

Town of Wayne Board of Selectmen

MEMBERS: Gary Kenny, Stephanie Haines, Don Welsh, Jon Lamarche and Trent Emery

Meeting Agenda

Date: Tuesday, January 10, 2017

Time: 6:30 PM

Place: Wayne Elementary School – Gymnasium

Call Meeting to Order.

Pledge of Allegiance.

Selectmen Present / Quorum.

Meeting Minutes.

- a. Consider approving of meeting minutes of the Wayne Board of Selectmen – December 13, 2016.**

Manager Recommendation: Move the Board to approve meeting minutes of the Wayne Board of Selectmen – December 13, 2016.

Warrants.

- b. Consider approving of Payroll Warrant #29 (Dec. 27, 2016)**

Manager Recommendation: Move the Board to approve Payroll Warrant #29 in the amount of \$6,466.82.

- c. Consider approving of Accounts Payable Warrant #30 (Dec. 27, 2016)**

Manager Recommendation: Move the Board to approve Accounts Payable Warrant #30 in the amount of \$13,808.25.

- d. Consider approving of Payroll Warrant #31**

Manager Recommendation: Move the Board to approve Payroll Warrant #31 in the amount of \$6,146.16.

- e. Consider approving of Accounts Payable Warrant #32.**

Manager Recommendation: Move the Board to approve Accounts Payable Warrant #32.

Business Agenda.

- a. Consider Wayne Library Association's, "Application for License for Incorporated Civic Organization" for Hungarian Dinner on February 11, 2017 at Williams House.**

Manager Recommendation: Move the Board to approve Wayne Library Association's, "Application for License for Incorporated Civic Organization" for Hungarian Dinner on February 11, 2017 at Williams House.

- b. Open Space Committee Presents Options for the Town Property on House Road.**

Manager Recommendation: Move the Board to endorse the Open Space Committees recommendations and authorize a team to negotiate the sale of the House Road property to KLT.

c. Discuss Maranacook Regional Recycling & Solid Waste Facility Agreement

Manager Recommendation: Take any action as needed.

d. Update on Winter Lot Maintenance and Winter Highway Maintenance Contracts

Manager Recommendation: Take any action as needed.

e. Discuss Winter Maintenance of Footbridge.

Manager Recommendation: Take any action as needed.

f. Consider Capital Improvements to Ladd Recreation Center – Tennis Court and Basketball Court.

Manager Recommendation: Take any action as needed.

g. Discuss Legalization of Marijuana in Maine.

Manager Recommendation: Take any action as needed.

h. Consider Spirit of America Recipients, and Town Report Dedications.

Management Recommendation: Take any action as needed.

Supplements and Abatements.

- Rosanne Graef, Map 003 – Lot 009, Abatement \$2,144.42

Town Manager Report.

Board Member Reports.

Public Comments.

Adjourn.

The next regularly scheduled **Board of Selectmen Meeting** is scheduled for **Tuesday January 24, 2017** at **6:30 PM** at the Wayne Elementary School - Gymnasium.

**Town of Wayne, Maine
Select Board Meeting Minutes
Tuesday December 13, 2016
Wayne Elementary School**

Call Meeting to Order/ Selectmen Present

Gary Kenny determined quorum and called meeting to order at 6:31 PM with the following members present: Gary Kenny, Stephanie Haines, Don Welsh, and Trent Emery. Jonathan Lamarche was absent.

Others Present: Aaron Chrostowsky, Town Manager and Cathy Cook, Town Clerk
Audience: Robert Stephenson

Pledge of Allegiance

Meeting Minutes

- a. The Board moved to approve meeting minutes with changes of the Board of Selectmen for November 29, 2016. (Welsh/ Haines) (4/0).

Warrants

- a. The Board approved Warrant #25 (Payroll) in the amount of \$13,543.62. (Welsh/Haines) (4/0).
- b. The Board approved Warrant #26 (Payroll) in the amount of \$6,611.86. (Welsh/Haines) (4/0).
- c. The Board approved Warrant #27 (Payroll) in the amount of \$215,531.77. (Welsh/Haines) (4/0).

Business Agenda

- a. The Board moved to authorize Town Manager to advertise bids for Winter Lot Maintenance, and to allow Fire Department to hire their own contractor due to request of Fire Chief. (Welsh/Emery) (3/1) Haines abstained due to potential conflict of interest with Fire Chief.
- b. Discussion Legalization of Marijuana in Maine. Town Manager to stay informed as State makes laws/ rules so Wayne can begin discussing possible town rules.
- c. Discussion Wing Cemetery and Town Manager to contact Wing associations to alert them of Schultz's intentions to ask Town of Wayne to take over ownership for maintenance purposes.
- d. Discussion Maranacook Regional Recycling & Solid Waste Facility Agreement.

Abatements/Supplements: None

Town Manager Report:

Selectboard Meeting Minutes – December 13, 2016

Town Manager reviewed draft Town Policy regarding brush/tree removal in Town Right-of-Way.

Board Member Reports: None

Public Comments: None

Adjourn.

Motion to Adjourn at 8:20 PM. (Welsh/Hanies) (4/0)

The next regularly scheduled Select Board Meeting will be Tuesday, January 10, 2017 at 6:30 p.m. at the Wayne Elementary School Gymnasium.

Recorded by:
Cathy Cook, Town Clerk

Select Board Members

Gary Kenny

Stephanie Haines

Don Welsh

Jonathan Lamarche

Trent Emery



**Bureau of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement**

**Application for License for
Incorporated Civic Organization**

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

**\$50.00 Fee / \$10.00 Filing Fee - Check Payable: Treasurer, State of Maine
72 Hours in Advance of Said Event or Gathering is REQUESTED.**

1. Full Name of Applicant: Wayne Library Association
(Corporate Name)

Corporate Address: 17 Old Winthrop Road Wayne Maine 04284
Street Address City/Town State Zip Code

Authorized Corporate Office: Wayne Library Association

Address: 17 Old Winthrop Road Wayne Maine 04284
Street Address Town/City State Zip Code

Telephone Number: 207 685 3612 Fax: n/a

Email Address (Please print): jadelbergcml@gmail.com

INFORMATION PERTAINING TO SPECIAL EVENTS OR GATHERINGS

2. Title and Purpose of Event: Hungarian dinner and talk/fund raiser for the Cary Memorial Library in Wayne

Date of Event: 2/11/17 (snow date 2/12/17) Time: From: 5 pm AM/PM To: 9 pm AM/PM

Multi Day Event: Start Date _____ End Date _____ (one per year)

Time: From: _____ AM/PM To: _____ AM/PM

Inside Outside Event (attach diagram of area)

Location of Event: Williams House, 14 Old Winthrop Road, Wayne, Maine 04284

Number of Persons Attending: 35

Name and Address of Sponsor: Wayne Library Association

Address: 14 Old Winthrop Road Town/City: Wayne State: Maine

Name and Address of Caterer: n/a

Address: _____ Town/City: _____ State: _____

(If other than licensee): _____

(If food is to be served): _____

Type of building to be occupied: residential building

Area to be licensed: first floor interior

Payments to the Division of liquor licensing & enforcement by check subject to penalty provided by Section 3-B of Title 28A, MRS

The Division of Liquor Licensing & Enforcement 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.

Dated at: Wayne, Maine on January 6, 2017
Town/City, State Month/Day

This application must be signed by a duly authorized officer of the corporation executing the application and approved by the Municipal Officer or County Commissioners and filed with the Division.

Wayne Library Association

NAME OF CORPORATION
BY: Judith Danielson
CORPORATE OFFICER'S SIGNATURE - TITLE

Judith Danielson, Chair
PRINTED NAME & TITLE

If said event or gathering is located in an unincorporated place, the application must be approved by the County Commissioners of the County wherein the event or gathering is to take place and the above approval form may be changed in accordance with the fact. ***Please enclose a copy of the receipt from the County Commissioners.***

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

TO MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

This application must be approved by the Municipal Officers, or a municipal official designated by the municipal officers, of the municipality in which the proposed additional licensed premises are located, which, notwithstanding section 653, may be granted without public notice.

STATE OF MAINE

Dated at: Wayne, Maine Kennebec ss
City/Town (County)

On: January 10, 2017
Date

The undersigned being: Municipal Offices County Commissioners of the

City Town Plantation Unincorporated Place of: Wayne, Maine

Signature	Print

For Office Use Only:		
Date Filed: _____	Date Issued: _____	Issued By: _____
<input type="checkbox"/> Approved		<input type="checkbox"/> Not Approved

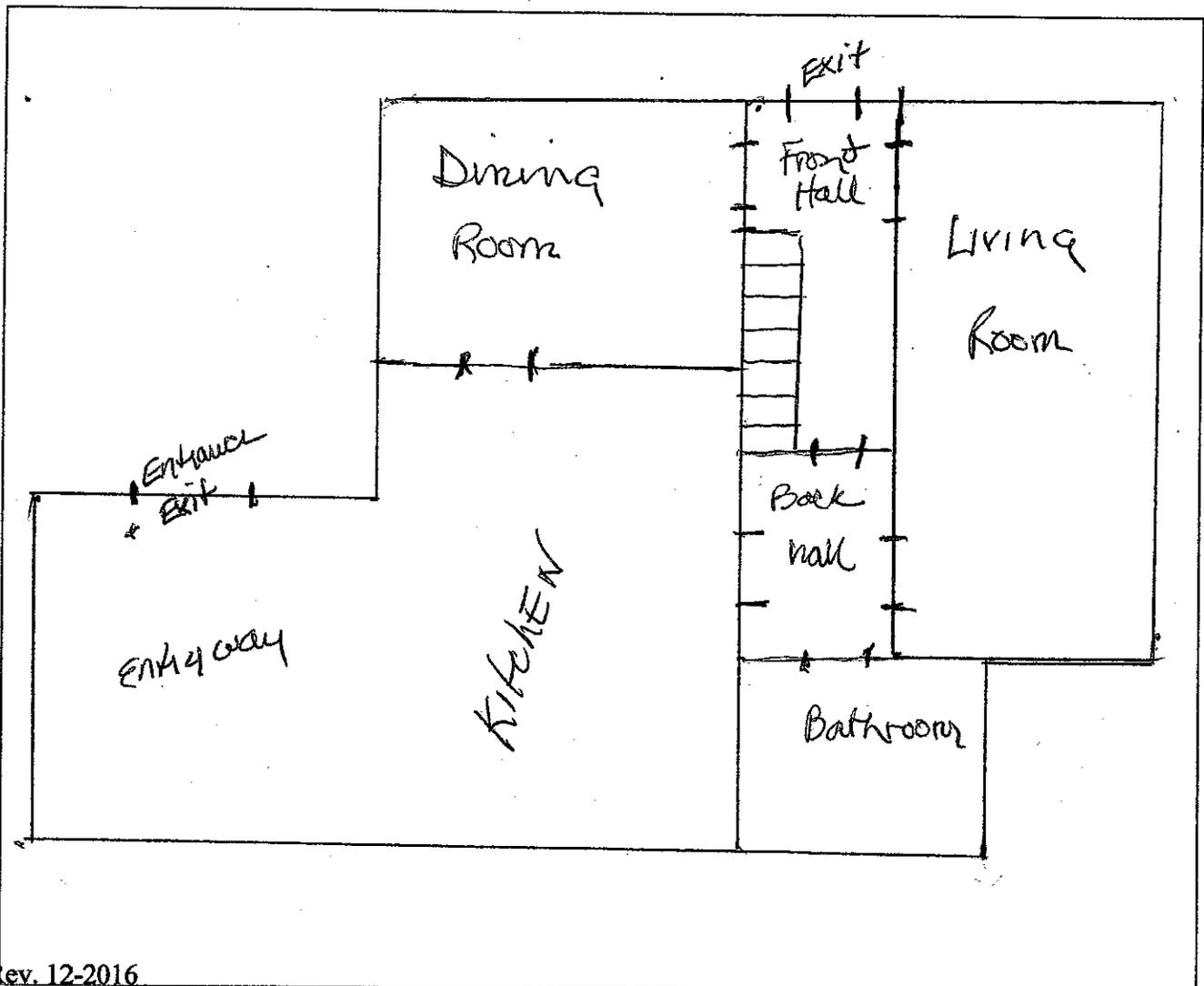
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON or OFF PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



Wayne Open Space Committee.
Considering Options for the Town Property on House Road.

Areas of Agreement as of January 5, 2017

DRAFT 2 for committee comment

- The property should be managed for conservation due to its conservation values and in furtherance of the land conservation goal adopted by the Town in the Comprehensive Plan.
- The Town should not pursue a goal of using the property to maximize income.
- The value of the Town's "investment" in the property is approximately \$70,000. This includes the taxes that were not collected from the previous owner, taxes not collected while the Town has owned it, and legal costs incurred throughout the process of acquiring the property through a tax lien, negotiating with the landowner in an attempt to conditionally return the property to him, and in quieting the title.
- "Squaring off" of the boundaries through the sale of one to three small, non-buildable parcels to enhance effective management of the property should be considered.
- "On balance" the committee prefers to achieve conservation management by selling the property in fee to a conservation organization. The objectives would be to recoup the Town's "investment" in the property, to avoid potential future costs of management, and to have the property managed by an organization experienced in conservation and low impact recreation management.
- There should be a defined period of time for the conservation organization to raise the money to purchase the property, such as up to two or three years.
- The Kennebec Land Trust (KLT) is the best, most appropriate conservation organization for the Town to work with to achieve the goals for the property.

The Committee recommends to the Select Board that they:

- A. Endorse the above items that the Committee has come to agreement on, and
- B. Establish a team to present to KLT an offer to sell the property.

Town of Wayne

Wilson Pond Lot (Map/Lot: 003-037) Expenses

Property Taxes

Year	Assessment	Mil Rate	Original Tax¹
2016	\$399,400	\$14.84	\$5,927.10
2015	\$399,400	\$14.57	\$5,819.26
2014	\$399,300	\$14.37	\$5,737.94
2013	\$399,400	\$14.20	\$5,671.48
2012	\$399,400	\$14.05	\$5,611.57
2011	\$399,400	\$14.05	\$5,611.57
2010	\$399,400	\$14.05	\$5,611.57
2009	\$399,400	\$13.55	\$5,411.87
Subtotal			\$45,402.36

Legal Expenses

Fiscal Year	Amount
FY '16-'17	\$3,599.54 ²
FY '15-'16	\$14,765.81 (\$11,477.81 ²)
FY '14-'15	\$5,897
Subtotal	\$24,262.35

Totals

Property Taxes	\$45,402.36
Legal Expenses	\$24,262.35
Grand Total	\$69,664.71

Notes:

- 1 – Original tax without interested assessed
- 2 – Quiet-the-Title process cost \$15,077.35



Wilson Pond Lot

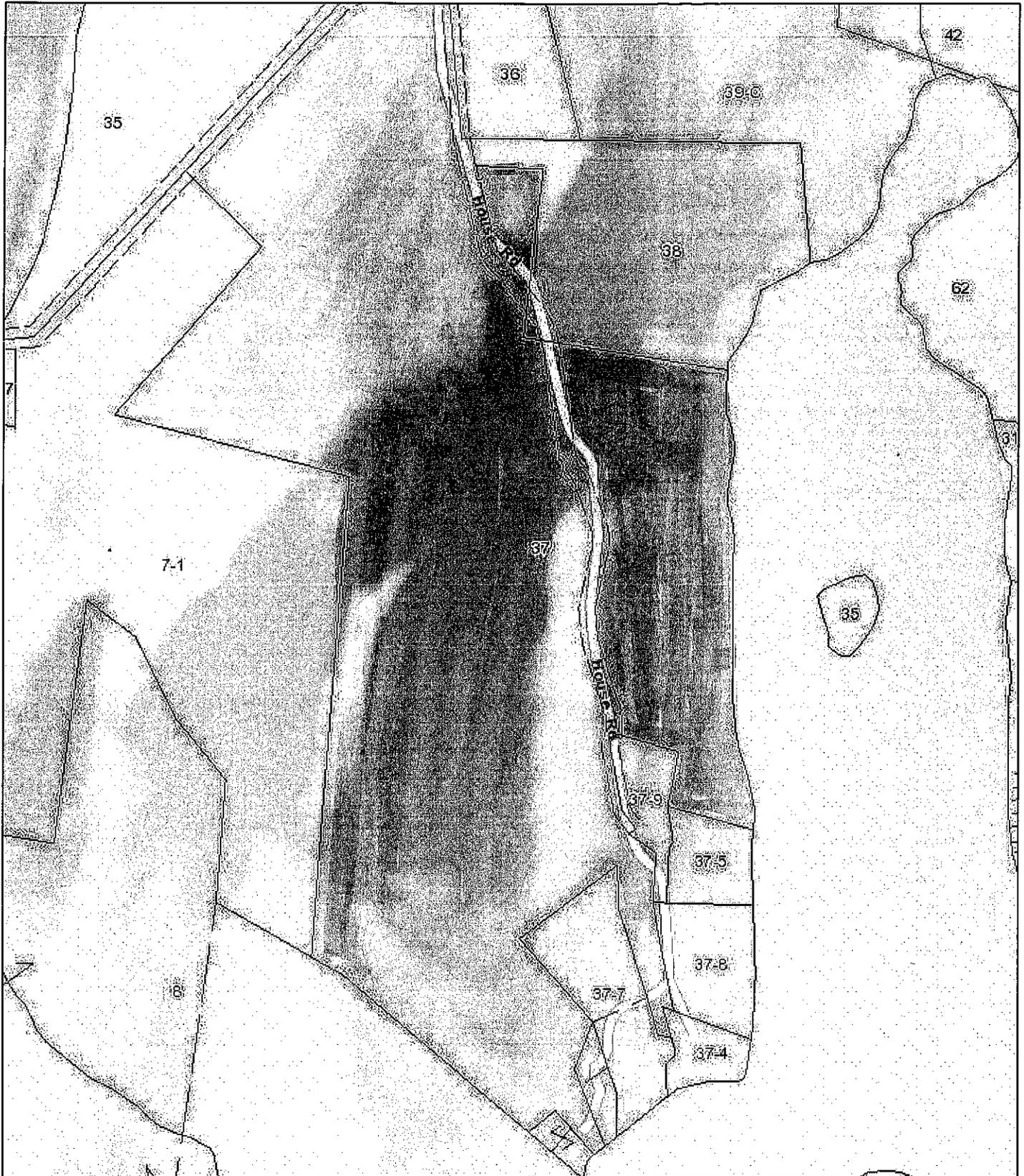
Wayne, ME



January 6, 2017

1 inch = 537 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Town of Wayne

P.O. Box 400; 48 Pond Road
Wayne, ME 04284

Phone: (207) 685-4983 Fax: (207) 685-3836

<http://www.waynemaine.org>

Map/ Parcel	Acres	Current Value	Taxes	Open Space Value	Taxes
007-011	14	\$11,200	\$0	\$1,092	\$16
007-008	27	\$4,100	\$0	\$200	\$3
007-003	0.86	\$1,700	\$0	\$100	\$1.45
005-094	77.50	\$7,800	\$0	\$400	\$5.80
003-037	118.70	\$399,400		\$20,000	\$291

Muddy Pond = Map 7
Pickerel Pond = Map 5
Wilson Pond = Map 3 = Former Pettengill property



Pickarel Pond Bog Parcel

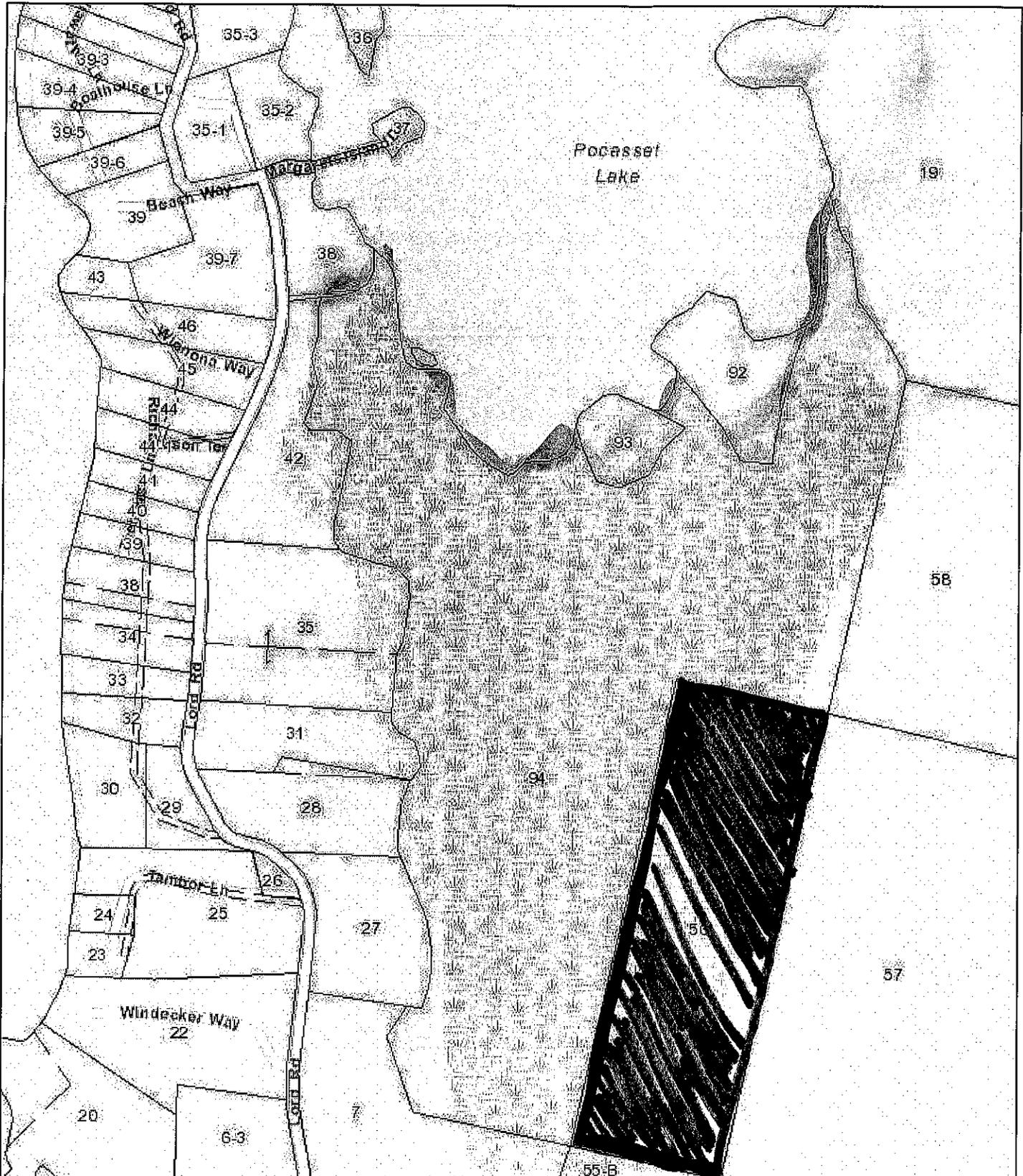
Wayne, ME



January 6, 2017

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Maranacook Regional Recycling & Solid Waste Facility

Terms of Agreement

DRAFT - 7

I. Legal Basis

The Towns of Fayette, Readfield and Wayne are municipalities duly organized and existing under the laws of the State of Maine. The communities are contiguous and are located in Kennebec County, Maine. The legal basis for the establishment and authority of this interlocal Agreement is Chapter 115 "Interlocal Cooperation" of Title 30-A of the Maine Revised Statutes, as the same may be amended from time to time.

II. Name

The name of the entity subject to this Agreement shall be the *Maranacook Regional Recycling & Solid Waste Facility*, hereinafter referred to as the "Facility".

III. Purpose of Agreement

The Towns of Readfield and Wayne have operated a facility and shared operational expenses and revenues for the Transfer Station equally since the early 1990's. Capital expenses were borne by the host town of Readfield unless otherwise negotiated. In July of 2016 the Town of Fayette began utilizing the facility on a short-term basis in accordance with a one-year contract and fee schedule. It is the expectation of the parties hereto that a cooperative sharing of the Facility by the towns of Fayette, Readfield, and Wayne will work for the long-term benefit of our respective citizens and taxpayers:

- We will provide opportunity for expanded, enhanced, and more efficient services.
- We will ensure that each town has a meaningful role in managing the costs, benefits, and service levels of their shared Facility.
- We will maintain stability in the provision of waste management for the towns.
- We will equitably balance the expense of operating the Facility between the towns.
- We will save each town tax dollars by avoiding the duplication of facilities and services.

To this end, the towns hereby agree to jointly use the Facility and to exercise such powers as may be provided separately or jointly by the member governments with respect to solid waste and recycling, as set forth below.

IV. Management of the Facility

A. General Operations. In order that the management of the Facility shall be as efficient and small as possible, the parties agree that it shall be the responsibility of the Town of Readfield to administer and operate the facility. ~~Operations shall be governed by~~ Governing documents for the Facility shall include any applicable policies, the current Facility Operations Manual, current Solid Waste and Recycling Ordinance, and current Maine Department of Environmental Protection license.

As part of the efficient operation of the facility the Town of Readfield Select Board agree to meet with the Select Boards from the Towns of Wayne and Fayette, at least on a yearly basis, to review and establish operational policies governing documents for the facility.

The Town of Readfield shall have the authority to hire, fire, and manage ~~any and all union and non-union~~ employees of the facility at such compensation as it deems warranted; to contract for services ~~to and from~~ for the Facility in the names of the member towns; to make planned and emergency capital expenditures; and to maintain financial accounts for the deposit of fee income, revenues appropriated by the towns, and for the payment of the expenses of the Facility. It shall also have the right to adopt such ~~rules and regulations governing documents~~ it deems necessary and advisable for the operation of the Facility.

B. Establishment of an Advisory Solid Waste & Recycling Committees (SWRC). There is hereby established an Advisory Solid Waste and Recycling Committee (SWRC), which shall be comprised of citizens from each member town and the Transfer Station Manager. The purpose of the SWRC shall be to assist and make suggestions on the overall operations of the Facility, to enhance the efficiency of the Facility and recycling program, to improve services to the public, and to effectuate a comprehensive public education program to increase the understanding of the participation in the recycling program. The SWRC shall operate under the guidance of the ~~Solid Waste and Recycling Committee~~ SWRC Charter, which may be amended by the Select Boards of the member communities from time to time as necessary. It shall be the responsibility of the Fayette and Wayne committee members to report to -their respective Select Boards on the materials presented at all committee meetings. It shall be the responsibility of the Transfer Station Manager to report to the Readfield Select Board on all materials presented at the committee meetings ~~The purpose of the Advisory Committee shall be to assist and make suggestions on the overall operations of the Facility, to enhance the efficiency of the Facility and recycling program, improve services to the public, and to effectuate a comprehensive public education program to increase the understanding of the participation in the recycling program.~~ The parties agree to establish such other and further permanent and ad hoc Advisory Committees as they deem necessary during the term of this Agreement. The Town Managers of Fayette and Wayne may advise the Readfield Town Manager on all matters of this Agreement.

C. Financial Records. The financial records for the Facility shall be maintained by the Treasurer of the Town of Readfield. The records of the Facility shall be public records to the same extent as other municipal records, and shall be available for public inspection and copying pursuant to the Maine Right to Know Law (M.R.S.A. Title 1, Chapter 13). The Readfield Treasurer shall prepare monthly financial reports to be issued to the Select Board of the member towns, and shall be available to consult with the Select Board of the member towns with regard to any financial transaction.

D. Accounts Payable. All payments for services and goods for the Facility shall be approved by a majority of the Select Board of the Town of Readfield.

E. Liability. 1. The Town of Readfield shall hold harmless, indemnify and defend the Towns of Fayette and Wayne against liabilities, expenses and losses imposed upon them as a result of the negligent actions or inaction of the Town of Readfield employees, officers or agents related to its use or operation of the Facility. The Towns of Fayette and Wayne shall hold harmless, indemnify and defend each other and the

Town of Readfield against liabilities, expenses and losses imposed upon them as a result of the negligent actions or inactions of Fayette and Wayne employees, officers or agents related to its use or operation of the Facility. This obligation to indemnify shall not waive any defense immunity or limitation of liability, which may be available to the officers, agents or employees of any participating Town, under the Maine Tort Claims Act pursuant to the provisions of 14 MRSA Section 8101 et seq. or any other privileges or immunities as may be provided by law.

V. Financing and Budgeting of the Facility

A. Division of Operating Expenses. The member towns shall share ~~equally~~ in the operating expenses of the Facility. ~~Equal share-~~ The portion of operating expenses to be paid by each municipality shall be reported as a percentage carried to three decimal places and shall be determined by dividing the most recent State of Maine real property valuation for each member town by the total State of Maine real property valuation of all member towns. Operating expenses shall include all expenses associated with the Facility, except for capital expenses. Such operating expenses include (but are not limited to): waste disposal fees, hauling fees, recycling fees, wages of employees, utilities, security costs, insurance, office and administrative expenses, ordinary maintenance of equipment, and replacement of equipment that has a life expectancy of less than two years.

B. Division of Capital Expenses. In order to deliver planned capital investments and buffer against unanticipated capital expenses the member towns shall share ~~equally~~ in the capital expenses of the Facility through annual contributions to a designated capital reserve managed by the Town of Readfield. ~~Equal share-~~ The portion of capital expenses to be paid by each municipality shall be reported as a percentage carried to three decimal places and shall be determined by dividing the most recent State of Maine real property valuation for each member town by the total State of Maine real property valuation of all member towns. Capital Expenses shall include all Facility improvements and equipment with an expected useful life in excess of two years or a cost in excess of \$5,000. Such capital expenses include (but are not limited to): compactors, recycling cans, backhoe, scales, buildings and permanent structures, pavement and earthworks, holding tanks, and storage containers. Because the backhoe is shared with other departments in Readfield the portion of the replacement cost attributed to the Transfer Station shall be 50%. Combined annual contribution by the member towns to the reserve shall be initially set at ~~ten-eight~~ percent of the budgeted net operating expense of the Facility and may be adjusted by mutual agreement of the Select Boards of the member towns.

No town shall be required to make additional ~~capital expenditures~~ contributions to the designated capital reserve for present or future expenditures without further agreement between the Select Boards of the member towns as to the division of the initial capital expense and disposition of the equipment upon termination.

C. Fee Income. All income generated by the Facility from waste disposal fees, permit fees, etc. (whatever or whoever the source) shall be retained by the Facility and used to reduce the operating expenses thereof. Each community shall be empowered to issue permits for use of the Facility at such fees as all member towns shall mutually agree upon.

- D. Annual Budget & Capital investment Plan. The Readfield Town Manager shall prepare an annual budget and capital investment plan for the Facility for presentation to the Select Board and Budget Committee of each member town. The budget and capital investment plan shall presume a fiscal year of July 1 to June 30. The budget and capital investment plan shall be prepared sufficiently in advance of the annual town meeting of each town to permit considerations of each town's share of the expenses on the annual town warrant. The Town of Readfield shall bill the Towns of Fayette and Wayne each calendar month in arrears for their share of the actual incurred operating expenses and designated capital reserve contributions. The Towns of Fayette and Wayne shall remit to the Town of Readfield the billed amount within thirty days of presentation. Changes in the annual budget following adoption must be approved by a majority of the Select Board in each member town. Each town shall be responsible for all prudently incurred expenses approved by the Readfield Select Board, and each town shall convene such meetings of the legislative body as may be necessary ~~to approve~~ for consideration of the budget, original appropriations and supplemental appropriations (if any) for each town's share of the operating and capital expenses of the Facility.
- E. Title to Property. Title to the real estate, equipment and personal property supplied by the Town of Readfield (including the Facility equipment) not subject to a separate agreement shall remain in the Town of Readfield.

VI. Duration and Termination of Agreement

- A. Term. This Agreement shall, at a minimum, be effective through June 30, 2022, and shall continue thereafter until terminated by any member town.
- B. Termination. This Agreement may be terminated by any party through written notice provided to all parties no less than twelve months in advance of the intended termination date. The notice of termination shall be effective when delivered to the Town Manager or Chair of the Select Board of the recipient town. The effective date of termination shall be the end of the first fiscal year (July 1 to June 30) following expiration of the notice period. The failure of a member town to appropriate funds required to meet their share of the expenses incurred to operate the Facility as identified in Section V. of this Agreement shall serve as a notice of termination. Any notice of termination shall not relieve a member town of its liability for expenses incurred prior to the effective date of termination at the end of the applicable fiscal year.
- C. Disposition of Funds and Property Upon Termination. Upon termination, the Facility, all equipment, personal property and real property shall ~~become~~ remain the sole and exclusive property of the Town of Readfield. All remaining funds of the Facility after payment of all bills accrued through the effective date of termination shall become the sole and exclusive property of the Town of Readfield.

VII. Adoption and Amendment

This Agreement shall become effective upon (a) approval by ordinance, resolution, or other action by the governing body of each member town; (b) the filing of this Agreement with the Maine Secretary of State; and (c) the filing of this Agreement with the Clerk of each member town. Following adoption, the Agreement may be amended only by majority vote of the Select Board of each member town. If any portion of this Agreement is found to be contrary to law (or is invalidated by subsequent change in the enabling state legislation), such invalidation shall not invalidate other portions, and the parties shall amend the Agreement to remedy the invalidated portion hereof.

In Witness Whereof, the duly authorized Select Boards of the Town of Fayette, the Town of Readfield, and of the Town of Wayne do hereby set their hands and seals as approved on this ____ day of _____, 2017.

Town of Fayette, Maine, by:

Town of Readfield, Maine, by:

Town of Wayne, Maine, by:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Maranacook Regional Recycling and Solid Waste Facility
Financial Model - Preliminary Draft

Fiscal Year 2017-2018 Estimated:	
Gross Expenses	\$ 283,100
Gross Revenues	\$ 47,150
Net Operating Cost	\$ 235,950

Fiscal Year 2017-2018 Estimated Net Operating and Capital Costs					
Town	State Valuation	Multiplier	Operating Cost	Capital Cost	Total Cost
Readfield	\$ 262,500,000	43%	\$ 100,801	\$ 8,064	\$ 108,865
Wayne	\$ 188,500,000	31%	\$ 72,384	\$ 5,791	\$ 78,175
Fayette	\$ 163,450,000	27%	\$ 62,765	\$ 5,021	\$ 67,786
TOTAL	\$ 614,450,000	100%	\$ 235,950	\$ 18,876	\$ 254,826

Revised 1/5/2017 to reflect recommendations and a reduction in the capital contribution from 10% to 8%

Revised Transfer Station Capital Investment Schedule

ITEM #	Capital Asset	Cost Estimate	Life Exp.	Annualized Expense
1	MSW (trash) Compactor	\$ 21,000	15	\$ 1,400
2	Recycling Compactor	\$ 21,000	15	\$ 1,400
3	Recycling Cars (own 2)	\$ 15,000	20	\$ 750
4	Open top containers (two 40 yd) - PROPOSED	\$ 11,000	20	\$ 550
5	Backhoe (1/2 of cost) *	\$ 50,000	20	\$ 2,500
6	Transfer Station Scale - 40' - PROPOSED	\$ 45,000	20	\$ 2,250
7	Roof System over MSW / Recycling - PROPOSED	\$ 20,000	25	\$ 800
8	Security cameras, Computer system	\$ 5,000	5	\$ 1,000
9	Transfer Station Buildings	\$ 150,000	50	\$ 3,000
10	Septic Holding Tank	\$ 5,000	30	\$ 167
11	Subgrade & Drainage (access road) - PROPOSED	\$ 20,000	50	\$ 400
12	Paving (access road)	\$ 20,000	15	\$ 1,333
13	Paving (main access loop)	\$ 15,000	15	\$ 1,000
14	Paving (lot)	\$ 15,000	15	\$ 1,000
	SUM **	\$ 413,000		\$ 17,550
	Readfield		0.43	\$ 7,547
	Wayne		0.31	\$ 5,441
	Fayette		0.26	\$ 4,563

** Readfield has approximately \$65,000 in our Transfer Station Capital Reserve Account

* Readfield has approximately \$15,000 in our Backhoe Replacement Reserve Account (for the TS portion)

Identifies projects planned for FY 18

Town of Wayne

P.O. Box 400; 48 Pond Road

Wayne, ME 04284

Phone: (207) 685-4983 Fax: (207) 685-3836

<http://www.waynemaine.org>

**Winter Lot Maintenance:
Sanding, Salting and Snowplowing
Town Facilities: North Wayne Building and Ladd Recreation Center**

**Bid Specifications for a
4-Year Contract Term: July 1st, 2018 to June 30th, 2021
Advertisement for Bids**

The Town of Wayne is looking for a qualified contractor to provide **Winter Lot Maintenance: Sanding, Salting and Snowplowing** on town roads. For complete bid specifications, go online to www.waynemaine.org or contact the Town Office.

All bids must be submitted on the form supplied by the Town in sealed bid format. All questions regarding the bidding or specifications must be directed to Aaron Chrostowsky, Town Manager, by mail at P.O. Box 400, 48 Pond Road, Wayne, ME 04284, by email at townmanager@waynemaine.org, by fax at (207) 685-3836 or by telephone at (207) 685-4983.

Bids due no later than Thursday January 5 19, 2017 at 1:00 PM.

Bids opened on Thursday January 5 19, 2017 at 1:00 PM.

Bids awarded on Tuesday January 10 24, 2017 at 6:30 PM by Selectboard

The Board of Selectmen reserves the right to waive formalities or reject any or all bids when such action is in the best interest of the Town.

Town of Wayne

P.O. Box 400; 48 Pond Road
Wayne, ME 04284
Phone: (207) 685-4983 Fax: (207) 685-3836
<http://www.waynemaine.org>

Winter Highway Maintenance: Sanding, Salting and Snowplowing

Bid Specifications for a 4-Year Contract Term: July 1st, 2018 to June 30th, 2021 Advertisement for Bids

The Town of Wayne is looking for a qualified contractor to provide **Winter Highway Maintenance: Sanding, Salting and Snowplowing** on town roads. For complete bid specifications, go online to www.waynemaine.org or contact the Town Office.

All bids must be submitted on the form supplied by the Town in sealed bid format. All questions regarding the bidding or specifications must be directed to Aaron Chrostowsky, Town Manager, by mail at P.O. Box 400, 48 Pond Road, Wayne, ME 04284, by email at townmanager@waynemaine.org, by fax at (207) 685-3836 or by telephone at (207) 685-4983.

Bids due no later than Thursday January 5 19, 2017 at 1:00 PM.

Bids opened on Thursday January 5 19, 2017 at 1:00 PM.

Bids awarded on Tuesday January ~~10~~ 24, 2017 at 6:30 PM by Selectboard

The Board of Selectmen reserves the right to waive formalities or reject any or all bids when such action is in the best interest of the Town.



1-802-748-4378 1-800-237-6774
1-802-748-9974 FAX

www.vttennis.com

(A Division of CCR Sports, Inc.)

PROPOSAL SUBMITTED TO Town of Wayne		PHONE 207-685-9856	fax	DATE 11/23/2016
EMAIL George Dragonette		JOB Tennis Court Maintenance		
STREET P.O. Box 282		JOB LOCATION Ladd Rec Center		
CITY, STATE, AND ZIP CODE Wayne, ME 04284		17252 Two Tennis Courts		

We hereby submit specifications and estimates to:

Work To Be Completed: STANDARD CRACK REPAIR & RESURFACE

- a. Fill structural cracks with concrete fortified with E330 Acrylic Binder. Shim repaired cracks with multiple coats of Premier-Fill. Fill hairline cracks with Premier-Crack rubberized liquid crack filler.
- b. Remove & reset two (2) center anchors in new concrete footings.
- c. Shim around net posts footings with an acrylic patch to provide a more level surface.
Note: Surface will not be perfectly level when completed.
- d. Supply & install approx. 200' of GUARDIAN Crack Repair System to repaired cracks.
VT Tennis Court Surfacing warranties cracks repaired with Guardian Crack Repair for a period of two (2) years. Warranty covers repaired areas only. Lengthening of cracks or new cracks are not covered under this warranty.
- e. Total repaired areas (Cracks) to receive three (3) coats of Premier Sports Resurfacer.
This will fill surface voids and act as prime coat for the color system.
Material manufactured by California Sports Surfaces.
- f. Clean entire surface area with compressed air.
- g. Total area to receive two (2) coats of Premier Sports Surface. Color to be dark green & red.
Texture coats to contain the proper amount of sand to provide a tough wearing base. Top coat to contain proper amount of pigment to give a long lasting and attractive surface.
Material manufactured by California Sports Surfaces.
- h. Apply two (2) sets of hand painted, regulation, tennis lines with white, textured Premier-Line paint.

VT Tennis Court Surfacing warranties cracks repaired with Guardian Crack Repair for a period of two (2) years. Warranty covers repaired areas only. Lengthening of cracks or new cracks are not covered under this warranty.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Ten Thousand Five Hundred Sixty-Eight and 00/100 ----- dollars **(\$ 10,568.00)**

Payment to be made as follows:

Within 15 days of billing date.

All materials guaranteed as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and any other necessary insurance. Our workers are covered by Workman's Compensation Insurance. Customer agrees to pay 1.12% per month (or 18% per annum) interest on sums overdue by 30 days or more and agrees to pay cost of collection and reasonable attorneys fees. This agreement shall be governed and construed in accordance with the laws in the State of Vermont.

Authorized Signature

Ray Greenleaf

Ray Greenleaf, Representative

Note: This proposal may be withdrawn by us if not accepted within **90 days**

Acceptance of Proposal

The above prices, specifications and conditions (back side) are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

COPY FOR YOUR INFORMATION

**Quality Fencing
Residential & Commercial**



Proposal

P. O. Box 6 St. Johnsbury VT 05819
 1-802-748-4378 1-800-237-6774
 1-802-748-9974 FAX
 www.vttennis.com

(A Division of CCR Sports, Inc.)

PROPOSAL SUBMITTED TO Town of Wayne	PHONE 207-685-9856	FAX	DATE 11/23/2016
EMAIL	JOB Basketball Crack Repair		
STREET P.O. Box 282	JOB LOCATION Ladd Rec Center		
CITY, STATE, AND ZIP CODE Wayne, ME 04284	17254	One Basketball Court (bare asphalt surface)	

We hereby submit specifications and estimates to:

Work To Be Completed: STANDARD CRACK REPAIR & One Coat Resurfacer. Re-stripe Existing lines

- a. Fill structural cracks with concrete fortified with E330 Acrylic Binder. Shim repaired cracks with multiple coats of Premier-Fill. Fill hairline cracks with Premier-Crack rubberized liquid crack filler.
- b. Sand down all existing oil based paint lines to provide a smoother surface.
- c. Clean entire surface area with compressed air.
- d. Total crack repair areas & all existing lines two (2) coats of Premier Sports Resurfacer (Black) One coat with texture, one coat without texture. Material manufactured by California Sports Surfaces.
- e. Total area to receive one (1) coat of Premier Sports Resurfacer. This will fill surface voids and act as prime coat for the color system. Material manufactured by California Sports Surfaces.
- f. Apply one (1) set of hand painted, regulation, white, textured basketball lines with 3 point arc. Apply two (2) sets of hand painted, pickle ball lines with yellow, textured Premier-Line paint.

Note: This price is good only if completed on the same trip as any tennis court maintenance work. This price do not include any mobilization charges.

Note: Though we use the finest materials available, Vermont Tennis Court Surfacing cannot control your base, therefore we cannot guarantee that cracks will not reappear.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Six Thousand Five Hundred Three Dollars and no/100----- dollars (\$ 6,503.00)

Payment to be made as follows:

Within 15 days of billing date.

All materials guaranteed as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and any other necessary insurance. Our workers are covered by Workman's Compensation Insurance. Customer agrees to pay 1 1/2% per month (or 18% per annum) interest on sums overdue by 30 days or more and agrees to pay cost of collection and reasonable attorneys fees. This agreement shall be governed and construed in accordance with the laws of the State of Vermont.

Authorized Signature

Ray Greenleaf, Representative

Note: This proposal may be withdrawn 90 days by us if not accepted within

Acceptance of Proposal

The above prices, specifications and conditions (back side) are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance: _____

**COPY FOR YOUR
INFORMATION**

**Quality Fencing
Residential & Commercial**



Proposal

P. O. Box 6 St. Johnsbury VT 05819
1-802-748-4378 1-800-237-6774
1-802-748-9974 FAX

www.vttennis.com

(A Division of CCR Sports, Inc.)

PROPOSAL SUBMITTED TO Town of Wayne	PHONE 207-685-9856	FAX	DATE 11/23/2016
EMAIL	JOB Practice Area Maintenance		
STREET P.O. Box 282	JOB LOCATION Ladd-Rec Center		
CITY, STATE, AND ZIP CODE Wayne, ME 04284	17253	Practice Area 30' x 120'	

We hereby submit specifications and estimates to:

Work To Be Completed: STANDARD CRACK REPAIR & RESURFACE

- a. Fill structural cracks with concrete fortified with E330 Acrylic Binder. Shim repaired cracks with multiple coats of Premier-Fill. Fill hairline cracks with Premier-Crack rubberized liquid crack filler.
- b. Clean entire surface area with compressed air.
- c. Total area to receive two (2) coats of Premier Sports Surface. Color to be dark green & red. Texture coats to contain the proper amount of sand to provide a tough wearing base. Top coat to contain proper amount of pigment to give a long lasting and attractive surface. Material manufactured by California Sports Surfaces.
- d. Apply two (2) sets of hand painted, (existing) practice lines with white, textured Premier-Line paint.

Note: This prices is good only if completed on the same trip as any tennis court maintenance work.
This price do not include any mobilization charges.

Note: Though we use the finest materials available, Vermont Tennis Court Surfacing cannot control your base, therefore we cannot guarantee that cracks will not reappear.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:
Three Thousand Three Hundred Fifty-Two and 00/100 ----- dollars (\$ **3,352.00**)

Payment to be made as follows:
Within 15 days of billing date.

All materials guaranteed as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and any other necessary insurance. Our workers are covered by Workman's Compensation Insurance. Customer agrees to pay 1 1/2% per month (or 18% per annum) interest on sums overdue by 30 days or more and agrees to pay cost of collection and reasonable attorneys fees. This agreement shall be governed and construed in accordance with the laws in the State of Vermont.

Authorized Signature: 
Ray Greenleaf, Representative

Note: This proposal may be withdrawn **90 days** by us if not accepted within

Acceptance of Proposal
The above prices, specifications and conditions (back side) are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____ Signature: _____

Signature: _____

**COPY FOR YOUR
INFORMATION**

**Quality Fencing
Residential & Commercial**



Proposal

P. O. Box 6 St. Johnsbury VT 05819
1-802-748-4378 1-800-237-6774
1-802-748-9974 FAX
www.vttennis.com

(A Division of CCR Sports, Inc.)

PROPOSAL SUBMITTED TO Town of Wayne		PHONE 207-685-9856	fax	DATE 12/20/2016
George Dragonette STREET P.O. Box 282		EMAIL	JOB Replacement of Fence	
CITY, STATE, AND ZIP CODE Wayne, ME 04284		17261	JOB LOCATION Ladd Rec Center	
		Two Tennis Courts/Practice Area and Basketball Court		

We hereby submit specifications and estimates to:

Work to be completed:

- a. Remove existing fence. (Owner is responsible for disposal of concrete footings and fence material.)
- b. Supply & install approx. 956 lin. ft. of chain link fencing. Fencing to have 3" terminal posts, 2 1/2" line posts, 1 5/8" top rail, and 1 3/4" x 9 gauge fabric. Fence to have six (6) gates.
- c. All posts to be set in new concrete footings.

Price for fencing: \$45 per lineal ft.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

As Stated Above.

Payment to be made as follows:

Within 15 days of billing date.

dollars **\$ 43,020.00**

All materials guaranteed as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and any other necessary insurance. Our workers are covered by Workman's Compensation Insurance. Customer agrees to pay 1 1/2% per month (or 18% per annum) interest on sums overdue by 30 days or more and agrees to pay cost of collection and reasonable attorneys fees. This agreement shall be governed and construed in accordance with the laws in the State of Vermont.

Authorized
Signature

Ray Greenleaf, Representative

Note: This proposal may be withdrawn by us if not accepted within **90 days**

Acceptance of Proposal

The above prices, specifications and conditions (back side) are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

Maine Municipal Bond Bank
Estimate of Borrowing
 Prepared via www.mmbb.com on:
January 07, 2017

Date	Principal	Rate	Interest	Total Payment	FY Total
05/1/2018			\$669.50	\$669.50	\$669.50
11/1/2018	\$13,000.00	1.8000%	\$650.00	\$13,650.00	
05/1/2019			\$533.00	\$533.00	\$14,183.00
11/1/2019	\$13,000.00	1.9000%	\$533.00	\$13,533.00	
05/1/2020			\$409.50	\$409.50	\$13,942.50
11/1/2020	\$13,000.00	2.0000%	\$409.50	\$13,409.50	
05/1/2021			\$279.50	\$279.50	\$13,689.00
11/1/2021	\$13,000.00	2.1000%	\$279.50	\$13,279.50	
05/1/2022			\$143.00	\$143.00	\$13,422.50
11/1/2022	\$13,000.00	2.2000%	\$143.00	\$13,143.00	\$13,143.00
TOTALS	\$65,000.00		\$4,049.50	\$69,049.50	

This report is an estimate only. Actual borrowing costs may vary.

Paving		
Lord Road Paving		
Hardscrabble Road Upgrade	-	6,500.00
Pond Road Reconstruction	50,000.00	
Roads		33,000.00
House Road (FEMA MATCH)		
TOTAL	91,500.00	56,000.00

Selectboard (3/0) and Budget Committee (3/1) Recommend: \$56,000 **APPROVED**

ARTICLE 27. To see what sum of money the Town will vote to apply from various sources to the 2009-2010 tax commitment, thereby reducing the amount to be raised from property taxes.

	<u>Approved '08-09</u>	<u>Budget '09-10</u>
Excise Tax (MV)	180,000.00	165,000.00
Local Roads	33,000.00	29,000.00
State Revenue Sharing	80,000.00	75,500.00
Surplus*	*100,000.00	*50,000.00
TOTAL	293,000.00	269,500.00

A motion was made and seconded to recommend \$269,500. A motion was made and seconded to amend the amount by adding \$50,000 from surplus.*

[Raising the total to \$319,500]

APPROVED AS AMENDED

ARTICLE 28. To see what sum of money the Town will raise and appropriate the following categories of funds for the specified uses:

- Plumbing Permit Fees, for plumbing permit administration
- Dog License Fees, for animal control expenses
- Ladd Center Revenue, for operation and maintenance of Ladd Rec. Center

A motion was made and seconded to amend Article 28 to read "Shall the Town vote to appropriate the following categories of funds for the specified uses:

ARTICLE 28

APPROVED AS AMENDED

ARTICLE 29. To see if the Town shall vote to accept and appropriate Federal and State funds benefiting the Town that may become available during the year? **APPROVED**

ARTICLE 30. To see if the Town shall vote to close the Mill Stream Pond walking bridge to winter travel and maintenance for this winter and preceding winters.

A motion was made and seconded to remove the words **and maintenance, and preceding winters** and add **and ratify the actions of the board of selectmen in such closing for the last winter [after the word travel]**. **APPROVED**

A second motion was made and seconded to add winter maintenance.

DID NOT PASS

A third motion was made and seconded to amend Article 30 removing [and maintenance, and preceding winters] adding [and discontinue snow removal and ratify the actions of the Board of Selectmen in such closing for the last winter.]

New wording of Article 30: To see if the Town shall vote to close the Mill Stream Pond walking bridge to winter travel and discontinue snow removal, and to ratify the actions of the Board of Selectmen in such closing for the last winter.

ARTICLE 30

APPROVED AS AMENDED

ARTICLE 31. To see if the Town shall vote to appropriate Gary Knight's \$1,000 donation to the Town of Wayne for base/softball dugout construction into a designated reserve account for the purpose of dugout construction? **APPROVED**

ARTICLE 32. To see if the Town shall vote to authorize the Selectboard to utilized monies from General Fund Capital Reserve Account and Road Capital Reserve Account, in the event the People's Referendum Excise Tax Question passes in November to off set the Excise Tax revenue line in the 2009-2010 budgets? **APPROVED**

ARTICLE 33. To see if the Town will vote to increase the property tax levy limit of \$ 632,214.67 established for Wayne by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.

Written Ballot Question

YES 49 / NO 6

APPROVED

Meeting adjourned 8:04 p.m.

Attest: Martha J. Bennett, Clerk

Google Maps Wayne



Imagery ©2017 Google, Map data ©2017 Google 50 ft

Moratoriums on Marijuana

(Maine Townsman, Legal Notes, January 2017)

As we noted here last month, Maine's new "recreational" marijuana law will, whenever it takes effect, legalize the personal use, possession and cultivation of marijuana by persons at least 21 years of age and the operation of "retail marijuana establishments," including retail stores, cultivation, manufacturing and testing facilities, and social clubs (see "Legal Marijuana & Municipalities," *Maine Townsman, Legal Notes, December 2016*).

Many municipalities have responded to the new law by either enacting a moratorium on retail marijuana establishments or at least considering one. We'd like to take this opportunity to clear up some of the apparent misconceptions now circulating about moratoriums on marijuana.

To begin, a moratorium is an ordinance, and as such it must be enacted by the municipal legislative body (town meeting or town or city council). The municipal officers (selectmen or councilors) have no authority to adopt a moratorium – not even an interim one – unless they are also the municipal legislative body.

But a moratorium is not a permanent ordinance. Instead it temporarily defers land use activities until a more permanent ordinance can be prepared and enacted. By law a moratorium is limited to 180 days, subject to additional 180-day extensions if the problem still exists and reasonable progress is being made to resolve it. (Municipal officers do have authority to extend moratoriums.)

Also, a moratorium on retail marijuana establishments does not require a comprehensive plan or a zoning ordinance. It merely prohibits these uses from being permitted or operated for the duration of the moratorium.

Finally, since a moratorium is not a zoning ordinance, neither a planning board public hearing nor any special notices are required, as they are for zoning ordinances under State law. (A public hearing before the municipal officers is required, though, if enactment will be by secret ballot referendum.)

For a sample moratorium on retail marijuana establishments, see: <https://goo.gl/louCjG>

For more on moratoriums generally, see our "Information Packet" on the subject, available free to members at www.memun.org. *(By R.P.F.)*

State & Capitol

Maine politics — as it happens



Maine Legislature's top Republican, Democrat near agreement on pot moratorium

🕒 January 5, 2017 📁 Daily Brief, Elections, Governor LePage, Legislature, U.S. Congress 📌 Angus King, Daniel Wathen, David Boyer, Ellie Espling, Kevin Battle, Mike Thibodeau, Paul LePage, Robert Hasson, Sara Gideon, Stephen Wood, Susan Collins
By Michael Shepherd

Good morning from Augusta, where it's only the second day of the 2017 legislative session, but the Daily Briefs are getting longer and marijuana has become the signature policy issue after [Mainers approved it for recreational use](#) in November.

On Wednesday, we were told to expect a deal by week's end between the Legislature's top Republican and Democrat on a moratorium that would push back the implementation of Maine's new marijuana program.

The voter-approved law takes effect in January, but it gives state regulators [another nine months to draft rules around the law](#), which allows Mainers to possess up to 2.5 ounces of marijuana while setting up a licensed retail system for marijuana.

Opponents of the referendum [called for a longer delay](#) last week, and we're likely to get one. The issue is whether that sort of a moratorium will delay the entire law — along with the repeal of penalties for personal use — or just the retail side of it.

Senate President Mike Thibodeau, R-Winterport, and House Speaker Sara Gideon, D-Freeport, both said on Wednesday that they're close to a deal on a moratorium and would likely release details of that deal by week's end.

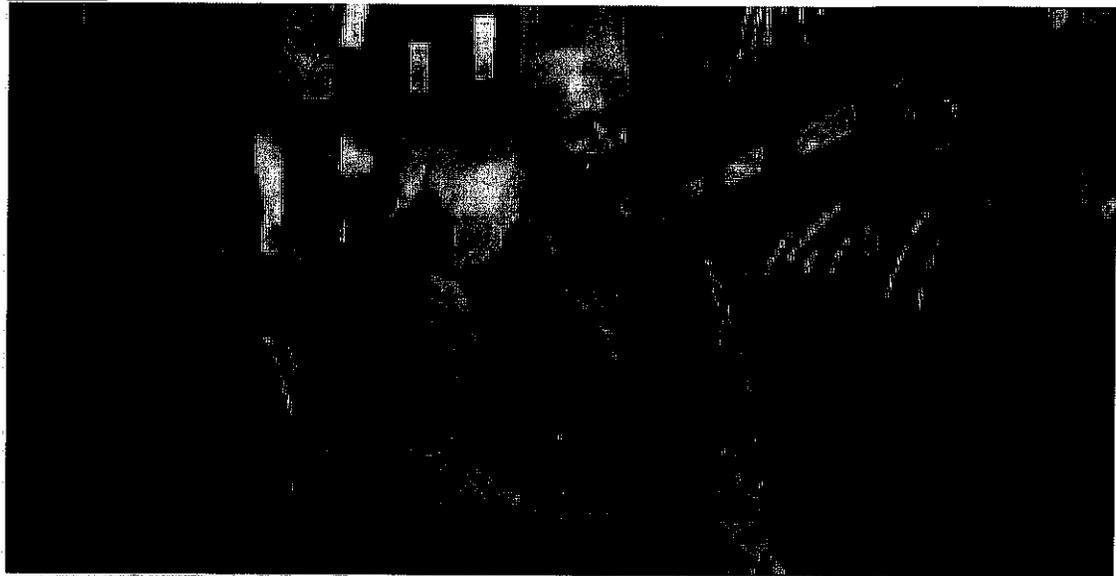
However, Thibodeau backs a one-year moratorium on the entire law. Gideon told the Bangor Daily News that she'll only consider a delay on when sales can begin and wants to leave the penalty rollback in place.

Gideon said she and Thibodeau are "moving toward agreement," but that she's uncertain about the timeframe of such a moratorium.

"I think it's safe to say that I'm willing to consider looking into the New Year (2018), but again, we haven't settled on that," she said.

Article Continues Below these Recommendations:

BDN MAINE **Maine-Owned Don Foshay's Discount Tire Grows Through Team Resou**
 Ratchet+Wrench is the leading automotive magazine that exclusively



Maine-Owned Don Foshay's Discount Tire Grows Through Team Resou

Powered By 

Any delay will run into opposition from legalization supporters. David Boyer, the Maine political director for the Marijuana Policy Project, which ran the campaign, said lawmakers should start drafting laws around legalization and if more time is needed after October, they can "cross that bridge then."

"The initiative has a nine-month, built-in moratorium so that lawmakers have time to put in the regulatory framework," he said. — *Michael Shepherd*

How the LePage administration is pitching its school consolidation plan

An addendum to [our reporting on Tuesday on LePage's plan](#) to incentivize administrative consolidation at Maine schools: We got a call that day from Acting Education Commissioner Robert Hasson that didn't make the story.

It's a different approach to school consolidation, which was [tried in Maine with a law that took effect in 2009](#) that consolidated administrative function by forming the current system of regional school units and alternative organizational structures.

Hasson gave us more details on what LePage's proposed "regional education service agencies" would look like and called it more politically palatable than the past consolidation plan because it would be voluntary for school districts.

He said the new model envisions a system of geographically larger units that share administrative functions, specialty educational programs, or both. He said it was modeled partially after [New York's system of regional boards](#) established in 1948 to provide certain instructional or support services to their districts.

The goal of the past consolidation law was to get Maine down to 80 school districts. It had 242 in the 2014-2015 school year, [according to state data](#), with many towns not conforming to the law or voting to leave their arranged marriages with other districts.

Hasson said this plan diverges most from that with its voluntary nature, saying the LePage administration is looking to incentivize efficiency instead of demanding it and that the change would drive "flexibility, efficiency and opportunity for student achievement."

"This will result in more opportunities for kids and for teachers to learn together," he said. — *Michael Shepherd*

Quick hits

- **LePage said he'll resume doing town hall meetings next week.** Town halls became [a key part of his communication strategy](#) in the first half of 2016 and [he told WGAN on Thursday](#) that he'll redouble that public relations effort after [he rolls out his two-year budget proposal](#) on Friday. No word yet on where his first location of 2017 will be.
- **Rep. Kevin Battle of South Portland told the Portland Press Herald that he's leaving the Republican Party and becoming an independent.** The moderate who voted with Democrats on key issues such as [the minimum wage](#) in 2016 beat the odds to get elected as a Republican twice [in a heavily Democratic district](#). He told the Press Herald that he's leaving the party not because of a disagreement, but because his party affiliation "put a wall up" for some constituents and getting rid of it will make him "more approachable." Rep. Stephen Wood, R-Greene, also told the newspaper that he's thinking of leaving the party and will decide soon.
- **U.S. Sen. Angus King will get the U.S. Navy's highest civilian honor on Thursday.** The Maine independent and Senate Armed Services Committee member will get the Distinguished Public Service Award, at a ceremony in Washington. U.S. Sen. Susan Collins, a Republican, [got the award in 2013](#). — *Michael Shepherd*

What we're watching today in Augusta

The Maine politics story of the day

- **The Legislature's public hearing on LePage's plan for a new mental health facility at 1 p.m.** In a bid to win back federal certification at Riverview Psychiatric Center in Augusta, the governor has proposed a new, 22-bed facility to house psychiatric patients found not guilty of crimes or declared unfit for trial. Democratic leaders twice blocked LePage's plan to put it in Augusta because they wanted more information, so he's said he's moving it to Bangor. LePage has said his administration won't participate in Thursday's hearing before the budget-writing and Health and Human Services committees. Daniel Wathen, a former Maine Supreme Judicial Court chief justice overseeing Maine's compliance with a consent decree over mental health services, will be there. Members of the public can also testify.

Also on the agenda

- **The Maine Board of Environmental Protection is expected to vote on its third set of proposed mining rules.** The push comes from a 2012 law that streamlined metal mining laws in Maine after JD Irving Ltd. expressed interest in mining at Bald Mountain in Aroostook County. But environmentalists have assailed the rules as too permissive for companies and two past proposals from the board have failed to pass the Legislature, primarily because of opposition from Democrats. With the party still controlling the House, the third proposal could face the same fate.
- **The House and Senate are in at 10 a.m.** For a while, the chambers will mostly just be sending new bills to committees and doing ceremonial resolutions, but Assistant House Minority Leader Ellie Espling, R-New Gloucester, wants to change House rules to allow members to photograph or record video with their smartphones if it "does not cause a distraction or impede the business of the House." — *Michael Shepherd*

Reading list

- Maine medical marijuana dispensaries want early entry to recreational market — Michael Shepherd, Bangor Daily News
- Republicans make repealing Obamacare 'first order of business' — Reuters
 - The Senate's complicated plan to repeal Obamacare, explained by an expert on Congress — Sarah Kliff, Vox
- South Portland police will start using body cameras — Jake Bleiberg, BDN
- Maine shipyard prepares to deliver \$1.5 billion destroyer to Navy — Beth Brogan, BDN
- Maine DOT faces shortage of plow truck drivers — WGME
- Russia looms large as Senate committee is set to discuss hacking — The New York Times
 - How Julian Assange evolved from pariah to paragon — The Washington Post
- How a KGB assassin used the death of his child to defect — POLITICO Magazine

Mainers for Informed Voters' misunderstanding

In a minor, minor, minor piece of fallout from [2016's campaign for a minimum wage hike](#) in Maine, a committee that formed to support the question will face a recommended \$500 fine from the Maine Ethics Commission next week.

The group is Mainers for Informed Voters, which was formed by the Washington, D.C.-based Ballot Initiative Strategy Center.

It spent more than \$5,000 on staff time relating to the Maine question by Sept. 30, so the committee was required to file a disclosure with the commission on Oct. 7, [according to the commission](#). It didn't until Oct. 26.

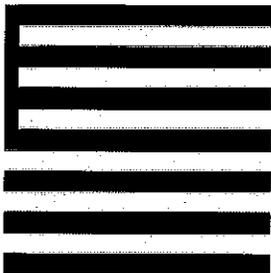
The committee's lawyer said the center "had no intention of concealing its campaign activity," but that the failure to register "stems from a misunderstanding that even activities not targeting voters count as election activity subject to reporting."

Again, it's a minor issue, but with a name like that, your mistake will make it into the Daily Brief. [Here's your soundtrack.](#) — *Michael Shepherd*

About Michael Shepherd

Michael Shepherd joined the Bangor Daily News in 2015 after covering state, federal and local issues for the Kennebec Journal for three years. He's a Hallowell native who now lives in Gardiner. He graduated from the University of Maine in 2012 and is a graduate student at the University of Southern Maine's Muskie School of Public Service. [View all posts by Michael Shepherd](#) →

Sponsored Content



Legal Weed Stocks Set to Create Millions... (Money Morning)



3 Signs Marijuana Is Taking Over Your Life (Recovery Rehabs)



Dream Big And Other Lessons Learned About... (Forbes)



How Long Until You Can Pass A Drug Test? (Healthversed)

Legal Marijuana & Municipalities

December, 2016

Last month Maine voters narrowly approved a ballot measure legalizing the personal use, possession and cultivation of marijuana by persons 21 years of age and older and the operation of retail marijuana stores, marijuana cultivation, manufacturing and testing facilities, and marijuana social clubs for on-premises sale and consumption.

Barring other developments (for instance, a recount resulting in reversal of the vote), the new law will take effect either 30 days after the Governor proclaims the results of the vote or, if additional funds are required to implement the new law (as appears likely), 45 days after the next regular session of the Legislature convenes. In any event, the effective date of the new law will almost certainly be no earlier than sometime in January 2017, but it could be considerably later depending on a number of as-yet-unknowns.

As of the effective date – whenever it may be – it will be legal for adults to use, possess and cultivate “recreational” amounts of marijuana. However, retail marijuana stores and social clubs and commercial-scale cultivation, manufacturing and testing facilities will require annual State licenses under the new law. And the Department of Agriculture, Conservation and Forestry has up to nine months to adopt rules for licensing and operation of these establishments. So as a practical matter they will not be able to obtain licenses or operate legally until at least late 2017.

Under the new law, all required State licenses apparently require local approval as well, though it is not yet clear who on the local level decides or on what basis. Municipalities are also authorized, by ordinance, to regulate the number, location and operation of retail marijuana stores, marijuana cultivation, manufacturing and testing facilities, and marijuana social clubs, and to impose a separate local licensing requirement. In the alternative, municipalities may, by ordinance, entirely prohibit any or all of these establishments.

For municipalities that may want to allow but regulate retail marijuana stores, marijuana cultivation, manufacturing and testing facilities, and marijuana social clubs, it will be difficult to calculate how best to do so until after final rulemaking by the department and perhaps corrective or at least clarifying legislation. This will all probably take many months. To prevent unwanted developments in the meantime, we recommend adopting a moratorium ordinance. For a sample, download attachment 1 below.

For general information and advice on moratorium ordinances, see our “Information Packet” on the subject, available free to members at www.memun.org.

For municipalities that want to prohibit retail marijuana stores, marijuana cultivation, manufacturing and testing facilities, and marijuana social clubs entirely, there is no need to wait for rulemaking or more legislation. An ordinance prohibiting these establishments can be enacted any time (but probably

the sooner the better) before State licensing begins, probably in late 2017. For a sample, download attachment 2 below.

For more on the legal as well as the practical implications of the new law, be sure and watch for two full-length articles planned for the February 2017 issue of the Maine Townsman.

Also, MMA is sponsoring a workshop on the new law on Feb. 28, 2017, in Freeport. Presenters will be attorneys from the Portland law firm of Drummond Woodsum. Watch for details and registration information on our website (www.memun.org). (By R.P.F.)

Attachment 1:

https://www.memun.org/Documents.aspx?Command=Core_Download&EntryId=10137

Attachment 2:

https://www.memun.org/Documents.aspx?Command=Core_Download&EntryId=10138

Rev. 12/1/16

[Note: This sample ordinance prohibits all types of retail marijuana establishments as well as retail marijuana social clubs. However, the scope of the ordinance may be limited to only one or some but not all of these uses. This is a sample ordinance only. In order to thoroughly address concerns within a given municipality, MMA Legal Services advises that local counsel be consulted before enacting any ordinance.]

Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs
in the Municipality of _____

Section 1. Authority.

This ordinance is enacted pursuant to the Marijuana Legalization Act, 7 M.R.S.A. c. 417; and Municipal Home Rule Authority, Me. Const., art. VIII, pt. 2; and 30-A M.R.S.A. § 3001.

Section 2. Definitions.

For purposes of this ordinance, retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, and retail marijuana social clubs are defined as set forth in 7 M.R.S.A. § 2442.

Section 3. Prohibition on Retail Marijuana Establishments and Retail Marijuana Social Clubs.

Retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities, and retail marijuana social clubs, are expressly prohibited in this municipality.

No person or organization shall develop or operate a business that engages in retail or wholesale sales of a retail marijuana product, as defined by 7 M.R.S.A. § 2442.

Nothing in this ordinance is intended to prohibit any lawful use, possession or conduct pursuant to the Maine Medical Use of Marijuana Act, 22 M.R.S.A. c. 558-C.

Section 4. Effective date; duration.

This ordinance shall take effect immediately upon enactment by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.

Section 5. Penalties.

This ordinance shall be enforced by the municipal officers or their designee. Violations of this ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S.A. § 4452.

[Note: This model ordinance was initially prepared by the law firm of Jensen, Baird, Gardner and Henry, and with their permission, was modified for use as a model ordinance. MMA Legal Services provides this moratorium as an example only. Local counsel should be consulted first before enacting a moratorium.]

MUNICIPALITY OF _____ MORATORIUM
ORDINANCE ON RETAIL MARIJUANA ESTABLISHMENTS AND RETAIL
MARIJUANA STORES AND RETAIL MARIJUANA SOCIAL CLUBS

WHEREAS, the “Marijuana Legalization Act,” has become law in Maine, codified in the Maine Revised Statutes in Title 7, chapter 417; and

WHEREAS, the Marijuana Legalization Act (hereinafter, “Act”) authorizes municipalities to regulate the number of retail marijuana stores and the location and operation of retail marijuana social clubs and retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, as those terms are defined in the Act, as well as providing the option to prohibit the operation of retail marijuana social clubs and retail marijuana establishments, including stores, cultivation facilities, manufacturing facilities and testing facilities, within their jurisdiction; and

WHEREAS, the proposed Act will not limit the privileges or rights afforded by the Maine Medical Use of Marijuana Act (22 M.R.S.A. §§ 2421 – 2430-B) to qualifying patients, primary caregivers, or registered dispensaries, including cultivation facilities associated with any of those classifications; and

WHEREAS, the Municipality’s current ordinances do not include any regulations related to retail marijuana stores, retail marijuana establishments or retail marijuana social clubs under the proposed new Act; and

WHEREAS, the unregulated location and operation of retail marijuana establishments, retail marijuana stores and retail marijuana social clubs within the Municipality of _____ raises legitimate and substantial questions about the impact of such establishments, stores and social clubs on the Municipality, including questions about the compatibility of retail marijuana establishments, retail marijuana stores and retail marijuana social clubs with existing uses and development in residential, commercial and industrial zoning districts; the potential adverse health and safety effects of retail marijuana establishments, retail marijuana stores and retail marijuana social clubs on the community if not properly regulated; the possibility of illicit sale and use of marijuana and marijuana products to minors and misuse of marijuana and marijuana products by those who would abuse the uses authorized under the Act; potential criminal activity associated with the cultivation, manufacturing, sale and use of marijuana and marijuana products for non-medicinal purposes and the potential increased burden on the Municipality’s police and fire departments; and the adequacy of the Municipality’s streets and infrastructure to accommodate the additional traffic and/or population that may result from the presence of retail marijuana establishments, retail marijuana stores or retail marijuana social clubs; and

WHEREAS, the possible effect of the location and operation of retail marijuana establishments and/or retail marijuana stores and/or retail marijuana social clubs within the Municipality has potentially serious implications for the health, safety and welfare of the Municipality and its residents; and

WHEREAS, the Municipality needs time to review the Act and to review its own ordinances to determine the implications of future proposed retail marijuana establishments and/or retail marijuana stores and/or retail marijuana social clubs to develop reasonable ordinances governing the location and operations of such establishments and stores and social clubs to address the concerns cited above; and

WHEREAS, the Municipality's current ordinances are insufficient to prevent serious public harm that could be caused by the unregulated development of retail marijuana establishments and retail marijuana stores and retail marijuana social clubs and other uses authorized by the Act, thereby necessitating a moratorium; and

WHEREAS, the board of municipal officers, the administration and the planning board, with the professional advice and assistance of the police department, shall study the Municipality's current ordinances to determine the land use and other regulatory implications of retail marijuana establishments and retail marijuana stores and retail marijuana social clubs and consider what locations, if any, and conditions of approval, if any, might be appropriate for such uses; and

WHEREAS, a moratorium is necessary to prevent an overburdening of public facilities that is reasonably foreseeable as the result of retail marijuana establishments and retail marijuana stores and retail marijuana social clubs and other uses authorized by the Act, being located in the Municipality; and

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the Municipality enacts this Moratorium Ordinance on retail marijuana establishments and retail marijuana stores and retail marijuana social Clubs;

NOW, THEREFORE, be it ordained by the legislative body of the Municipality of _____, that the following Moratorium Ordinance on retail marijuana establishments and retail marijuana stores and retail marijuana social clubs be, and hereby is, enacted, and, in furtherance thereof, the legislative body does hereby declare a moratorium on the location, operation or licensing of any retail marijuana social clubs and any retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, within the City.

This Moratorium Ordinance shall take effect, once enacted by the legislative body, but shall be applicable as of _____ as expressly provided below. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended, repealed, or modified by the legislative body,

for the express purpose of drafting an amendment or amendments to the Municipality's current ordinances to protect the public from health and safety risks including, but not limited to, compatibility of retail marijuana establishments, retail marijuana stores and retail marijuana social clubs with existing and permitted uses in residential, commercial and industrial zoning districts; the correlation of retail marijuana establishments, retail marijuana stores and retail marijuana social clubs with medical marijuana cultivation facilities and dispensaries, all as defined in the Act; the potential adverse health and safety effects of retail marijuana establishments and retail marijuana stores and retail marijuana social clubs on the community if not properly regulated; the possibility of illicit sale and use of marijuana and marijuana products to minors and misuse of marijuana and marijuana products by those who would abuse the uses authorized under the new law; criminal activity associated with the cultivation, manufacturing, sale and use of marijuana and marijuana products for non-medicinal purposes and the potential increased burden on the public safety agencies serving the Municipality in responding to the same; and the adequacy of the Municipality's infrastructure to accommodate the additional traffic and/or population that may result from the presence of retail marijuana establishments or retail marijuana stores or retail marijuana social clubs in the Municipality.

BE IT FURTHER ORDAINED, that this Ordinance shall apply to retail marijuana stores and retail marijuana social clubs and retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, as those terms are defined by the Act, codified at 7 M.R.S.A. §§ 2442 (36), (38), (39), (40) (41), that may be proposed to be located within the Municipality on or after the _____ (date) applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall govern any proposed retail marijuana establishments or retail marijuana stores or retail marijuana social clubs for which an application for a building permit, Certificate of Occupancy, site plan or any other required approval has not been submitted to and granted final approval by the Code Enforcement Officer, Planning Board or other Municipal official or board prior to the applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall develop or operate a retail marijuana establishment or retail marijuana store or retail marijuana social club within the Municipality on or after the effective date of this Ordinance without complying with whatever ordinance amendment or amendments the legislative body may enact as a result of this Moratorium Ordinance; and

BE IT FURTHER ORDAINED, that during the time this Moratorium Ordinance is in effect, no officer, official, employee, office, administrative board or agency of the Municipality shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit or any other type of land use approval or permit and/or any other permits or licenses related to a retail marijuana establishment or retail marijuana stores or retail marijuana social club; and

BE IT FURTHER ORDAINED, that those provisions of the Municipality's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED, that if retail marijuana establishments or retail marijuana stores or retail marijuana social clubs are established in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the Municipality shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations; and

BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.



Moratorium Ordinances

This packet is intended for general informational purposes only. It is not meant, nor should it be relied upon, as legal advice in any particular situation. Links to documents herein are provided as examples for informational purposes only and have not been reviewed by MMA Legal Services. Do not use any sample unless it has been reviewed by your legal counsel. The information herein is not a substitute for consultation with legal counsel and legal review or other specific guidance on the subject. The statutes and other information herein are only current as of the date of publication.

Date of last revision: 12/2015

This packet includes the following attachments:

- Title 30-A M.R.S.A. Section [4301](#), [4314](#), [4356](#) and [4360](#)
- Title 1 M.R.S.A. Section [302](#)
- "[Ordinance Enactment](#)," *Maine Townsman*, "Legal Notes," April 1989
- "[Municipalities May Give Ordinances a Retroactive Effect](#)," Gary Wood, Esq. 1988
- Sample [Town of Arundel's Moratorium Ordinance](#)
- Sample [Town of Durham's Moratorium Ordinance](#)
- "[Growth Caps: The Light Turns Yellow, Not Green](#)," Christopher Vaniotis, Esq., *Maine Townsman*, July 2000

Important issues and considerations include:

I. Statutory Authority and Requirements

A moratorium (as defined in 30-A M.R.S.A. § 4301) is an ordinance that "temporarily defers" land use activity or development in order to give officials time and the opportunity to plan for accommodating or managing development. Development moratoria are specifically authorized by 30-A M.R.S.A. § 4356, subject to certain requirements set forth in the statute. These statutory requirements are express limitations on municipal home rule authority (see *Perkins v. Town of Ogunquit*, 1998 ME 42). Therefore, any development moratorium must comply with these requirements; municipalities have no other legal alternative for temporarily halting development for which they may be unprepared.

The principal statutory requirement for a development moratorium is that it be necessary either (1) to prevent a shortage or overburdening of public facilities (e.g., sewer, water, roads, schools, public safety), or (2) because existing plans, ordinances or regulations, if any, are inadequate to prevent serious public harm. Either of these rationales will suffice, though a municipality should cite both as justification for a moratorium if there is a factual basis for doing so. In order to create a record for a reviewing court in the event the ordinance is challenged, every moratorium ordinance should include a preamble that recites the facts which demonstrate the necessity for the moratorium. While factual justification is critical, courts will not second-guess a municipality's determination of necessity; a moratorium, like any other municipal ordinance, is presumed valid, and the challenger must establish "the complete absence" of any facts supporting the need for a moratorium (*Minster v. Town of Gray*, 584 A.2d 646 (Me. 1990)).

II. Limited Duration; Extensions

The statute limits the duration of development moratoria to a definite term of not more than 180 days. A moratorium may be extended for additional 180-day periods, though, if the municipality finds that (1) the problem necessitating the moratorium still exists, and (2) reasonable progress is being made to alleviate the problem. Both findings are important, but the second clearly implies an affirmative duty on the municipality's part to address the underlying circumstances and to do so in a responsible, timely fashion.

The municipality's legislative body (town meeting or council) is the party that must enact the initial moratorium ordinance. However, in municipalities where the town meeting is the legislative body, the municipal officers (board of selectpersons) have the authority to adopt an ordinance extending a moratorium in compliance with these provisions, after notice and hearing. No town meeting vote is necessary to adopt an ordinance that extends a moratorium, only to enact the initial moratorium.

III. Pending Proceedings; Retroactivity

Under 1 M.R.S.A. § 302, "pending proceedings" (i.e., permit applications for which substantive review has commenced) are not affected by the adoption of new ordinances, including moratoria. Thus, a development moratorium passed after an application has been filed and substantive review has begun ordinarily will not apply to that proposal. However, the Maine Supreme Court has held that this rule of "prospectivity" may be overcome and that, with careful planning and drafting, a moratorium can apply retroactively to pending or already permitted projects (see "Municipalities May Give Ordinances a Retroactive Effect," 1988, linked above).

How far back in time a moratorium ordinance can be applied is an open issue. We recommend that a moratorium ordinance should not apply any earlier than the date that the moratorium ordinance was proposed. However, the Maine Supreme Court has approved the retroactive application of an ordinance amendment that reaches back to an earlier date than that. In *Kittery Retail Ventures, LLC v. Town of Kittery*, 2004 ME 65, 856 A.2d 1183, the Town adopted an amendment to a zoning ordinance in September 2000 that purported to be effective retroactively to September, 1999 – well before the date of the ordinance amendment's introduction (in June, 2000) and well before the filing of the application that the Planning Board ultimately denied. While the Court held that the ordinance amendment could not be effective retroactive to that date (since the Town charter specified that ordinances become effective 30 days after enactment), it did hold that the ordinance amendment could be applied to applications pending on the specified date – a date earlier than the June 2000 application and earlier than the June proposal and enactment of the ordinance amendment.

Municipalities may not nullify or amend a municipal land use permit by subsequent enactment, amendment or repeal of an ordinance more than 45 days after the permit has received final approval. 30-A M.R.S.A. § 3007(6). A "municipal land use permit" includes a building permit, zoning permit, subdivision approval, site plan approval, conditional use approval, special exception approval, or other land use permit or approval. "Nullify or amend" means to nullify or amend a permit directly or to nullify or amend any other permit in a manner that effectively nullifies or amends the permit. Ordinances may still be made applicable retroactively to pending permit applications, however. This law, which became effective September 28, 2011, protects only permits that have been finally approved and only after 45 days have elapsed.

IV. Form and Contents

A development moratorium is a type of ordinance and should be in the form of an ordinance and acted upon as such (see "Ordinance Enactment," linked above). A valid moratorium ordinance should recite its factual basis, cite its legal authority (30-A M.R.S.A. § 4356), define its terms (especially the type of "development" to which it applies), and prohibit both development and the processing of applications and the issuance of permits for development. It also may specify the penalties for violation (see 30-A M.R.S.A. § 4452), although this is arguably not necessary. Linked above, see the ordinances from the towns of Arundel and Durham.

V. Moratorium vs. "Rate of Growth" Ordinance

For years there has been a debate among municipal attorneys as to whether a "slow-growth" or "rate of growth" ordinance, such as a cap on building permits or on sewer user permits, is a moratorium ordinance which must meet the requirements of 30-A M.R.S.A. § 4356. In *Home Builders Association of Maine v. Town of Eliot*, 2000 ME 82, 750 A.2d 566, the Maine Supreme Court upheld the Town's "Permit Limitation Ordinance" against an attack that it failed to meet the requirements of § 4356 and was unconstitutionally vague. However, the decision in the *Home Builders Association* case is specific to that ordinance and to the facts of that case. Because the Eliot ordinance did not prevent all development but allowed a number of housing starts, because the ordinance was consistent with the State Growth Management Act's goals of encouraging orderly growth and development and of planning for anticipated growth and development, and because the ordinance's cap on permits was not an unreasonable limit, the Maine Supreme Court upheld the ordinance. Shortly thereafter, the Maine Superior Court upheld the Town of Wells' "Residential Growth Control Ordinance" against a similar challenge. (*Inland Golf Properties, Inc. v. Inhabitants of Town of Wells* (Me. Super. Ct. Dkt. No. AP-98-040, York Cty. May 11, 2000).) Most recently, the Federal District Court for the District of Maine relied upon the Maine Supreme Court's decision in *Home Builders Association*, and upheld the Town of York's growth limitations (*Currier Builders v. Town of York*, Maine, 146 F.S.2d 71 (D. Me. 2001)). If your municipality is

contemplating such a slow growth ordinance, be sure to consult with your town attorney to evaluate whether the proposed ordinance is defensible under the Home Builders Association decision.

"Rate of growth" ordinances (as defined in 30-A M.R.S.A. § 4301) are now also governed by some specific requirements in 30-A M.R.S.A. §§ 4314 and 4360.

VI. Temporary Moratorium not a "Taking" Under Federal constitution

The U. S. Supreme Court has held that a local temporary land use moratorium did not constitute a taking of property without just compensation and therefore did not violate the U.S. Constitution, *Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency*, 535 U.S. 302, 122 S.Ct. 1465 (2002). However, whether a regulation such as a temporary moratorium ordinance is a "taking" that would entitle a party to damages and attorneys fees is fact-specific – it depends upon an analysis of the facts in a particular situation on a case-by-case basis.

VII. Legal Counsel

Moratoria often are prompted by unanticipated and controversial development proposals, and they sometimes suspend projects that are far along in the planning stage. They may adversely affect powerful interests with the will and money to mount a serious legal challenge. To defend against this prospect and ensure that a moratorium holds fast, the municipality should retain local legal counsel from the outset to assist in drafting and in advising municipal officials.



Ordinance Enactment

This packet is intended for general informational purposes only. It is not meant, nor should it be relied upon, as legal advice in any particular situation. Links to documents herein are provided as examples for informational purposes only and have not been reviewed by MMA Legal Services. Do not use any sample unless it has been reviewed by your legal counsel. The information herein is not a substitute for consultation with legal counsel and legal review or other specific guidance on the subject. The statutes and other information herein are only current as of the date of publication.

Date of last revision: 7/2013

This packet includes the following attachments:

- Title 30-A M.R.S.A. §§ [2528](#), [3001-3009](#), [4324.4352](#) and [4403](#)
- Title 38 M.R.S.A. § [438-A](#)
- Title 12 M.R.S.A. § [685-A](#)
- Title 1 M.R.S.A. §§ [401-414](#)
- [MMA "Right to Know Law" information packet](#)
- Sample [Ordinance amendment format and warrant articles: Kennebunk and Denmark](#)
- ["Ordinance Enactment," Maine Townsman](#), "Legal Note," April 1989
- ["Preemption Doctrine," Maine Townsman](#), "Legal Note," June 1991
- Sample ["Certification of an ordinance by the municipal officers"](#)
- Sample [Ordinance adopting by reference the Maine Model Uniform Building Code \(MUBEC\) prepared by MMA](#) and sample [Supplemental Building Ordinance for Town of York](#)
- Sample [ordinance adopting by reference the National Fire Prevention Code and Life Safety Code \(City of South Portland\)](#) (note that this PDF document is 91 pgs)
- MMA [Planning Board Manual](#)
- MMA ["Moratorium Ordinances" information packet](#)
- [Public hearing notice for adoption of parking ordinance](#) (found also in MMA "Road Weight Limits / Seasonal Road Closings" information packet)

Important issues and considerations include:

I. Enactment Procedure

For municipalities with a town meeting form of government, the enactment procedure for most ordinances is set forth in 30-A M.R.S.A. § 3002 (see "Ordinance Enactment," Maine Townsman, April 1989, linked above). Where the legislative powers are vested by charter in a town or city council, the enactment procedure generally is set forth in the charter. In the case of ordinances that may be enacted by the municipal officers (selectpersons or councilors) rather than by the legislative body, such as traffic and parking, general assistance, and public television ordinances, the enactment procedure is set forth in the applicable statute (See, 30-A M.R.S.A. § 3008 and § 3009(3), linked above; 22 M.R.S.A. § 4305). For subdivision regulations that may be adopted by planning boards, the adoption procedure is set forth in 30-A M.R.S.A. § 4403(z), linked above.

II. Amendments

Although State law prescribes no particular procedure for amending ordinances, it is generally agreed (and charters or ordinances often provide) that ordinances may be amended by using the same basic procedure as for enactment. Miscellaneous or technical amendments usually are presented in the form of the ordinance's original text with proposed deletions struck through and additions underscored. (See samples linked above.) Major revisions are generally accomplished

by repealing and replacing entire sections or paragraphs with new text. The MMA legal staff believes that, in a town meeting format, the proposed text of an amendment may not be further amended from the floor. (See "Ordinance Enactment," *Maine Townsman*, April 1989, linked above).

An ordinance that was adopted by the legislative body may only be amended by a vote of the legislative body. This is true even if the reason for amending the ordinance is to correct typographical errors or change section headings or numbers.

III. Notice and Hearing Requirements

A. Overview. Besides customary town meeting warrant and "right to know" notice requirements, special notice and hearing requirements for ordinance enactment may apply depending on applicable statute, charter or ordinance provisions, the type of ordinance proposed and the method of enactment (See MMA "Right to Know Law" information packet for additional notice requirements, linked above.). For example, special requirements for posted, published and (in some cases) personal notice apply to enactment and amendment of zoning and shoreland zoning ordinances. (See 30-A M.R.S.A. § 4352(9) and (10), linked above.) A "zoning" ordinance is one that establishes different regulations for different areas of the municipality. (See 30-A M.R.S.A. § 4301(15-A), linked above. This would include a floodplain management ordinance or an aquifer protection ordinance. Additional notice requirements apply to shoreland zoning ordinances where land is being proposed for inclusion in a Resource Protection Zone (See 38 M.R.S.A. § 438-A (1-B), linked above). As a general rule, unless a proposed ordinance or amendment involves a zoning or shoreland zoning ordinance, there is no separate public hearing required before a vote of the legislative body may be held.

B. Referendum Vote. When a proposed ordinance, ordinance amendment, map, comprehensive plan, or other item of business will be voted on by referendum ballot pursuant to 30-A M.R.S.A. § 2528(5) (linked above), a number of statutory deadlines come into play. The municipal officers (selectpersons or councilors) must issue an order to the municipal clerk at least 45 days before the date of the referendum election, instructing the clerk to place a particular article on the referendum ballot (for example, "Shall the town enact the proposed 'Town of Smallville Comprehensive Plan dated June 23, 2012?' " or "Shall an ordinance entitled 'Town of Smallville Land Use Ordinance' be enacted?"). At least 10 days before the date of the referendum vote, the municipal officers must conduct a public hearing on the ballot question in accordance with § 2528(5). Notice of the hearing must be posted at least 7 days before the hearing date in the same manner as for town meetings. Ideally, the municipal officers should have in their possession a final draft of whatever ordinance, comprehensive plan, or ordinance amendment is the subject of the referendum vote at the time they issue their order to the clerk to place the related referendum question on the ballot. However, it is often the case that the board or the committee which is preparing the ordinance or plan is not quite finished with its work at the time that the municipal officers must issue their order. As long as the board or committee gives the municipal officers sufficient notice in advance of their 45-day deadline that a ballot question is needed and the title of the ordinance or plan which must be referenced in the ballot question, it probably is legal for the board or committee to provide the final ordinance/plan text at a later date, provided they do so by the time the clerk begins to make absentee ballots available. Absentee ballots generally must be available 30 days before the election date. It is possible that the municipal officers will not be willing to set an election date and order the preparation of a ballot without knowing the content of the ordinance or plan, so there are policy and legal reasons why the board or committee should have the final draft of the ordinance or plan ready to submit when requesting a ballot question.

C. Zoning and Shoreland Zoning Public Hearing Requirements. There are several time-related considerations for a board or committee preparing a zoning ordinance, zoning amendment or map. Title 30-A M.R.S.A. § 4352(9) requires the planning board to conduct a public hearing preceded by public notice on a proposed zoning or shoreland zoning ordinance, map or amendment. Notice of the public hearing must be posted at least 13 days before the hearing in the town office or city hall. 30-A M.R.S.A. § 4352(9)(A). It must also be published in a newspaper that complies with 1 M.R.S.A. § 601 with general circulation in the municipality, once at least 12 days before the hearing and a second time at least seven days before the hearing. 30-A M.R.S.A. § 4352(9) (B). Notice must also be sent to a public drinking water supplier if the area to be rezoned is within its source water protection area. 30-A M.R.S.A. § 4352(9)(E). (Contact the Maine Department of Health and Human Services Public Drinking Water Program for more information about "source water protection areas" and "public drinking water suppliers.") The planning board must coordinate these deadlines with the deadlines for a referendum vote and the public hearing held by the municipal officers pursuant to 30-A M.R.S.A. § 2528 discussed above, if referendum voting will be used.

In cases where the proposed ordinance would have the effect of either prohibiting all industrial, commercial or retail uses in a particular area where any of these uses are permitted, or of permitting any of these uses where they are prohibited, 30-A M.R.S.A. § 4352(10)(A) requires that special notice be sent by first class mail at least 13 days before the public hearing to the last known address of the person to whom the property within or abutting the affected area is assessed. All mailed notices must include a copy of a map indicating the portion of the municipality affected by the proposed amendment. See section

4352(10)(A) for additional requirements regarding mailed notice. Subsection 10(B) states that notice to individual owners is not required where the proposed ordinance, map, or amendment involves a zoning ordinance adopted pursuant to the Growth Management Act (30-A M.R.S.A. § 4301 et seq) or a shoreland zoning ordinance. Since virtually all zoning ordinances are now adopted pursuant to 30-A M.R.S.A. § 4301 et seq or the laws governing shoreland zoning, and since that has been true for a number of years, it appears that this individual notice requirement will rarely apply. It is unclear why the Legislature included the abutter notice provision, given its limited applicability on the face of the statute. It may apply to adoption or amendment of "de facto" zoning ordinances, such as floodplain management ordinances or aquifer protection ordinances. In any case, a person who does not receive a required notice has 30 days from the adoption of the ordinance, amendment or map to appeal to Superior Court to challenge the ordinance or map.

If, after holding a public hearing, the planning board determines that changes should be made in the final draft of the ordinance or map prior to sending it to the municipal officers, the planning board probably may do so without holding an additional public hearing on the revised version. This is because section 4352(9) only appears to require one public hearing rather than a hearing on every new draft. As noted above, the municipal officers must hold their own hearing on any question to be voted on by "secret ballot" referendum election pursuant to 30-A M.R.S.A. § 2528(5). If the municipal officers find it necessary to revise an ordinance before submitting it to a referendum vote after holding their public hearing, they should call a new public hearing on the revised draft. *Town of Hampton v. Brust*, 446 A. 2d 458 (NH 1982).

D. Comprehensive Plans. Regarding comprehensive plans, 30-A M.R.S.A. § 4324(8) requires the comprehensive planning committee to hold a public hearing on the proposed plan. Notice of the hearing must be given at least 30 days before the hearing date and a copy of the proposed plan must be available for public inspection at least 30 days before the hearing; the notice for this hearing is not governed by 30-A M.R.S.A. § 4352 (9) or (10), as neither subsection mentions comprehensive plans. If, after the hearing, the committee decides that revisions are necessary, it should hold a hearing on the new proposed plan to be safe. The public hearing that the comprehensive planning committee must hold and the public hearing that the municipal officers must hold on any referendum question are two different hearings, and should not be scheduled on the same date. A public hearing held by the comprehensive planning committee pursuant to 30-A M.R.S.A. §4352(1) during the preparation of a comprehensive plan would not qualify as the hearing required by section 4324(8). That section says that "(t)he planning committee shall hold at least one public hearing on its proposed comprehensive plan." The word "proposed" suggests that the planning committee is ready to present a draft comprehensive plan that it feels is in final form and ready to go to a vote; it envisions a completed plan, not one that most would agree is still in the drafting stage. Subsection 8 recognizes that the committee may hear things at the public hearing on the proposed plan that it wants to address by revising the final draft plan and provides for shorter public notice of a follow up hearing by referring to the more general public notice requirements in the Right to Know Law (See 1 M.R.S.A. § 406, linked above.).

E. Proposed Resource Protection Zone. Where a proposed shoreland zoning amendment will place land in a Resource Protection Zone, 38 M.R.S.A. § 438-A(1-B) requires that the planning board provide notice by mail to the affected landowners. However, the purpose of this notice is not the same as the one required by 30-A M.R.S.A. § 4352(9) and (10). The notice required by section 438-A is designed to let landowners know that the planning board is proposing such a zoning amendment and the date on which the board will be discussing and voting on when to schedule a public hearing. This notice must be sent at least 14 days prior to the date of the meeting at which the planning board will vote to set a date for a public hearing on the proposed amendment. It is not a notice of the hearing date; it is a notice of the meeting at which the planning board will vote on when to schedule a public hearing. Nothing in this law requires a notice to landowners or to the public regarding the date of the public hearing itself; that is governed by section 4352(9) and (10).

Ideally the public hearings envisioned by 30-A M.R.S.A. § 4352 and 38 M.R.S.A. § 438-A will be addressed with one hearing, provided the notice required by each statute has been given within the required timeframe and by the required method. If same notice was not properly given, then another hearing would need to be held to ensure compliance. The purpose of the public hearing that the planning board must hold is to allow citizens an opportunity to comment on a proposed ordinance at a time when those comments could still persuade the planning board to make changes before the ordinance is submitted to the municipal officers to schedule a vote of the legislative body. The planning board's public hearing should be held prior to any hearing held by the municipal officers under 30-A M.R.S.A. § 2528 and prior to the meeting at which the legislative body will vote.

F. Distinguishing Various Drafts of an Ordinance, Amendment, Map or Plan. When a board or committee is developing an ordinance, amendment, map or plan for consideration at a public hearing and/or a vote of the legislative body, it is important to devise a system to distinguish one draft from another and to identify which board or committee has developed it. Something

as simple as a designation like "PB # 5" or "SB #1" would tell which board developed the document and which version it is; another option would be to use "SB" (selectboard) or "PB" (planning board) followed by the date of the draft document.

IV. Certification; Copies; Posting

Once an ordinance has been submitted to the municipal officers and they have decided to schedule a vote of the legislative body on a particular version of that ordinance, the municipal officers must certify that version to the municipal clerk at least 7 days prior to the date of the town meeting or election. See 30-A M.R.S.A. § 3002 and the sample form "Certification of an ordinance by the municipal officers" linked above. The clerk uses that certified copy to make copies for the public and to make attested copies for posting with the warrant. The certified original remains in the clerk's permanent record for that town meeting/election. Posting with the warrant is required for ordinances and comprehensive plans 10 pages or less in length. For longer ordinances and plans, posting is not required, but a statement must be included with the applicable warrant article in the posted warrant indicating where a copy of the ordinance or plan may be obtained. 30-A M.R.S.A. § 3002.

V. Petitions

When a citizen petition is submitted proposing a zone change or other zoning amendment, the planning board still must comply with the public notice, landowner notice, and public hearing requirements of 30-A M.R.S.A. § 4352 (9) and (10) to the extent they would be applicable generally. The petition doesn't short circuit the normally-required process.

VI. Filing Requirements

A copy of all ordinances must be filed with the municipal clerk, and copies must be available to the public at reasonable cost. See 30-A M.R.S.A. § 3005, linked above. Certain types of ordinances also must be filed with various State agencies and some also require approval by the designated agency's commissioner; for example, shoreland zoning ordinances with the Department of Environmental Protection (38 M.R.S.A. § 438-A), forest practices ordinances (12 M.R.S.A. § 8869) and agriculture ordinances (7 M.R.S.A. § 155) with the Department of Agriculture, Conservation, and Forestry, shellfish ordinances with the Department of Marine Resources (12 M.R.S.A. § 6671), general assistance ordinances with the Department of Health & Human Services (22 M.R.S.A. § 4305), solid waste siting or licensing ordinances with the Department of Environmental Protection (38 M.R.S.A. § 1310-U), ordinances regulating water levels or minimum flow with the Department of Environmental Protection (30-A M.R.S.A. § 4455), pesticide control ordinances with the Board of Pesticide Control (22 M.R.S.A. § 1471-U), firearm discharge ordinances with the Commissioner of Inland Fisheries and Wildlife [30-A M.R.S.A. § 3007(5)], and fireworks ordinances with the Office of the State Fire Marshal [8 M.R.S.A. §223-A(2)] (implied filing requirement).

VII. Home Rule Ordinance Power

Since the adoption of "home rule" in 1969, municipalities have had the power to enact ordinances on most subjects without the necessity of State enabling laws. See 30-A M.R.S.A. § 3001, linked above. This authority is tempered, however, by the doctrine of preemption which, in certain instances, prohibits or restricts ordinances from delving into areas already regulated by State or federal law. Knowing what preemption is and how to avoid or minimize its potential is vital to the preparation and enactment of legally sound and enforceable ordinances. See "Preemption Doctrine," *Maine Townsman*, June 1991, linked above. See also Chapter 7 in MMA's *Planning Board Manual*, linked above, for a summary of various State laws that limit municipal ordinance authority over certain subjects. In addition, see 30-A M.R.S.A § 3014 (sex offender ordinances), 8 M.R.S.A. § 223-A(2) (fireworks), 30-A M.R.S.A. § 3011 (sport shooting ranges), 12 M.R.S.A. § 13201(3) (ice fishing shacks), and 10 M.R.S.A. § 9724 (building codes) for recently-enacted examples of State laws that preempt certain municipal ordinance authority.

VIII. Adoption of Codes by Reference

Some municipalities choose to adopt codes that are promulgated as models by national organizations, such as the NFPA Life Safety Code, or standards recommended by certain professional organizations related to such things as road signs. Some also choose to include references to various "best management practices" promulgated by the State which are not normally enforced at the local level and which may not otherwise be applicable to all locally-reviewed projects. A municipality which chooses to adopt these codes, standards or best management practices must comply with 30-A M.R.S.A. § 3003, linked above. Of particular importance is the requirement that a specific edition of the code, standard or practice be cited in the ordinance that is attempting to adopt the code, standard or practice by reference. It does not satisfy section 3003 to cite a specific edition and then add "and subsequent amendments thereto." See the link above to the South Portland ordinance adopting fire codes and the Life Safety Code by reference.

Regarding building codes, municipalities that are 4,000 and under in population and that wish to adopt and enforce a building and energy code must adopt the Maine Uniform Building and Energy Code (MUBEC) by reference pursuant to 10 M.R.S.A. § 9724.; they also have the option of adopting just the model building code or just the model energy code by reference. Municipalities over 4000 in population are automatically governed by the State model code and do not need to adopt it in order for it to be enforceable in the municipality. In either case, municipalities have no authority to adopt modifications to the State model code. See the links above to the sample ordinance adopting MUBEC by reference (MMA) and supplementing MUBEC (York).

IX. Moratoria; Retroactivity; Nullification

For a discussion of the laws governing the extent to which a municipality may temporarily suspend the right to conduct certain land use activities by ordinance, see MMA's "Moratorium Ordinances" information packet, linked above. See Chapter 5 of MMA's *Planning Board Manual* (linked above) for a discussion of the Maine statutes and court cases governing the authority of a municipality to apply its ordinances retroactively and to nullify permits and approvals granted prior to the adoption of a new ordinance.

X. Plantation Ordinance Authority

Plantations do not have home rule ordinance power. See 30-A M.R.S.A. §§ 2001, 7051, 7059; 1 M.R.S.A. §72(13). This means that for a plantation to claim ordinance authority over a particular subject area, the plantation must be able to find a specific statute that grants that power to plantations or to municipalities generally where the word "municipality" includes plantations. Examples of such statutes include 7 M.R.S.A. § 3950 regarding animal control ordinances and 38 M.R.S.A. § 484 regarding noise ordinances.

Regarding planning, zoning, and subdivision control, plantations are governed by ordinances adopted by the Land Use Planning Commission (LUPC) of the Department of Agriculture, Conservation and Forestry (formerly known as "LURC"). A plantation may become independent of LUPC if it complies with the requirements of 12 M.R.S.A. §685-A (4-A) (linked above). That statute requires the plantation to either prepare itself or ask LUPC to prepare a land use plan and ordinances, seek LUPC approval of the plan and ordinances, and then submit the plan and ordinances to the plantation voters. If approved, the plantation becomes independent of LUPC and administers and enforces its own plan and ordinances. LUPC may review the plantation's performance from time to time and reassert jurisdiction if the plantation repeals or fails to administer or enforce the LUPC-approved plan or ordinances.

**Town of Wayne
Spirit of America Foundation**

Year Awardee

2010 Wayne Playground Committee

2011 Jean Dorson

2012 Wayne Town House Committee

2013 Peter and Eloise Ault

2014 Ray Giglio and Bob Stephenson

2015 Gloria and Lincoln Ladd

2016 Jane Andrews, Holly Stevenson and Comprehensive Plan Committee

2017

Year	Dedicated to
2016	
2015	Tom Lane
2014	Eloise Ault, Jack Mahoney, Ray Giglio
2013	Margaret Knight; Bea Horne; Betty Bennett; Neala Jennings
2012	Edward Kallop
2011	Christopher Stevenson
2010	Priscilla Stevenson
2009	Peter Ault
2008	Marguerite "Mike" Holbrook & North Wayne School Preservation Committee
2007	Peter Burbank
2006	Lila Gale Lincoln
2005	Sally Towns
2004	WWII Veterans
2003	Peter & Lois Ault
2002	Byron & Keith Bennett
2001	Jean Dorson
2000	Wayne's Most Senior Citizens: Klaus Backmeyer, Anna Eggers, Marion Davenport, Herbert Farnham, Dorothy Reeh, Marguerite Holbrook
1999	Nelson Manter
1998	Clarence Manter
1997	Ted Goucher
1996	Maggie & Joe Tripp
1995	Warren H. Davenport
1994	Laura T. Walton
1993	not dedicated
1992	Donald L. Gatti
1991	Bob & Grace Burleigh
1990	"Maine Street 90" Steering Committee: Ed Kallop, Priscilla Stevenson, Elizabeth Reiter, Don Gatti, Patty Lincoln, Laurel Criss, Holly Stevenson
1989	Robert D. Ault
1988	Nancy Mullen
1987	Andrew Knight Jr. & The Wayne Volunteer Fire Department
1986	George E. Ladd Jr.
1985	Ruth Ault

TOWN OF WAYNE

Incorporated February 12, 1798

48 Pond Road
Wayne, Maine 04284

Telephone 207-685-4983
Fax 207-685-3836

NOTICE OF PROPERTY TAX ASSESSMENT REVIEW/ ABATEMENT ACTION

December 19th 2016

Rosanne H Graef
P.O. Box 7886
Portland, ME 04122

PROPERTY REVIEWED

Map 003 Lot 009

REAL ESTATE ACCT # 53

CURRENT ASSESSED VALUE

LAND: \$312,100 BUILDING: \$ 228,300 TOTAL: \$ 540,400

FINDINGS

After careful review of the assessments of your property, the following determination / findings have been made:

_____ The assessment is fair and correct. No adjustment will be made.

_____ The assessment is fair and correct. No abatement will be made.

 X An adjustment will be made. The following assessments now apply.

LAND: \$ 312,100 BUILDINGS: \$ 83,700
NEW TOTAL \$ 395,800

 X Abatement will be given. The adjusted assessment will also be applied to the next assessment date.

Abatement Amount: \$ 2144.42

\$144,600 x .01483 (2016 mil rate) = \$2144.42 abatement amount

Remarks: Error in Valuation, this account was assessed in error for improvements not owned by Graef

Sincerely;

Matthew L Caldwell CMA
Assessor's Agent

WAYNE SELECTBOARD /ASSESSORS

DATE: _____

Name: (Print)

Signature:



Professional design, installation and service of solar energy systems

December 7, 2016

Matt Caldwell, Assessor
Town of Wayne
P.O. Box 400
Wayne, ME 04284

Dear Mr. Caldwell,

I am writing at the request of the members of the Sky Ranch Community Solar Farm at 241 Morrison Heights Road in Wayne to provide information about the solar array, which was constructed by our company.

Solar System Description:

The Sky Ranch Community Solar Farm (the "Solar Farm") consists of a 49.6 kilowatt (kW dc) solar array projected to generate approximately 59,500 kilowatt-hours (kWh) annually. The array covers approximately 11,250 square feet (one quarter acre) and includes:

- 160 solar panels,
- 5 Inverters, and
- Pole mounted racking, oriented at 35° tilt and 180° azimuth.

Community Solar Farm Structure and Ownership:

This project is one of the first in the state organized as a Community Solar Farm under the Maine Public Utilities Commission net metering rules, 65-407 C.M.R. ch. 313. This rule allows a family without a viable solar site at home to own a share of a communal solar array. In short, it functions as a remote residential solar installation. For each kWh of electricity generated at the solar farm, the members receive a kWh credit on their residential electric bills. Credits are allocated in proportion to each member's ownership share of the Solar Farm. Unused credits are banked for future use, and expire after 12 months. No cash is ever paid to solar farm members.

The project is located on leased land and is the private, *non-commercial* personal property of the nine individual families that are members of the farm. Each family owns a certain number of solar panels, and shares in the remainder of the system as tenants in common. The members have formed a mutual benefit non-profit association to manage the system.

Taxation Issues – Real Property:

The Solar Farm lease has a 25-year term, with optional extensions to 30 years. Current market rates for Solar Farm leases average \$15/kW for small projects as here (\$744/year), and on the order of \$5/kW or less for larger solar projects.

91 West Main Street
Liberty, ME 04949

(207) 589-4171

142 Presumpscot Street
Portland, ME 04103

(207) 221-6342

14 Dixon Ave
Concord, NH 03301

(603) 415-0151

7 Commercial Drive
Brentwood, NH 03833

(603) 679-1777

www.revisionenergy.com

www.ReVisionEnergy.com



Professional design, installation and service of solar energy systems

Given the very modest lease income and the inability of a prospective purchaser to use the leased property for other purposes, this arrangement will likely result in lower land values in the marketplace for the host property. Accordingly, the real property valuation should be reduced to reflect these impacts.

Taxation Issues – Personal Property:

As noted above, the Solar Farm equipment is the private, *non-commercial* personal property of the members. Because the Solar Farm is not a commercial activity, is used solely to offset members' residential electric usage, and cannot, by law, generate income, we recommend that the Town of Wayne apply the same taxation principles for this project as it does for any other residential solar project, or for any other private, non-commercial personal property.

If the town does not assess taxes on residential solar arrays, then it would be inequitable and unfair to for the town assess members of the Sky Ranch Solar Farm for taxes that no other town resident must pay. The same is true for personal property – if the town does not tax the private personal property of its residents, then it also should not tax this private personal property.

Property Tax Impacts on Solar Project Value:

We understand that the Town has proposed a valuation of the Sky Ranch Solar Farm at \$149,000, which equates to a \$2,200 tax bill for 2016, and that the Town has proposed a 25-year depreciation schedule.

Under the PUC rules, a Solar Farm can offset only the portion of a residential electric bill measured in kilowatt-hours. 65-407 C.M.R. ch. 313, §3(E)(4). In this case, the Sky Ranch Solar Farm is projected to generate 59,500 kWh/year. At the current default service electrical rates for the Central Maine Power service territory, each kWh is worth 13.2¢.¹ Offsetting this are operating costs, including operations and maintenance, rent, insurance, license fees, and meter fees – totaling about \$3,300/year.

Thus, the net energy savings from the farm as a whole are approximately \$4,600. The proposed property tax would take almost half of that – and push the payback period out to 30 years. Although not intentional, the practical effect of this level of taxation on the solar farm members is extreme and is patently unfair, particularly for a town where no other residential solar energy owner is similarly taxed.

¹ The Maine Public Utilities Commission has proposed to eliminate Transmission & Distribution costs from net energy billing compensation after 15 years, which would cut the per kWh value in half. See Maine PUC, Docket No. 2016-222.

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Professional design, installation and service of solar energy systems

Lastly, we wanted the town to be aware that the project was organized by the Maine Chapter of the Sierra Club as a way to allow families to access clean, renewable energy in order to lower their personal carbon footprint and help do their part to fight climate change.

We urge the Town to make every effort possible to promote this sort of responsible environmental and community action.

Thank you for your consideration of these concerns and please let us know if we can provide further information or clarification.

Sincerely,

Stephen F. Hinchman, Esq
Chief Counsel
Director of Development
ReVision Energy, LLC
208-837-8637

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Liberty, ME 04949
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Expense Summary Report

Fund: 1
ALL Months

Account	Budget Net	YTD Net	Unexpended Balance	Percent Spent
100 - General Admin	234,985.00	133,247.20	101,737.80	56.70
01 - Salaries	156,169.00	81,739.98	74,429.02	52.34
01 - Selectmen	7,162.00	3,581.10	3,580.90	50.00
05 - Town Manager	50,000.00	26,913.60	23,086.40	53.83
10 - Bookkeeper	0.00	220.00	-220.00	----
15 - Treasurer	3,000.00	1,500.00	1,500.00	50.00
20 - Tax Collector	22,241.00	12,439.94	9,801.06	55.93
25 - Town Clerk	23,071.00	13,119.41	9,951.59	56.87
35 - Meeting Clerk	1,282.00	49.29	1,232.71	3.84
70 - Med/Fica	8,167.00	4,402.49	3,764.51	53.91
75 - Health Insurance	35,396.00	17,935.32	17,460.68	50.67
80 - Retirement	4,830.00	1,296.83	3,533.17	26.85
81 - Income Protection plan	1,020.00	282.00	738.00	27.65
02 - Operating Expense	27,260.00	20,204.45	7,055.55	74.12
01 - Office Expense	4,000.00	4,894.87	-894.87	122.37
05 - Travel expenses	2,000.00	900.23	1,099.77	45.01
10 - Training Expense	2,000.00	1,052.53	947.47	52.63
20 - MMA Dues	2,310.00	50.00	2,260.00	2.16
25 - Computer Repairs	1,500.00	403.00	1,097.00	26.87
30 - Computer Software	9,500.00	9,908.14	-408.14	104.30
35 - Website	750.00	450.00	300.00	60.00
40 - Town Report	1,000.00	0.00	1,000.00	0.00
45 - Sunshine Fund	200.00	0.00	200.00	0.00
50 - Tax Administration	4,000.00	2,545.68	1,454.32	63.64
03 - Contractual	48,956.00	30,049.79	18,906.21	61.38
01 - Legal Services	15,000.00	5,443.04	9,556.96	36.29
05 - Audit Services	5,300.00	5,040.00	260.00	95.09
15 - Insurance	18,000.00	17,619.00	381.00	97.88
20 - Rent	6,656.00	0.00	6,656.00	0.00
25 - Copier lease	4,000.00	1,947.75	2,052.25	48.69
05 - Utilities	2,600.00	1,252.98	1,347.02	48.19
01 - Telephone	2,600.00	1,252.98	1,347.02	48.19
101 - Debt Service	167,580.00	168,272.43	-692.43	100.41
15 - Debt Service	167,580.00	168,272.43	-692.43	100.41
05 - North Wayne Road Bond	36,366.00	36,396.66	-30.66	100.08
10 - Kings Highway	65,905.00	66,570.00	-665.00	101.01
15 - Old Winthrop Road Bond	65,309.00	65,305.77	3.23	100.00
102 - Elections & Hearings	1,750.00	1,913.52	-163.52	109.34
01 - Salaries	1,250.00	905.70	344.30	72.46
41 - Elections clerk	1,250.00	880.61	369.39	70.45
70 - Med/Fica	0.00	25.09	-25.09	----
02 - Operating Expense	500.00	1,007.82	-507.82	201.56
01 - Office Expense	500.00	1,007.82	-507.82	201.56
103 - General Assistance	3,000.00	365.86	2,634.14	12.20
10 - Social Services/Community Serv	3,000.00	365.86	2,634.14	12.20
85 - General Assistance	2,500.00	365.86	2,134.14	14.63
87 - Ladd Alternative GA	500.00	0.00	500.00	0.00
104 - Fire Department	53,995.00	17,345.03	36,649.97	32.12

Expense Summary Report

Fund: 1
ALL Months

Account	Budget Net	YTD Net	Unexpended Balance	Percent Spent
104 - Fire Department CONT'D				
01 - Salaries	13,995.00	5,382.54	8,612.46	38.46
50 - Chief Officers stipends	6,000.00	3,000.00	3,000.00	50.00
52 - Firefighter stipends	7,000.00	2,000.00	5,000.00	28.57
70 - Med/Fica	995.00	382.54	612.46	38.45
02 - Operating Expense	40,000.00	11,962.49	28,037.51	29.91
60 - Fire Operations	22,000.00	6,374.98	15,625.02	28.98
61 - Fire Communications	4,000.00	1,587.56	2,412.44	39.69
62 - Fire Equipment	14,000.00	3,999.95	10,000.05	28.57
105 - Assessing	22,350.00	10,200.00	12,150.00	45.64
02 - Operating Expense	1,800.00	1,800.00	0.00	100.00
75 - GIS Maps	1,800.00	1,800.00	0.00	100.00
03 - Contractual	20,550.00	8,400.00	12,150.00	40.88
30 - Assessing/Mapping	14,750.00	8,400.00	6,350.00	56.95
35 - Quarterly review	5,800.00	0.00	5,800.00	0.00
106 - Animal Control	5,230.00	3,032.64	2,197.36	57.99
01 - Salaries	3,230.00	1,614.75	1,615.25	49.99
55 - Animal control officer	3,000.00	1,500.00	1,500.00	50.00
70 - Med/Fica	230.00	114.75	115.25	49.89
10 - Social Services/Community Serv	2,000.00	1,417.89	582.11	70.89
90 - Humane Society	2,000.00	1,417.89	582.11	70.89
107 - Code Enforcement	16,214.00	9,615.86	6,598.14	59.31
01 - Salaries	12,514.00	6,910.31	5,603.69	55.22
56 - Code Enforcement Officer	11,625.00	6,368.04	5,256.96	54.78
70 - Med/Fica	889.00	542.27	346.73	61.00
02 - Operating Expense	2,700.00	2,583.00	117.00	95.67
21 - KVCOG Dues	2,700.00	2,583.00	117.00	95.67
65 - Unclassified	1,000.00	122.55	877.45	12.26
10 - Planning Board	0.00	122.55	-122.55	---
30 - Ordinance & Mapping	1,000.00	0.00	1,000.00	0.00
108 - Public Safety	35,202.00	19,972.63	15,229.37	56.74
03 - Contractual	28,302.00	16,558.23	11,743.77	58.51
40 - Ambulance	10,700.00	5,350.50	5,349.50	50.00
45 - Sheriff Dept	6,000.00	4,160.00	1,840.00	69.33
50 - PSAP Dispatching	11,602.00	7,047.73	4,554.27	60.75
05 - Utilities	6,900.00	3,414.40	3,485.60	49.48
20 - Street lights	6,900.00	3,414.40	3,485.60	49.48
109 - Roads	305,763.00	195,608.73	110,154.27	63.97
03 - Contractual	167,263.00	83,881.30	83,381.70	50.15
55 - Parking Lot Plowing	3,800.00	1,350.00	2,450.00	35.53
60 - Road Plowing	158,463.00	79,231.30	79,231.70	50.00
75 - Roadside mowing	5,000.00	3,300.00	1,700.00	66.00
05 - Utilities	500.00	180.81	319.19	36.16
05 - Electricity	500.00	180.81	319.19	36.16
25 - Roads	138,000.00	111,546.62	26,453.38	80.83
01 - Roads Administration	2,000.00	764.75	1,235.25	38.24

Expense Summary Report

Fund: 1
ALL Months

Account	Budget Net	YTD Net	Unexpended Balance	Percent Spent
109 - Roads CONT'D				
05 - Brush/Tree removal	16,000.00	10,727.00	5,273.00	67.04
10 - Calcium chloride	8,000.00	2,697.50	5,302.50	33.72
15 - Sweeping	4,000.00	0.00	4,000.00	0.00
20 - Patching	4,000.00	4,119.81	-119.81	103.00
30 - Signs	3,000.00	5,873.55	-2,873.55	195.79
35 - Painting	1,000.00	0.00	1,000.00	0.00
40 - Culverts	10,000.00	6,810.88	3,189.12	68.11
45 - Gravel	26,000.00	29,537.70	-3,537.70	113.61
46 - Winter salt	15,000.00	5,672.37	9,327.63	37.82
70 - Grading	9,000.00	4,725.00	4,275.00	52.50
75 - Ditching	40,000.00	40,514.06	-514.06	101.29
80 - Catch Basin	0.00	104.00	-104.00	----
110 - Transfer Station	112,908.00	49,150.48	63,757.52	43.53
02 - Operating Expense	3,800.00	1,075.50	2,724.50	28.30
80 - Hazardous waste	1,500.00	0.00	1,500.00	0.00
85 - TS Backhoe Rental	2,300.00	1,075.50	1,224.50	46.76
03 - Contractual	109,108.00	48,074.98	61,033.02	44.06
65 - Transfer Station Operations	108,108.00	48,074.98	60,033.02	44.47
80 - Landfill mowing	1,000.00	0.00	1,000.00	0.00
111 - Outside Agencies	24,116.00	23,615.50	500.50	97.92
10 - Social Services/Community Serv	24,116.00	23,615.50	500.50	97.92
01 - Library	6,000.00	6,000.00	0.00	100.00
10 - Archival board	500.00	0.00	500.00	0.00
15 - Messenger	2,000.00	2,000.00	0.00	100.00
20 - Cemetery Association	3,500.00	3,500.00	0.00	100.00
25 - Rural Community Action	3,700.00	3,700.00	0.00	100.00
30 - Senior Spectrum	1,004.00	1,004.00	0.00	100.00
35 - Hospice	1,000.00	1,000.00	0.00	100.00
40 - Family Violence	1,000.00	1,000.00	0.00	100.00
45 - Maine Public Broadcasting	100.00	100.00	0.00	100.00
50 - Kennebec Valley Behavioral Hea	1,600.00	1,600.00	0.00	100.00
55 - Children Center	595.00	595.00	0.00	100.00
60 - Red Cross	1,200.00	1,200.00	0.00	100.00
65 - Sexual Assault Crisis Support	417.00	416.50	0.50	99.88
94 - Winthrop Food Pantry	1,500.00	1,500.00	0.00	100.00
112 - Recreation	23,303.00	15,617.18	7,685.82	67.02
01 - Salaries	2,153.00	1,076.50	1,076.50	50.00
67 - Recreation Coordinator	2,000.00	1,000.00	1,000.00	50.00
70 - Med/Fica	153.00	76.50	76.50	50.00
02 - Operating Expense	4,300.00	0.00	4,300.00	0.00
90 - Ladd Operational expenses	4,300.00	0.00	4,300.00	0.00
03 - Contractual	5,850.00	4,243.44	1,606.56	72.54
70 - Mowing	2,350.00	1,303.44	1,046.56	55.47
71 - Ladd Mowing	3,500.00	2,940.00	560.00	84.00
10 - Social Services/Community Serv	11,000.00	10,297.24	702.76	93.61
80 - 30 Mile River Snowmobile Assoc	650.00	0.00	650.00	0.00
91 - Kennebec Land Trust	250.00	1,300.00	-1,050.00	520.00
92 - Friends of Cobbossee Watershe	1,300.00	250.00	1,050.00	19.23
93 - Memorial Day	300.00	247.24	52.76	82.41

Expense Summary Report

Fund: 1
ALL Months

Account	Budget Net	YTD Net	Unexpended Balance	Percent Spent
112 - Recreation CONT'D				
97 - Andro Lake Improve Corp	3,000.00	3,000.00	0.00	100.00
98 - Andro Yacht club	500.00	500.00	0.00	100.00
99 - 30 Mile Watershed	5,000.00	5,000.00	0.00	100.00
113 - Land and Buildings	2,600.00	2,683.70	-83.70	103.22
02 - Operating Expense	1,600.00	2,137.98	-537.98	133.62
15 - Maintenance and Repairs	1,000.00	1,857.84	-857.84	185.78
95 - NW Schoolhouse	200.00	80.80	119.20	40.40
96 - NW Building	200.00	93.10	106.90	46.55
97 - Town House	200.00	106.24	93.76	53.12
03 - Contractual	1,000.00	545.72	454.28	54.57
72 - Historic Property Mowing	1,000.00	545.72	454.28	54.57
114 - Capital Reserves transfers	147,000.00	150,021.54	-3,021.54	102.06
52 - Capital Reserve Funds	147,000.00	150,021.54	-3,021.54	102.06
05 - Fire Truck	30,000.00	30,000.00	0.00	100.00
50 - Road Recon. & Pav. Project	100,000.00	100,000.00	0.00	100.00
65 - Town Office	15,000.00	15,000.00	0.00	100.00
75 - Technology Replacement Plan	2,000.00	2,000.00	0.00	100.00
90 - Former Pettengill Property Leg	0.00	3,021.54	-3,021.54	----
115 - School RSU #38	2,033,394.00	1,186,146.50	847,247.50	58.33
60 - Intergovernment	2,033,394.00	1,186,146.50	847,247.50	58.33
15 - RSU #38	2,033,394.00	1,186,146.50	847,247.50	58.33
116 - County Tax	187,625.00	187,624.68	0.32	100.00
60 - Intergovernment	187,625.00	187,624.68	0.32	100.00
20 - Kennebec County Tax	187,625.00	187,624.68	0.32	100.00
117 - Cobbossee Watershed District	2,462.00	1,641.34	820.66	66.67
60 - Intergovernment	2,462.00	1,641.34	820.66	66.67
25 - Cobbossee Watershed District	2,462.00	1,641.34	820.66	66.67
118 - Overlay	10,000.00	97.88	9,902.12	0.98
60 - Intergovernment	10,000.00	97.88	9,902.12	0.98
30 - Overlay	10,000.00	97.88	9,902.12	0.98
120 - Selectboard Contingency	5,000.00	350.00	4,650.00	7.00
65 - Unclassified	5,000.00	350.00	4,650.00	7.00
01 - Contigent	5,000.00	350.00	4,650.00	7.00
Final Totals	3,394,477.00	2,176,522.70	1,217,954.30	64.12

Revenue Summary Report

Fund: 1

ALL

Account	Budget Net	YTD Net	Uncollected Balance	Percent Collected
100 - General Admin	626,469.00	2,862,733.77	-2,236,264.77	456.96
01 - Banking Interest	400.00	434.02	-34.02	108.51
03 - Lien costs	5,000.00	1,846.35	3,153.65	36.93
04 - Interest on taxes	12,000.00	4,394.90	7,605.10	36.62
05 - MV Agent fees	4,250.00	2,248.00	2,002.00	52.89
06 - IFW Agent fees	500.00	233.25	266.75	46.65
07 - Motor Vehicle excise	232,000.00	141,325.96	90,674.04	60.92
08 - Boat Excise	2,000.00	941.70	1,058.30	47.09
09 - Vitals	600.00	238.40	361.60	39.73
10 - Cash Short/ Over	0.00	-10.55	10.55	----
13 - Cable TV Franchise	4,200.00	0.00	4,200.00	0.00
14 - Misc revenue	15,000.00	973.94	14,026.06	6.49
15 - Surplus	300,000.00	0.00	300,000.00	0.00
20 - Insurance Dividends/Reimburse	0.00	1,165.00	-1,165.00	----
21 - State revenue sharing	45,519.00	23,168.72	22,350.28	50.90
25 - Tax Commitment	0.00	2,685,574.08	-2,685,574.08	----
26 - Supplemental Taxes	5,000.00	0.00	5,000.00	0.00
27 - Payment in Lieu of Taxes	0.00	200.00	-200.00	----
103 - General Assistance	1,250.00	1,081.60	168.40	86.53
01 - GA Reimbursement	1,250.00	1,081.60	168.40	86.53
105 - Assessing	31,541.00	42,934.23	-11,393.23	136.12
01 - Tree Growth	4,000.00	3,632.23	367.77	90.81
02 - Homestead Exemption	26,000.00	34,240.00	-8,240.00	131.69
03 - Veteran reimbursement	1,500.00	1,396.00	104.00	93.07
04 - BETE Reimbursement	41.00	3,666.00	-3,625.00	999.99
106 - Animal Control	800.00	461.00	339.00	57.63
01 - Dog fees	750.00	461.00	289.00	61.47
02 - Dog late fees	50.00	0.00	50.00	0.00
107 - Code Enforcement	2,000.00	1,183.00	817.00	59.15
01 - Building permits	2,000.00	1,176.00	824.00	58.80
02 - Yard Sale Permit	0.00	7.00	-7.00	----
109 - Roads	30,848.00	30,708.00	140.00	99.55
01 - Local Road Assist Program	30,848.00	30,708.00	140.00	99.55
119 - Snowmobile	650.00	0.00	650.00	0.00
01 - State Reimbursement	650.00	0.00	650.00	0.00
Final Totals	693,558.00	2,939,101.60	-2,245,543.60	423.77

General Ledger Summary Report

Fund(s): ALL
ALL

Account	Beg Bal Net	----- Y T D -----		Pending Activity	Balance Net
		Debits	Credits	Net	
General Fund	0.00	17,449,210.41	17,449,210.41	0.00	600.38
Assets	1,119,946.59	5,178,904.91	4,216,766.97	962,137.94	-4,246.12
100-00 Cash / Checking	1,035,397.87	2,050,490.13	2,355,716.62	-305,226.49	-6,146.16
110-00 Debit Card Account-Androscogg	2,000.00	0.00	0.00	0.00	0.00
110-01 Cash Drawers	401.70	0.00	1.70	-1.70	0.00
110-03 Andro Savings 1600191314	243,374.44	0.00	0.00	0.00	0.00
116-00 NSF CHECK	948.73	1,089.79	797.93	291.86	0.00
120-00 ACCOUNTS RECEIVABLE	772.57	0.00	0.00	0.00	0.00
150-05 2005 Real Estate Taxes	0.00	0.00	0.00	0.00	0.00
150-12 2012 Real Estate Taxes	5,612.51	0.00	0.00	0.00	0.00
150-13 2013 Real Estate Taxes	0.10	0.00	0.08	-0.08	0.00
150-14 2014 Real Estate Taxes	1.31	21.39	1.29	20.10	0.00
150-15 2015 Real Estate Taxes	76,780.58	886.10	77,585.71	-76,699.61	0.00
150-16 2016 Real Estate Taxes	-2,436.30	2,675,855.98	1,288,715.39	1,387,140.59	0.00
150-17 2017 Real Estate Taxes	0.00	0.00	39.53	-39.53	0.00
155-05 2005 pp Taxes	168.81	0.00	0.00	0.00	0.00
155-06 2006 pp Taxes	250.19	0.00	0.00	0.00	0.00
155-07 2007 pp Taxes	261.03	0.00	0.00	0.00	0.00
155-08 2008 pp Taxes	421.05	0.00	0.00	0.00	0.00
155-09 2009 pp Taxes	554.20	0.00	0.00	0.00	0.00
155-10 2010 pp Taxes	880.67	0.00	0.00	0.00	0.00
155-11 2011 pp Taxes	1,504.76	0.00	0.02	-0.02	0.00
155-12 2012 pp Taxes	1,761.53	0.00	256.79	-256.79	0.00
155-13 2013 pp Taxes	2,154.16	0.00	473.15	-473.15	0.00
155-14 2014 pp Taxes	3,270.95	0.00	1,092.67	-1,092.67	0.00
155-15 2015 pp Taxes	6,528.10	0.00	3,746.72	-3,746.72	0.00
155-16 2016 pp Taxes	-0.02	11,950.02	3,284.27	8,665.75	0.00
155-17 2017 pp Taxes	0.00	0.00	0.03	-0.03	0.00
160-09 2009 Liens	5,411.87	0.00	0.00	0.00	0.00
160-10 2010 Liens	5,611.57	0.00	0.00	0.00	0.00
160-11 2011 Liens	5,611.57	0.00	0.00	0.00	0.00
160-13 2013 Liens	5,875.95	15.63	0.00	15.63	0.00
160-14 2014 Liens	36,926.13	0.00	17,959.13	-17,959.13	0.00
160-15 2015 Liens	0.00	60,137.84	19,842.65	40,295.19	0.00
199-02 Due to/from Ladd Rec	-1,570.12	52,703.27	52,027.58	675.69	1,762.78
199-03 Due to/from Special Revenues	-15,363.53	15,220.62	8,309.32	6,911.30	137.26
199-04 Due to/from Capital Projects	-303,165.79	308,091.31	384,541.38	-76,450.07	0.00
199-05 Due to/from Trust Funds	0.00	2,442.83	2,375.00	67.83	0.00
Liabilities	111,866.63	101,637.13	98,470.38	-3,166.75	-3,645.74
309-00 Community Directory	0.00	0.00	25.00	25.00	0.00
310-01 BMW	1,591.25	54,694.41	54,655.66	-38.75	-928.50
310-03 State Vital Fees	0.00	0.00	35.60	35.60	0.00
310-15 IFW	4,587.25	8,722.44	7,839.94	-882.50	-2,762.25
310-30 Dog License State	0.00	287.00	560.00	273.00	-231.00
310-35 State Plumbing Fee 25%	346.25	240.00	452.50	212.50	0.00
310-36 DEP Plumbing Fee \$15.00	-282.50	45.00	105.00	60.00	0.00
320-00 Accounts Payable	3,729.13	3,920.33	191.20	-3,729.13	0.00
320-05 LPI Plumbing Fee 75%	-1,013.75	720.00	1,662.50	942.50	0.00
330-10 Federal withholding	0.00	24,559.71	24,559.71	0.00	0.00
330-25 State withholding	0.00	3,316.02	3,316.02	0.00	0.00
330-40 Retirement withholding	0.00	2,145.61	2,145.61	0.00	0.00

General Ledger Summary Report

Fund(s): ALL

ALL

Account	Beg Bal Net	----- Y T D -----			Pending Activity	Balance Net
		Debits	Credits	Net		
1 - General Fund CONTD						
330-50 MMEHT with holding	0.00	2,986.61	2,921.64	-64.97	276.01	211.04
400-00 Deferred Tax Revenues	102,909.00	0.00	0.00	0.00	0.00	102,909.00
Fund Balance	1,008,079.96	12,168,668.37	13,133,973.06	965,304.69	0.00	1,973,384.65
500-00 Expense control	0.00	2,063,561.09	10,194,860.18	8,131,299.09	0.00	8,131,299.09
510-00 Revenue control	0.00	2,080,685.28	2,939,112.88	858,427.60	0.00	858,427.60
520-00 Undesignated fund balance	1,008,079.96	8,024,422.00	0.00	-8,024,422.00	0.00	-7,016,342.04
2 - Ladd Rec Operations						
Assets	0.00	104,730.65	104,730.65	0.00	-1,762.78	-1,762.78
199-01 Due to/from	1,570.12	52,027.58	52,703.27	-675.69	-1,762.78	-868.35
Liabilities	0.00	0.00	0.00	0.00	0.00	0.00
Fund Balance	1,570.12	52,703.27	52,027.58	-675.69	0.00	894.43
500-00 Expense Control	0.00	52,703.27	0.00	-52,703.27	0.00	-52,703.27
510-00 Revenue Control	0.00	0.00	52,027.58	52,027.58	0.00	52,027.58
520-00 Fund Balance	1,570.12	0.00	0.00	0.00	0.00	1,570.12
3 - Special Revenues						
Assets	0.00	43,757.30	43,757.30	0.00	-137.26	-137.26
120-01 No. Wayne School House KSB	2,424.83	0.00	0.00	0.00	0.00	2,424.83
199-01 Due to/from	15,363.53	8,309.32	15,220.62	-6,911.30	-137.26	8,314.97
Liabilities	0.00	0.00	0.00	0.00	0.00	0.00
Fund Balance	17,788.36	35,447.98	28,536.68	-6,911.30	0.00	10,877.06
500-00 Expense Control	0.00	17,659.62	0.00	-17,659.62	0.00	-17,659.62
510-00 Revenue Control	0.00	0.00	28,536.68	28,536.68	0.00	28,536.68
525-00 Animal Control	2,100.03	2,100.03	0.00	-2,100.03	0.00	0.00
531-00 Farmers Market	476.52	476.52	0.00	-476.52	0.00	0.00
532-00 Wayne History Project	3,973.42	3,973.42	0.00	-3,973.42	0.00	0.00
535-00 Soccer	2,239.09	2,239.09	0.00	-2,239.09	0.00	0.00
536-00 Softball	621.02	621.02	0.00	-621.02	0.00	0.00
537-00 Baseball	118.90	118.90	0.00	-118.90	0.00	0.00
538-00 Cemetery Lot Sales	275.00	275.00	0.00	-275.00	0.00	0.00
539-00 Community Directory	115.00	115.00	0.00	-115.00	0.00	0.00
540-00 No. Wayne School House	2,395.84	2,395.84	0.00	-2,395.84	0.00	0.00
541-00 Water Quality	5,473.54	5,473.54	0.00	-5,473.54	0.00	0.00
4 - Capital Reserves						
Assets	0.00	1,016,191.27	1,016,191.27	0.00	0.00	0.00
109-00 Fire Truck - WAFCU - 24852-00	25.00	0.00	0.00	0.00	0.00	25.00
110-00 Fire Truck - WAFCU - 24852-64	17,928.79	0.00	0.00	0.00	0.00	17,928.79
199-01 Due to/from	303,165.79	439,516.38	308,091.31	131,425.07	0.00	434,590.86

General Ledger Summary Report

Fund(s): ALL

ALL

Account	Beg Bal Net	----- Y T D -----			Pending Activity	Balance Net
		Debits	Credits	Net		
4 - Capital Reserves CONT'D						
Liabilities	0.00	0.00	0.00	0.00	0.00	0.00
Fund Balance	321,119.58	576,674.89	708,099.96	131,425.07	0.00	452,544.65
500-00 Expense Control	0.00	253,116.31	0.00	-253,116.31	0.00	-253,116.31
510-00 Revenue Control	0.00	2,439.00	708,099.96	705,660.96	0.00	705,660.96
521-00 Transfer Station	43,572.00	43,572.00	0.00	-43,572.00	0.00	0.00
523-00 Roads	83,203.44	83,203.44	0.00	-83,203.44	0.00	0.00
524-00 Fire Truck	42,928.79	42,928.79	0.00	-42,928.79	0.00	0.00
525-00 Sand Salt Shed	2,918.64	2,918.64	0.00	-2,918.64	0.00	0.00
526-00 Footbridge	3,617.44	3,617.44	0.00	-3,617.44	0.00	0.00
530-00 Fire Station	1,591.74	1,591.74	0.00	-1,591.74	0.00	0.00
531-00 Lord Road Paving	30,410.48	30,410.48	0.00	-30,410.48	0.00	0.00
532-00 Hardscrabble Road	2,810.53	2,810.53	0.00	-2,810.53	0.00	0.00
533-00 Lovejoy Pond Dam	16,560.53	16,560.53	0.00	-16,560.53	0.00	0.00
534-00 Land/Building	3,083.75	3,083.75	0.00	-3,083.75	0.00	0.00
535-00 Cemetery Stone Cleaning	9,900.00	9,900.00	0.00	-9,900.00	0.00	0.00
536-00 Town Office	47,402.50	47,402.50	0.00	-47,402.50	0.00	0.00
537-00 Besse Road Chip Seal	4,800.00	4,800.00	0.00	-4,800.00	0.00	0.00
538-00 Fire Equipment	6,572.52	6,572.52	0.00	-6,572.52	0.00	0.00
539-00 Village Improvements	2,737.87	2,737.87	0.00	-2,737.87	0.00	0.00
540-00 Technology	8,654.16	8,654.16	0.00	-8,654.16	0.00	0.00
542-00 Emergency Management	5,200.00	5,200.00	0.00	-5,200.00	0.00	0.00
543-00 Fire Pond/Dry Hydrant	1,633.00	1,633.00	0.00	-1,633.00	0.00	0.00
545-00 Fmr. Pettengill Property Legal	3,522.19	3,522.19	0.00	-3,522.19	0.00	0.00
5 - Trust Funds	0.00	4,817.83	4,817.83	0.00	0.00	0.00
Assets	80,400.90	2,375.00	2,442.83	-67.83	0.00	80,333.07
101-00 Jaworski Andro 45107709	1,141.74	0.00	0.00	0.00	0.00	1,141.74
103-00 Ruth Lee Andro 45107645	8,486.39	0.00	0.00	0.00	0.00	8,486.39
104-00 Ladd Worthy Poor Andro 4510761	23,669.40	0.00	0.00	0.00	0.00	23,669.40
105-00 Ladd WAFCU 25542-ID 00	25.04	0.00	0.00	0.00	0.00	25.04
106-00 Ladd WAFCU 25542-ID 10 CD	14,862.67	0.00	0.00	0.00	0.00	14,862.67
107-00 Ladd WAFCU 25542-ID 64 Savings	32,215.66	0.00	0.00	0.00	0.00	32,215.66
199-01 Due to/from	0.00	2,375.00	2,442.83	-67.83	0.00	-67.83
Liabilities	0.00	0.00	0.00	0.00	0.00	0.00
Fund Balance	80,400.90	2,442.83	2,375.00	-67.83	0.00	80,333.07
500-00 Expense Control	0.00	1,067.83	0.00	-1,067.83	0.00	-1,067.83
510-00 Revenue Control	0.00	1,375.00	2,375.00	1,000.00	0.00	1,000.00
521-00 Jaworski Fund Balance	1,141.74	0.00	0.00	0.00	0.00	1,141.74
522-00 Ladd Recreation Capital FB	47,103.37	0.00	0.00	0.00	0.00	47,103.37
523-00 Ruth Lee FB	8,486.39	0.00	0.00	0.00	0.00	8,486.39
524-00 Ladd Worthy Poor FB	23,669.40	0.00	0.00	0.00	0.00	23,669.40
Final Totals	0.00	18,618,707.66	18,618,707.66	0.00	-2,500.42	-2,500.42

Town News – January 2017

Winter is here! Winter sand is available for residents use at home Fairbank Road near the Town Sand/ Salt Shed, only two buckets per storm.

This month the **Board of Selectmen** will be meeting on **January 10** and **January 24** at **6:30 PM** at the **Wayne Elementary School Gymnasium**.

In observation of **Martin Luther King Jr. Day**, Monday January 16, 2017, the Town Office will be closed.

The Town's **Assessor Agent** Matt Caldwell from RJD Appraisal will be available by appointment on **Monday January 23, 2017** to answer any questions you might have about your assessment or tax bill. Please contact, the Town Office to schedule an appointment.

Please don't forget to register your dog, you will be assessed a \$25.00 late charge by **January 31, 2017**. Dog tags are available at the Town Office., if you contact the Town Office for details.

Your second installment of property taxes is **due by January 31, 2017**. Interest will begin to accrue on February 1, 2017 at 7% per annum.