

AGENDA

ITEM

5.j.



Town of Clinton

27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

PURCHASE AND SALE AGREEMENT Tax Acquired Property

Property Location: Map 002, Lot 115
821 Bellsqueeze Road
Clinton, Maine

Sold To: Carrie Henderson
335 Gogan Road
Benton, Maine

Bid Price: \$31,500.

Deposit: \$5,000.

Amount Due: \$26,500.

Upon payment of balance due of \$26,500, the Board of Selectmen will sign and record a Municipal Quitclaim Deed without Covenants.

Bid acceptance was April 8, 2008. In accordance with Notice of Tax Acquired Property Sale, the successful bidder (Carrie Henderson) shall have 30 days from the date of bid acceptance to complete the purchase. This agreement is void on May 9, 2008 at 4:00 PM.

Sealed with the Seal of the Town of Clinton, Maine on the 22nd Day of April in the Year 2008 by the Board of Selectmen.

Jeffrey Towne

Stephen Hatch

Randy Clark

Chester Nutting

Joseph Massey



AGENDA

ITEM

5. k.

PROPOSED ORDINANCE

“THE TOWN OF CLINTON HEREBY ORDAINS that the Town of Clinton Enhanced 911 Ordinance, Section 9. Enforcement is amended as follows:

The Clinton Board of Selectmen / CEO Officer, Clinton Police Department shall see that all homes are marked properly after 90 (ninety) days of getting their proper street names and numbers.

Failure to comply with this Ordinance within 30 days of being notified by the Board of Selectmen, Code Enforcement Officer (CEO), or a Town of Clinton Police Officer shall be punishable by a civil fine of \$50.00. This fine is assessed every 30 days if the property is not brought into compliance with the Ordinance.”

CERTIFIED BY THE BOARD OF SELECTMEN OF THE TOWN OF CLINTON ON THIS 22nd DAY OF APRIL, 2008 AND SEALED WITH THE SEAL OF THE TOWN OF CLINTON.

Jeffrey Towne, Chairman

Stephen Hatch

Randy Clark

Chester Nutting

Joseph Massey

AGENDA

ITEM

6.a.

PROPOSED ORDINANCE

"The Town of Clinton Hereby Ordains that the Town of Clinton Ordinance Restricting Vehicle Weight on Posted Ways is enacted as follows:

RESTRICTING VEHICLE WEIGHT ON POSTED WAYS

1. **Purpose and Authority:** The purpose of this "Ordinance Restricting Vehicle Weight on Posted Ways" (hereinafter, the "Ordinance") is to prevent damage to town ways and bridges in the Town of Clinton which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of town ways and bridges, and to reduce public expense of their maintenance and repair. This Ordinance is adopted pursuant to 30-A M.R.S.A. § 3009 and 29-A M.R.S.A. § § 2395 and 2388.
2. **Definitions:** The definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.
3. **Restrictions and Notices:** The municipal officers (Board of Selectmen) may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in its judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable period on any way or bridge so posted unless that person or vehicle is exempt as provided herein, or holds a valid permit issued in paragraph 6.

The notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signature of the Chair, Board of Selectmen, or if designated by majority vote of the Board of Selectmen, the signature of the Road Commissioner. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way.

Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No

person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

4. **Streets / Roads to be Posted:** The following streets and roads will be posted seasonally: Battleridge Road, Beaudoin Road, Bellsqueeze Road, Bush Road, Church Street, Dean Road, Dixon Road, Goodrich Road, Gustafson Road, High Street, Hill Road, Hillcrest Drive, Holt Road, Horseback Road, Johnson Flat Road, McCallister Road, McKenney Road, McNally Road, Morrison Avenue, Mutton Lane Road, Pearl Street, Peavey Road, Pishon Ferry Road, Railroad Street, River Road, Rogers Road, Sebasticook Drive, Silver Street, Spring Street, Tardiff Road, True Road, Water Street, and Wright Road.
5. **Exemptions:** Vehicles that are exempt from the Maine Department of Transportation's (MDOT) "Rules and Regulations Restricting Heavy Loads on Closed Ways" dated December 31, 1996 and amended on March 4, 1998, a copy of which is attached hereto and is hereby incorporated as part of this Ordinance, are exempt from this Ordinance. In addition, any vehicle delivering home heating fuel and operating in accordance with a permit issued by MDOT under 29-A, M.R.S.A. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for residential or agricultural purpose and operating in accordance with a permit issued by MDOT under 29-A M.R.S.A. § 2395 (4-A).
6. **Permits:** The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the municipal officers (Board of Selectmen) for a permit to operate on a posted way or bridge notwithstanding the restriction. The Board of Selectmen may issue a permit only upon all of the following findings:
 - a. no other route is reasonably available to the applicant;
 - b. it is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and
 - c. the applicant has tendered cash, a bond or other suitable security running to the municipality in an amount sufficient, in the judgment of the municipal officers, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.

Even if the municipal officers (Board of Selectmen) make the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or

bridge maintained by the municipality. The municipal officers (Board of Selectmen) may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the ways and bridges.

In determining whether to issue a permit, the municipal officers (Board of Selectmen) shall consider the following factors:

- aa. the gross registered weight of the vehicle;
- bb. the current and anticipated condition of the way or bridge;
- cc. the number and frequency of vehicle trips proposed;
- dd. the cost and availability of materials and equipment for repairs;
- ee. the extent of use by other exempt vehicles; and
- ff. such other circumstances as may, in their judgment, be relevant.

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

7. **Administration and Enforcement:** This Ordinance shall be administered by the municipal officers (Board of Selectmen) and may be enforced by the municipal officers (Board of Selectmen) or their duly authorized designees: law enforcement officers, code enforcement officer, or road commissioner,
8. **Civil Penalties:** Any violation of this Ordinance shall be a civil violation subject to a civil penalty of not less than \$250.00 nor more than \$1,000.00. Each unlawful passage of a vehicle over a posted way or bridge is a separate violation. In addition to any civil penalty, the Town of Clinton may seek restitution for the costs of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the Town of Clinton and shall be brought in the Maine District Court.
9. **Amendments:** This Ordinance may be amended by the municipal officers (Board of Selectmen) at any properly noticed meeting.
10. **Severability and Effective Date:** In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Ordinance shall take effect thirty (30) days from the date the municipal officers (Board of Selectmen) voted to adopt the Ordinance."

Adopted by the Municipal Officers (Board of Selectmen) of the Town of Clinton, Maine on this 24th day of June in the Year 2008 by:

Jeffrey Towne, Chair, Board of Selectmen

Stephen Hatch, Selectman

Randy Clark, Selectman

Chester Nutting, Selectman

Joseph Massey, Selectman

AGENDA

ITEM

6.b.

Clinton Post Office
15 Railroad Street
Clinton Me. 04927

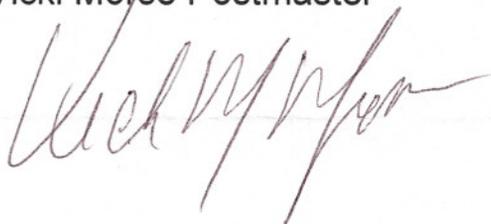
426-8971

4/10/2008

To the town of Clinton Officials,

I am the Postmaster of the Clinton Post Office. In the past month I seem to be having an issue with vehicles being parked all night and sometimes most of the day in front of the Post Office. In the past up to 5 vehicles all parked on the street. I realize that the Post Office does not own the street but one of the biggest problems is the fact that the vehicles park in front of the handicap ramp blocking the most convenient place the disable and the elderly can park. I would like to request parking signs that are limited to a specific time example: 20 minutes. Thank you for your time and consideration in this matter.

Vicki Morse Postmaster



AGENDA

ITEM

6.c.

Board of Selectmen

4-12-08
9:44a.m.