

# AGENDA

## ITEM

6.a.

**CLINTON BOARD OF SELECTMEN**  
**TUESDAY, MAY 13, 2008**  
**6:30 P.M.**  
**SELECTMEN'S ROOM, TOWN OFFICE**

**MINUTES**

**CALL TO ORDER:** Chairman Towne called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:** Chairman Towne led the Pledge of Allegiance.

**SELECTMEN PRESENT / QUORUM:** Chairman Jeff Towne, Vice Chair Steve Hatch, Randy Clark, Chester Nutting. Also present Town Manager James Rhodes, Deputy Town Clerk Shirley Bailey and Officer Jeff Belanger. Selectman Joseph Massey arrived at 6:58 PM

**COMMENTS / QUESTIONS FROM THE PUBLIC CONCERNING MATTERS NOT RELATED TO ITEMS ON THE AGENDA.** The Board's rules of procedure have imposed a 15-minute total time limit.

No questions or comments from the public at the Public Comment Table.

**ACTION ITEMS**

Approval of Selectmen's Minutes – April 22, 2008

Selectman Clark moved Board approve the minutes of the April 22, 2008 meeting, second by Selectman Nutting. Vote 4-0

Resolution 08-07 Recognition of Earl C. Pratt's Contributions to the Town of Clinton.

Selectman Clark moved Board accept Resolution 08-07 Recognition of Earl C. Pratt's Contributions to the Town of Clinton, second by Selectman Nutting. Vote 4-0

Approval to sign Municipal Quit Claim Deed without Covenants for Tax Acquired Property Map 002, Lot 115, 821 Bellsqueeze Road to Carrie Henderson.

Selectman Clark moved Board approve and sign Quit Claim Deed without Covenant to Carrie Henderson for Tax Acquired Property Map 002, Lot 115, second by Selectman Hatch. Vote 4-0

Award bid offer for Tax Acquired Property Map 004, Lot 010-ON (Mobile Home) 1584 Bangor Road, to Bruce Salsbury for \$500.00

Selectman Clark moved Board award bid offer for Tax Acquired Property Map 004, Lot 010-ON to Bruce Salsbury for \$500.00, second by Selectman Nutting. Vote 4-0

Write-off of \$133.57 of 2007 taxes for Tax Acquired Property Map 004, Lot 010-ON and pay from Account 99-014-01.

## May 13, 2008 Selectmen Minutes

Selectman Clark moved Board write off \$133.57 of 2007 taxes for Tax Acquired Property Map 004. Lot 010-ON and pay from Account 99-014-01, second by Selectman Hatch. Vote 4-0

Board authorization to increase Bolsters tipping fee for the second quarter to \$68.50 per ton.

Selectman Clark moved Board authorize the second quarter tipping fees for Bolsters to be \$68.50 per ton, second by Selectman Hatch. Vote 4-0

Board authorization to post the attached Notice in the Morning Sentinel and at locations around Town of a Phase II Public Hearing to Comply with Title VI requirements to discuss acceptance of a Community Enterprise CDBG Grant in the amount of \$150,000 to fund Mill Site Improvements.

Selectman Clark move Board post the attached Phase II Public Hearing Notice in the Morning Sentinel and at locations-around Town for the acceptance of the \$150,000 Community Enterprise CDBG Grant to fund Mill Site Improvements, second by Selectman Hatch. Vote 4-0

Board authorization to sign the Public Notice regarding an Ordinance relating to Restricting Vehicle Weight on Posted Ways.

Selectman Clark moved Board sign the Public Notice regarding an Ordinance relating to Restricting Vehicle Weight on Posted Ways, second by Selectman Hatch. Vote 4-0

Appointment of Shirley Bailey, Deputy Town Clerk, as Warden for the June 10, 2008 State Primary and Referendum Election.

Selectman Clark moved Board appoint Shirley Bailey as the Warden for the June 10, 2008 State Primary and Referendum Election, second by Selectman Hatch. Vote 5-0

### **DISCUSSION ITEMS**

#### Proceeds from Sale of Tax Acquired Legal Opinion

Maine Municipal Association Legal Opinion states that " The law is well settled in Maine that a municipality is not required to return any surplus it receives upon sale of tax acquired property. It fact, a municipality may not even choose to return any proceeds if it wished to do so."

#### Traffic Control and Parking Ordinance

State Law:

It is the sole responsibility of the Municipal Officers (Board of Selectmen) to establish and approve a Traffic Control and Parking Ordinance. Town Manager checked all signs in the Town of Clinton. There are 65 stop signs and 2 yield signs.

## May 13, 2008 Selectmen Minutes

Planning Board Justin Cote, Planning Board member, had some issues. The CEO and all members of the Planning Board appear to have code books which are somewhat different. A question of grey areas in the ordinance was discussed. The Board of Selectmen advised the Planning Board to go through the ordinance page by page and update. Selectman Massey offered to sit with the Planning Board members and go through the ordinances with them. Their next meeting is May 21, 2008.

### **SUPPLEMENTS AND ABATEMENTS**

Selectman Clark moved to accept an abatement for Account 2020, Map 003-075-65 in the amount of \$220.40, second by Selectman Nutting. Vote 5-0 Approved

### **TOWN MANAGER'S REPORT**

Expense / Revenue Report - Town Manager Rhodes gave the Board a summary of the Town's financial picture with a 5% increase in revenues.

Appointment of Reserve Police Officers – Joseph A. Jackson

The State will be closing half of the lane on Hinckley Road for overhead bridge repair.

June 3, 2008 – Election for SAD #49

### **OLD / NEW BUSINESS**

#### **WARRANT**

Selectman Clark moved to accept Warrant #74 in the amount of \$176,748.99, seconded by Selectman Nutting. Vote 5-0

#### **NEXT AGENDA ITEMS:**

May 27, 2008 Public Hearing on Town Warrant, E-911 Ordinance, and Mill Site \$150,000 Community Enterprise Grant Acceptance.

#### **ADJOURN:**

Selectman Nutting moved to adjourn, seconded by Selectman Hatch Vote 5-0. Adjourned at 7:35 PM

Respectfully submitted,

Shirley J. Bailey  
Deputy Town Clerk

**AGENDA**

**ITEM**

**6.b.**

# MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

The inhabitants of the Municipality of Clinton, a body corporate and political located in Kennebec County, State of Maine, for consideration paid, release to **Bruce Salsbury, Jr.** of Kennebec County, State of Maine, a certain building located in the Municipality of Clinton, Kennebec County, State of Maine, identified as follows:

Mobile Home - Map 004, Lot 010-ON, on the Tax Maps of the Municipality of Clinton, dated April 01, 2006 on file in the Office of Assessors at the Clinton Town Office, Clinton, Maine.

Inhabitants of the Municipality of Clinton have caused this instrument to be signed in its corporate name by the Town of Clinton, its Municipal Officers duly authorized, on the twenty-seventh day of May 2008.

The purpose of this deed is to release the Town of Clinton's tax lien interest in the following:

Book 9029 Page 0072

Book 9436 Page 0038

\_\_\_\_\_  
Jeffrey Towne

\_\_\_\_\_  
Stephen Hatch

\_\_\_\_\_  
Randy Clark

\_\_\_\_\_  
Joseph Massey

\_\_\_\_\_  
Chester Nutting

## ACKNOWLEDGMENT

State of Maine  
Kennebec County, ss.

Then personally appeared before me the above named \_\_\_\_\_, Municipal Officers of the Municipality of Clinton, and acknowledge the forgoing to be their free act and deed in their said capacity and the free act and deed of the inhabitants of said Municipality.

Dated: May 27, 2008

Before me,

\_\_\_\_\_  
Shirley J. Bailey

Notary Public

My Commission expires April 23, 2015

**AGENDA**

**ITEM**

**6.c.**

**WARRANT AND NOTICE OF ELECTION  
CALLING MAINE SCHOOL ADMINISTRATIVE DISTRICT NO. 49  
BUDGET VALIDATION REFERENDUM  
(20-A M.R.S.A. §1486)**

TO: Glen Savage, a resident of Maine School Administrative District No. 49 composed of Towns of Albion, Benton, Clinton and Fairfield, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within Maine School Administrative District No. 49, namely, Towns of Albion, Benton, Clinton and Fairfield, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers, who shall post the following warrant and notice of election:

**TOWN OF CLINTON  
DISTRICT BUDGET VALIDATION REFERENDUM  
WARRANT AND NOTICE OF ELECTION**

Kennebec ss.

State of Maine

TO: Pamela Violette, Town Clerk of Clinton: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

**TO THE VOTERS OF CLINTON:**

You are hereby notified that a District budget validation referendum election will be held at the Clinton Town Office, 27 Baker Street in the Town of Clinton on Tuesday, June 3, 2008 for the purpose of determining the following referendum articles:

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

Article 1: Do you favor approving the Maine School Administrative District No. 49 budget for the upcoming school year that was adopted at the latest District budget meeting?

The voting on Article 1 shall be by secret ballot referendum. The polls will be opened immediately after election of the moderator following commencement of the meeting at 12:00 P.M. and closed at 8:00 P.M.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 8, 2008 at Fairfield, Maine.

*Kay Kell*  
*Steven Jensen*  
*Harold Purvis*  
*Sonia Ballew*  
*Maria Stout*  
*Janice Chesley*  
*Henry B. Fyfe*

*Erin Ward*  
*Clay McLaughlin*  
*Hanne M. Stevens*  
*Lisa Irving*  
*F. Stewart Kintz*

A majority of the Board of Directors of Maine School Administrative District No. 49

A true copy of the Warrant and Notice of Election, attest:

*Glen Savage*  
Glen Savage, Resident  
of Maine School Administrative  
District No. 49

Countersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2008 at Clinton, Maine.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A majority of the municipal officers of the Town of Clinton

A true copy of the Warrant and Notice of Election, attest:

\_\_\_\_\_  
Pamela Violette,  
Town Clerk  
Town of Clinton

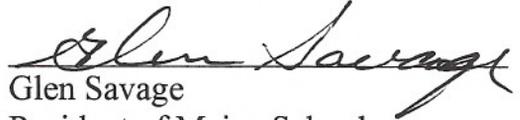
RETURN

Kennebec County, ss.

State of Maine

TO: The Board of Directors of Maine School Administrative District No. 49  
May 9, 2008

Pursuant to the within warrant and notice of election, directed to me, I have served in hand upon the municipal clerk of the Town of Clinton, an attested copy of this warrant and notice of election, directing the municipal officers of said municipality to call a District budget validation referendum at said time and place and for the purposes therein stated.

  
Glen Savage  
Resident of Maine School  
Administrative District No. 49

RETURN

Kennebec County, ss.

State of Maine

TO: The municipal officers of the Town of Clinton

I certify that I have notified the voters of the Town of Clinton of the time and place of the District budget validation referendum by posting an attested copy of the within warrant and notice of election as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION OF POSTING</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

being public and conspicuous places in said municipality and being at least seven days next prior to election day.

Dated at the Town of Clinton: \_\_\_\_\_, 2008

\_\_\_\_\_  
Pamela Violette, Town Clerk  
Town of Clinton, Maine

# AGENDA

ITEM

6.d.

# Public Notice

To Shirley Bailey, a resident of the Town of Clinton, Maine, in the County of Kennebec.

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Clinton, Maine that the Municipal Officers of said Town will meet at the Selectmen's Room, Clinton Town Office, 27 Baker Street, Clinton, Maine on Monday, the 9<sup>th</sup> day of June, 2008 at 6:30 PM and then and there consider the enactment of the following ordinance:

## AN ORDINANCE RELATING TO TRAFFIC CONTROL AND PARKING

### PROPOSED ORDINANCE

"The Town of Clinton Hereby Ordains that the Town of Clinton Ordinance Regulating Traffic Control and Parking is enacted as follows:

### TRAFFIC CONTROL AND PARKING

#### **SECTION 1 Manual of Uniform Traffic Control Devices (MUTCD).**

The current edition of the Manual of Uniform Traffic Control Devices (MUTCD) is adopted as the standard for all traffic control devices on public ways in the Town of Clinton.

#### **SECTION 2 Authority to Regulate Traffic on Town Ways.**

Title 30-A M.R.S.A. § 3009 authorizes the municipal officers exclusively to enact ordinances regulating traffic and parking on municipal public ways. Traffic regulation includes the power to erect yield signs, stop signs and other traffic control devices; to designate ways and portions of ways as being closed to through trucks; and to designate which roads are one-way or two-way. It also includes control of pedestrian traffic on the public ways, and the placement of crosswalks.

#### **SECTION 3 Traffic Infractions**

Any violation of this ordinance IS A TRAFFIC INFRACTION WITHIN THE MEANING OF 29-A M.R.S.A. § 101(85). Any person who violates a provision of this ordinance shall be subject to the civil penalties provided under 29-A M.R.S.A. § 103 and § 2604, or otherwise provided by statute or Section 26 of this ordinance.

#### **SECTION 4 Definitions**

Unless otherwise provided in this ordinance, terms used in this ordinance shall have the same meanings and definitions used under Title 29-A of the Maine Revised Statutes.

## **SECTION 5 Designation of Traffic Control Devices, Signs, and Crosswalks**

Traffic control devices and pedestrian crosswalks as referenced under Chapter 19 of Title 29-A of the Maine Revised Statutes are designated by the Municipal Officers of the Town of Clinton as follows:

1. Schedule of Stop Signs. Stop signs shall be placed at the following locations.
  - a. Baker Street SE at Main Street.
  - b. Battle Ridge Road W at Hinckley Road.
  - c. Beaudoin Road NW at Mutton Lane.
  - d. Bellsqueeze Road NE at Hinckley Road.
  - e. Bellsqueeze Road SW at Hinckley Road.
  - f. Bellsqueeze Road N at Battle Ridge Road.
  - g. Bush Road S at Johnson Flat Road.
  - h. Church Street S at Main Street.
  - i. Church Street W at Railroad Street.
  - j. Cindy Blodgett Drive E at Silver Street.
  - k. Cindy Blodgett Drive at W at Morrison Avenue.
  - l. Dean Road W at Hill Road.
  - m. Dixon Road S at Hinckley Road.
  - n. Gibson Road NE at Hinckley Road.
  - o. Goodale road E at Railroad Street.
  - p. Goodrich Road W at Battle Ridge Road.
  - q. Goodrich Road E at Hill Road.
  - r. Gustafson Road SW at Hinkley Road.
  - s. Gustafson Road N at Canaan Road.

- t. High Street N at Baker Street.
- u. Hinckley Road NW at Canaan Road.
- v. Hillcrest Drive NW at Battle Ridge Road.
- w. Holt Road N at Main Street.
- x. Horseback Road W at Hill Road.
- y. I-95 N Exit 138 Ramp N at Hinckley Road.
- z. I-95 S Exit 138 Ramp S at Hinckley Road.
- aa. Johnson Flat Road SE at Horseback Road.
- bb. Johnson Flat Road SW at Horseback Road.
- cc. Lamb Avenue E at Railroad Street.
- dd. Lamb Avenue W at Spring Street.
- ee. McCallister Road SE at Bangor Road.
- ff. McKenney Road E at Hill Road.
- gg. McNally Road NW at Main Street.
- hh. Morrison Avenue SW at Railroad Street.
- ii. Morrison Avenue S at Main Street.
- jj. Mutton Lane S at Railroad Street.
- kk. Mutton Lane N at Johnson Flat Road.
- ll. Old Leonard Wood Road N at Bangor Road.
- mm. Pearl Street W at Pleasant Street.
- nn. Pease Road S at Johnson Flat Road.
- oo. Peavey Road SE at Tardiff Road.
- pp. Peavey Road W at River Road.
- qq. Pishon Ferry Road W at River Road.
- rr. Pishon Ferry Road SW at Canaan Road.
- ss. Pleasant Street N at Main Street.

- tt. Railroad Street S at Main Street.
- uu. River Road S at Canaan Road.
- vv. River Road N at Canaan Road.
- ww. Rogers Road W at Hill Road.
- xx. Rogers Road E at Horse Back Road.
- yy. Seabastcook Drive W at Pleasant Street.
- zz. Silver Street S at Main Street.
- aaa. Spring Street E at Railroad Street.
- bbb. Spring Street S at Main Street.
- ccc. Tardiff Road SW at River Road.
- ddd. Tardiff Road E at Hinckley Road.
- eee. True Road S at Hinckley Road.
- fff. Victor Lane S at Hill Road.
- ggg. Water Street SW at Pleasant Street.
- hhh. Water Street N at Main Street.
- iii. Winn Avenue E at Morrison Avenue.
- jjj. Winn Avenue W at Railroad Street.
- kkk. Wright Road E at Horseback Road.

2. Schedule of Yield Signs. Yield signs shall be placed at the following locations.

- a. I-95 N 138 Exit Ramp NE at Hinckley Road.
- b. I-95 S 138 Exit Ramp SW at Hinckley Road.

3. Pedestrian Crosswalks. Crosswalks shall be provided at the following locations:

- a. Main Street at Baker Street.
- b. Spring Street at Main Street.

- c. Main Street at Spring Street.
- d. Lamb Avenue at Spring Street.
- e. Railroad Street at the Library.
- f. Winn Avenue at Railroad Street.
- g. Railroad Street at Lamb Avenue.
- h. Lamb Avenue at Railroad Street.
- i. Railroad Street at Church Street.
- j. Church Street at Railroad Street.
- k. Railroad Street at the Post Office.
- l. Railroad Street at Main Street.
- m. Main Street at Rail Road and Pleasant Street.
- n. Pleasant Street at Pearl Street.
- o. Pearl Street at Pleasant Street.
- p. Church Street at Main Street
- q. Morrison Avenue at Main Street.
- r. Morrison Avenue at the School.
- s. Cindy Blodgett Drive at Morrison Avenue.
- t. Silver Street at Main Street.

## **SECTION 6 Stopping at Intersections, Hydrants**

No vehicle shall stop or stand within the intersection of any streets or within ten (10) feet of a corner, or within seven (7) feet of any hydrant, wherever located, provided, however, that the foregoing provisions of this section shall not apply to the United States Mail, emergency and public utility vehicles on duty.

## **SECTION 7 Parking to Obstruct Traffic, Block Driveways; Removal Authorized**

The parking of a motor vehicle in such a manner as to obstruct traffic or block a driveway or sidewalk is prohibited. Such cars may be removed in accordance with the provisions of the ordinance.

## **SECTION 8 Obstructing Traffic, Failure to Obtain Snow Tires, Chains**

Between the dates of December 1 and April 1 annually, it shall be unlawful and a violation of the provisions of this section for any person to cause an obstruction to traffic by reason of inability to move a vehicle being operated by him or her because of snow or ice accumulation in a street when such vehicle has not been equipped with either snow tread or all-season tires or chains.

## **SECTION 9 Stopping Near Curb Required**

Unless in an emergency, or to allow another vehicle or pedestrian to cross in its way, no vehicle shall stop in any public street except close to the curb and no more than twelve (12) inches, provided, however, that this section shall not apply to United States Mail, emergency or public utility vehicles on duty.

## **SECTION 10 Pedestrian Required Use of Sidewalks**

Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

## **SECTION 11 Walking On Highway in Absence of Sidewalks**

Where sidewalks are not provided, any pedestrian walking along and upon the highway shall, when practicable, when only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

## **SECTION 12 Right-of-Way**

All pedestrians using the crosswalks in the Town, which are painted and posted by legal highway signs, shall yield the right-of-way over oncoming traffic. The driver of a vehicle shall yield right-of-way, slowing down or stopping if need be to so yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

## **SECTION 13 Manner of Crossing Roadway**

No pedestrian shall cross a roadway by any other route than at right angles to the curb or by the shortest route to the opposite curb.

## **SECTION 14 Parking in Excess of Seventy-Two Hours; Notice to Move; Removal**

It shall be unlawful to leave a vehicle in a designated parking space or lot for a period in excess of seventy-two (72) hours. If a vehicle is parked in violation, a notice shall be placed on the windshield of such vehicle ordering its removal within twenty-four (24) hours. If after the expiration of such notice the vehicle is still in violation, such vehicle may be removed in accordance with the provisions of Section 20.

### **SECTION 15 Night Time Parking Not to Hinder Snow Removal**

No person shall park or permit a vehicle to remain parked, in any street of the Town between 12:00 Midnight and 6:00 AM from November 15 thru April 1<sup>st</sup>.

### **SECTION 16 Parking Close to Fires**

No person shall park a vehicle, with or without occupants, other than a fire department or police department vehicle or ambulance, on a public highway within one hundred (100) yards of a fire in which fire department personnel are engaged.

If a vehicle parks more than one hundred (100) yards from a fire and within one-quarter (1/4) mile thereof, it shall park on the right hand side of the highway and parallel with and within twelve (12) inches of the curb or edge of the highway.

### **SECTION 17 No Parking Zones**

It shall be unlawful for any person to park a vehicle in a designated no parking zone.

The no parking zones in the Town of Clinton are as follows:

1. On any street within ten (10) of its intersection with another street.
2. On any street or highway within twenty-five (25) feet of the nearest railroad crossing.
3. On the I-95 Overpass on Hill Road and Mutton Lane.
4. In the Town Office Parking Lot at the main door entrance to the Town Office and Selectmen's Room entrance designated by 2 no parking at any time signs and no parking painted on the asphalt.
5. Within seven (7) feet of any fire hydrant wherever located.
6. On the north side of Church Street.
7. In front of Bay doors at the Fire Station.

## **SECTION 18 Parking Restrictions Zones**

1. No person shall park a motor vehicle on the east side of railroad street in front of the post office for a period longer than twenty (20) minutes between the hours 8:00 AM to 4:00 PM Monday through Friday and 8:00 AM to 11:00 AM on Saturday.
2. The four parking spaces on Main Street between the signs are for cars only. No Trucks, SUVs or Vans.

## **SECTION 19 Parking of Unregistered and Uninspected Vehicles and Motor Cycles**

No person shall allow an unregistered and / or uninspected motor vehicle or motor cycle or any part thereof of said vehicle or cycle to be parked upon public property for a period of longer than seventy-two (72) hours. Exceptions may be made upon securing a written permit from the Chief of Police. Said permit shall grant on a one time basis only, an extension of the seventy-two (72) hour period for an additional seventy-two (72) hours. A separate permit must be obtained for each vehicle, cycle or part of same and shall cost \$10.00.

## **SECTION 20 Removal of Violating Vehicles**

1. Any vehicle of any kind or description parked upon a public street of the Town at a place, in a manner, or for a length of time prohibited by an ordinance of the Town, or so as to impede the Town's snow removal operations or traffic in the public street, is hereby declared to be an obstruction in such street and a menace to the safe and proper regulation of traffic.
2. Any vehicle parked in such manner as described in this section may be removed by and under the direction of, or at the request of the Chief of Police, the senior police officer in charge of any shift, the Road Commissioner or Highway Foreman, to a garage or storage place within a twenty (20) mile limit of the municipal boundary of the Town and impounded therein.
3. Any person named in subsection 2 may use such force as may be necessary to enter such vehicle and cause the same to be placed in a condition to be moved and may employ any reputable person, engaged in the business of towing and storing of vehicles, for such purpose.
4. Notwithstanding any language herein contained, the removal and storage of a vehicle, pursuant to this section, and the payment of the charges specified in this ordinance, shall in no way relieve or prevent prosecution for violation of any provisions of the ordinances of the Town.

## **SECTION 21 Notification of Impoundment; Recover Procedure**

The Police Department shall make every effort to notify, as promptly as possible, the owner of any vehicle of its removal from the streets of the Town, and as soon as possible a written notice that such vehicle has been impounded shall be sent to the owner at his / her last known address as shown by the records of the Secretary of State. If the owner is unknown, the Chief of Police shall cause to be published in the local newspaper serving the Town of Clinton notice of such impounding, giving the vehicle identification number, motor number and the name, type and year of vehicle.

Before the owner of an impounded vehicle may remove it from the possession of the person towing or storing it, shall:

1. Furnish satisfactory evidence of his / her identity and all of his ownership of such vehicle to the Police Department and pay the established charges for advertising, towing and storage and the fine to the Town Clerk's Office.
2. Be furnished a two-part receipt upon payment of such charges, part one: a receipt for such payment, and part two: a release to be presented to the person having towed and stored such vehicle. The owner shall sign part two upon receipt of such vehicle.

## **SECTION 22 Handicapped Parking Area**

It shall be unlawful to park a vehicle in any parking space designated as reserved for the handicapped, by symbol or otherwise as provided by 30-A M.R.S.A. § 3009 (1)(D), unless the vehicle has affixed thereon license plates identifying the registered owner as a handicapped person.

## **SECTION 23 Designated Parking Spaces Reserved for the Handicapped**

The following parking spaces are designated for exclusive use of handicapped persons pursuant to 30-A M.R.S.A. § 3009:

1. Two parking spaces at the main entrances to the Town Office Building.
2. One parking space at the fire station.

## **SECTION 24 Evidence of Unlawful Parking**

Wherever in this Ordinance it is provided that it shall be unlawful for a person to park a vehicle or cycle, the fact that a vehicle or cycle is unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle or cycle by the person in whose name such vehicle is registered.

## **SECTION 25 Waiver of Court Action, Fee Schedule**

Any person charged with a violation of any provision of this Ordinance relating to violation of traffic control signs or unlawful parking may waive court action by payment of a civil penalty as provided in Section 26 to the Police Department and Town Clerk's Office within seven (7) days of the violation.

The Chief of Police shall design and require use of a standard form parking ticket that provides notice to the person in violation, of the following:

1. The time, date, and place of violation.
2. The license plate number, vehicle identification number, and description of the vehicle.
3. The nature of the parking violation, referencing the Town of Clinton Traffic Control and Parking Ordinance Section number.
4. The opportunity to waive all court action by payment of the civil penalty within seven (7) days of the violation.
5. The schedule of civil penalties for parking violations as provided in Section 26.
6. The number of prior violations of record, and the opportunity to review that record.
7. The amount of the civil penalty for the current violation.
8. The place where the civil penalty may be paid.

## **SECTION 26 Civil Penalty**

The civil penalty for violation of this Ordinance, relating to unlawful parking and traffic control violations, shall be as follows:

1. Unlawfully parked	\$ 15.00
2. Handicap parking violation	\$ 200.00
3. Overtime parking	\$ 15.00
4. Parking in prohibited area	\$ 15.00
5. Left side to curb	\$ 15.00
6. Blocking/obstructing entrance to public way	\$ 15.00
7. Blocking sidewalk	\$ 15.00
8. Parking in crosswalk	\$ 15.00
9. Obstructing a street	\$ 15.00
10. Double parking	\$ 15.00
11. Parking within 10 feet of intersection	\$ 30.00
12. Parking within 7 feet of a fire hydrant	\$ 30.00

## **SECTION 27 Administration and Enforcement**

This Ordinance shall be administered by the municipal officers (Board of Selectmen) and enforced by the Police Department.

**SECTION 28 Amendments**

This Ordinance may be amended by the municipal officers (Board of Selectmen) at any properly noticed meeting.

**SECTION 29 Supersession / Repeal**

This ordinance supercedes and repeals Parking Ordinance-Town of Clinton adopted July 13, 2004.

**SECTION 30 Severability and Effective Date**

In the event that any provision or section of this ordinance is declared by a court to be unenforceable, the remaining provisions or sections continue in full force and effect. This ordinance shall become effective thirty (30) days after adoption by a majority of the Municipal Officers (Board of Selectmen).

The public will be given an opportunity to be heard prior to the consideration of the above ordinance by the Municipal Officers.

Given under our hands this 27<sup>th</sup> day May, 2008

\_\_\_\_\_  
Jeffrey Towne, Chair, Board of Selectmen

\_\_\_\_\_  
Stephen Hatch, Selectman

\_\_\_\_\_  
Randy Clark, Selectman

\_\_\_\_\_  
Chester Nutting, Selectman

\_\_\_\_\_  
Joseph Massey, Selectman

Municipal Officers of the Town of Clinton.

A True Copy of the Public Notice  
Attested:

\_\_\_\_\_  
Town Clerk

# RETURN

Town of Clinton, Maine

May \_\_\_\_\_, 2008

Pursuant to the within order of notice, I have notified and warned the inhabitants of the Town of Clinton, Maine that the municipal officers will meet at the time and place and for the purpose therein named, by posting this day an attested copy of that notice in the following public and conspicuous places in town:

Places Listed

\_\_\_\_\_  
Shirley Bailey  
Resident  
Town of Clinton, Maine

State of Maine

Kennebec County, ss

Then personally appeared before me the above-named Shirley Bailey, known to me and swore that the representations set forth in the above Return of Public Notice are true to her own knowledge; and acknowledged the signature appearing thereon to be hers, and that she executed the Return of her own free will and who signed the above Return in my presence.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Notary Seal

\_\_\_\_\_  
Printed name of Notary Public

My Commission Expires: \_\_\_\_\_

**AGENDA**

**ITEM**

**6.e.**

# Selectmen's Office

MUNICIPALITY OF CLINTON

May 27, A.D. 2008

To **Michael Walton** of Clinton the County of Kennebec and the State of Maine: There being a vacancy in the position of **Planning Board Alternate Member**, the Selectmen of the Municipality of Clinton do, in accordance with the provisions of the law of the State of Maine, hereby appoint you as an Alternate Member of the Planning Board within and for the Municipality of Clinton, such appointment to be effective from May 28, 2008 until June 30, 2008.

Given under our hand this 27th day of May, 2008.

By The Board of Selectmen of Clinton, Maine

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## STATE OF MAINE

County of Kennebec

\_\_\_\_\_, 2008

Personally appeared the above named Michael Walton who has been duly appointed by the Selectmen as a Planning Board Alternate Member in said Municipality, and took the oath necessary to qualify him to discharge said duties for the term specified above according to law. Before me,

\_\_\_\_\_ Municipal Clerk

May 14, 2008

To The Selectmen for the Town of Clinton, Maine

From: Michael William Walton, Sr.

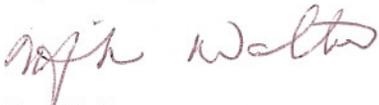
1162 Battle Ridge Road

Clinton, Maine 04927-3745

207-426-9437

I wish to serve the Town of Clinton as a member of the Planning Board. I ask that this request be placed on the Selectmen's agenda as soon as possible.

Respectfully,

A handwritten signature in cursive script that reads "Mike Walton".

Mike Walton

Rec. 5/14/08

**AGENDA**

**ITEM**

**6. f.**



# CLINTON POLICE DEPARTMENT

27 Baker Street  
Clinton, Maine 04927

Emergency 9-1-1

(207) 427-09192      FAX (207) 427-9473

Email: [Clintonpd@roadrunner.com](mailto:Clintonpd@roadrunner.com)



Chief of Police  
**Charles A. Runnels**

To:  
Board of Selectmen  
Town of Clinton

Thru:  
James Rhodes  
Town Manager  
Town of Clinton

From:  
Charles A. Runnels  
Chief of Police  
Town of Clinton

This letter is to recommend that the town accept the offer for an animal housing contract from the Waterville Area Humane Society. I realize that this offer is \$ 484.00 more than the Skowhegan Animal Shelter. This is a budget line over run of \$309.00; this amount can come from other lines in the Animal Control Officers (ACO) budget because of savings from Waterville's additional services.

The Waterville Shelter takes all animals; they take sick, injured and even dead animals at anytime of day or night and care for or dispose of the animal. Skowhegan does not take dead animals; we have to find a way to dispose of them. This usually requires additional cost if only in the ACO's time. In the case of sick or injures animals the ACO can take can take any animal direct to Waterville and they will take the animal and care for it. In Skowhegan the ACO has to find a veterinarian to take care of the animal before the shelter will take them. This is difficult at 2 AM.

The Waterville Shelter will not release a stray dog back to an owner, or adopt out a dog unless the dogs shot are up to date and the dog is registered with the town. The Waterville shelter will even collect the registration fees for the town, do the registration paper work, and forward both to the town as one of the shelters services.

An other service which several members of the public have voiced an interest in that Skowhegan doesn't have is reduced fees to spay/neuter animals. Waterville has reduced fees for animals belonging to residence of any town they contract shelter services. This service is for low income households and the fees are \$50.00 for female and \$25.00 for males. This is very low cost compared to regular prices.

In conclusion I believe that the services offered by the Waterville Shelter more that out weight the extra cost.

Charles A. Runnels  
Chief of Police  
Town of Clinton

## ANIMAL HOUSING CONTRACT 2008-2009

THIS AGREEMENT, entered into on \_\_\_\_\_ by and between the Town/City (hereafter called TOWN) of Clinton, Maine and the Humane Society - Waterville Area (hereafter called SHELTER).

By statute, ALL towns are either required to maintain an animal shelter or otherwise provide such services as regards to stray domestic animals.

SHELTER is hereby employed and authorized to act as an animal shelter and is equipped to provide such services in compliance with statutory requirements.

SHELTER will provide food, water, shelter, medical care, any other humane treatment for such domestic animals while they are in possession of SHELTER.

By statute, Title 7MRSA, Section 3947, EVERY town shall appoint one or more Animal Control Officer(s) (hereafter called ACO). The ACO from the Town of Clinton, SHALL transport stray and abandoned domestic animals (which shall include cats and ferrets) to the SHELTER. Transportation MUST be carried out in a humane manner, Title 7MRSA, Section 3981. et reg.

The ACO will ensure that sick or injured animals at large receive proper medical attention and transport said animals directly to a licensed veterinarian. Veterinary costs incurred for stray animals is the responsibility of the Town from which the animal is transported unless the owner is found.

When delivering an animal to the SHELTER, the ACO shall inform the SHELTER as to name address and telephone number of the ACO; and if TOWN appoints a new ACO during the term of the Contract, TOWN shall notify SHELTER immediately. The ACO shall attend state sponsored ACO workshops.

The agreed contract fee is \$4509.00; (1.35 per capita based on 3340 people). This fee may be paid in full upon receipt of invoice or may be paid in four quarterly installments.

This contract will run for Town's fiscal year unless prior arrangements have been made. This contract may be extended or renewed by agreement of parties.

MUNICIPAL TOWN OFFICIAL

DATE

EXECUTIVE DIRECTOR  
HUMANE SOCIETY - WATERVILLE AREA

DATE

Paula Rae Mitchell

July 1, 2008

2008-2009 Yearly Contract

Town of Clinton

This Agreement, entered into this date of May 1st for the contract year of 2008-2009 between the Town of Clinton and the Somerset Humane Society.

**Somerset Humane Society:** A non-profit organization operating as an Animal Shelter, it is duly organized and existent under the laws that govern the State of Maine to provide temporary or permanent housing and care for stray, abandoned, abused, and /or owner surrendered animals. The location of its primary place of business is located at 123 Middle Rd., Skowhegan in Somerset County in the State of Maine, will here in after be considered the " Shelter " .

**Municipality :** An organized City, Town , and /or Plantation within the State of Maine, will here in after be considered the " Municipality" .

**Unorganized Territory :** All areas located within the jurisdiction of the State, except areas located within organized Cities, Towns, and Indian Reservations. Unorganized Territory does not include Plantations, will here in after be referred to us "Somerset County UT " .

**Now Therefore,** in consideration of the contents that follow, it is agreed that : Each. authorized Municipality or Unorganized Territory and their employees (Animal Control Officers ) shall do the following as instructed by the Somerset Humane Society.

A. Municipality shall pay to the Somerset Humane Society the sum of (\$1.15) One Dollar and Fifteen Cents Per Capita. "Per Capita " means the number of inhabitants residing in the Municipality.

B. Municipality shall have the right to use the Animal Shelter Facilities on the effective date of July 1st 2008. For the period of One (1) year for the sum of \$ 4,025.00 to house and shelter stray animals whose origin is unknown, but which were found within the boundaries of the Municipality.

C. Municipality can pay Twelve monthly installments of \$ 335.42 or the total amount can be paid in full.

D. This agreement is the Town of Clinton invoice for the year.

- E. Municipality shall not transport to the shelter **Owner-Surrendered Animals**.  
This is the owner's responsibility.
- F. Municipality shall take **Sick and/or Injured Stray Animals** to a Licensed Veterinarian of their choice as soon as possible.
- G. The Animal Control Officer/Police Department and/or person acting in that position for the Municipality Must complete stray Forms for Each animal. (Fill out top portion of the form **Only**.)
- H. If Animal Control or the Municipality can establish the ownership of a stray; the owner and the Animal Shelter shall be notified immediately.

Municipality shall agree not to hold the Somerset Humane Society and it's respective officer's, agents, and employees responsible for any claims of loss, damage, sickness, injury, disease, or death sustained by any person due to the use of the shelter by the Municipality stated employees or agents and from loss, damage, sickness, injury, disease, or death to any animals housed there in.

Either party bound by this agreement can terminate the contract by means of a Thirty (30) day written notice. In the event that either party breaches this agreement, either party can be liable for the breach, including but not limited to consequential and/or incidental damages, and costs of the suit including attorney's fees. Either party may avail itself of all additional remedies provided by law.

Contract breach also entitles either party the ability to automatically terminate all obligations under this agreement and refuse to admit animals to the shelter from the boundaries of said Municipality.

Town Manager/1 <sup>st</sup> Selectmen	Date	Phone#	Witness
<i>Patricia Nelson</i>	<i>5/1/08</i>	<i>474-10493</i>	<i>Jennifer Gagnon</i>
Somerset Humane Society Rep.	Date	Phone#	Witness
Animal Control Officer	Date	Phone#	Witness

If you do not have the State of Maine Laws, Animal Regulations & Rabies Management Guideline books you can call Animal Welfare at (207) 287-3846.