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Arrowsic Maine Annual Town Meeting Minutes 2017

Arrowsic, Me.

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Warrant for Town Meeting

Sagadahoc, ss:

To Dale Carlton, Constable for the Town of Arrowsic,
County of Sagadahoc, State of Maine:

Greetings:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of the Town of Arrowsic qualified by law to vote in Town affairs, to assemble at the Arrowsic Fire Station on Thursday, the 15th of June A.D. 2017, at six-thirty in the evening, to act on the following articles to wit:

ELECTIONS

Art. 1. To elect by ballot a Moderator to preside at said meeting.

Eloise Vitelli was nominated and seconded. There were no other nominations. She was elected unanimously by ballot.

Art. 2. To elect a Town Clerk for FY 2017-2018.

Barbara Boyce was nominated. There were no other nominations. Elected unanimously.

Art. 3. To elect by ballot, for a three-year term:

Selectman, Assessor & Overseer of the Poor,

Surveyor of Wood, Lumber, and Bark, Fence Viewer

Suzannah Heard was nominated. No other nominations were offered. Elected unanimously.

Art. 4. To elect for FY 2017-2018:

A Treasurer

Mary McDonald was nominated and seconded. No other nominations were made. Elected unanimously.

A Tax Collector

Liz Rollins was nominated and seconded. No other nominations were made. Elected unanimously.

Any other Town Officers - none.

Notes: FY 16-17 amounts reflect expenditures through 4/24/2017.

All articles reflect appropriations for fiscal year 2017-2018 unless otherwise noted.

Art. 5. To see if the Town will vote to raise and appropriate the sum of \$41,494 to pay the following salaries to the Town Officers: *Note: Salaries include employee FICA & Medicare taxes (7.65%).*

	FY 15-16	FY 16-17 as of 4/24/17	FY 17-18
Selectman Chair	6,497	6,497	6,497
Selectmen (2 @ \$3,750)	8,124	8,124	8,124
Town Clerk	4,873	4,873	4,873
Treasurer	4,873	4,873	4,873
Tax Collector	4,873	4,873	4,873
Registrar	541	541	541
LEMA Director	108	108	108
Shellfish Committee	0	0	0
Shellfish Warden	541	541	541
Codes Enforcement Officer	3,249	3,249	3,249
Constable	541	541	541
Animal Control Officer	541	541	541
Fire Chief	3,249	3,249	3,249
Deputy Chief	1,624	1,624	1,624
Captain (2 @ \$200)	217	217	434
Planning Board	541	541	541
Road Commission	433	433	433
Recycling	452	452	452
Board of Appeals	0	0	0
Conservation Commission	0	0	0
Totals	41,277	41,281	41,494

Motion made and seconded. Article 5 passed unanimously.

Art. 6. To see if the Town will vote to raise and appropriate the sum of \$1,850 to pay the following wages to Town Election Workers.

	FY 15-16	FY 16-17 as of 4/24/17	FY 17-18

Registrar	200	100	300
Deputy Registrar	300	200	250
Election Wardens	300	150	300
Election Clerks	250	200	500
Election Counters	245	290	500
Total	1,295	940	1,850

Motion made and seconded. Article 6 approved unanimously.

Art. 7. To see if the Town will vote to raise and appropriate the sum of \$4,000 to pay the payroll taxes on all of the salaries and wages paid (7.65%).

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
3,735	4,028	3,735	3,636	4,000

Motion made and seconded. Article 7 passed unanimously.

Art. 8. To see if the Town will vote to expend to the Town Codes Enforcement Officer, Town Clerk, and Tax Collector fees collected to these respective individuals in the form of wages.

Motion made and seconded. Article 8 approved with one no vote.

Art. 9. To see if the Town will vote to raise and appropriate the sum of \$14,000 for Fire Protection.

Motion made and seconded. Discussion followed.

Arrowsic Fire Chief, Dale Carlton, explained that the \$2,000 increase for FY 17-18 reflects the need for a new cold water rescue suite. The suit now in use, leaks. Dale is looking for a grant to help pay for 2 new suits.

Article 9 passed unanimously.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
12,000	12,885*	12,000	11,543	14,000

* Includes \$885 funded through grants.

Art. 10. To see if the Town will vote to appropriate the sum of \$46,000 from **surplus** for the Fire Department Capital Improvement Fund. Current fund balance: **\$162,147.**

Motion made and seconded. The Select Board explained that this is a set aside to reach the amount approved last year for a new mini pumper.

Article 10 passed unanimously.

Art. 11. To see if the Town will vote to raise and appropriate the sum of \$6,000 to provide the Town with Ambulance Service.

Motion made and seconded. Article 11 approved unanimously.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
6,500	6,919	6,500	3,645	6,000

Art. 12. To see if the Town will vote to expend the following amount from the Scholarship Fund for the purpose of providing scholarships to worthy and deserving students from the Town pursuing post-secondary education at an accredited educational institution; to be selected by the Selectmen on the recommendations of the Education Committee.

Motion made and seconded. Discussion followed.

Two Arrowsic seniors will be receiving scholarships totaling \$1,200. This recipients are Henry Briggs and Taylor Shaw. The Education Committee Yard Sale raised a record \$770 which will support the Scholarship Fund.

Samantha Mulch requested that the Education Committee be allowed to make a presentation before voting. Camille Kauffinger narrated an informative video highlighting the year's Education Committee activities.

Article 12 was approved unanimously.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
3,600	2,400	2,400	1,200	3,600

Art. 13. To see if the Town will vote to authorize the Selectmen to accept donations to the Arrowsic Scholarship Fund and to provide appropriate receipts thereof.

Motion made and seconded. Article 13 passed unanimously.

Art. 14. To see if the Town will vote to raise and appropriate the sum of \$250 for the Miscellaneous Expenses of the Education Committee.

FY 15-16		FY 16-17 As of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
250	0	250	0	250

Motion made and seconded. Article 15 was approved unanimously.

Art. 15. To see if the Town will vote to raise and appropriate the sum of \$58,050 for general maintenance and repair of Town Ways and other Properties, including snow removal. The amount to be raised takes into consideration the use of Town excise taxes and the MDOT Block Grant to cover Road expenses.

	FY 15-16 Actual	FY 16-17 as of 4/24/17	Request for FY 17-18
Expenses	161,879	92,702	163,450
Excise Tax	112,303	88,801	97,500
MDOT Block Grant	7,992	7,956	7,900

Road Commission Proposed Budget 2017-2018	
General Maintenance	5,500

Culverts	4,500
Roadway Grading/Rebuild	10,000
Asphalt and Gravel Maintenance	3,500
Road Sign Replacement	1,500
Paving	50,000
Emergency	6,000
Snowplow	82,450
Total	163,450
Appropriations:	
Excise Tax	(97,500)
MDOT Block Grant	(7,900)
Amount to be Raised:	58,050

Motion made and seconded. Discussion followed.

Jim Stump, Town Road Commissioner, presented an overview of improvements made this year and scheduled for the future. The 3 year contract for snow removal has been renewed with Charlie Collins. The Committee has been addressing, with the State, the safety issues at the intersection of Routes 1 and 127. The recent addition of lane markings has not proven effective. The Committee will continue to work with the State to explore ways to make the entrance onto Rt. 1 safer. Also discussed, was the limited site lines on Old Stage Road at the intersection of Rt. 127. The committee is considering removing small trees at the end of Old Stage Road.

There being no further discussion, the motion was approved unanimously.

Art. 16. To see if the Town will vote to raise and appropriate the sum of \$11,500 to cover the costs of recycling and other related activities.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
8,400	8,592	11,500	7,367	11,500

Motion made and seconded. Katie Smith of the Recycling Committee reported that the Town Recycling Committee reported that the Town recycling contractor, R.C. Rogers, will not be raising the recycling fee; however, the trash disposal rate will go up from \$70 to \$70.70 per ton.

Article 16 passed unanimously.

Art. 17. To see if the Town will vote to raise and appropriate the sum of \$27,000 to cover the costs of solid waste disposal.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
30,000	25,668	28,000	18,855	27,000

Motion made and seconded. Article 17 passed unanimously.

Art. 18. To see if the Town will vote to raise and appropriate the sum of \$3,000 for disposal of septage waste.

Motion made and seconded. Article 18 passed unanimously.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
2,500	3,446	2,500	2,586	3,000

Art. 19. To see if the Town will vote to raise and appropriate the sum of \$4,000 for Municipal utilities.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
4,500	3,355	4,000	2,652	4,000

Motion made and seconded. Article 18 approved unanimously.

Art. 20. To see if the Town will vote to raise and appropriate the sum of \$3,500 for improvements and maintenance expenses of Town properties.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
5,000	5,069	5,000	763	3,500

Motion made and seconded. Article 19 was approved unanimously.

Art. 21. To see if the Town will vote to appropriate \$10,000 from **surplus** to contribute to the Town Capital Improvements Fund for future capital improvement projects. Current fund balance: \$46,583.

Motion made and seconded. Article 20 approved unanimously.

Art. 22. To see if the Town will vote to raise and appropriate the sum of \$525 for the purpose of providing animal control support services including housing and sheltering of stray animals.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
427	595	427	427	525

Motion made and seconded. Jerry Pieh spoke in support of the Article. Article 22 passed unanimously.

Art. 23. To see if the Town will vote to raise and appropriate the sum of \$2,000 for assessing expenses, including an Assessor's Agent.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
3,400	3,400	2,000	1,500	2,000

Motion made and seconded. Article 23 passed unanimously.

Art. 24. To see if the Town will vote to appropriate \$6,300 from **surplus** to add to the dedicated fund for the future revaluation of town properties by a licensed assessor. Total cost is projected to be \$41,300. Current fund balance is \$35,000.

Motion made and seconded. Article 24 passed unanimously.

Art. 25. To see if the Town will vote to raise and appropriate the sum of \$7,900 for the Auditor’s Report and associated services.

Motion made and seconded. Article 25 approved unanimously.

Art. 26. To see if the Town will vote to raise and appropriate the sum of \$9,200 for Insurance.

FY 15-16		FY 16-17 As of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
9,000	8,830	9,000	9,100	9,200

Motion made and seconded. Article 26 passed unanimously.

Art. 27. To see if the Town will vote to raise and appropriate the sum of \$5,000 to provide Legal Services.

FY 15-16		FY 16-17 As of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
5,000	0	5,000	1,591	5,000

Motion made and seconded. Article 27 passed unanimously.

Art. 28. To see if the Town will vote to raise and appropriate the sum of \$12,000 for Administration expenses such as bank service charges, office supplies, postage, printing, software, payroll processing, small dues and training, small repairs, travel reimbursements, and computer expenses.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
9,000	10,096	10,000	9,914	12,000

Motion made and seconded. Article 28 approved unanimously.

Art. 29. To see if the Town will raise and appropriate the sum of \$200 for expenses related to the publishing of "The Arrowsic Arrow."

Motion made and approved. Article 29 passed unanimously.

Art. 30. To see if the Town will vote to raise and appropriate the sum of \$3,500 for printing the Annual Report.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
3,200	3,117	3,500	0	3,500

Motion made and approved. Article 30 approved unanimously.

Art. 31. To see if the Town will vote to raise and appropriate the sum of \$1,550 for professional dues including for the Maine Municipal Association.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
1,500	1,415	1,500	1,474	1,550

Motion made and approved. Article 31 passed unanimously.

Art. 32. To see if the Town will vote to raise and appropriate the sum of \$5,000 for Contingent Expenses. The Town utilized \$3,344 from contingency in FY 2015-2016 to cover the portion of expenditures that exceeded particular line items that year.

FY 15-16		FY 16-17 As of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
4,000	0	3,500	217	5,000

Motion made and seconded. Article 32 passed unanimously.

Art. 33. To see if the Town will vote to raise and appropriate the sum of \$1,000 for the Miscellaneous Expenses of the Planning Board.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
1,000	1,133	1,000	278	1,000

Motion made and seconded. Article 33 approved unanimously.

Art. 34. To see if the Town will vote to raise and appropriate the sum of \$100 for the Miscellaneous Expenses of the Zoning Board of Appeals.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
120	105	100	0	100

Motion made and seconded. Article 34 passed unanimously.

Art. 35. To see if the Town will vote to raise and appropriate the sum of \$400 for the Miscellaneous Expenses for the Conservation Commission.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
400	93	400	62	400

Motion made and seconded. Article 35 passed unanimously.

Art. 36. To see if the Town will vote to appropriate the sum of \$600 from the **dedicated Shellfish Conservation Fund** for the Miscellaneous Expenses of the Shellfish Conservation Committee and the Shellfish Warden.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
500	775	800	342	600

Motion made and seconded. Article 36 approved unanimously.

Art. 37. To see if the Town will vote to raise and appropriate the sum of \$100 for the Miscellaneous Expenses of the Local Emergency Management Agency.

FY 15-16		FY 16-17 as of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
100	0	100	0	100

Motion made and seconded. Article 37 passed unanimously.

Art. 38. To see if the Town will vote to raise and appropriate the sum of \$100 for the Miscellaneous Expenses of the Local Health Officer.

FY 15-16		FY 16-17 As of 4/24/17		FY 17-18
Request	Actual	Request	Actual	Request
0	0	0	0	100

Motion made and seconded. Article 38 approved unanimously.

Art. 39. To see if the Town will vote to appropriate from **surplus** the sum of \$7,404 for the Patten Free Library.

Motion made and seconded. Article 38 passed unanimously.

Art. 40. To see if the Town will vote to appropriate from **surplus** the sum of \$5,450 to fund the following non-profit organizations:

	FY 15-16	FY 16-17	FY 17-18
Bath Food Bank	300	350	400
Bath Freight Shed Alliance	120	100	100
Bath Area Senior Citizens, Inc.	300	350	400
Bath Area Family YMCA	300	350	400
Big Brothers/Big Sisters of Bath-Brunswick	300	350	400
Citizens for Squirrel Point	100	100	100
Elmhurst Assn. for Retarded Citizens, Inc.	300	350	400
Friends of the Doubling Point Light	100	100	100
Georgetown Historical Society	100	100	100
Kennebec Estuary Land Trust	300	300	300
LifeFlight Foundation	100	100	100
Maine Public Broadcasting	250	250	250
Maine's First Ship	100	100	100
MCM Community Action	300	350	400
Maine Chapter Red Cross	100	100	100
New Hope for Women	200	350	400
SEARCH-GB (formerly GBEON)	100	100	100
Spectrum Generations (Meals on Wheels)	300	350	400
Sweetser	100	350	400
Tedford Housing	200	350	400
The Range Light Keepers	100	200	100
Totals	4,070	5,050	5,450

Motion made and seconded. Article 40 approved unanimously.

Art. 41. To see if the Town will vote to draw from **surplus** such funds as necessary to meet the Town's legislated responsibilities for providing General Assistance in accordance with the Town's General Assistance Ordinance passed in 2016. (Actual 16-17, \$0).

Motion made and seconded. Article 41 passed unanimously.

Art. 42. To see if the Town will vote to draw from **surplus** such funds as necessary to meet the Town's responsibilities for uncollectible ambulance fees. (Actual 16-17 \$0).

Motion made and seconded. Article 42 approved unanimously.

Art. 43. To see what sum the Town will vote to appropriate from **surplus** for reducing the amount of money to be raised by taxes. Selectmen recommend \$0.00.

Motion made and seconded. Article 43 passed unanimously.

Art. 44. To see if the Town will vote to increase the property tax levy limit of \$244,747 established for the Town by State law, in the event that the municipal budget approved under the preceding articles results in a tax commitment that is greater than this property tax levy limit.

Motion made and seconded. Article 44 approved unanimously.

Art. 45. To see if the Town will vote to keep the Town alewife and blueback herring resource closed to harvesting during the 2018 season for conservation purposes.

Motion made and seconded. Article 45 passed unanimously.

Art. 46. Shall an ordinance entitled 'Restricting Vehicle Weight on Posted Ways' be enacted? (A copy of the ordinance is Appendix A of this warrant and hereby incorporated into this warrant by reference).

Motion made and seconded. Article 46 approved unanimously.

Art. 47. Shall an ordinance entitled 'Town of Arrowsic Solid Waste Ordinance be enacted? (A copy of the ordinance is Appendix B of this warrant and hereby incorporated into this warrant by reference).

Motion made and seconded. Article 47 passed unanimously.

Art. 48. To see if the Town will vote to accept the categories of State funding listed below, as provided by the Maine State Legislature.

State Municipal Revenue Sharing	Estimated	9,550
MDOT Block Grant	Estimated	7,900
Tree Growth Reimbursement	Estimated	900

Veterans Exemption Reimbursement	Estimated	200
Snowmobile Registration Revenues	Estimated	100
Homestead	Estimated	21,250
State grants or other funds not included above		Unknown

Motion made and seconded. Article 48 passed unanimously.

Art. 49. To see if the Town will vote to continue to allocate all revenues from the sale of shellfish licenses, and any fines received for violation of the Shellfish Conservation Ordinance, to the dedicated Shellfish Conservation Fund, to be used by the Shellfish Conservation Committee for shellfish management, conservation, and ordinance enforcement.

Motion made and seconded. Article 49 approved unanimously.

Art. 50. To see if the Town will vote to collect all Watercraft Excise Taxes in a dedicated Water Access Fund. Current fund balance: \$76,586.

Motion made and seconded. Article 50 approved unanimously.

Art. 51. To see if the Town will vote to allocate all revenues from dog license fees to a dedicated Animal Control Account and authorize the Selectmen to draw from that account for the purpose of funding animal control work in town.

Motion made and seconded. Article 51 passed unanimously.

Art. 52. To see if the Town will vote to allow the Selectmen to accept and expend the following monies: miscellaneous contributions, donations, grants and reimbursements.

Motion made and seconded. Article 52 approved unanimously.

Art. 53. To see if the Town will vote to authorize the Selectmen to draw from **surplus** such funds as necessary for tax abatements due to overpaid taxes.

Motion made and seconded. Article 53 passed unanimously.

Art. 54. To see if the Town will vote to authorize the Selectmen on behalf of the Town to sell and dispose of any real estate acquired by the Town for nonpayment of taxes, on such terms as they deem advisable, and to execute quit-claim deeds for such property.

Motion made and seconded. Article 54 approved unanimously.

Art. 55. To see if the Town will vote to allocate all proceeds from the sale of tax delinquent property to the Undesignated Surplus.

Motion made and seconded. Article 55 passed unanimously.

Art. 56. To see if the Town will vote to authorize the Selectmen to borrow money from time to time in anticipation of taxes.

Motion made and seconded. Article 56 approved unanimously.

Art. 57. To see if the Town will vote to authorize the Selectmen to utilize balances in Town dedicated funds to postpone or eliminate the need to borrow in anticipation of taxes. Funds reduced in this way would be restored with incoming tax revenues.

Motion made and seconded. Article 57 passed unanimously.

Art. 58. To see what sum the Town will vote to authorize for Annual Interest on all taxes paid 60 days after posting.

Selectmen recommend 4.0% (State Maximum Allowed—7%).

Motion made and seconded. Article 58 approved unanimously.

Art. 59. To see what date the Town will select for the 2018 Annual Town Meeting. Selectmen recommend Thursday, June 14, 2018, at 6:30 PM.

Motion made and seconded. Article 59 passed unanimously.

Meeting adjourned at 8:35 PM.

Selectmen:

Michele Gaillard

Suzannah Heard

William Savedoff

Appendix A.

Town of Arrowsic Road Commission
Proposed Ordinance Restricting Vehicle Weight on Posted Ways

Section 1. Purpose and Authority

The purpose of this "Ordinance Restricting Vehicle Weight on Posted Ways" (hereinafter, the "Ordinance") is

to prevent damage to town ways and bridges in the Town of Arrowsic which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of town ways and bridges, and to reduce the public expense of their maintenance and repair. This Ordinance is adopted pursuant to 30-A M.R.S.A. § 3009 and 29-A M.R.S.A. §§ 2395 and 2388.

Section 2. Definitions

The definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Section 3. Restrictions and Notices

The municipal officers may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.

Pursuant to 29-A M.R.S.A. § 2395, the notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signatures of the municipal officers. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way

Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Section 4. Exemptions

The following vehicles are exempt under State law:

Any vehicle delivering home heating fuel and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for residential or agricultural purpose and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4-A).

The following vehicles are also exempt to weight limitations on town ways and bridges imposed by the municipal officers; such limitations shall not apply to weight limitations imposed by the MDOT or where the limit has been posted as an emergency weight limit in the interest of public safety:

1. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
2. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle. This exemption does not apply to special mobile equipment. It shall be a defense to a violation of this sub-section if the combined weight of any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and its load is in fact less than 23,000 pounds.
3. MaineDOT vehicles or other vehicles authorized by MaineDOT or a municipality or county to maintain the roads under their authority.

4. Authorized emergency vehicles as defined in 29-A M.R.S.A. § 2054, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or less under the direction of a public utility and engaged in utility infrastructure maintenance or repair.
5. Any two axle vehicles registered for a gross weight in excess of 23,000 pounds and less than or equal to 34,000 pounds that are carrying any of the Special Commodities may operate without a permit. Special Commodities includes any of the following:
 - a. Home delivered heating fuel (oil, gas, coal, stove size wood that is less than 36" in length, propane and wood pellets);
 - b. Petroleum products;
 - c. Groceries;
 - d. Bulk milk;
 - e. Solid waste;
 - f. Animal bedding;
 - g. Returnable beverage containers;
 - h. Sewage from private septic tanks or porta-potties; or
 - i. Medical gases.

Section 5. Permits

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

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

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

In determining whether to issue a permit, the municipal officers shall consider the following factors:

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

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

Section 6. Administration and Enforcement

This Ordinance shall be administered and may be enforced by the municipal officers or their duly authorized designee [such as road commissioner, code enforcement officer or law enforcement officer].

Section 7. Penalties

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$1000.00. Each violation shall be deemed a separate offense. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court.

Section 8. Amendments

This Ordinance may be amended by the municipal officers at any properly noticed meeting.

Section 9. Severability; Effective Date

In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Ordinance shall take effect immediately upon enactment by the municipal officers at any properly noticed meeting.

Appendix B.

Town of Arrowsic Solid Waste Ordinance

Purpose:

To provide the Town of Arrowsic (Town) with convenient and cost-effective services which support the Town's sustainability efforts by promoting waste reduction, product reuse, recycling, and composting programs.

Authority:

This ordinance is adopted pursuant to Home Rule powers as granted in Article VIII-A of the Maine Constitution, Title 30, M.R.S.A. Sections 1917 and 2151, and Title 38, M.R.S.A. Section 1305.

The Select Board of the Town of Arrowsic (Select Board) will administer and enforce the provisions of this ordinance.

Applicability:

This ordinance shall apply to all persons residing and/or generating waste in the Town.

Composition:

The Select Board shall appoint seven members to serve on The Recycling/Solid Waste Committee (Committee) on such matters related to recycling, composting, and waste management.

Member's initial terms of office are two one-year positions, two two-year positions, and three three-year positions. All terms will be three years thereafter, to provide rolling terms of office. Vacancies in membership shall be filled in the same manner and for the balance of the term of the original appointment.

Officers of the Committee shall be a Chairperson, Vice-chairperson, and Secretary, selected annually by the members of the Committee.

The Chairperson, in addition to duties imposed by law, shall convene the Committee on a regularly scheduled basis, preside over the meetings, and be an ex-officio member of all subcommittees.

The Vice-chairperson shall preside at all meetings of the Committee in the absence of the Chairperson.

The Secretary shall keep an accurate record of the proceedings, shall provide a copy to the Select Board and Town Webmaster, and perform all other duties imposed by law.

A majority of the members of the Committee shall constitute a quorum and shall be sufficient to direct the activities and decisions of the Committee.

Subcommittees may be created by vote of the Committee and may be populated by non-Committee Arrowsic residents.

Provisions:

The Committee, in consultation with the recycling service provider, will determine which materials are required to be recycled. The Committee will then provide a list of these materials to the Select Board for approval. Upon approval of the list, it shall be made available to the public and shall be publicized in a reasonable and effective manner, including, but not limited to, a printed brochure, e-mail to the Town, and posting on the Town website.

All persons residing in the Town and/or generating waste in the Town shall thereafter separate such "recyclable materials" from other waste and shall recycle the materials in accordance with procedures approved and publicized by the Select Board, based on the recommendations of the Committee.

Any person who fails to recycle in accordance with these provisions shall not be entitled to receive solid waste disposal services from the Town service provider. Such failure may be determined by the Town service provider who shall then withhold solid waste disposal services from the offender. The determination may be reviewed by the Select Board upon written request.

Any person who fails to recycle in accordance with these provisions shall also be liable for a monetary fine of up to \$10 per day per incident, beginning three days after the Select Board mails written notice of the violation to the offender. The Select Board shall enforce the provisions of this ordinance and may institute legal action under Maine Court Rule 80K.

Validity and Severability:

Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of the ordinance.

Conflict with Other Articles:

Whenever the requirements of this ordinance are inconsistent with the requirements of any other ordinance, code, or statute, the more restrictive requirements shall apply.

