

**TOWN OF ARUNDEL, MAINE
SELECT BOARD MEETING**

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**Monday July 24, 2023
Arundel Municipal Building
7PM
Meeting Room**

- I. Call to Order
- II. Public Hearing – Food Truck Application “Cheese the Day”
- III. Approval of Agenda
- IV. Public Forum – Public comment on non-agenda items
- V. Approve Minutes of July 10, 2023
- VI. Committee and Board Reports
- VII. Manager Report
 - Meeting of 7/17/23 Managers & Superintendent of Schools
 - Code of Conduct
 - Log Cabin Road –Culvert Replacement MDOT
 - Maine Turnpike Authority CIP Programs in Arundel
- VIII. Business
 - Request for Possible Consent Agreement 142 Proctor Road
 - Food Truck Application “Cheese the Day”
 - Liquor License Renewal Club Application-Fraternal Order of Eagles
 - Liquor License Renewal Bentley’s Saloon
 - SCBA Low Bid update
 - Review of Impact Fees
 - Resident request for Speed Limit review Log Cabin Road
 - Approval of Payable & Payroll Warrants
- IX. Adjournment

TOWN OF ARUNDEL

468 LIMERICK RD ARUNDEL MAINE 04046 (207) 985-4201 FAX (207) 985-7589

BUSINESS MEETING July 24, 2023

EXECUTIVE SUMMARY

Select Board Members: The purpose of this summary presented is to give you some information over and above just the mentioning of the subject matter on the agenda. It is my hope that this information assists you in your decision making.

PUBLIC HEARING Food Truck "Cheese the Day". New to us even though it will be in an approved site at Vinegar Hill Music Theatre.

MANAGERS REPORT

-Managers & Superintendent meeting: I will discuss with you my meeting with fellow colleagues and thoughts moving forward.

-Code of Conduct: Have the corrections and will be looking for signatures on a clean copy.

-Log Cabin Road: MDOT has informed us that their Contractor RJ Grondin will be closing down Log Cabin Road for a Culvert Replacement starting on August 9, 2023 to October 6, 2023 some 9 weeks.

-Maine Turnpike Authority has provided their CIP Programs in and around Arundel on the turnpike, 2026 resurfacing road surface, 2027 Limerick Road Bridge Repair.

BUSINESS

-142 Proctor Road: Real Estate Agent David Trottier has asked to speak with you all on a property he is attempting to sell that once a survey was completed by the bank, discovered a set-back issue.

-Food Truck Application "Cheese the Day": The Applicant is seeking approval for the opportunity to operate the food truck during an event at Vinegar Hill. All paperwork appears to be in order.

-Fraternal Order of Eagles: They are seeking a renewal of their Liquor license for their Club Application. All paperwork appears to be in order.

-Bentley's Saloon Liquor License: Seeking a renewal of their License, paperwork appears to be in order.

-SCBA Low Bid: A miss calculation by the Low Bidder had the cost actually \$136,500.25 instead of \$131,500. The bid from HSE is still low bid and we are seeking approval of the corrected number. Funding to come from the American Rescue Plan funds.

-Review of Impact Fees: Looking to coordinate the Planner to attend a meeting not sure if it will be your next one. I did provide some thoughts on the subject matter via e-mail on the 18th (see attachment) which perhaps will help additional discussion.

-Request for Speed Limit Reduction (Log Cabin Road). We have had a resident request consideration for a speed limit change for Log Cabin Road. Do you wish for me to contact the state with this request?

-Payable & Payroll Warrant: Will be provided for review and action.

ADJOURNMENT

TOWN OF ARUNDEL
SELECT BOARD
Monday July 10, 2023
Arundel Municipal Building
Meeting Room
7PM Meeting

Members present: Select Board Dan Dubois, Phil Labbe, Tom Danylik, Jason Nedeau, Velma Hayes

Others: TM Trefethen, Andrew Stevenson, Joyce and Jack Reetz

Call to Order: Chairman Dubois called meeting to order @ 7:00PM

Election of Officers: *MOTION Dubois second Hayes “Elect Jason Nedeau as Board Chairman” passed 4-0-1, MOTION Dubois second Danylik “Elect Velma Jones Hayes as Vice Chairman” passed 4-0-1. MOTION Dubois second Labbe “Elect Tom Danylik as Secretary” passed 4-0-1.*

Approval of Agenda: *MOTION Dubois second Hayes “Approve Agenda as amended” passed 5-0. (Action on SCBA Quotes and Food Truck Applications).*

Public Forum: Deputy Chief Andy Stevenson discussed with the Select Board the activities and tasks being reviewed and accomplished at the Fire Department.

Committee & Board Reports: None

Approval of Minutes: *MOTION Dubois second Labbe “approve minutes of June 26, 2023 as presented” passed 5-0.*

Manager Report

-Changes in Transfer Station: The new change is still having growing pains. Casella Staff need to make a better effort of checking stickers and stop sending folks to the Municipal Building on the Punch Card and possible use of them in the future.

-159 Proctor Road: The property has been purchased by a company who’s business plan is to rehab and resell old run down properties. There effort is currently underway to accomplish and rehab effort.

Business

-Appointments: *MOTION Dubois second Danylik “confirm the appointment of Jamie Lowery, Paul Green, Marty Cain to the Planning Board and John Bell to the Budget Board” passed 5-0. MOTION Hayes second Labbe “approve the list of employees presented by the Town Manager for their Annual Appointments as reviewed” passed 5-0.*

Code of Conduct Policy: *MOTION Dubois second Danylik “approve the Code of Conduct as reviewed with spelling and date corrections and sign at the next business meeting” passed 5-0*

-Review of Current Fees *MOTION Dubois second Hayes “approve the Recommended update of fees presented by the Land Use Office” passed 5-0.*
Select Board would like to have a discussion with the Planner relative to Impact Fees.

-Review Food Truck Applications: *MOTION Hayes second Dubois “approve food truck application for Crepe Elizabeth at Vinegar Hill Music Theatre for July 23rd and August 27th provided that the \$40 fee is paid” passed 4-0-1 (danylik abstains).*

MOTION Dubois second Hayes “approve food truck application for Son of a Bun for July 16th at Vinegar Hill Music Theatre and waive the \$20 fee” passed 4-0-1 (Danylik abstains).

-Self Contain Breathing Apparatus (SCBA): The Fire Department reviewed three companies (Scott-MSA-Drager) for an upgrade and replacement of the current SCBA equipment in use. The current equipment is reaching its end of use per NFPA standards. Funding for the replacement equipment will be from American Rescue Plan Funds as the Town approve the use of \$145,000 from these funds for this purchase. (MSA @ \$138,771.70, Scott @ \$138,095, Drager @ \$131,500. *MOTION Dubois second Labbe “approve the purchase of equipment from Drager @ \$131,500” passed 5-0.*

-Payable & Payroll Warrants: *MOTION Hayes second Dubois “approve warrants as presented and reviewed” passed 5-0.*

-Executive Session: *MOTION Dubois second Labbe “enter executive session under RSA 405 (6) (A) to discuss with the Town Manager his employment contract passed” 5-0 @ 7:55PM. MOTION Dubois second Labbe “end Executive Session” passed 5-0 @ 8:04 PM. MOTION Dubois Second Hayes “The Select Board and Manager agreed to a change in his original contract as Addendum #2*

which provides another weeks vacation that brings his vacation to 5weeks, provided that any additional compensation changes will be through the Budget Process only and provided a provision that termination of employment by either party will be with a 60 day notice". Passed 5-0

ADJOURNMENT

MOTION Dubois second Labbe "to adjourn" passed 5-0 @ 8:06PM

Respectfully submitted
Keith M. Trefethen
Town Manager

TOWN OF ARUNDEL
SELECT BOARD CODE OF CONDUCT

The Select Board Members agrees to adhere to the following code of conduct during their tenure in office including at all Select Board Meetings, while representing the Select Board on any committee or sub-committee and while representing the Select Board or the Town in any capacity within or outside the Town.

1. A Select Board Member, once sworn into public office, will at all times endeavor to serve the interests of the citizens of the Town of Arundel.

2. A Select Board Member shall refrain from participation in any matter where there exists an actual, potential or perceived conflict of interest. Such a conflict would be that as would arise from a personal relationship or a financial involvement in a matter that would cause a reasonable person to believe that the Select Board's action in his or her official capacity may be influenced by self interest or bias. In any situation where the Board determines a conflict of interest or bias exists relative to any Board Member, that Board Member shall withdraw or recuse him or herself from further participation, except as a citizen, and shall not vote on the matter involved.

3. In that a Town Select Board Member has no legal authority to take any action or make any decision on behalf of the Town outside a duly scheduled meeting of the Select Board, he or she shall conduct relationships and communications with Town personnel, the local citizenry and all media with that understanding. A Select Board Member shall request information about any specific matters from the Town Manager and not directly from other Town personnel.

4. A Select Board Member shall, once a decision has been made by a legal vote of the Select Board, refrain from obstructing or impeding the implementation of the Board's decision.

5. A Town Select Board Member will only discuss the confidential business of the Town at a duly scheduled meeting of the Select Board.

6. A Town Select Board Member will make decisions only after the facts bearing on a matter before the Board have been presented and discussed at a public meeting or hearing of the Select Board.

7. A Town Select Board Member shall always treat Board Members, citizens, Town employees, committee or members of other Town Boards with courtesy and respect.

8. A Town Select Board Member will not criticize Town employees publicly but will take such criticism to the Town Manager for investigation and action as may be necessary pursuant to Town employee policy.

9. A Town Select Board Member will bring concerns regarding the conduct or behavior of a fellow Select Board Members first to the Chair of the Select Board for investigation and action if necessary, before raising such concerns in a public forum.

10. A Town Select Board Member who, after warning, disregards or fails to abide by this Code of Conduct may, by virtue of his or her continued violation of this Code, be subject to censure by the Board or the recall provisions of the Town Charter.

Renewed w/Language Changes July 10, 2023

Received 7/12/23



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

July 10, 2023

Town of Arundel
Attn: Town Manager
468 Limerick Road
Arundel, ME 04046

RE: Resident Town Letter: Large Culvert Replacement

--Region 1

Towns / Cities: Arundel

RE: 025397.00
Projects: 2539700

This is to advise you that the Maine Department of Transportation awarded a contract for the above referenced project. The Contractor on this project is R J Grondin & Sons Inc., 11 Bartlett Road, Gorham, ME 04038.

The Resident representing the State of Maine Department of Transportation is Noah French and although there will be a field office on site, he can be reached through his cell phone number (207) 557-5429, or his email address at noah.a.french@maine.gov.

Residents and property owners adjacent to this project may contact Noah French regarding construction activities, or for obtaining information in connection with this project.

In the event that our Resident cannot be contacted at the project site, you may contact me, Ryan Hodgman, at (207) 592-7382.

Sincerely,

Ryan Hodgman
Project Manager
Regional Program

cc: Noah French – Resident

Grondin

R. J. Grondin & Sons
General Contractors
11 Bartlett Rd.
Gorham, ME., 04038
207-854-1147
Fax 854-4315

July 17, 2023

Ryan Hodgman
Project Manager – Regional Program
Maine Department of Transportation
16 State House Station
Augusta, Maine 04333-0016

Project: WIN 025397.00
Arundel - Large Culvert Replacement
Subject: Request to Begin Work

Dear Mr. Hodgman,

In accordance Special Provision Section 107 Prosecution and Progress, I hereby request to commence construction of the Large Culvert Replacement project, located on Log Cabin Road in Arundel, on Monday August 7, 2023. Please find the attached Schedule of Work. Please contact me at 207-730-1469 should you have any questions.

Sincerely,



J. Gary Morrissey
Project Manager
R.J. Grondin & Sons

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Jul 30 '23	Aug 6 '23	Aug 13 '23	Aug 20 '23
							S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S
1	🚧	Preconstruction Meeting	1 day	Mon 7/31/23	Mon 7/31/23		█			
2	🚧	Begin Construction - Install Detour Signs	1 day	Mon 8/7/23	Mon 8/7/23			█		
3	🚧	Install Temporary Pavement Markings	1 day	Tue 8/8/23	Mon 8/7/23			█		
4	🚧	Close Log Cabin Road to Traffic	1 day	Wed 8/9/23	Tue 8/8/23			█		
5	🚧	Install Erosion Controls	1 day	Thu 8/10/23	Thu 8/10/23			█		
6	🚧	Clearing and Grubbing	1 day	Fri 8/11/23	Fri 8/11/23			█		
7	🚧	Install Upstream Cofferdam and Pumps	3 days	Mon 8/14/23	Wed 8/16/23			█		
8	🚧	Install Downstream Cofferdam	3 days	Mon 8/17/23	Mon 8/21/23			█		
9	🚧	Remove Existing Culvert	3 days	Tue 8/22/23	Thu 8/24/23			█		
10	🚧	Stream Channel Rock Excavation	5 days	Fri 8/25/23	Thu 8/31/23			█		
11	🚧	Install Precast Toe Walls	1 day	Fri 9/1/23	Fri 9/1/23			█		
12	🚧	Install Granular Borrow Underwater for Box Base	2 days	Mon 9/4/23	Tue 9/5/23			█		
13	🚧	Install Box Culvert Base Slabs	1 day	Wed 9/6/23	Wed 9/6/23			█		
14	🚧	Install Streambed Rock Features	2 days	Thu 9/7/23	Fri 9/8/23			█		
15	🚧	Install Stream Channel / Special Fill	2 days	Mon 9/11/23	Tue 9/12/23			█		
16	🚧	Install Box Culvert Top Slabs	1 day	Wed 9/13/23	Wed 9/13/23			█		
17	🚧	Install Box Culvert Waterproofing	4 days	Thu 9/14/23	Tue 9/19/23			█		
18	🚧	Backfill Box Culverts	3 days	Wed 9/20/23	Fri 9/22/23			█		
19	🚧	Install Granular Borrow Over Top Slabs	1 day	Mon 9/25/23	Mon 9/25/23			█		
20	🚧	Install Common Fill Backfill	2 days	Tue 9/26/23	Wed 9/27/23			█		
21	🚧	Install Aggregate Base Type A	2 days	Thu 9/28/23	Fri 9/29/23			█		
22	🚧	Install HMA Binder and Top Course	1 day	Mon 10/2/23	Mon 10/2/23			█		
23	🚧	Install Loam and Seed	1 day	Tue 10/3/23	Tue 10/3/23			█		
24	🚧	Remove Detour Signs	2 days	Wed 10/4/23	Thu 10/5/23			█		
25	🚧	Project Completion	1 day	Fri 10/6/23	Fri 10/6/23			█		

Arundel
Project: Log Cabin Road
Date: M 7/17/23

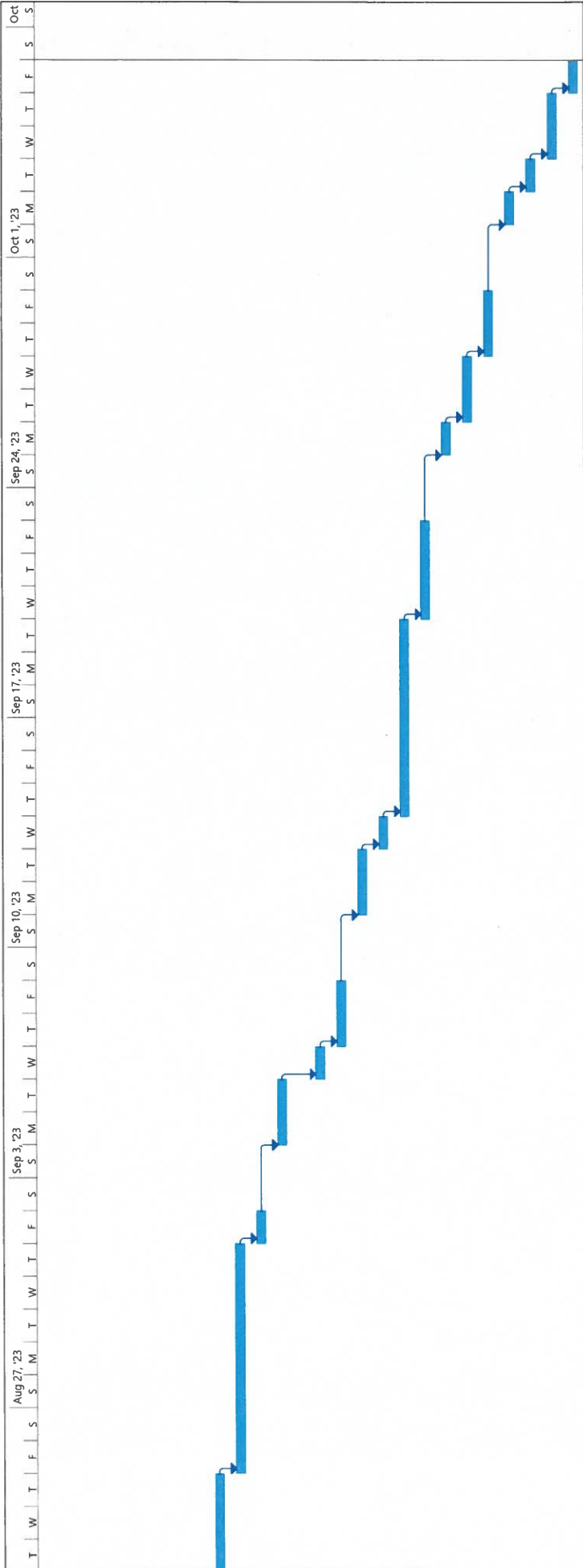
Task Split Milestone Summary

Project Summary Inactive Task Inactive Milestone Inactive Summary

Manual Task Duration-only Manual Summary Rollup Manual Summary

Start-only Finish-only External Tasks External Milestone

Deadline Progress Manual Progress



Arundel
 Project: Log Cabin Road
 Date: N 7/17/23

Task	Project Summary	Manual Task	Start-only	Deadline
Split	Inactive Task	Duration-only	Finish-only	Progress
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress
Summary	Inactive Summary	Manual Summary	External Milestone	

Town Manager

From: Courtney, Erin T. [ECourtney@maineturnpike.com]
Sent: Thursday, July 06, 2023 2:42 PM
To: townmanager@arundelmaine.org
Subject: Maine Turnpike Draft 4-Year Capital Investment Plan (2024-2027) - Accepting comments through Monday, July 31, 2023
Attachments: 4 Year Capital Investment Plan 2024 to 2027 Draft For Public Comment 6222023.pdf

Dear Keith,

Maine Turnpike Authority is currently taking comments on its draft four-year capital investment plan (2024-2027). Attached you will find a copy of the draft plan for your review. The plan can also be viewed at our website at: <https://www.maineturnpike.com/Projects/Planning-Draft-4-Year-Plan.aspx>.

Please send your comments via email to me on or before **Monday, July 31, 2023**. If you have other Turnpike related questions or concerns, please feel free to contact me.

Thank you,
Erin



Erin T. Courtney
Public Outreach Manager &
Legislative Liaison

Maine Turnpike Authority
2360 Congress Street
Portland, ME 04102
Tel: 207-482-8119
Cell: 207-513-2982
Fax: 207-871-7739

ecourtney@maineturnpike.com



Maine Turnpike Authority Draft 4-year Capital Investment Plan (2024-2027)

Total preliminary Construction Value for Project shown in Initial Year is for project duration. Projects have been listed in each year there are major construction activities with notation regarding funding year. If additional funds are shown in subsequent years, the project is being funded and/or built in phases.

Subject to availability of funds.

Using 30 Year Asset Model dated 5/24/2023
6/22/2023 Draft - For public comment.

Year	Mile Marker	Project Name	Municipality	Preliminary Construction Only Value for Project (Not including the Engineering)	Preliminary Work Scope	Anticipated Project Duration (Months)	Planning/Design Years	Estimated Year(s) of Construction
2024	Est 1, 2 & 3	Undepas - Maine Turnpike under local bridge or rail Overpass - Maine Turnpike on bridge over local road, river, or railroad	Killey	\$4,716,000	Est 1, 2 & 3 Interchange Pavement Rehabilitation.	6	2023	2024
	1.3 to 6.8	Mainline Pavement Rehabilitation	Killey to York	\$8,065,000	Pavement Rehabilitation.	6	2023	2024
	2.2	Spaced Creek Overpass Bridge Repair	Killey	\$492,000	Bridge Repair - Mill and Patching new wearing surface and joint repairs.	6	2023	2024
	6.8	Est 1.7 Interchange Undepas Bridge Repair	York	\$527,000	Bridge Repair - Wearing surface and joint repair.	6	2023	2024
	7	York Maintenance New 6 Bay Garage	York	\$1,966,000	New Highway Maintenance 6 bay garage bid in 2023	18	2022-23	2023-2024
	20.3 to 23.3	Mainline Pavement Rehabilitation	Wallo to Kennebunk	\$4,400,000	Pavement Rehabilitation.	6	2023	2024
	Est 25	Park & Ride Pavement Rehabilitation	Kennebunk	\$52,000	Pavement Rehabilitation - Pavement resurfacing of the existing park & ride lot.	1	2023	2024
	25.3	West Kennebunk/Alford Road Undepas Bridge Repair	Kennebunk	\$347,000	Bridge Repair - Replacing wearing surface and joint repairs. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2023	2024
	Est 32	Park & Ride Pavement Rehabilitation	Biddeford	\$142,000	Pavement Rehabilitation - Pavement resurfacing of the existing park & ride lot.	1	2023	2024
	35.3	Route 112 Undepas Bridge Repair	Saco	Funded in 2023	Bridge Repair - substructure repairs: deck repairs, membrane, and repairs. This was bid as part of the Saco Interchange project.	4	2022	2024-25
	35 to 36	New Saco Interchange Est 35	Saco	Funded in 2023	New Interchange at mile 35 NB & SB with access to Route 112. There was a City led study with MTA and MassDOT, completed in spring 2019. Construction contract let in fall of 2022.	36	2018-2022	2023-2025
	40.3	Client Repair Northbound and Southbound	Scarborough	\$500,000	7ft' curb repair - slip lining.	2	2023	2024
	42 to 49	Mainline Pavement Rehabilitation	Scarborough, South Portland, Portland, Westbrook	\$8,240,000	Final overlay to follow Portland area widening in order to cleanup pavement markings and provide durable wearing surface.	6	2023	2024
	Est 46	Headquarter/Administration Building Generator Replacement	Portland	\$298,000	Generator replacement.	3	2023	2024
	FS 0.30	Lumber/ Blaststrip Overpass Bridge Repair	Falmouth	\$317,000	Bridge Repairs - Joint header repair.	6	2023	2024
FS 40 & 41	Maine Central Rail Road Eastbound and Westbound Bridge Repair	Falmouth	\$452,000	Bridge Repair - Joint header repair. Mill and patching new wearing surface.	6	2023	2024	
FS 0.6	Auburn Street Undepas Bridge Repair	Falmouth	\$207,000	Bridge Repairs - Joint header repair.	6	2023	2024	
64.3	Route 28 Undepas Bridge Painting	City	\$823,000	Bridge Painting - Clean and paint steel superstructure.	4	2023	2024	
66.2	Waymouth Road Undepas Bridge Painting	City	\$222,000	Bridge Painting - Clean and paint steel superstructure.	4	2023	2024	
68.6	Barnet Road Undepas Bridge Painting	New Gloucester	\$272,000	Bridge Painting - Clean and paint steel superstructure.	4	2023	2024	
74.5	Stant Lawrence and Atlantic Railroad Overpass Bridge Repair	Auburn	\$416,000	Bridge Repair - Wearing surface and joint header repair.	6	2023	2024	
Est 75	Est 75 Interchange Pavement Rehabilitation	Auburn	\$1,572,000	Est 75 Interchange Pavement Rehabilitation.	2	2023	2024	
TOTAL NEW FUNDING 2024 (Construction only)				\$33,866,000				

Maine Turnpike Authority Draft 4-year Capital Investment Plan (2024-2027)

Subject to availability of funds.

Total preliminary Construction Value for Project shown in Initial Year is for project duration. Projects have been listed in each year there are major construction activities with notation regarding funding year. If additional funds are shown in subsequent years, the project is being funded and/or built in phases.

Using 30 Year Asset Model dated 5/24/2023
6/22/2023 Draft - For public comment.

Year	Millie Marker	Project Name	Municipality	Preliminary Construction Only Value for Project (Not including the Engineering)	Preliminary Work Scope	Anticipated Project Duration (Months)	Planning/Design Years	Estimated Year(s) of Construction
2025	4.8	Beech Ridge Road Underpass Bridge Painting	Kenney	\$672,000	Bridge painting - Clean and paint steel superstructure.	2	2024	2025
	9.8 to 20.3	Martin's Pavement Rehabilitation	York, Orono, West, Kennebunk	\$16,240,000	Pavement rehabilitation.	7	2024	2025
	25.3	West Kennebunk/Kittered Road Underpass Bridge Painting	Kennebunk	\$336,000	Bridge painting - Clean and paint steel superstructure.	2	2024	2025
	34.4	New County Road Underpass Bridge Repair	Saco	\$846,000	Bridge Repair - Replacing wearing surface and joint repairs. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	3	2024	2025
	35 to 36	New Saco Interchange Exit 35	Saco	Funded in 2023	New interchange at mile 35 NB & SB with access to Route 112. There was a CDM/led study with MTA and MainDOT - completed in spring 2019. Bid in 2022.	36	2018-2022	2023-2025
	44.3	LD95 SB Underpass Bridge Repair	Scarborough	\$1,240,000	Bridge Repair - Substructure repairs, deck repairs, maintenance, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2024	2025
	Exit 46	Park and Ride Lot Pavement Rehabilitation	Portland	\$66,000	Pavement rehabilitation park and ride lot.	1	2024	2025
	46.4	MTA Headquarters Parking Lot Pavement Rehabilitation	Portland	\$237,000	Pavement rehabilitation.	2	2024	2025
	FS 3.8	Route 9 Underpass Bridge Repair	Falmouth	\$275,000	Bridge Repair - Joint header repair.	6	2024	2025
	58.8	Cumberland Service Plaza Fuel System	Cumberland	\$3,176,000	Fuel system replacement.	6	2024	2025
72.1	Culvert Repair Northbound	New Gloucester	\$124,000	60" culvert repair.	2	2024	2025	
78.9	Androscoggin River NB & SB Overpass Bridge Repair	Auburn	\$3,513,000	Bridge Repair - Full-scale concrete repairs and joint repairs.	8	2024	2025	
102	EZPass Customer Service Center	West Gardiner	TBD	Proposed construction of a new EZPass Customer Service Center Building (pending study).	18	2022-2024	2025-2026	
TOTAL NEW FUNDING 2025 (Construction only)				\$28,425,000				

Maine Turnpike Authority Draft 4-year Capital Investment Plan (2024-2027)

Total preliminary Construction Value for Project shown in initial year is for project duration. Projects have been listed in each year there are major construction activities with notation regarding funding year. If additional funds are shown in subsequent years, the project is being funded and/or built in phases

Subject to availability of funds.

Using 30 Year Asset Model dated 5/24/2023
6/22/2023 Draft - For public comment.

Year	Mile Marker	Project Name	Municipality	Preliminary Construction Only Value for Project Not including the Engineering	Preliminary Work Scope	Anticipated Project Duration (Months)	Planning/Design Years	Estimated Years of Construction
	7	York Maintenance Pavement Rehabilitation	York	\$98,000	Maintenance yard pavement rehabilitation.	6	2024	2025
	7	York Park & Ride Pavement Rehabilitation	York	\$62,000	Park & Ride pavement rehabilitation.	6	2024	2025
	10	York Mills 10 Maintenance Pavement Rehabilitation	York	\$52,000	Maintenance yard pavement rehabilitation.	1	2025	2026
	Earl 19	Earl 19 Interchange Pavement Rehabilitation	Wells	\$1,668,000	Earl 19 Interchange Pavement Rehabilitation.	4	2025	2026
	Earl 19	Park and Ride Lot Pavement Rehabilitation	Wells	\$419,000	Pavement rehabilitation of park and ride lot.	4	2025	2026
	19.9	Burnt Mills Road Underpass Bridge Repair	Wells	\$610,000	Bridge Repair - Replacing wearing surface and joint repairs. Substructure concrete repairs. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2025	2026
	21.7	Coker Hill Underpass Bridge Repair	Wells	\$752,000	Bridge Repairs.	6	2025	2026
	23.3 to 30	Mainline Pavement Rehabilitation	Kennebunk & Arundel	\$10,423,000	Pavement rehabilitation.	7	2025	2026
	25	Kennebunk Maintenance HVAC	Kennebunk	\$280,000	Admin building & 10-Bay HVAC System Replacement.	4	2025	2026
	39.9	Broadium Road Underpass Bridge Repair	Scarborough	\$604,000	Bridge Repair - Replacing wearing surface and joint repairs. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2023	2024
	44.3	I-295 SB Underpass Bridge Painting	South Portland	\$1,019,800	Bridge painting - Clean and paint steel superstructure.	2	2025	2026
	44.9	Maine Mall Road Underpass Bridge Repair	South Portland	\$507,000	Bridge Repair - Joint header repair.	6	2025	2026
	Earl 45	Gorham Connector (Proposed)	Scarborough/South Portland/Gorham	\$59,993,250	Phase 1 of construction only shown. Pending public engagement, permitting & further study.	60	2010-2025	2026-2030
	45.8	Crosby Maintenance New office/breakroom Building	South Portland	TBD	New maintenance building under study. TBD.	18	2025	2026-2027
	46.4	Congress Street Underpass Bridge Repair	South Portland	\$173,000	Bridge Repair - Bridge approach settlement repair.	6	2025	2026
	Earl 48	Earl 48 Interchange Pavement Rehabilitation	Portland	\$1,668,000	Earl 48 Interchange pavement rehabilitation.	4	2025	2026
	48.9	Culvert Repair Northbound and Southbound	Portland	\$174,000	60" culvert repair.	4	2025	2026
	FS 1.6	Fairbairn Road Underpass Bridge Repair	Fairbairn	\$300,000	Bridge Repair - Joint header repairs.	6	2025	2026
	57 to 59.5	Mainline Pavement Rehabilitation	Cumberland & Gray	\$1,945,000	Pavement rehabilitation.	7	2025	2026
	58.6	Cumberland Service Plaza Pavement Rehabilitation	Cumberland	\$354,000	Service Plaza parking area pavement rehabilitation.	4	2025	2026
	59	Gray Service Plaza Pavement Rehabilitation	Gray	\$372,000	Service Plaza parking area pavement rehabilitation.	4	2025	2026
	61.6	Hunts Hill Road Underpass Northbound and Southbound Bridge Repair	Gray	\$417,000	Bridge Repair - Joint header repair. Mill and Paving new wearing surface.	6	2025	2026
	67	New Gloucester ORT Plaza Tunnel Repairs	New Gloucester	\$580,000	Toll plaza tunnel repair.	5	2025	2026
	71.1	Royal River Northbound and Southbound Overpass Bridge Repair	New Gloucester	\$407,000	Bridge Repair - Joint header repair. Mill and paving new wearing surface.	6	2025	2026
	77	Auburn Maintenance Pavement Rehabilitation	Auburn	\$289,000	Maintenance yard pavement rehabilitation.	1	2025	2026
	77	Auburn Maintenance HVAC	Auburn	\$290,000	Admin building & 7-Bay HVAC System Replacement	4	2025	2026
	102	EZPass Customer Service Center	West Gardiner	See 2025	Proposed construction of a new EZPass Customer Service Center Building (pending study).	18	2022-24	2025-2026
		Variable Message Signs	Various	\$3,475,000	Variable Message Signs Equipment Upgrade.	5	2025	2026
		TOTAL NEW FUNDING 2026 (Construction only)			\$81,762,250			

2026

Maine Turnpike Authority Draft 4-year Capital Investment Plan (2024-2027)

Subject to availability of funds.

Total preliminary Construction Value for Project shown in initial year is for project duration. Projects have been listed in each year there are major construction activities with notation regarding funding year. If additional funds are shown in subsequent years, the project is being funded and/or built in phases.

Using 30 Year Asset Model dated 5/24/2023
6/22/2023 Draft - For public comment.

Year	Mile Marker	Project Name	Municipality	Preliminary Construction Only Value for Project (Not including the Engineering)	Preliminary Work Scope	Anticipated Project Duration (Months)	Planning/Design Years	Estimated Year(s) of Construction
	10.6	Underpass - Maine Turnpike over local road bridge or rail Overpass - Maine Turnpike over local road, river, or railroad	York	\$400,000	Bridge painting - Clean and paint steel superstructure	2	2026	2027
	13.8	Bewick Road/Ogunquit Road Underpass Bridge Painting	Ogunquit	\$438,000	Bridge painting - Clean and paint steel superstructure	2	2026	2027
	23.6	High Street Underpass Bridge Repair	Kennebunk	\$660,000	Bridge Repair.	6	2026	2027
	24.7	Carl Moulam Road Underpass Bridge Repair	Kennebunk	\$568,000	Bridge Repair.	6	2026	2027
	25	Kennebunk Maintenance Pavement Rehabilitation	Kennebunk	\$560,000	Maintenance yard pavement rehabilitation.	1	2026	2027
	28.3	Lunenburg Road Underpass Bridge Repair	Androscott	\$778,000	Bridge Repair.	6	2026	2027
	39.9	Broadturn Road Underpass Bridge Painting	Scarborough	\$483,000	Bridge painting - Clean and paint steel superstructure	2	2026	2027
	42	Earl 42 Interchange Pavement Rehabilitation	Scarborough	\$1,693,000	Pavement rehabilitation.	7	2026	2027
	42.5	Earl 42 Interchange Underpass Bridge Painting	Scarborough	\$599,000	Bridge painting - Clean and paint steel superstructure.	2	2026	2027
	44	Gorham Road Underpass Bridge Repairs	Scarborough	\$1,135,000	Bridge Repair - Gorham road over northbound mainline and Gorham Road over the I-295 SB on ramp.	6	2026	2027
	Earl 45	Gorham Connector (Proposed)	Scarborough/South Portland/Gorham	\$56,383,123	Phase 2 of construction only shown. Pending public engagement, permitting & further study.	60	2010-2025	2028-2030
	45	Crosby Maintenance Pavement Rehabilitation	South Portland	\$176,000	Maintenance yard pavement rehabilitation.	1	2026	2027
	45.9	Culvert Repair	South Portland	\$212,000	Culvert Repair.	2	2026	2027
	45.8	Crosby Maintenance New Office/Breakroom Building	South Portland	TBD	New maintenance building under study. TBD.	18	2025	2026-2027
	51.2 to 54.5	Mainline Pavement Rehabilitation	Portland to Fairbush	\$5,211,000	Pavement rehabilitation.	7	2026	2027
	FS00 to FS3.4	Mainline Pavement Rehabilitation	Fairbush	\$3,579,000	Pavement rehabilitation.	7	2026	2027
	53	Earl 53 Interchange Pavement Rehabilitation	Fairbush	\$1,693,000	Pavement rehabilitation.	7	2026	2027
	58.8	Cumberland Service Plaza Parking Expansion	Cumberland	\$1,329,000	Service plaza truck parking expansion.	12	2026	2027
	58.8	Gray Service Plaza Parking Expansion	Gray	\$1,324,000	Service plaza truck parking expansion.	12	2026	2027
	62.9	Center Street Underpass Bridge Repair	Gray	\$944,000	Bridge Repair.	6	2026	2027
	63	Earl 63 Park and Ride Pavement Rehabilitation	Gray	\$151,000	Park & Ride pavement rehabilitation.	6	2026	2027
	68.5 to 74.9	Mainline Pavement Rehabilitation	New Gloucester to Auburn	\$6,737,000	Pavement rehabilitation.	7	2026	2027
	102	West Gardiner Maintenance HVAC Replacement	West Gardiner	\$290,000	Office & 7 Bay HVAC Replacement.	4	2026	2027
TOTAL NEW FUNDING 2027 (Construction only)				\$85,332,123				

ARUNDEL FOOD TRUCK APPLICATION

Name: Aaron Milberger - Cheese The Day

Mailing Address: 24 Mill Rd
Cumberland, ME 04021

Business location: 24 Mill Rd Cumberland, ME 04021

Telephone: (573) 823-6543

Driver's License #: State ME # 2608319

Proof of Identity verified: DL

Copy of lease or permission from property owner:

Describe nature, character and quality of food to be sold:

Various styles of grilled cheese
fried sides, and canned drinks (soda/water)

Give specific location(s) where the food truck intends to conduct business:

Vinegar Hill Music Theatre
53 Old Post Road

Times of operation: Arundel, Maine 04046

Aug 13th, 3-8 PM

Name & business address of any company or organization hired or employed by:

Vinegar Hill Music Theatre

Registration / License number of any vehicle used in business:

697 ABV Truck
C104039 Trailer



Quotation

Harrison Shrader Enterprises

13 Westminster Street
 Lewiston, Me 04240
 207-241-0325 Fax: 207-553-2288
www.hsefiresafety.com

Date: 7/9/2023	Submitted By: Willie Burk
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Quotation For Arundel Fire

Arundel, Me

CONTACT:	EST. SHIP DATE	SHIP VIA	TERMS
Deputy Stevenson		Best way	Net 30 days

QUANTITY	DESCRIPTION		EXT. PRICE
17	Drager #4050013 PSS 7000 SCBA, 4500psi w/45min Carbon Fiber Cylinder Blue w/QC, w/UEBBS Buddy Breathing	\$6,030.00	\$102,510.00
17	Drager #VN00022 FPS 7000 Full Face Mask w/Heads Up Display w/Voice Amplifier w/options- M R63301	\$868.25	\$ 14,760.25
17	Drager #VN00205 45 min Carbon Fiber Cylinder, Blue, w/QC Adapter	\$835.00	\$ 14,195.00
1	Drager #3702124 Lifeguard II RIT w/FPS 7000 Face Mask, w/60min Carbon Fiber Cylinder	\$3,685.00	\$ 3,685.00
2	Drager Compressor Adapter	\$675.00	\$ 1,350.00
1	Package Weather Seals (Pkg of 5)	N/C	
		Total:	\$ 136,500.25

SIGNATURE: Willie Burk	ABOVE PRICING WILL BE HONORED FOR: 30 Days
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Town Manager

From: Town Manager [townmanager@arundelmaine.org]
Sent: Tuesday, July 18, 2023 2:01 PM
To: 'jnedeau@arundelmaine.org'; 'Velma'; 'Thomas Danyik'; 'phillabbe@ne.twcbc.com'; 'duboisdl'
Subject: Impact Fees
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Folks had the chance to speak with Lee Jay this week in reference to scheduling a time to meet with you folks and have a discussion on impact fees. He thought it may be helpful that I provide a copy of the statute that may assist in answering some of your questions. It is clear that a local ordinance of fees will have to be developed and the ordinance must be consistent with a comprehensive plan adopted by the legislative body in Arundel. The Comp Plan in Arundel was last updated in June 2016, my review of the plan leads me to believe that growth areas were expanded and could support large development projects in those areas.

The need for the Ordinance and its development is paramount before implementing Impact Fees and the separation of funds in a trust fund and the proper administration of this funds is certainly serious issue that has to be considered. Again if you wish to move forward with Impact Fees months of leg work, public hearings and resident support is part and parcel of its development and approval.

Keith

TITLE 30-A: MUNICIPALITIES AND COUNTIES
Part 2: MUNICIPALITIES
Subpart 6-A: PLANNING AND LAND USE REGULATION
Chapter 187: PLANNING AND LAND USE REGULATION
Subchapter 3: LAND USE REGULATION

§4354. Impact fees

A municipality may enact an ordinance under its home rule authority requiring the construction of off-site capital improvements or the payment of impact fees instead of the construction. Notwithstanding section 3442, subsection 2 (./30-A/title30-Asec3442.html), an impact fee may be imposed that results in a developer or developers paying the entire cost of an infrastructure improvement. A municipality may impose an impact fee either before or after completing the infrastructure improvement. [PL 1991, c. 722, §8 (RPR); PL 1991, c. 722, §11 (AFF).]

1. Construction or fees may be required. The requirements may include construction of capital improvements or impact fees instead of capital improvements including the expansion or replacement of existing infrastructure facilities and the construction of new infrastructure facilities.

A. For the purposes of this subsection, infrastructure facilities include, but are not limited to:

- (1) Waste water collection and treatment facilities;
- (2) Municipal water facilities;
- (3) Solid waste facilities;
- (4) Public safety equipment and facilities;
- (5) Roads and traffic control devices;
- (6) Parks and other open space or recreational areas; and
- (7) School facilities. [PL 1999, c. 776, §11 (AMD).]

[PL 1999, c. 776, §11 (AMD).]

2. Restrictions. Any ordinance that imposes or provides for the imposition of impact fees must meet the following requirements.

A. The amount of the fee must be reasonably related to the development's share of the cost of infrastructure improvements made necessary by the development or, if the improvements were constructed at municipal expense prior to the development, the fee must be reasonably related to the portion or percentage of the infrastructure used by the development. [PL 1991, c. 18, §3 (AMD).]

B. Funds received from impact fees must be segregated from the municipality's general revenues. The municipality shall expend the funds solely for the purposes for which they were collected. [PL 1989, c. 104, Pt. A, §45 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

C. The ordinance must establish a reasonable schedule under which the municipality is required to use the funds in a manner consistent with the capital investment component of the comprehensive plan. [PL 1989, c. 104, Pt. A, §45 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

D. The ordinance must establish a mechanism by which the municipality shall refund impact fees, or that portion of impact fees, actually paid that exceed the municipality's actual costs or that were not expended according to the schedule under this subsection. [PL 1989, c. 104, Pt. A, §45 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW); PL 1989, c. 562, §17 (AMD).]

E. [PL 1989, c. 104, Pt. A, §45 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW); PL 1989, c. 562, §18 (RP).]
[PL 1991, c. 18, §2 (AMD).]

3. Deposit fees in trust fund. Municipalities that are part of a school administrative district or other single or multicomunity school district may deposit collected impact fees in a trust fund to be used to pay their proportionate share of anticipated school capital costs.

[PL 2001, c. 38, §1 (NEW).]

SECTION HISTORY

PL 1989, c. 104, §§A45, C10 (NEW). PL 1989, c. 562, §§16-18 (AMD). PL 1991, c. 18, §§2, 3 (AMD). PL 1991, c. 236, §2 (AMD). PL 1991, c. 722, §8 (AMD). PL 1991, c. 722, §11 (AFF). PL 1999, c. 776, §11 (AMD). PL 2001, c. 38, §1 (AMD).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.
If you need legal advice, please consult a qualified attorney.

Title 29-A: MOTOR VEHICLES AND TRAFFIC

Chapter 19: OPERATION

Subchapter 1: RULES OF THE ROAD

§2073. Authority to regulate speeds

1. Authority to regulate. Except as provided in section 2075, subsection 2 ([./29-A/title29-Asec2075.html](#)) and notwithstanding section 2074, subsection 1 ([./29-A/title29-Asec2074.html](#)), the Commissioner of Transportation, with the approval of the Chief of the State Police, may:

- A. Restrict the maximum rate of speed on a public way where a speed limit will minimize the danger of accident, promote the free flow of traffic, conserve motor fuel or respond to changes in federal laws; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
- B. Increase the maximum rate of speed on a public way where higher speeds are warranted to promote the normal and reasonable movement of traffic; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
- C. Make an adjustment of maximum rates of speed. An adjustment under this paragraph is exempt from the provisions of the Maine Administrative Procedure Act.

The commissioner may not set maximums that exceed 60 miles per hour or, on the interstate system or other divided controlled-access highways, 75 miles per hour.

The commissioner may not set maximums for the Maine Turnpike. [PL 2013, c. 107, §1 (AMD).]

[PL 2013, c. 107, §1 (AMD).]

2. Municipal request. If a municipal request to the Department of Transportation to change a speed limit is denied, the department shall inform the municipality in writing of the reasons for that denial and shall offer to meet with the municipal officials in that municipality to review those reasons. The municipality may request the department to hold a public hearing within the municipality to provide the department with the views of the public on the requested speed limit change. The department shall:

A. Hold the hearing within 30 days of the request; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Inform the municipality of a final decision on the requested speed limit change within 30 days after the hearing. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1999, c. 160, §1 (AMD).]

3. Prohibition. A person may not operate a vehicle in excess of maximum speeds fixed pursuant to this section, as long as notice of changes in speed limits has been given by signs erected by the Department of Transportation.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Other ways. The Department of Transportation is not required to erect speed signs on a town way, unimproved state aid highway or on a way constructed to interstate standards.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

Notwithstanding the provisions of Private and Special Law 1865, chapter 532, section 8-A, speed limits within the limits of the property owned by or under the control of the University of Maine System must be established by the Department of Transportation and the Maine State Police as provided in this section. The speed limits must be posted by the University of Maine System in accordance with written directions or policies of the Department of Transportation. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

The Department of Transportation and the Maine State Police may establish speed limits within the limits of the property owned by or under the control of the Midcoast Regional Redevelopment Authority in Brunswick, established in [Title 5, section 13083-G](#) ([./5/title5sec13083-G.html](#)), and the Loring Development Authority of Maine in Limestone, established in [Title 5, section 13080](#) ([./5/title5sec13080.html](#)). The speed limits must be posted by the Midcoast Regional Redevelopment Authority and the Loring Development Authority of Maine in accordance with written directions or policies of the Department of Transportation. [PL 2017, c. 23, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 160, §1 (AMD). PL 2011, c. 415, §2 (AMD). PL 2013, c. 107, §1 (AMD). PL 2017, c. 23, §1 (AMD).

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[Office of the Revisor of Statutes \(malikowebmaster_ros@legislature.maine.gov\)](mailto:malikowebmaster_ros@legislature.maine.gov) · State House Station · State House Room 108 · Augusta, Maine 04333-0007

Title 29-A: MOTOR VEHICLES AND TRAFFIC

Chapter 19: OPERATION

Subchapter 1: RULES OF THE ROAD

§2075. Other speed regulations

1. **Operation impeding movement of traffic.** A person may not operate a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation of the motor vehicle or in compliance with law.

[PL 2003, c. 452, Pt. Q, §47 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

1-A. **Minimum speed limit.** When the Department of Transportation determines, on the basis of an engineering and traffic investigation, that slow speeds on a public way consistently impede the normal and reasonable movement of traffic, the Commissioner of Transportation, with the approval of the Chief of the Maine State Police, may establish a minimum speed limit.

A person may not operate a vehicle below a posted minimum speed limit, except when necessary for safe operation.

[PL 2003, c. 452, Pt. Q, §48 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. **Public ways under construction.** The Commissioner of Transportation may restrict the speed limit on a public way under construction or during maintenance and the Executive Director of the Maine Turnpike Authority may restrict the speed limit on any portion of the turnpike under construction or during maintenance when a lower rate of speed would minimize the danger of accident. A person may not operate a motor vehicle in excess of these speeds, as long as notice of the maximum speed has been given by standard black and white speed limit signs on the way. Signs erected pursuant to this subsection must be covered or removed during hours when the speed limit is not restricted.

The penalty for a violation of this subsection is a fine equal to twice the amount of the fine designated in accordance with Title 4, section 164, subsection 12 ([./4/title4sec164.html](#)) for a similar speeding violation under section 2073 ([./29-A/title29-Asec2073.html](#)).

[PL 1995, c. 151, §1 (AMD).]

3. **Municipal authority.** Except as provided in this subsection, a municipality may not alter a speed limit or enact or enforce a regulation contrary to this Title. A municipality may:

A. Regulate traffic by means of signal devices or other appropriate methods on a way on which traffic is heavy or continuous; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Limit traffic to one-way traffic on a way, subject to Title 23, section 1351 (./23/title23sec1351.html); [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Regulate speed of vehicles in public parks by erecting at all entrances to the park adequate signs giving notice of the special speed regulations; [PL 2001, c. 313, §1 (AMD).]

D. With the approval of the Department of Transportation and the Chief of the State Police, increase or decrease the speed limit on through ways by erecting standard signs giving notice of the speed limit in accordance with the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration; [PL 2003, c. 92, §2 (AMD).]

E. Subject to the provisions of this paragraph, if it is a qualifying municipality, set speed limits on qualifying roads. As used in this paragraph, "qualifying municipality" means a municipality that has a population of 2,500 or more as measured by the latest decennial United States census or that employs a professional engineer licensed in this State. As used in this paragraph, "qualifying road" means a town way that is classified as local by the Department of Transportation in accordance with the federal functional classification system.

If a qualifying municipality decides to set speed limits in accordance with this paragraph, the municipality shall provide written notice of that determination to the Commissioner of Transportation and shall set speed limits for all qualifying roads in that municipality.

Unless otherwise approved as provided in paragraph D (./29-A/title29-Asec2075.html), speed limits set by a municipality must be in 5-mile-per-hour increments within the following ranges:

- (1) From 20 to 25 miles per hour, inclusive, regarding roads in a business or residential district or a compact area, except that the lower limit may be set at 15 miles per hour on roads on islands not accessible by road or dead end roads less than 1/4 mile in length; and
- (2) From 30 to 50 miles per hour, inclusive, regarding roads in all other areas.

Prior to establishing a speed limit, the municipality must perform a traffic investigation that reviews the factors identified in the applicable sections of the Manual on Uniform Traffic Control Devices. The municipal officers shall validate that speed limit in accordance with the procedure for establishing municipal traffic ordinances set forth in Title 30-A, section 3009 (./30-A/title30-Asec3009.html), post standard speed limit signs in accordance with the Manual on Uniform Traffic Control Devices and provide written notice of that speed limit zone to the Commissioner of Transportation on forms approved by the Department of Transportation.

The Department of Transportation may require a municipality with a population of 5,000 or more as measured by the latest decennial United States census that has not provided written notice to the department that the municipality will set speed limits in accordance with this paragraph to provide the department with all data necessary to set such speed limits. The nature, extent and form of that data must be acceptable to the department and

may include, without limitation, the reason for the request, length and location of the proposed speed zone, road width, number of driveways in that zone, traffic volume, posted speed, prevailing speed as measured by radar, accident history and speed enforcement efforts; and [PL 2003, c. 92, §3 (AMD).]

F. With the approval of the Department of Transportation and the Chief of the State Police, and in accordance with the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration, designate a school zone to which the speed limits in section 2074, subsection 1, paragraph A ([./29-A/title29-Asec2074.html](#)) apply. [PL 2003, c. 92, §4 (NEW).]

[PL 2003, c. 92, §§2-4 (AMD).]

4. Speed measurement. The results of a measurement of the following instruments must be accepted as prima facie evidence of the speed of a motor vehicle in a criminal or traffic infraction proceeding:

A. Radar; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. An electronic device that measures speed by radiomicrowaves, laser or otherwise; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. A device that measures, in any sequence, a selected distance traversed by a motor vehicle operated by the law enforcement officer and the time required by another motor vehicle to traverse that same distance, and computes therefrom the average speed of the other vehicle. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Signs. The presence of signs is prima facie evidence that those signs were erected, that they provide the notice required and that the speeds indicated were fixed in accordance with this chapter.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 151, §1 (AMD). PL 2001, c. 313, §1 (AMD). PL 2003, c. 92, §§2-4 (AMD). PL 2003, c. 452, §§Q47, 48 (AMD). PL 2003, c. 452, §X2 (AFF).

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