled workweek for purposes of determining vacation time or eligibility;

VII. It is the responsibility of the employee to arrange coverage for their job function during any vacation. No vacation period will be approved if the absence would leave the Town without a qualified employee to perform necessary Town and customer services. ~~(For example, Paragraph 4, sub-paragraph 8, refers to those jobs that are similar to that of Treasurer, it would not be prudent for the Town to have the Treasurer on vacation at the same time the Deputy Treasurer was absent. The department needs to be organized in such a way that these things do not occur.);~~

~~IX. When calculating Budgets for the year all Department Heads use a fifty two (52) week year, and therefore no employee shall receive more than fifty two (52) weeks of pay or compensation in any given year. It is the intention of the Selectmen Board that an employee that has vacation time allotted uses it during that year. Vacation time cannot normally be carried into another year without the recommendation of the Department Head and written approval of the Board of Selectmen; Select Board and,~~

IX. Upon separation, employees who leave in good standing (including providing the Town a minimum of two (2) weeks' notice) will be paid for any accrued and unused vacation.

E. Earned Paid Leave.

Employees working part time shall earn paid leave up to a maximum of 40 hours per fiscal year. The actual earned paid leave will equal 1 hour for every 40 hours worked during the current fiscal year in accordance with the Bureau of Labor law.

Accrual of earned paid leave begins on the first day of work.

Earned paid leave can be used in increments of one (1) hour for any reason.

All employees with accrued or unused hours of earned paid leave from the previous fiscal year of employment can roll over those hours to the next fiscal year, but can only earn a maximum of forty (40) hours. An example would be if the individual rolled over eight (8) hours from the previous fiscal year, the maximum hours that would be able to earn would be thirty-two (32) hours in the current fiscal year.

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS BOLDDED & HIGHLIGHTED, DELETIONS CROSSED-OUT

Seasonal workers (summer recreational workers hired between June 15th and September 15th) will be eligible for earned paid leave at the rate noted above. At the end of the summer, seasonal workers will be paid for any accrued earned paid leave.

Upon separation, employees who leave in good standing (including providing the Town a minimum of two (2) weeks notice) will be paid for any accrued earned paid leave.

F. Personal Leave of Absence. (Old E)

In exceptional circumstances, a full time employee, either elected or appointed, may be granted a personal leave of absence without pay and without accrual of sick and vacation time or contribution by the Town towards any employee benefits. Such a leave of absence may be granted only at the discretion of the ~~Selectmen~~ **Select Board** with the recommendation of the Department Head concerned, and only after any applicable FML leave, vacation time and sick time has been exhausted.

Such leave of absence without pay shall not exceed six (6) months in length without further approval of the ~~Selectmen~~ **Select Board**, and shall only be granted when it appears, because of the past record of the employee, or because of the purpose for which the leave is requested, that it is in the best interest of the Town to grant the leave.

G. Family and Medical Leave Act (FMLA) (OLD F)

As provided by the Federal Family and Medical Leave Act (FMLA), all employees who have worked for the Town for at least 12 months and have worked more than 1, 250 hours in the past 12 months are entitled for up to 12 weeks of job-protected leave during any 12 month period for specified family and medical reasons. Employees not eligible for leave under the Federal FMLA may be entitled to up to 10 weeks of leave in a two-year period under the terms and conditions of Maine law.

Specific guidance should be sought through the Federal and State FMLA packages available at the specific website. Individual booklets are available for the Employer and Employee to utilize during this process.

The use of FMLA (Federal or State) shall not be considered a break in service.

A. ~~_____~~ Federal FMLA

~~Employees who have worked for the Town for at least twelve (12) months and at least 1,250 hours during their prior twelve (12) months with the Town may take up to twelve (12) weeks of unpaid leave (FMLA leave) for the following reasons:~~

~~I. ~~_____~~ Birth of a child of the employee;~~

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS **BOLDED & HIGHLIGHTED, DELETIONS **CROSSED OUT****

II. ~~Placement of a child into the employee's family by adoption or by a foster care arrangement;~~

III. ~~Care of the employee's spouse, parent, or child who has a serious health condition;~~

IV. ~~Inability of the employee to perform the functions of the employee's position due to a serious health condition;~~

V. ~~"Military Family Leave" due to "any qualifying exigency" arising out of the fact that the spouse, child, or parent of the employee is on active duty or has been notified of an impending call to active status in either the National Guard or Reserves.~~

~~In addition, employees who have worked for the Town for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twenty six (26) weeks of unpaid "Military Family Leave" leave to care for a seriously injured service member (regular armed forces, National Guard or Reserves) who is the spouse, child, parent or next of kin of the employee. The 26-week period includes any 12-week period permitted for any other qualifying FMLA reason.~~

B. ~~Maine FMLA~~

~~Employees who have worked for the Town for 12 months but for less than 1,250 hours during the past year and are not eligible for Federal FMLA may be eligible for a 10-week Family and Medical Leave under Maine law, and should follow the procedures set forth herein to apply for a leave. Please note that depending upon the number of employees employed by the Town, both the State and Federal FMLA may not apply to the Town.~~

~~Maine FMLA law permits family and medical leave to be taken for the following reasons:~~

I. ~~Birth of a child of the employee or a child of the employee's domestic partner;~~

II. ~~Placement of a child under 16 years of age into the employee's family by adoption or by a foster care arrangement;~~

III. ~~The serious health condition of the employee's spouse, parent, child, sibling (who is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements and joint financial arrangements), domestic partner, or domestic partner's child, or the death of one of the aforementioned individuals who is a member of the military and who dies while on active duty.~~

IV. ~~Inability of the employee to perform the functions of the employee's position due to a serious health condition;~~

V. ~~The donation of an organ by the employee; or~~

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS BOLDED & HIGHLIGHTED, DELETIONS ~~CROSSED OUT~~

VI. ~~The death or serious health condition of the employee's spouse, domestic partner, parent, sibling (who is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements and joint financial arrangements), or child, if that person is a member of the military and dies or incurs a serious health condition while on active duty.~~

G. Procedures

~~Any FMLA leave taken by an employee during the preceding twelve (12) month period will be used to determine the amount of available leave pursuant to the Family and Medical Leave Act. For example, if an employee used four weeks of leave beginning February 1, 2010, four weeks of leave beginning June 1, 2011, and four weeks of leave beginning December 1, 2011, the employee would not be entitled to any additional leave until February 1, 2012. On February 1, 2012, the employee would be entitled to four weeks of leave, and on June 1, 2012, the employee would be entitled to an additional four weeks, etc.~~

~~The right to FMLA for the birth and/or placement of a child into an employee's family may only be taken within the twelve (12) months after the date of the birth or placement of the child. In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted, unless both the employee and the Town agree. If both spouses are employed by the Town, the combined leave shall not exceed twelve (12) weeks.~~

~~For purposes of this policy, a serious health condition means an illness, injury, impairment or physical or mental condition that involves:~~

I. ~~any period of incapacity or treatment in connection with or consequent to in-patient care in a hospital; hospice or residential medical care facility;~~

II. ~~any period of incapacity requiring absence from work or other regular daily activities for more than three (3) calendar days that also involves continuous treatment by or under the supervision of a healthcare provider; or~~

III. ~~continuous treatment by or under the supervision of a healthcare provider for a chronic long term health condition that is incurable or so serious that if not treated would result in a period of incapacity of more than three (3) calendar days; or~~

IV. ~~prenatal care.~~

~~In the case of unpaid FMLA leave for serious health conditions, the leave may be taken intermittently or on a reduced hours basis only if such leave is medically necessary. Where an employee requests intermittent leave or leave on a reduced hours basis due to a family member's or the employee's own serious health condition, the Town has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and which better accommodates the intermittent leave or reduced hours leave than the employee's regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.~~

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS **BOLDED & HIGHLIGHTED, DELETIONS **CROSSED OUT****

~~Employees are required to use their available vacation time during any unpaid FMLA leave period, and available sick/personal time is required to be used when unpaid family leave is taken because of the employee's serious health condition. In the case of family leave due to reasons other than the employee's serious health condition, the employee may opt to use available sick/personal time. The remainder of the FMLA leave will be unpaid. An employee on a FMLA leave may be eligible for benefits under the Town's Income Protection Insurance Policy. Employees out on paid Worker's Compensation leave or receiving paid Income Protection Insurance may elect to use available sick and/or vacation leave during their absence, but are not required to do so.~~

~~When the necessity of leave is foreseeable due to the expected birth or placement of a child, the employee must provide the Town at least thirty (30) days' notice of the employee's intention to take leave. If the date of birth or placement of a child requires the employee's leave to begin in less than thirty (30) days from the date of notice to the Town, the employee must provide such notice as soon as practical. Where the necessity for leave is due to a family member's or an employee's own serious health condition and is foreseeable based on planned medical treatment, the employee must:~~

~~I. _____ give at least thirty (30) days' notice, or as soon as practical if treatment starts in less than thirty (30) days; and~~

~~II. _____ make a reasonable effort to schedule the treatment so as not to unduly disrupt the operation of the Town, subject to the approval of the healthcare provider.~~

~~Where the need for leave is unforeseeable, the employee must give notice as soon as practical. Any FMLA leave request based on a family member's or an employee's own serious health condition must be supported by certification from a healthcare provider. The employee must provide a copy of the certification to the Town in a timely manner; (Fifteen calendar days will be allowed to provide the certification.) Certification from the healthcare provider must contain:~~

~~I. _____ the date the serious health condition began;~~

~~II. _____ the possible duration of the condition;~~

~~III. _____ the appropriate medical facts regarding the condition;~~

~~IV. _____ if the leave is based on the care of a spouse, child or parent, a statement that the employee is needed to provide the care and an estimate of the amount of time that need will continue;~~

~~V. _____ if the leave is based on the employee's own serious health condition, a statement that the employee is unable to perform the functions of his/her job;~~

~~VI. _____ in the case of intermittent leave or leave on a reduced hours basis for planned medical treatment, the date and duration of the treatment should be specified; and~~

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING

AMENDMENTS **BOLDED & HIGHLIGHTED**, DELETIONS **CROSSED OUT**

VII. ~~in the case of intermittent leave or leave on a reduced hours basis for medical conditions that do not necessarily involve planned medical treatment, an estimate as to the anticipated frequency and timing of the absences should be given.~~

~~During FMLA leaves of absence, the Town will continue to pay its portion of the health insurance premium and the employee must continue to pay his/her share of the premium. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of any unpaid FMLA leave, the employee may be required to reimburse the Town for payment of health insurance premiums during the family leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job or circumstances beyond the control of the employee.~~

~~During FMLA leave, the employee shall not accrue employment benefits, such as vacation pay, sick pay, pension, etc. Employment benefits accrued by the employee up to the day on which the family leave of absence begins will not be lost.~~

~~The Town may require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work, and also periodic recertification of the medical condition. An employee taking leave due to the employee's serious health condition is required to obtain certification that the employee is able to resume work prior to the return from any FMLA leave. Employees with chronic or continuing health issues may be required to provide recertification every six (6) months.~~

~~Employees who return to work from FMLA leave within or on the business day following the expiration of the ten/twelve/twenty six (10/12/26) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.~~

~~Upon returning to work from a FMLA leave within or on the business day following the expiration of the ten/twelve/twenty six (10/12/26) weeks, up to two vacation days may be taken during the next 90 days.~~

~~Applications for FMLA leave must be submitted in writing and signed by the employee's immediate supervisor. Applications should be submitted at least thirty (30) days before the leave is to commence or as soon as possible if thirty (30) days notice is not possible. All necessary forms are available from the Town's designee. Appropriate forms must be submitted to the Town's designee to initiate a family leave and to return the employee to active status.~~

~~Each employee taking leave that meets the requirements for FMLA leave will be provided the "Response to Your Request for Leave" form. Other forms relating to FMLA leave can be obtained from the Town office.~~

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS BOLDED & HIGHLIGHTED, DELETIONS ~~CROSSED OUT~~

H: VICTIMS OF VIOLENCE LEAVE: (OLD G)

The Town will grant reasonable and necessary ~~unpaid~~ leave from work for eligible regular full-time and part-time employees who are victims of domestic violence, stalking, or sexual assault as provided for in State law Title 26 MRSA Section 850 (Employment Leave for Victims of Violence):

Leave will be granted for an employee to:

- I. Prepare for and attend court proceedings;
- II. Receive medical treatment or attend to medical treatment for a victim who is the employee's daughter, son, parent or spouse; or
- III. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The leave must be needed because the employee or the employee's daughter, son, parent or spouse is a victim of violence, assault, sexual assaults under Title 17A, Chapter 11, stalking or any act that would support an order for protection under Title 19A, Chapter 101. As soon as an employee becomes aware of the need of a leave of absence, they must make a written request for leave to his/her supervisor. This request shall be forwarded to the Town Clerk or the Town ~~Selectmen's~~ **Select Board's** designee for approval as soon as possible. The request must specify the length of leave requested, the reason for the leave, and estimated dates of departure and return. Employees utilizing such leave are required to use any banked and accrued vacation, sick ~~and/or compensation~~ time during such period(s). Employees who have no such leave banked and accrued shall receive unpaid leave.

I. **FAMILY SICK LEAVE: (OLD H)** An employee may use up to a maximum of forty (40) hours of "Family Sick Leave" per fiscal year due to the illness of a member of the employee's immediate family. "Immediate family" shall mean the following individuals living in the employee's household: spouse, domestic partner, father, mother, child, stepchild, or other family member. ~~Family Sick leave may also be used for transporting such immediate family members to health care appointments. Eligible employees may use such time for doctor, dental and other health care provider visits.~~ Employees utilizing such leave are required to use any banked and accrued vacation, sick ~~and/or compensation~~ time during such period(s). Employees who have no such leave banked and accrued shall receive unpaid leave.

J. **SCHOOL ACTIVITY LEAVE: (OLD I)** An employee may use up to a maximum of twelve (12) hours of his/her accrued sick leave per year for the purpose of attending their children's school activities. ~~Employees requesting leave for school activities are expected to notify their department head within forty-eight (48) hours before such leave is needed.~~ Employees utilizing such leave are required to use any banked and accrued vacation, sick ~~and/or compensation~~ time during such period(s). Employees who have no such leave banked and accrued shall receive unpaid leave.

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS BOLDED & HIGHLIGHTED, DELETIONS CROSSED OUT

Section 7. Time cards. (OLD SECTION 5)

All Town of Hollis employees' whether appointed or elected must complete a time card each week and sign it. The card should accurately reflect the number of hours in each category: regular, over time, sick, vacation, bereavement, holiday, and other. At least one member of the ~~Board of Selectman~~ **Select Board** shall review and approve the time cards each week. The ~~Selectmen~~ **Select Board** may review the data provided on the time cards, ~~meet with employees and make recommendations to the individual employee and/or the Budget Committee so that the pay reflects the number of hours actually worked~~ and meet with individual employees to provide recommendations as needed to accurately reflect time worked.

Section 8. Absence due to illness or disability. (OLD SECTION 4)

Any employee who is sick, ill or not able to function at a sufficient level to do the essential functions of their job ~~they were hired/elected to do~~ shall be considered absent due to illness. In certain circumstances, employees may be required to submit to a "fitness for duty" examination (see below) ~~If an employee whether appointed or elected has a medical condition or illness that keeps them out of work for five (5) consecutive days or more, they must provide the Town with a note from their doctor before returning to work. Any employee with an illness that could be contagious or hazardous to other employees must provide a doctor's note stating they are no longer contagious or a threat to other employees or the public before returning to work.~~ **or provide the Select Board with a note from their doctor releasing them to return to work.**

Certain absences due to illness or disability may also qualify for worker's compensation coverage, and/or may also qualify for Family and Medical Leave. In such event, the requirements of worker's compensation coverage and/or FML may also apply.

Fitness for Duty: All employees are expected to be physically and mentally fit to perform their jobs in a safe manner at all times. If the employee is not able to perform his or her job, or taking any medication that might affect their ability to do their job, the employee must inform their supervisor immediately. If a supervisor believes the employee is not fit to perform his or her duties, the employee may be relieved from duty and may be requested to undergo a medical examination to determine fitness for duty. This exam will be paid for by the Town, and the employee will be compensated during the exam period. Any employee who refuses to cooperate with a determination of whether he or she is fit for duty may be subject to corrective action, up to and including termination. If the employee is not fit for duty, he or she may be eligible for benefits, such as sick leave, family and medical leave, workers' compensation, or others as provided in this Ordinance. This Ordinance provision will be interpreted and applied so as to conform to applicable law, including the Americans with Disabilities Act, the Maine Human Rights Act, and the Family and Medical Leave Act, as and if applicable.

Section 9. Termination for failure to appear at work. (Old Section 7)

~~Except as provided for in any other part of this ordinance~~ **Any appointed** employee who fails to report to work for more than three (3) days without notice or excuse shall be terminated, except in circumstances where the employee is unable, through no fault of his/her own, to provide such timely notice.

PROPOSED AMENDMENTS FOR THE JUNE 13, 2023 ANNUAL TOWN MEETING
AMENDMENTS ~~BOLDED & HIGHLIGHTED~~, DELETIONS ~~CROSSED OUT~~

Section 10. Notice of termination of employment. (Old Section 8)

The ~~Board of Selectmen~~ **Select Board** shall notify the employee in writing that they are no longer employed by the Town of Hollis whenever an employee has reached the limit of their employment due to the provisions of this Ordinance.

Section 11. Filling positions vacated due to illness, disability or resignation of a Town Employee either appointed or elected. (Old Section 9)

Any position other than ~~Selectman~~ **Select Board** vacated for any reason shall be filled, either on a permanent or temporary basis depending on the circumstances, by an appointment of the ~~Board of Selectmen~~ **Select Board**. If the position is that of an elected office, the appointment will be until the next election, either November or June. The person hired would be an interim appointment for elected offices until another person is elected to fill the seat. In the event one of the ~~Selectmen~~ **Select Board** vacates or is removed from office, an election must be held as soon as reasonably possible to fill the seat.

Section 12. Severability. (Old Section 11)

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions of this Ordinance that can be given effect without the invalid provision or application.

Section 13. Effective Date. (Old Section 12)

This ordinance was voted in to enactment ~~shall become~~ effective November 7, 2012, **and was amended on June 13, 2023.**

RECEIVED

~~ORDINANCE REGARDING THE CIRCULATION OF PETITIONS~~

CIRCULATION OF PETITIONS ORDINANCE - TOWN OF HOLLIS, MAINE

~~Article I. Authority~~

~~This ordinance is enacted pursuant to 30-A M. R. S. A. Section 3001.~~

PURPOSE.

This ordinance is enacted pursuant to 30-A M.R.S.A. Section 3001 to inform the residents of the Town of Hollis the way in which they can circulate a citizen's petition pertaining to the Town to be included on the Annual Town Meeting warrant or considered at a Special Town Meeting for a vote. Residents shall review all applicable sections prior to initiating a petition to include 30-A M.R.S.A. Section 2522 and 2528 (5).

Any provisions in state law or other town ordinances would control the action taken by the citizen. If there is no specific guidance, the provisions of this ordinance prevail.

~~Article II. Applicability~~

~~This ordinance applies to any petition to be circulated in the Town of Hollis under state law regarding a local matter, including but not limited to petitions circulated pursuant to 30-A M.R.S.A. Section 2522 and 2528 (5), and to any petition to be circulated in the Town of Hollis under town ordinance. If there are provisions in state law or other town ordinances inconsistent with the provisions of this ordinance, the provisions in state law or other town ordinances control. If state law or town ordinances are silent on a particular provision of this ordinance control.~~

Article III. ~~Petition Process~~

PROCESS.

Petition Review:

- A. The petition shall commence ~~by~~ **with** the circulators of the petition filing a copy of the petition, including the text of the petitioned item and form of the signature pages, with the Town Clerk, who shall notify the municipal officers of the filing.

- B. All pages of the petition, including the text of the petitioned item and the signature pages, shall be uniform in size and style and shall be assembled for filing. The petition shall be examined by the town attorney prior to being circulated ~~before~~ **prior to being submitted to the voters—being circulated for signatures** to assure accuracy in its text and references, clearness and preciseness in **language its phraseology**, , and consistency with all federal, state, and local laws, ordinances, rules and regulations. ~~But~~ The town attorney shall not materially change its meaning and effect.

Circulation of the Petition:

During the circulation, the signature pages of the petition shall contain or have attached the full text of the petitioned item.

The petition shall be signed only by the voters of the town and shall include the address of each voter who signs.

Return to Town Clerk's Office:

The signed signature pages must be filed with the Town Clerk's Office within 90 days of the original filing with the Clerk. **Only the Town Clerk's Office can validate a petition.**

~~When the signature pages of the petition are filed with the Clerk, Each signature page shall have attached to it an affidavit executed by the circulator stating:~~

- ~~1-~~ a. That the circulator personally circulated the petition;
- ~~2-~~ b. That the signatures were affixed to the page in the circulator's presence;
- ~~3-~~ c. That the circulator believes each signature to be that of the person whose name it purports to be;
- ~~4-~~ d. That the signer, before signing, had an opportunity to read the full text of the petitioned item;

(Additions are **HIGHLIGHTED**. Deletions are ~~CROSSED OUT~~.)

5. e. The number of signatures on the page **are clearly labeled**.

~~Any~~ If the signed pages **are** not filed within 90 days of the original filing, the signed pages are invalid.

Inclusion in the Warrant:

After the Town Clerk's Office has validated the signatures, a copy of the petition shall be sent to the Select Board to be included on the Annual Town Meeting warrant for a vote.

If the Select Board elects to not include the petition on the warrant, the Select Board shall schedule a Special Town Meeting within 60 days of submission of the petition.

The ballot can not include a notation that the question is a petitioned question. A note may be placed on the warrant above or below the warrant article simply stating that the article was submitted by citizen petition.

If the question being submitted is an appropriation question, the recommendation of the Select Board and Finance Committee must be included on the ballot.

DONATION, GIFTS, REIMBURSEMENTS AND FEES ORDINANCE – TOWN OF HOLLIS

RECEIVED
APR 04 2023
BY: 

- I. Purpose:
 - a. To provide ongoing guidance for the use of any money or property that is donated, gifted, or bequeathed to the Town.
 - b. To provide guidance for utilization of money that is reimbursed to the Town either privately or by insurance settlements.
 - c. To provide guidance for utilization of money for fees collected by the Town.
- II. Policy:
 - a. Every town by ordinance may accept any money or property donated, devised, or bequeathed to it and carry out the terms of the donation, devise, or bequest, if within the powers granted by law.
 - b. All donations are based on the specific needs of the Town. Town employees and volunteers seeking donations/grants should receive prior approval by the Select Board.
 - c. This ordinance allows the Select Board to accept donations and gifts that are given to the Town and apply the donation/gift to the appropriate fund if specifics are included. If specifics are not included, the money will be placed in the General Fund.
 - d. This ordinance allows the Select Board to review specific reimbursable insurance settlements or discounts and apply the money as noted in the insurance settlement paperwork. If no specifics are included, the money will be placed in the General Fund.
 - e. This ordinance allows the Select Board to review requests for rental of Sports Complex Fields or other property and determine the price or conditions of use of the property. Any fees collected would be placed in the General Fund.
 - f. This ordinance allows the Select Board to review the specifics of any gift or donation and let the individual that is being donated know that the gift or donation will or will not be accepted by the Town. Specific reasons for not accepting a gift or donation should be cited to the individual.

- g. If the individual providing the gift or donation disagrees with the Select Board's decision not to accept the gift or donation, the individual may request that the issue be resolved at a Public Hearing.
- h. The Select Board utilizes the opportunity at Select Board meetings to thank individuals for their individual gift or donation. The individual or organization may be recognized in the Annual Town Report. The manner in which the individual is recognized is to the discretion of the Select Board or the group that has received the specific gift or donation.

