

TOWN OF GRAY
GRAY TOWN COUNCIL
AGENDA • JUNE 6, 2023

**Gray Town
Council Regular
Meeting**

Town Council Chambers
24 Main Street, Gray, ME 04039
<https://us06web.zoom.us/j/89457699857>
Phone 646-558-8656 / Meeting ID: 894 5769 9857

7:00 PM

I. OPENING STATEMENT

This meeting will be held in person and online with the link provided in the agenda header. For the Public Hearings, residents can click in to participate or call in using the number provided during the Public Hearings as detailed in the agenda.

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. CONSENT AGENDA 5 MINS

1. Minutes from the Executive Session on May 16, 2023
2. Minutes from the Town Council Meeting on May 16, 2023

V. PUBLIC COMMENTS OF NON-AGENDA ITEMS (LIMIT 3 MINS PER PERSON) 10 MINS

Comments are intended for information sharing, not discussion. Comments in excess of three minutes are welcome at the end of the agenda prior to adjournment. Call 646-558-8656 / Meeting ID: 815 3196 0312

VI. ADJUSTMENTS TO THE AGENDA 5 MINS

VII. PRESENTATION 7:20PM

1. Short Term rental software - GPCOG 20 MINS with Q&A

VIII. PUBLIC HEARING 7:40PM

1. Second Reading and Public Hearing - To Review proposed changes to the Vehicular Use and Weight Restriction Ordinance (Chapter 501). Changes include updating language for the Shaker Road segment, adjusting the maximum weight limit for exempt trucks, increasing the period when seasonal road postings can be in effect, changing the appeals process to go before the Town manager, and removing language regarding DOT enforcement. 10 MINS

Proposed motion:

Be it Ordained, the Gray Town Council approves the proposed changes to the Vehicular Use and Weight Restriction Ordinance (Chapter 501).

IX. ACTION ITEMS 7:50PM

1. To Review and Act Upon Setting the Tax Due Dates, Interest Rate for Delinquent Taxes, Overpayment of Taxes, and Prepaid Taxes for FY 2024. **5 MINS**

Proposed motion:

Ordered, the Gray Town Council, to fix Monday, October 2, 2023 and Monday, April 1, 2024 as the dates upon each of which one-half of taxes are due and payable, with interest to accrue upon taxes due and unpaid after each such date at the rate of eight percent (8.00%) per annum. In accordance with 36 M.R.S.A. Section 506, the Tax Collector and Town Treasurer are authorized to accept prepayment or decline prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer who pays an amount accepted by the tax collector and town treasurer in excess of that finally assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the rate of four percent (4.00%) per annum and hereby authorizes and directs said Tax Collector/Treasurer, pursuant to Title 36, Maine Revised Statutes Annotated, section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

2. To Review and Act Upon Approving the Village Area Loop Trail (VALT) Phase II extension project contract to Skid Steer Services, LLC of Naples, Maine. **10 MINS**

Proposed motion:

Ordered, the Gray Town Council awards the contract for construction of a recreational trail on the town-owned “gateway” parcel (Tax Map 35, Lot 403-027-000) to Skid Steer Services, LLC of Naples, Maine and grant authority to the Town Manager, with input from the RFP review team regarding the reduced scope, to enter into a contract for this work, not to exceed \$52,877.

3. To Review and Authorize the Town Manager to sign a Quitclaim Deed to Michael E. Perkins for Map and Lot 059-037-028-001 of the Tax Assessor’s Maps of the Town of Gray. **5 MINS**

Proposed motion:

Ordered, the Gray Town Council authorizes the Town Manager to Sign the Quitclaim Deed to Michael E. Perkins for Map and Lot 059-037-028-001 of the Tax Assessor’s Maps of the Town of Gray.

4. To Review and Act Upon Approving Town Manager Nate Rudy's appointment to the Ecomaine Board of Directors. **5 MINS**

Proposed motion:

Ordered, the Gray Town Council approves Town Manager Nate Rudy's appointment to the Ecomaine Board of Directors

5. To Review and Act Upon Approving FY23 CIP carry-forwards into FY24 to cover approved CIP expenses that have been brought forward from previous years. **5 MINS**

Proposed motion:

Ordered, the Gray Town Council approves the proposed Carry Forwards to FY24.

X. REPORT FROM THE COUNCIL CHAIR 10 MINS - 8:20PM

XI. REPORT FROM THE TOWN MANAGER 10 MINS

XII. COMMITTEE REPORTS 10 MINS

XIII. COUNCIL CORRESPONDENCE/ACTIVITIES 5 MINS

XIV. ADJOURNMENT 8:55PM

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

TOWN GRAY
GRAY TOWN COUNCIL
MINUTES • May 16, 2023

**Council Executive
Session Meeting**



Town Council Chambers
24 Main Street, Gray, ME 04039

5:30 PM

ROLL CALL

Attendee Name	Title	Status
Sandra Carder	Chair	Present
Krista Chappell	Vice Chair	Present
Michael Curtis	Council Member	Absent
Dan Maguire	Council Member	Present
Martin Meaney	Council Member	Present

EXECUTIVE SESSION

The Gray Town Council will enter into Executive Session under MRS Title 1 Chapter 13 Section 405.6.a to discuss personnel matters and Section 405.6.c for property matters.

Motion: The Gray Town Council enter Executive Session under MRS Title 1 Chapter 13 Section 405.6.A for personnel matters and 405.6.C for property matters at 5:30 PM.

RESULT:	PASSED 4-0
MOTION BY:	Martin Meaney
SECOND BY:	Krista Chappell
AYES:	Sandra Carder, Krista Chappell, Martin Meaney, Dan Maguire

Councilor Maguire recused himself from the first part of the Executive Session on advice from legal counsel.

The Executive Session ended at 6:50 PM, No further action was taken.

ADJOURNMENT

Motion: The Gray Town Council moves to adjourn the meeting at 6:51 PM.

RESULT:	PASSED 4-0
MOTION BY:	Krista Chappell
SECOND BY:	Dan Maguire
AYES:	Sandra Carder, Krista Chappell, Martin Meaney, Dan Maguire

The meeting was Adjourned at 6:51 PM.

TOWN GRAY
GRAY TOWN COUNCIL
MINUTES • May 16, 2023

Council Regular



Town Council Chambers

7:00 PM

24 Main Street, Gray, ME 04039

<https://us06web.zoom.us/j/87501159478> Phone

Meeting

646-558-8656 / Meeting ID: 875 0115 9478

I. OPENING STATEMENT

This meeting will be held in person and online with the link provided in the agenda header. For the Public Hearings, residents can click in to participate or call in using the number provided during the Public Hearings as detailed in the agenda.

II. ROLL CALL

Attendee Name	Title	Status
Sandra Carder	Chair	Present
Krista Chappell	Vice Chair	Present
Dan Maguire	Council Member	Present
Martin Meaney	Council Member	Present

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. CONSENT AGENDA

IV.1 Minutes from the Town Council Meeting on May 2, 2023.

Motion: Ordered, the Gray Town Council approves the Consent Agenda except for the minutes from May 2, 2023.

RESULT:	PASSED 4-0
MOTION BY:	Dan Maguire
SECOND BY:	Krista Chappell
AYES:	Sandra Carder, Krista Chappell, Michael Dan Maguire, Martin Meaney

Motion: Ordered, the Gray Town Council approves the amended minutes from May 2, 2023.

RESULT:	PASSED 4-0
MOTION BY:	Dan Maguire
SECOND BY:	Krista Chappell
AYES:	Sandra Carder, Krista Chappell, Michael Dan Maguire, Martin Meaney

Council gave direction to staff on edits to the minutes.

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS (LIMIT 3 MINS PER PERSON)

The Public Comment period was opened at 7:04pm. There was no public comment. The Public Comment period was closed at 7:04pm.

VI. ADJUSTMENTS TO THE AGENDA

There were no adjustments to the agenda.

VII. PUBLIC HEARINGS

VII.1 Second Reading and Public Hearing - To Review proposed changes to the Zoning Ordinance (Chapter 402) with regards to Accessory Dwelling Units (ADUs). Proposed changes include: setting a maximum footprint for ADUs, editing references to comply with state law, updating Table 402.5.3 regarding zoning district uses, adding references regarding exemption from Parking Requirements, adding reference to home occupation use within an ADU, updating the definition of Accessory Apartments, and updating the Accessory Apartments section.

Scott Liberty of New Gloucester asked to clarify the proposed sqft. He commented that ADUs closer to 1000sqft would be beneficial.

Chair Carder said LD2003 will loosen up residential housing density standards for people to build other types of houses.

Proposed motion: Be it Ordained, the Gray Town Council approves proposed changes to the Zoning Ordinance (Chapter 402) with regards to Accessory Dwelling Units.

RESULT:	PASSED 4-0
MOTION BY:	Dan Maguire
SECOND BY:	Krista Chappell
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

Councilor Maguire said he has heard many size recommendations, part of the issue is that the law came before rules from the State, and they are still being written, like what happened with cannabis. He thinks this will evolve and be revisited.

VII.2 First Reading and Public Hearing - To Review proposed changes to the Vehicular Use and Weight Restriction Ordinance (Chapter 501). Changes include updating language for the Shaker Road segment, adjusting the maximum weight limit for exempt trucks, increasing the period when seasonal road postings can be in effect, changing the appeals process to go before the Town manager, and removing language regarding DOT enforcement.

Adam Wilkinson of 86 Yarmouth Rd. expressed concerns about the weight limit ordinance.

Scott Dugas of Yarmouth Maine expressed concerns about the weight limit ordinance. He said he understands the spring postings but is not supportive of posting Mayall Rd.

Scott Young of 155-169 Lewiston Rd. agreed with the previous points. He feels that proposed ordinances are not clear.

Brad Skilling 149 Mountain View Rd. in Gray asked what the Town had to demonstrate to the State to get the weight limits. He expressed concerns about the weight limit ordinance, he feels it will be detrimental to his business.

Lonnie Humphrey of New Gloucester expressed that he does not support the weight restriction.

Sue Austin of Gray expressed concerns about the weight restriction, including traffic compression she believes it could cause.

Proposed motion: Be it Ordained, the Gray Town Council approves and sets a second reading and public hearing for June 6th to review and approve the Vehicular Use and Weight Restriction Ordinance (Chapter 501).

RESULT:	PASSED 4-0
MOTION BY:	Dan Maguire
SECOND BY:	Martin Meaney
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

Councilor Maguire explained that Council needs to put the motion on the floor, to open the floor for Council discussion.

Chair Carder explained that this ordinance is already in effect, that there were already two public hearings about this ordinance, workshops with the DOT, and that this is just a proposed revision. She explained that the ordinance was brought forward from a petition of 45 residents. She mentioned the ordinance is also in line with the Comprehensive Plan for the village design

which was voted on with 79% voter approval. The Village design plan is to reduce heavy traffic to enable safer walking, biking, etc. She explained that the bypass was created for this reason. She stated that local businesses located on the posted roads can get exemptions from the weight restrictions.

Councilor Maguire stated that there is a list of vehicle types that are exempt from the weight restriction ordinance. When the bypass was built, it was not the design that was supposed to be built. The traffic on Main St. is nearing the amount it was before the bypass was created. The current Main St. design does not meet MeDOT standards. The Brown St./Hancock St. intersection redesign will block trucks from making left turns.

Chair Carder MeDOT will hand Main St. over to the Town to take over after the proposed road construction projects.

Councilor Maguire said the storm drain infrastructure under Gray Corner is crumbling and the Main St. reconstruction project will benefit many people.

Councilor Carder stated that the Comprehensive Plan is to increase safety, livability, and business. Facilities along Shaker Rd. are used by families, children, and residents who also pay taxes to maintain the Town roadways. If we deteriorate the roads at a rapid pace, it will require more maintenance which will result in paying more taxes.

Councilor Maguire recommended that the public shares their thoughts early in the process, because it is valuable for people to come forward with their ideas. Council has tried to avoid negative impacts of this ordinance.

VIII. ACTION ITEMS

VIII.1 To Review and Act Upon Approving the Request for Winter Maintenance via Rural Public Street Easement submitted by Woodcock Drive.

Proposed motion: Ordered, the Gray Town Council tabled the Request for Winter Maintenance via Rural Public Street Easement submitted by Woodcock Drive.

RESULT:	PASSED 4-0
MOTION BY:	Dan Maguire
SECOND BY:	Martin Meaney
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

VIII.2 To Review and Act Upon Approving a letter from the Town discharging the option to purchase property as outlined on the Depot Road parcel deed identified as tax map lot 045-033-028-000

Proposed motion: Ordered, the Gray Town Council approves a letter from the Town discharging the option to purchase property as outlined on the Depot Road parcel deed identified as tax map lot 045-033- 028-000.

RESULT:	PASSED 4-0
MOTION BY:	Martin Meaney
SECOND BY:	Dan Maguire
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

VIII.3 To Review and Act Upon Approving the Appointment of the Warden for the June 13, 2023 Election.

Proposed motion: Ordered, the Gray Town Council appoints Susan Tsukroff as the Warden for the Election to be held on June 13, 2023.

RESULT:	PASSED 4-0
MOTION BY:	Martin Meaney
SECOND BY:	Krista Chappell
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

VIII.4 To Review and Act Upon Approving the Municipal Warrant for the Town Meeting to be held on June 13, 2023.

Proposed motion: Ordered, the Gray Town Council approves the municipal warrant for the town meeting to be held on June 13, 2023, as presented.

RESULT:	PASSED 4-0
MOTION BY:	Martin Meaney
SECOND BY:	Krista Chappell
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

Councilor Maguire mentioned some formatting issues to be edited in the future.

VIII.5 To Review and Act Upon Approving a 180-Day Extension of the Moratorium on Self-Storage Developments, to December 27, 2023, with the acknowledgement that reasonable progress is being made toward addressing ordinance updates as per 30-A M.R.S. Sec. 4356(2). The moratorium was originally enacted on February 15, 2022, with a retroactive effective date of Jan. 5, 2022 and an expiration date of July 4, 2022. It was extended at the May 17, 2022 meeting to Dec. 31, 2022 and again at the Nov. 15, 2022 meeting to June 30, 2023.

Proposed motion: Ordered, the Gray Town Council approves a 180-Day Extension of the Moratorium on Self Storage Developments, to December 27, 2023, with the acknowledgement that reasonable progress is being made toward addressing ordinance updates as per 30-A M.R.S. Sec. 4356(2)

RESULT:	PASSED 4-0
MOTION BY:	Krista Chappell
SECOND BY:	Dan Maguire
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

VIII.6 To Review and Act Upon Approving changes to the Personnel Policy. Proposed changes include clarifying the mission statement and the administration of policy, adding language to personnel file administration and conflict of interest sections, editing certain benefits language and political activities requirements, and adding safety-related protocols.

Proposed motion: Ordered, the Gray Town Council approves the proposed changes to the Personnel Policy

RESULT:	PASSED 4-0
MOTION BY:	Krista Chappell
SECOND BY:	Martin Meaney
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

A memo was provided by the Human Resource Director Jonathan Hartt.

IX. REPORT FROM THE COUNCIL CHAIR

As was reported at our 5/9/23 workshop, **Councilor Michael Curtis resigned effective 5/3/2023**. Applications are being sought now through June 9th for consideration by the Council to fill the vacancy until the June 11th, 2024 election. Applications will be considered at the June 20th meeting by the new Council.

Volunteer Award nominations are still open and can be submitted through May 26th.

Gray Community Day is set for June 24th. I know Lisa has been reaching out to the Committees who are anxiously awaiting more information for planning their participation.

I wanted to recognize and thank Randy Viser and Corey Norman as well as Kyle for their work in producing the first episode of a new Community series **“Hard Tellin’ Not Knowin’”** which is being broadcast on GCTV and available on the Town’s Youtube channel. It is a really great episode featuring the Nordic walking program, a short virtual clip of cross skiing at Libby Hill Trails and a conversation with Randy Cookson to talk all things Transfer Station. I look forward to more episodes – if you haven’t checked it out – you are missing out.

Nate & I met with Nate Stone & Larry Zuckerman to continue the discussion around the use of **Douglass field** this year with a possible solution in process.

A reminder for each of us that the **Annual Reports from Committees** are due to Kyle by 7/31/2023. That means we need to be discussing them at our upcoming June Committee members so drafts can be finalized and approved at July meetings.

Councilor Maguire asked if Staff are going to write the annual reports. The Town Manager clarified that the Staff would write the report if the committee chair and/or members were not able and chose to delegate the task.

Krista & I met a couple times to discuss **transition** of the **Chair's responsibilities**. In addition, the Council had our Teams training last Friday and I will be working with Kyle to transition the workbook into that application.

X. REPORT FROM THE TOWN MANAGER

The Town Manager asked the Council if they have any questions about his written report. He pointed out that the annual report for the Cumberland County Sheriff's Office report is extensive and will be posted to the Town website. He noted scheduled upcoming time off. He noted that the Depot Road construction has started. He added the Town's intern Hope Carroll started her internship. The Planning Department would like time to meet with Council about implementation of LD2003. He reminded that the Town election is June 13, 2023. He reported a conversation with residents of Ramsdell Rd. and their concerns with the road conditions since a recent major storm event.

XI. COMMITTEE REPORTS

Councilor Chappell:

- Ordinance Advisory reconvenes at the end of May.
- GPCOG executive committee meets 5/23/23. General Assembly is 5/25/23. Staff of GPCOG submitted testimony in support of TIF extensions for transportation and affordable housing projects. They are looking for submissions for the "What Works" segment of the general assembly.
- Resiliency Committee scheduled 5/25/23. Community Resilience Partnership Cohort of New Gloucester, Durham and Gray met 5/3/23.

Councilor Maguire:

- Planning Board met 5/11/23, discussed the Wilson Subdivision on Shaker Rd. They had a public hearing for the ADU ordinance. There was a long discussion about the VALT trail, it will not be crossing the street because there is no crosswalk. Stillwater Pines phase II was also discussed.
- Finance Committee met and discussed the Finance Director's resignation and next steps with the committee moving forward. Discussed putting auditing out to bid. Discussed Staff duties since she has left.

Councilor Meaney:

- Zoning Board of Appeals will be 5/24/23 if needed.
- Planning Board met 5/11/23
- Wild Blueberry Festival committee will meet 6/6/23.

Chair Carder:

- Open Space met on 5/3. We discussed participation in the Gray Community Day event, walked through a checklist/ranking system for parcels and focused on reviewing possible recommendations to the current Open Space Ordinance. Our next meeting is June 7th at 6pm.
- Recreation met on May 8th via zoom. We also discussed participation in the Gray Community Day event, saw a video demo of a new piece of equipment, Turf Tank, which paints recreation field lines. It is expensive but there is a rental option and could save resources if shared with other entities. I referred it to Nate/Krista as a possible topic at the upcoming Joint Leaders meeting. We also discussed ways to fundraise for the scholarship fund and discussed new benches for the walking trails. A resident joined our meeting as he is considering joining the committee. Our next meeting is June 5th at 6pm.
- DMS met yesterday at the schoolhouse with our sole focus on the set up and possible open house on June 10th. Due to scheduling conflicts, it does not look like the committee will be available to participate in the Gray Community Day event, but we will be participating in the Blueberry Festival. Our next meeting is June 19th at 4pm; however, we will be having more work sessions at the DMS between now & June 10th.

XII. COUNCIL CORRESPONDENCE/ACTIVITIES

Councilor Chappell: On 5/3/23 she had a check in with Dan Maguire. Met with Chair Carder regarding transition planning. On 5/7/23 attended the May Meadow Woods Home Owners Association and spoke regarding open space and the connection of trails. A piece of private property has blocked trail access. It was a positive meeting and she is available if people have any questions. Participated over Zoom in the Community Resilience Partnership Conference where she asked the DOT representative about improved resources for fire and safety because of the danger of batteries from electric vehicles. 6/1/23 she is participating in the GPCOG radio show. Council received an email from Anne Gass regarding the Growth Management Act. Council received an email from Gerald Fossett regarding Deer Acres. Received an email from Bev Schwartz about suicide awareness resolution.

Councilor Maguire: Spoke with Adam Wilkinson about the weight ordinance for the Town. Received an email from Scott Liberty with images of his storage facility. Met with Doug Webster to brainstorm on self-storage unit ordinances.

Councilor Meaney: He had lunch at the First Congregational Church in New Gloucester. It is put on by the New Gloucester and Gray Recreation Departments, the food came from Two Mums kitchen in Gray.

Chair Carder: Doug shared a phone conversation he had with a resident regarding the weight limit ordinance, and I responded via email. I received an inquiry about the dates for the June Council meetings. I responded to a follow-up e-mail from Gerald Foster regarding Deer Acres, handing that communication over to Dan Maguire.

XIII. ADJOURNMENT

Motion to Adjourn at 8:50 PM

RESULT:	PASSED 4-0
MOTION BY:	Martin Meaney
SECOND BY:	Krista Chappell
AYES:	Sandra Carder, Krista Chappell, Dan Maguire, Martin Meaney

CLZ

STR Solutions with GPCOG – Save money and stay current on changing state and local requirements.

Goal: As more municipalities in our region explore options to understand, govern, and enforce short-term rentals (STRs), GPCOG is the go-to source for all things STR. Whether a municipality is just beginning the STR discussion or is actively enforcing current STR ordinances, GPCOG can help.

How it works: GPCOG's Economic Development and Planning departments offer four key services to help at all stages of the STR governance process.

Understand

If your municipality is just taking up the STR conversation, GPCOG can provide town committees/boards with an overview of neighboring towns ordinance and lead a discussion on “what works” and what needs improvement with the varying approaches to STR enforcement and governance. GPCOG can also provide staff and elected officials with up-to-the-day data on the current STR landscape in your town.



Engage

Once the STR landscape is understood by elected officials and staff members, GPCOG can lead discussions with residents most affected by the STR market: STR owners, immediate neighbors, and “highly active” STR neighborhoods.

Govern

GPCOG will help craft fair and clear ordinance language for your municipality’s STR market. It will also help with analyzing the true cost of enforcement and balance it against the burden to the STR property owners.

Enforce

GPCOG has developed software to help its members enforce their STR licensing program. With this tool, municipalities can:

- Enforce current regulations.
- Generate new fee revenue for the municipality.
- Provide the public with transparency around STRs.

This software is free for GPCOG member communities who agree to be beta-testers for the first year and then will be offered at a fraction of the cost of national products. For comparison, national products cost can cost \$50,000+ annually, while our services will save members up to 75% of that cost every year.

Communities working together to build shared and sustainable prosperity

MEMO

May 25, 2023

TO: Gray Town Council and Town Manager Nate Rudy

FROM: Community Development office

RE: Proposed amendments to Vehicular Use and Weight Restriction Ordinance, Chapter 501

The following responses are provided per the questions raised at the May 16, 2023 first reading and public hearing of the proposed amendments to the Vehicular Use and Weight Restriction Ordinance, Chapter 501 before the Town Council.

Regarding the question about the Town's authority to impose weight limit restrictions: The State law allowing the town to impose restrictions for road usage is cited in the "authority" section of the new ordinance, 501.3: *This Chapter is enacted pursuant to 30-A M.R.S. §3009 and 29-A M.R.S. §§ 2395 and 2388, as amended.*

Citations for the referenced State laws are below:

Title 30-A, §3009: Authority of municipal officers to enact ordinances (maine.gov) Specifically:

1. Exclusive authority. The municipal officers have the exclusive authority to enact all traffic ordinances in the municipality, subject to the following provisions.

A. The municipal officers may regulate pedestrian traffic in the public ways, including, but not limited to, setting off portions of a municipality's public ways for sidewalks and regulating their use; providing for the removal of snow and ice from the sidewalks by the owner, occupant or agent having charge of the abutting property; and establishing crosswalks or safety zones for pedestrians.

(1) The violation of any ordinance authorized by this paragraph is a civil violation.

(2) The municipal officers may establish a method by which persons charged with the violation of ordinances governing pedestrian traffic on the public ways may waive all court action by payment of specified fees within stated periods of time. [PL 1991, c. 549, §16 (AMD); PL 1991, c. 549, §17 (AFF).]

B. The municipal officers may regulate the operation of all vehicles in the public ways and on publicly owned property.

(1) The violation of any ordinance authorized by this paragraph is a civil violation.

(2) A municipality may not adopt or enforce an ordinance authorized by this paragraph that is the same as or conflicts with any speed or other traffic control limits imposed by the Department of Transportation pursuant to Title 23 or 29-A. [PL 1999, c. 753, §8 (AMD).]

Title 29-A, §2395: Ways requiring special protection (maine.gov) Specifically:

4. Designation by counties and municipalities. County commissioners and municipal officers may designate public ways other than those in subsection 3 and impose restrictions within their respective

jurisdictions similar to those made by the Department of Transportation under subsection 3. Any vehicle delivering home heating fuel or organic animal bedding material and operating in accordance with a permit issued by the Department of Transportation pursuant to this section may travel over any county or town way without a specific municipal or county permit. A municipality may impose additional restrictions for a vehicle delivering home heating fuel or organic animal bedding material to operate on public ways within that municipality but may not require a permit to operate according to those restrictions.

Additionally, MRS 29-A 2388 references the ability to assess fines.

Regarding the question about previous discussions of the weight limit ordinance revisions, a timeline is provided below:

Timeline of Revisions to Vehicular Use ordinance/ weight restrictions

Oct. 6, 2020 Town Council Regular Meeting: The Council discussed the vehicular use weight restrictions for Shaker Road and discussed the MDOT requirements for implementation.

Nov. 17, 2020 Town Council Regular Meeting: Council discussed Shaker Road Weight Limit/Route Designation. Then-Town Manager Deb Cabana provided a proposal from Gorrill-Palmer engineers to determine if Mayall/Weymouth roads would qualify. Council expressed concerns on impacts to road maintenance and residents.

Sept. 21, 2021 Town Council Regular Meeting: Council held first reading and public hearing on proposed new Vehicle Weight Restrictions on Posted Ways Ordinance, Chapter 298, that prohibits the operation of motor vehicle(s) with a gross registered weight in excess of 10,000 pounds on any portion of a posted Town way, with specific exceptions.

Oct. 5, 2021 Town Council Regular Meeting: Council held the second reading of the proposed ordinance.

DID IT PASS?

Dec. 21, 2021 Town Council workshop: Council discussed next steps for the weight limit on “short” Shaker Road section.

March 29, 2022 Town Council workshop: Council met with MDOT.

April 19, 2022 Town Council workshop: Council discussed inclusion of restrictions for Mayall Road portion.

August 2, 2022 Town Council workshop: Council discussed weight limit ordinance amendment including restriction for “short” Shaker Road section. Council Chairperson Sandy Carder shared a draft provided by Dale Doughty, MDOT director of the Bureau of Maintenance

and Operations, for Council feedback and discussed additional exemptions on current local roads.

Sept 15, 2022 Town Council workshop: Council discussed changes with MDOT.

Oct. 18 2022 Regular Town Council Meeting: Council held a public hearing/first reading of the ordinance change: To Review and Approve the Combination of Town Ordinance Chapter 298 "Vehicle Weight Restrictions on Posted Town Ways" with Town Ordinance Chapter 501 "Vehicular Use Ordinance," with proposed changes to the weight restrictions and the addition of restrictions for Shaker Road, between Main Street and the north end of Maine Wildlife Parkway.

Nov. 15, 2022 Regular Town Council Meeting: Council held a second reading and approved the ordinance, which went into effect 30 days afterwards.

February 2023: Dale Doughty contacted Town Manager Nate Rudy to advise that the reference to Shaker Road as a "town way" in the new ordinance is inaccurate, as it is a State highway segment. Community Planner Kristen Muszynski drafted a correction to the ordinance and reached out to MDOT for review before moving the amendment through the council process.

March 2023: Interim Public Works Director Tim Estes also provided feedback on the suggested changes from MDOT. Kristen incorporated the MDOT and Public Works input in updated ordinance language and sent it for legal review as well. The final draft was prepared for presentation to the council at the May 2 meeting.

May 2, 2023 Regular Meeting: The council reviewed the proposed amendments to the ordinance via presentation at the Town Council meeting and their feedback was incorporated for the final draft.

May 16, 2023 Regular Town Council Meeting: The council held first reading and public hearing of the proposed changes to the ordinance.

MEMO

Thursday, May 4, 2023

TO: Gray Town Council
Town Manager Nathaniel Rudy

FROM: Planning Department

RE: Chapter 501 Vehicular Use and Weight Restriction Ordinance

Following up on the council's May 2, 2023 discussion regarding the amendments to the Chapter 501 Vehicular Use and Weight Restriction Ordinance, the amended ordinance is now before you for first read at the May 16, 2023 council meeting.

This ordinance was amended on November 15, 2022 with a focus on applying a weight restriction on Shaker Road, between Main Street and the north end of the Maine Wildlife Parkway.

The ordinance update at that time inaccurately referred to Shaker Road as a "town way," when it is, in fact, a State highway segment.

In preparing the updated language to correct this error, we shared the updated draft language with the MDOT to ensure that there are no other conflicts with the language. The updated ordinance before you for May 16 reflects input from MDOT engineer Peter Coughlan, Interim Acting Public Works Director Tim Estes and our town attorney, as well as council input at the May 2 meeting.

In addition to updating the "town way" reference for the Shaker Road segment, the substantive amendments are:

1. Adjusting the maximum weight limit for exempt trucks to match the standard MDOT weight limit for posted state roads (23,000).
2. Increasing the period when seasonal road postings can be in effect.
3. Changing the appeal process to go before the town manager, rather than the DOT, as State law does not give DOT authority to review town permitting decisions.
4. Removing language regarding DOT enforcement.

The "frozen roads" exemption language discussed at the May 2 meeting is not included, per council input.

CHAPTER 501
VEHICULAR USE AND WEIGHT RESTRICTION ORDINANCE
TOWN OF GRAY MAINE

Adopted July 13, 1982

Amended November 15, 2022 to incorporate Chapter 298

SECTION 501.1 – TITLE

This Chapter shall be known and may be cited as the Vehicular Use and Weight Restriction Ordinance of the Town of Gray, Maine.

SECTION 501.2 – PURPOSE

The purpose of this Chapter is to regulate the use of certain vehicles on certain roads, and sections of roads, on certain town ways within the Town of Gray. The restrictions imposed herein are intended to prevent safety hazards and damage to town ways and bridges. Preventing safety hazards and damage to the roads reduces the cost of maintenance, reduces the danger of injury to the traveling public, and generally improves the use of roads by the public.

SECTION 501.3 – AUTHORITY

This Chapter is enacted pursuant to 30-A M.R.S. §3009 and 29-A M.R.S. §§ 2395 and 2388, as amended.

SECTION 501.4 – DEFINITIONS

Except as otherwise provided herein, the definitions contained in 29-A M.R.S. § 101 shall govern the construction of words contained in this Chapter. Any words not defined therein shall be given their common and ordinary meaning.

SECTION 501.5 – WEIGHT RESTRICTIONS AND NOTICE

1. The Gray Town Council 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. In doing so, the Town Council may, in its sole and reasonable discretion, designate the town ways and bridges to which such restrictions shall apply. Regardless of exemptions listed in Section 501.6, but subject to any permit issued by the Town pursuant to Section 501.7 of this Chapter or issued to the vehicle owner or operator by the Maine Department of Transportation, all vehicles must adhere to applicable standards required for seasonal road postings, for the period of ~~March 15 to May 1~~ February 1 to May 1 of each year.
2. Subject to all applicable exemptions in this Chapter, or the issuance of a permit by the Town Council or its designee, the operation of any motor vehicle with a gross registered weight in excess of 23,000 ~~26,000~~ pounds, inclusive of a towed unit or units, or such lesser weight as indicated in 501.11, shall be prohibited on a particular town way or portion of a town way, effective upon the posting of such restrictions at both ends of said town way or portion of said town way, following an affirmative vote of the Town Council (the "Notice").
3. Pursuant to 29-A M.R.S. § 2395, the Notice shall contain, at a minimum, the following information: the name of the town way or bridge, the gross registered weight limit, the time period during which the restriction applies, or in the case of roads where the gross

Style Definition: Heading 1

Style Definition: List Paragraph: Numbered + Level: 1
+ Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.38" + Indent at: 0.88"

Commented [KM1]: DOT is allowing the town to post Shaker Road from the village to the parkway, which is not a town way, so DOT recommends we remove this language

Commented [KM2]: DOT and Tim agree that this period should be longer to give the town more leeway to post when there are soft conditions. Council agreed at 5-2 discussion

Commented [KM3]: DOT and Tim advised that the normal weight for seasonal postings is 23,000 lbs, as shown on the posting signs, and that a different weight will cause conflicts and confusion. Council agreed 5-2 discussion

registered weights of vehicles is permanently restricted, a note that such restriction is permanent.

4. Per the Notice, the restriction information shall be conspicuously posted at each end of the portion of the way or bridge, in a location clearly visible from the traveled way and shall include the weight limit, Chapter reference and time period of the restriction (if not permanent).
5. Whenever a restriction expires or is lifted, the road posting shall be removed wherever posted. Whenever a restriction is revised or extended, existing postings shall be removed and replaced with the updated information.
6. No person may remove, obscure or otherwise tamper with any posting except as provided herein.

SECTION 501.6 – EXEMPTIONS

The following vehicles are exempt from all gross weight restrictions imposed by this Chapter:

- A. Any vehicle or combination of vehicles, inclusive of a towed unit or units, registered for a gross weight of 23,000 ~~26,000~~ pounds or less;
- B. Any vehicle transporting well-drilling equipment for the purpose of drilling a replacement water well, or for improving an existing water well on property where that well is no longer supplying sufficient water for residents or agricultural purposes, provided that such vehicles comply with all conditions stated in 29-A M.R.S. § 2395(4-A) (A) – (C), as amended;
- C. MaineDOT vehicles or other vehicles authorized by MaineDOT, a municipality or county to maintain the roads under their authority;
- D. “Authorized emergency vehicles” as defined in 29-A M.R.S.A. § 2054(1)(B), as amended, including but not limited to, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair;
- E. Any two-axle vehicles registered for a gross weight in excess of 23,000 ~~26,000~~ pounds that is carrying any of the following:
 - i. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36” in length, propane and wood pellets);
 - ii. Petroleum products;
 - iii. Groceries;
 - iv. Bulk milk;
 - v. Bulk feed;
 - vi. Solid waste;
 - vii. Organic animal bedding;
 - viii. Returnable beverage containers;
 - ix. Sewage from private septic tanks or porta-potties; or

x. Medical gases;

F. Vehicles owned or operated by parties living on, and/or operating a business on a specific road or road segment listed in 501.11 of this Chapter; or

G. Vehicles accessing properties or businesses located on a specific road or road segment listed in 501.11 of this Chapter, for the purpose of making deliveries or otherwise performing activities related to the vehicle owner's business.

Regardless of exemptions listed in this section, but subject to any permit issued by the Town pursuant to Section 501.7 of this Chapter or issued to the vehicle owner or operator by the Maine Department of Transportation, all vehicles must adhere to applicable standards required for seasonal road postings, for the period of ~~March 15 to May 1~~ February 1 to May 1 of each year, as required in Section 501.5(A).

SECTION 501.7 – PERMITS

A. The owner or operator of any vehicle not otherwise exempt from the gross registered weight restrictions imposed by this Chapter, pursuant to Section 501.5, above, may apply in writing to the Town Council or its designee for a permit to operate on a posted town way or bridge, ~~or the posted section of Shaker Road~~ notwithstanding the restriction. The Town Council or designee may issue a permit only upon all of the following findings:

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

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

C. In determining whether to issue a permit, the Town Council (or its designee) shall consider the following factors:

1. the gross registered weight of the vehicle, inclusive of a towed unit or units;
2. the current and anticipated condition of the town way or bridge;
3. the number and frequency of vehicle trips proposed;
4. the cost and availability of materials and equipment for repairs;
5. the extent of use by other exempt vehicles; and
6. such other circumstances as may, in their judgment, be relevant.

Commented [ACT4]: Although Shaker Road's weight limitation can be noted in this Ordinance, the Town has no authority to exempt a potential operator from those restrictions. Only MDOT may do so.

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

SECTION 501.8 – ADMINISTRATION AND ENFORCEMENT

This Chapter shall be administered and enforced by the Town Council or its designee.

In enacting this Chapter, the Town of Gray agrees to conspicuously erect signs meeting the standards of the Manual on Uniform Traffic Control Devices (MUTCD) on both ends of all town ways on which weight restrictions are in effect, per Section 501.5.

SECTION 501.9 – APPEALS

An applicant for a permit to operate on a posted town way or bridge who is denied said permit is entitled to appeal the decision to the Town Manager or the Town Manager's assignee. ~~the Maine Department of Transportation, pursuant to 29-A M.R.S. §2388.~~

SECTION 501.10 – PENALTIES

- A. Any violation of this Chapter shall be a civil violation subject to a fine of not less than \$250.00 nor more than \$1,000.00. Each violation shall be deemed a separate offense.
- B. In addition to any fine, the Town of Gray may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the Town of Gray and shall be brought in the Maine District Court. Any amount so recovered shall be used for repair of the ways so damaged. This section shall not be construed to limit the amount that may be recovered by the Town in a civil action. Any amount recovered in excess of the amount needed to repair the damaged way shall accrue to the Town. If the Town prevails in a civil action brought pursuant to this section, it shall be entitled to an award of reasonable attorney's fees in addition to any damages awarded.

SECTION 501.11 – SPECIFIC ROADS WHERE EXCESSIVE WEIGHT PROHIBITED

~~The operation of any vehicle with a registered gross weight in excess of 26,000 pounds (or such lesser weight as indicated below), which: (1) does not fall under any exemption listed in Section 501.6 of this Chapter, and (2) has not received a permit from the Town of Gray pursuant to Section 501.7 of this Chapter, on the following town ways, or sections of town ways is **permanently** prohibited:~~

- ~~1. Shaker Road, between Main Street and the north end of the Maine Wildlife Parkway.~~

The operation of any vehicle with a registered gross weight in excess of 23,000 pounds (or such lesser weight as indicated below), which: (1) does not fall under any exemption listed in Section 501.6 of this Chapter, and (2) has not received a permit from the Town of Gray pursuant to Section 501.7 of this Chapter is prohibited.

Commented [KM5]: DOT has advised that this provision for appeal in Maine law relates only to height and width restrictions, bridge loads and certain substances. It does not apply to weigh restrictions and does not grant authority to DOT to overrule the denial of a town-issued permit. While these permits will likely be administered by public works, we also mention the council, so it would not make sense to have an appeal go to council. This language thus assigns the appeal review to the town manager.

~~Additionally, vehicles~~ Vehicles in excess of 10,000 pounds are not permitted on the following town-owned roads:

1. Mayall Road, from Depot Road to Yarmouth Road.
2. Marie Street (formerly Florence Road).

~~The Maine Department of Transportation has the authority to post and enforce weight restrictions on State highways. The Town does not enforce such weight limits and failure of a vehicle operator to abide by MDOT restrictions does not constitute a violation of the Town ordinance, Chapter 501.~~

Per agreement with the MDOT, the following State highway segment in the Town of Gray is limited to a gross registered weight of 23,000 ~~26,000~~ pounds:

1. Shaker Road, between Main Street and the north end of the Maine Wildlife Parkway.

SECTION 501.12 – AMENDMENTS

This Chapter may be amended by the Town Council at any properly noticed meeting.

SECTION 501.13 – SEVERABILITY; EFFECTIVE DATE

In the event any portion of this Chapter is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Chapter, and any amendments thereto, shall take effect thirty (30) days after adoption by the Town Council, pursuant to Section 14(C) of the Charter of the Town of Gray.

Commented [KM6]: DOT advised that this language is inaccurate as DOT does not do any enforcement as an agency, on state roads.

MEMO

Wednesday, May 24, 2023

TO: Gray Town Council, Gray Planning Board
FROM: Kristen Muszynski, Community Planner
RE: Awarding of bid for Village Area Loop Trail construction

The Town of Gray is actively working toward implementation of the \$66,877 Community Development Block Grant for the Village Area Loop Trail (VALT) Phase II gateway parcel extension project, as awarded by the Cumberland County Commissioners on May 9, 2022.

The extension of the trail onto the town-owned Gateway parcel is part of a wide-ranging planning effort to improve the town's village area by creating safe passage for bicyclists and pedestrians, ultimately boosting the economic vitality of the town.

The town contracted with Sebago Technics for the trail design, and they are now finalizing the plans for construction based on the public input process and the May 11, 2023 Planning Board approval.

The town issued a Request for Proposals for the construction of this leg of the trail on April 28, 2023. Three bidders responded: A.H. Grover, Skid Steer Services LLC and Kinetic Trails.

An RFP review team consisting of the town planner, town facilities director, town manager and representatives of both the Open Space Committee (Anne Gass) and Recreation Committee (Mary Sweeney Underwood) convened on May 18, 2023 to review the proposals.

Based on that review, the team recommends that the council award the contract to Skid Steer Services LLC. This firm presented the lowest bid and scored highest on the RFP review elements, and their proposal demonstrates that they have the experience and capacity to complete the trail construction.

Upon awarding of the bid, the Town will enter into a contract to finalize the details and scope of the work, with a completion date required prior to the grant expiry in December 2023.

Notably, all of the submitted bids significantly exceeded the remaining grant funds for this project, and the review team will be coordinating with the chosen bidder to reduce the scope of the work, to not exceed that amount.

The town will be reaching out to potential volunteers/donors who may want to participate in the landscaping and amenities aspects of the trail design, and the plans for construction will reflect additional elements that the town can potentially complete in a future phase, pending funding.

Draft Motion for Council Consideration:

Move to award the contract for construction of a recreational trail on the town-owned "gateway" parcel (Tax Map 35, Lot 403-027-000) to Skid Steer Services, LLC of Naples, Maine and grant authority to the Town Manager, with input from the RFP review team regarding the reduced scope, to enter into a contract for this work, not to exceed \$52,877.

**PROPOSAL FOR VILLAGE AREA TRAIL LOOP
PHASE II: CONSTRUCTION**

SKID STEER SERVICES, LLC
686 Lake House Rd.
Naples, Maine 04055
207-787-2949

May 16th, 2023

Mr. Nate Rudy
Town Manager
Henry Pennell Municipal Complex
24 Main Street
Gray, Maine 04039

Dear Mr. Rudy,

Thank you for the opportunity to prepare a Bid Proposal for the Town of Gray VALT PHASE II construction project.

As Owner/Operator of Skid Steer Services, LLC, I am excited to apply my 32 years' experience in the earthmoving business, and all the expertise and resources of our company to the successful completion of the project. As the assigned Project Manager, I will be working onsite for the duration of the project, overseeing all aspects of the work, from start through final completion.

It was a delight to walk the Gateway Parcel site with Kristen and learn of the project requirements and special features. The scope of work is a great fit for our extensive array of late model excavating/hauling/ grading /compacting equipment, and our crew's expertise on like work scope is second to none.

For your review, our assigned Project Team is detailed in this attachment along with a reference list of projects involving like work scope to the VALT II project. Additionally, please feel free to contact our bonding agent Judy Mills of Cross Insurance/Skillings Shaw & Associates. Judy has managed our bonded work for 8 years and will attest that Skid Steer Services, without blemish, has completed all projects on schedule, according to the contract documents, and to the full satisfaction of all owners and client engineers.

Judy may be reached at: 207- 404-5360

If selected, Skid Steer Services is prepared to schedule the project to mobilize and complete construction at an early and convenient time for the Town of Gray, consistent

with the June 19th start date outlined in the project milestone timetable.

We thank you for your time in evaluating our proposal and please reach out with any questions you may have.

Sincerely,



Randy Baldwin
President
Skid Steer Services, LLC
Cell (207) 831-0779
E-Mail: rockbottom@fairpoint.net

BID FORM

TOWN OF GRAY, MAINE VALTH CONSTRUCTION

SKID STEER SERVICES, LLC
686 Lake House Rd.
Naples, Maine 04055
207-787-2949

Total Project Deliverables and approach:

Prior to construction:

- i. Safety compliance / Dig Safe
- ii. Mobilization / Work Coordination
- iii. Confirm layout with Site Supervisor/owner's representative
- iv. Install erosion control measures according to DEP Best Management Practice

Construction:

1. Trail Construction: On 2,140 linear feet of stone dust trail:
 - a. Remove trees and stumps in trail path where needed, width (6 feet);
 - b. Remove/trim trees & shrubs within 3 feet of trail to height of 8 feet;
 - d. Remove existing material and haul off site, reserving any sod/topsoil/granular or excavated material for patching shoulders, general site fills and grading as needed;
 - e. Grub and remove existing soil;
 - f. Install and compact 8 inches Type D Gravel; (Approx. 700 cy) Multi-pass -5-t roller
 - g. Install 3 inches crusher dust and roll to compact; (Approx. 250 cy) Multi-pass 5-troller
 - h. Replace sod and loam/seed/mulch shoulders to match existing grass; and
 - i. Install erosion control in accordance with Maine DEP Erosion and Sediment Control Practices Field Guide for Contractors and remove erosion controls as necessary, post construction.
- j. clean and restore site for final inspection

Project Timetable:

The Project will take approximately 5-7 days to complete. Skid Steer Services, LLC will anticipate a start date on or after June 19th, 2023 as directed by the owner.

Total bid Price :

- Trail construction (and associated clearing, as described in scope of work).....\$72,000
- Buffer planting/fencing installation\$ 15,231
- Installation of landscaping/plantings.....\$ 6,500

Total Bid Price for three (3) Sections.....\$94,231

* Fencing includes pricing for approximately 450' LF of 6' BLK vinyl coated fence with PVC privacy slates. Alternative materials can be investigated to match owner's decorative styling preference.

* Buffer planting pricing includes a \$3800 allowance for plantings. Skid Steer Services will work closely with owner's representative (Staff horticulturist or local Garden Club) to achieve best results. Our wholesale production vendor's products may be viewed at piersonnurseries.com password pni2023 for a complete selection of available evergreen, deciduous and perennial plants.

Payment Terms

2% 10 - Net 30 days.

Sincerely,



Randy Baldwin

Skid Steer Services, LLC

C: 207-831-0779

Town Of Gray, Maine
VALT II CONSTRUCTION
PROJECT LEADS

SKID STEER SERVICES, LLC
686 Lake House Rd.
Naples, Maine 04055
207-787-2949

Project and Site Supervisor: Randy Baldwin Cell 207-831-0779

Qualification:

- 32 Years in the excavation profession. Equipment operator
Excavators/Dozers/Loaders CDL- Class A
- OSHA CERTIFICATION
- DEP EROSION CONTROL CERTIFIED
- 17 Years Member IUOE Local 84 Roslindale, MA
 - Flat Iron Construction (Non-union) Woolrich, ME
 - Clark Atkinson Construction – BIW Expansion – Bath, ME
 - Barletta Construction – Airport Expansion – Manchester, NH
 - Manafort Brothers Construction – Maine Yankee De-Construction
- 2008-Present – Founder/Owner – Skid Steer Services (Ref list attached)
- 2003-2008 – RJ Grondin – Equipment Operator

Chief Estimator–Project Management: Ralph McDonough Cell 978-476-6483

Qualification:

- 33 years Construction and Estimating of Pipeline/Pump Station/Treatment Plants
- 10 years Boston Central Artery/Tunnel Project. Contractor/Supplier/Manager
- Designated Manager by Bechtel/Parson-Brinkerhoff – Developed safety and Start-up procedures throughout CA/T project for storm water pump stations.
- 4 years -National Sales Manager for Sports Field Construction Company

Project Foreman – Operator: Seth Baldwin Cell 207-595-3804

Qualification:

- 6 years' earthwork experience – Skid Steer Services, LLC
Excavators/Dozers/Loader CDL-Class A.
- 2D Automation
- ISCO Pipe fusion School (Butt and electrofusion certified)

Office Manager: Becky Baldwin 207-787-2949

Qualification:

- 15 years' experience – Insurance/Bonds/Purchasing/A-R/A-P

Site Employee: Eric Martin

Qualification:

- 15 years' experience Equipment Operator – Aggregate Pit Manager

Skid Steer Services, LLC Reference Sheet

Project Completions – All projects listed have elements of the VALT II Construction Work Scope

<u>Location</u>	<u>Project</u>	<u>Contact</u>	<u>Company</u>	<u>E-Mail</u>
City of South Portland	Red Bank Village Field Restoration	Dan Riley, P.E	Sebago Technics	driley@sebagotechnics.com
Sanford/Springvale	Hall Reservation			
Mousam Way Land Trust	Deering Pond Trail	Bud Johnston/Hazen Carpenter		Drbud1@metrocast.net hazcon@metrocast.net
Town of Westbrook, ME	Retaining Wall	Katherine Kelley, P.E	Westbrook, ME	hazcon@metrocast.net
Poland Spring, ME	Pipeline	Brent Clay, P.E.	Blue Triton	brent.clay@bluetriton.com
Old Orchard Beach, ME	Cul/Ex/Demo	Charles Daigle, P.E.	W-P Eng	Charles.daigle@wright-pierce.com
Falmouth, ME	Cul/Ex/Demo	Justin Early, P.E.	DPW	jeary@falmouthme.org
Naples, ME	Cul/Ex/Demo	Steve Merkle	DPW	smerkle@townofnaples.org
Hollis, ME	Cul/Ex/Demo	Dave McCubrey	Selectmen	dmccubrey@hollismaine.com

Additional Work References:

<u>Company</u>	<u>Location</u>	<u>Experience</u>	<u>Contact</u>
John Maclaine	Maine DEP Augusta	Inspections	John.Maclaine@maine.gov
Shane Kelly	Portland, Maine	Transportation Eng	skelly@sebagotechnics.com
AJ Coleman Mike Sullivan	Conway, NH	REDI-ROCK Supplier Retaining Walls/Soil Stab Aggregates	Msullivan@colemanconcrete.com
City of Auburn, ME	Auburn, ME	Retaining Wall	Paul Belanger, P.E. (207) 333-6601
Stantec Eng	Scarborough, ME	Precision Grading	Bo Kennedy (207) 887-3406

Randy F. Baldwin- Owner. 17 Years Operators Union. 32years Earth Moving Experience

All contacts have granted permission to speak on behalf of Skid Steer Services, LLC.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/18/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cross Insurance - Lewiston 150 Mill Street Fourth Floor, Suite 4 Lewiston ME 04240-3101	CONTACT NAME: Heather Spaulding PHONE (A/C, No, Ext): (207) 783-8591 FAX (A/C, No): (207) 777-6223 E-MAIL ADDRESS: heather.spaulding@crossagency.com														
INSURED Skid Steer Services LLC 686 Lake House Rd Naples ME 04055	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A: ACUIITY, A Mutual Insurance Co</td> <td style="text-align: center;">14184</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: ACUIITY, A Mutual Insurance Co	14184	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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COVERAGES **CERTIFICATE NUMBER:** CL2211482834 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR LTR	TYPE OF INSURANCE	ADL	SUBR	INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER					ZH9327	02/09/2022	02/09/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY					ZH9327	02/09/2022	02/09/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					ZH9327	02/09/2022	02/09/2023	EACH OCCURRENCE \$ 7,000,000 AGGREGATE \$ 7,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N N/A								PER STATUTE OTH-ER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Mast Road Culvert Replacement

CERTIFICATE HOLDER The Town of Falmouth 101 Woods Rd Falmouth ME 04105	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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ACORD 25 (2016/03)

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**CERTIFICATION OF CONTRACTOR REGARDING
EQUAL EMPLOYMENT OPPORTUNITY**

Certification by Bidders

Name of prime contractor: Skid Steer Services, LLC

Address of prime contractor: 686 Lake House Road Naples, ME 04055

Tax ID # of prime contractor: 27- 5561251


1. Bidder has participated in a previous contract or subcontract subject to the EEO Clause.
 Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract.
 Yes No
3. Bidder has filed all compliance reports due under applicable instructions, including SF-100.
 Yes No
4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended?
 Yes No

Note: If you have never before filed an Equal Employment Opportunity compliance report, you must do so within seven calendar days of the date our bidding period's starts. We are not allowed to award a contract to anyone for whom we don't have an EEO compliance report on file.

By signing below, you are certifying your answers to the four questions above were truthful:

Randy Baldwin

Name and Title of Authorized Representative (print or type)



Signature of Authorized Representative

5/16/23

Date of Signature

**Certification of Contractor Regarding
Segregated Facilities**

Name of Prime Contractor: Skid Steer Services, LLC

Project Name: Town of Gray, Maine VALT II CONSTRUCTION

Project Number: _____

By signing below, you are certifying that, as required by Title VI of the Civil Rights Act of 1964*, you will maintain no segregated facilities throughout the course of this project.

*Note: Title VI of the Civil Rights Act can be found at the top of page 9 of this packet

Randy Baldwin
Name and Title of Authorized Representative (print or type)



Signature of Authorized Representative

5/16/23

Date of signature

CONTRACTOR'S DISADVANTAGED BUSINESS ENTERPRISE/SUBCONTRACTOR UTILIZATION FORM

Contractor: Skid Steer Services **Telephone:** 207-787-2949 **Ext.** _____
Contact Person: Randy Baldwin **Fax:** _____
E-mail: rockbottom@fairpoint.net **Tax ID:** 27-5561251
BID PRICE: \$ \$94,231 **BID DATE:** 5 / 16 / _____
PROJECT LOCATION: Town of Gray, Maine **PROJECT #** VALTH Construction

TOTAL ANTICIPATED DBE 3.8 % **PARTICIPATION FOR THIS SUBMISSION**

NOTE: This information is used to track and report anticipated Disadvantaged Business Enterprise participation in federally funded Maine CDBG contracts. The anticipated DBE amount is voluntary and will not become a part of the contractual terms

WBE	DBE	Non DBE	Firm Name	Item Number & Description of Work	Quantity	Cost per Unit/Item	Actual \$ Value
x			CURBSCAPES	PLANTINGS/DESIGN	1	3,600	\$3600
Subcontractor Total >							
DBE Total >							\$3600

Equal Opportunity Use:

Form received: ___/___/___ Verified by: _____

cc: Contracts Other _____

For a complete list of certified firms and company designation (WBE/DBE) go to <http://www.maine.gov/mdot>



TOWN OF GRAY

Henry Pennell Municipal Complex
24 Main St, Gray Maine 04039
www.graymaine.org

OFFICE OF THE ASSESSOR

Lauren Asselin, Assessor
lasselin@graymaine.org
(207) 657-3339 ex. 112

May 15, 2023

To: Town Council

From: Lauren Asselin

Re: Quitclaim Deed - Perkins

The property located at 12 Perkins Way and identified as Map and Lot 059-037-028-001 was tax acquired by the Town of Gray in December of 2016. The property was originally owned by Bradley I. Perkins and his minor child Michael E. Perkins. Bradley I. Perkins passed away leaving Michael E. Perkins as the sole owner. Michael E. Perkins has paid all past due taxes as well as the estimated FY2024 taxes and is requesting that the Town of Gray deed the property back to him.

As this account is now current, it is my recommendation that the Town of Gray issue a Quitclaim deed to Michael E. Perkins.

Dear Town of Gray Council Members,

My name is Michael E. Perkins and I am the owner of 12 Perkins Way, Gray ME. I am writing to you in regards to retaining the deed to this property. My father, Bradley Perkins, passed away when I was 14 and left the property to me. I moved into the house when I turned 18 and soon after I learned the taxes hadn't been paid since my father passed. There are many reasons for why they weren't paid, but the biggest reason is I was uneducated on being a homeowner and knew nothing about paying taxes.

Since then I have been working very hard with the town to get everything up to date and paid in full. During this time I asked what I needed to do to re-obtain the deed and I was told the taxes need to be paid a full year ahead.

This letter is to find out what the next steps are to get the deed back in my name. As of today, 5/11/2023 the taxes are paid in full for 2024 (assuming they don't go up over \$85.00).

Thank you for taking the time to read this, I will leave my contact information at the bottom. I look forward to hearing back from you.

Sincerely,
Michael Perkins

Cell Phone: 207-615-6500
Email: perkins671@gmail.com
Mailing Address: 12 Perkins Way, Gray, ME 04039

RE Account 2204 Detail
as of 05/12/2023

Name: PERKINS, MICHAEL E
Location: 12 PERKINS WAY
Acreage: 2.25 Map/Lot: 059-037-028-001
Book Page: B27381P296

Land: 56,200 As of 2023
Building: 83,600
Exempt: 25,000
Total: 114,800

Ref1:

2023-1 Period Due:
2) -385.90

Mailing 12 PERKINS WAY
Address: GRAY, ME 04039

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2024-1 R	No RK			0.00	0.00	0.00	0.00
60153	05/11/2023	PREPAY-A	A Y	1,300.00	0.00	0.00	1,300.00
		Total		-1,300.00	0.00	0.00	-1,300.00
2023-1 R	08/02/2022	Original		1,601.46	0.00	0.00	1,601.46
56072	02/24/2023		A P	1,987.36	12.64	0.00	2,000.00
56072	02/24/2023	CHGINT	1 I	0.00	-12.64	0.00	-12.64
		Total		-385.90	0.00	0.00	-385.90
2022-1 R				0.00	0.00	0.00	0.00
2021-1 L	*			0.00	0.00	0.00	0.00
2020-1 L	*			0.00	0.00	0.00	0.00
2019-1 L	*			0.00	0.00	0.00	0.00
2018-1 L	*			0.00	0.00	0.00	0.00
2017-1 L	*			0.00	0.00	0.00	0.00
2016-1 L	*			0.00	0.00	0.00	0.00
2015-1 L	*			0.00	0.00	0.00	0.00
2014-1 L	*			0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
2010-1 R				0.00	0.00	0.00	0.00
2009-1 R				0.00	0.00	0.00	0.00
Account Totals as of 05/12/2023				-1685.90	0.00	0.00	-1685.90

Exempt Codes: 1 Homestead

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

MUNICIPAL QUITCLAIM DEED

The **TOWN OF GRAY**, a body corporate, with offices located at 24 Main Street, Gray, Maine, by and through its Town Manager, duly authorized by vote of the Gray Town Council, for consideration paid, the receipt and sufficiency of which are hereby acknowledged, releases unto PERKINS, MICHAEL E , a resident of Gray, County of Cumberland, State of Maine, any interest the Town of Gray may have acquired in certain real property located in Gray and described therein as follows:

A certain piece of real estate situated at 12 Perkins Way, so called, identified on the Town of Gray assessor’s Tax Maps dated April 1, 2022, as Map/Lot 059-037-028-001 and more particularly described in Book 27381 Page 296 of the Cumberland County Registry of Deeds located in Portland.

The sole purpose of this deed is to release any interest the Town of Gray may have in said real property, by virtue of five (5) Tax Lien Certificates recorded in the Cumberland County Registry of Deeds as follows:

<u>Book</u>	<u>Page</u>	<u>Date Recorded</u>	<u>Name on Tax Lien Certificate</u>
32378	17	June 25, 2015	Perkins, Michael E
33228	3	June 28, 2016	Perkins, Michael E
34105	114	June 23, 2017	Perkins, Michael E
35119	232	September 5, 2018	Perkins, Michael E
35734	255	June 21, 2019	Perkins, Michael E

The Town of Gray expressly reserves any and all other rights it may have in said real property, including, without limitation, current real estate taxes.

In Witness Whereof, Nathaniel Rudy, in his capacity as Town Manager, duly authorized, has set his hand and seal on behalf of the Town of Gray, this 6th day of June 2023.

Witness

Nathaniel Rudy
Town Manager

STATE OF MAINE
County of Cumberland, ss.

June 6, 2023

Then personally appeared the above-named Nathaniel Rudy, Town Manager of the Town of Gray, and acknowledged the above instrument to be his free act and deed in his said capacity, and the free act and deed of the Town of Gray.

Before me,

Cynthia Schaeffer, Notary Public, Maine
Commission Expires January 24, 2026



TOWN OF GRAY

Henry Pennell Municipal Complex
24 Main St, Gray Maine 04039
www.graymaine.org

OFFICE OF THE TOWN MANAGER

Nate Rudy, Town Manager
nrudy@graymaine.org
(207) 657-3339

June 1, 2023

TO: Town Council

RE: Proposed CIP and TIF budget carry forwards to FY24

Gray Department Heads have identified the cumulative remaining Carry Forward requests from the Capital Improvement (CIP) and Tax Increment Finance (TIF) budgets going back to FY21, which I am submitting to Council in the attached list, requesting that you please formalize these requests with a **vote to approve the proposed Carry Forwards to FY24**.

Although some current CIP and TIF projects may be completed by the end of FY23 on June 30, there may be additional carry forward requests from FY23 to FY24 after the fiscal year ends, for projects that are not completed in time for FY23. I will present these additional requests to you as soon as possible after the close of FY23.

-nrr

FY24 CIP Carry Forward Requests (including TIF fund placeholders)

Professional Services	
Revaluation (Sinking Fund Year 1 of 6 FY23)	\$50,000
Yellow Book Appraisals (FY23)	\$40,000
Cumberland County Soil & Water Conservation District (FY22)	\$5,000
Libby Hill Deed Research and Legal (FY23)	\$7,000
Libby Hill Road Engineering (FY23)	\$50,000
Groundwater Data Clearinghouse (FY22)	\$29,500
Village Planning (Funding from TIF)	\$35,000
Total Professional Services	\$216,500
Road Resurfacing	
Road Paving, Repair, and Maintenance (FY23)	\$104,357
Total Road Resurfacing	\$104,357
Public Buildings	
Generator Central Station (FY21)	\$ 2,500
Pennell Ledger Pointing (FY21)	\$ 4,000
Library-Ramp work (FY21)	\$ 12,000
Newbegin-Gym Wall Insulation (FY21)	\$ 6,000
Newbegin-Insulate/Seal Basement Walls (FY21)	\$ 15,000
Rec-Facilities-Misc. Extend Pennell Park Path (FY21)	\$ 1,062
Wilkie's Beach Ramp Replacement (FY21)	\$ 2,000
Reclaim Athletic Fields (FY21)	\$ 5,000
Skateboard Park (FY21)	\$ 15,000
Basketball Court Lights (FY21)	\$ 2,500
Basketball Court Lights (FY22)	\$ 2,500
EV Charger (FY22)	\$ 5,000
Reserve Account (FY22)	\$ 15,000
Pennell Septic Plan (FY22)	\$ 5,000
Total Public Buildings	\$92,562
Public Works, Town Vehicles & Equipment	
Polaris Upgrades (FY21) (\$1,800 was expended in FY22)	\$ 6,560
Artic Cat (FY21)	\$ 12,000
Total Public Works, Town Vehicles & Equipment	\$ 18,560
Total Cumulative CIP and TIF Carry Forward Request	\$ 431,979



TOWN OF GRAY

Henry Pennell Municipal Complex
24 Main St, Gray Maine 04039
www.graymaine.org

OFFICE OF THE TOWN MANAGER

Nate Rudy, Town Manager
nrudy@graymaine.org
(207) 657-3339

May 31, 2023

Town Manager (TM) Report to Town Council (5/12/2023– 5/31/2023):

- 5/15: Margaret Chase Smith Summer Intern Hope Carroll started her summer internship with Gray, which she will largely conduct remotely from the Bangor area
- 5/18: TM attended an ecomaine executive board executive session in Portland
- 5/25: TM attended Maine Municipal Association Legislative Policy Committee meeting via remote meeting
- 5/29: Town staff observed Memorial Day Holiday, with adjustments to schedule per department

Upcoming:

- 6/13: Town Election Day – Town Clerk’s office will be CLOSED
- 6/19: Town staff will observe Juneteenth Day Holiday, with adjustments to schedule per department
- 6/21: Town staff training day – All Town Offices will be CLOSED
- 6/24: Gray Community Day, including volunteer appreciation awards
- 6/23-7/5: TM scheduled time off

Other activities:

- TM assisted Town Council in producing a FY24 budget summary flyer for distribution to Gray mailing addresses. The summary and a longer version for the website are attached.
 - TM was awarded the Credentialed Manager distinction by the International City / County Managers’ Association (ICMA), as announced in the attached press release.
 - TM coordinating between the Principle Group, Council, the GPCOG, Gorrill-Palmer, and Town staff on matters related to zoning and ordinances to implement the 2020 Comprehensive Plan, as well as Gray Village planning, Main Street planning, and the Yarmouth Road construction projects.
 - The Town Hall offices will open to the public at 11 AM on Thursdays, to provide office staff with time to complete administrative tasks. We will experiment with this model to see how it helps with productivity and efficiency in Town functions. This schedule is subject to change in the future, and Gray citizens are welcome to please contact me with any questions or concerns.
-

FOR IMMEDIATE RELEASE

CONTACT: Nate Rudy nrudy@graymaine.org

Nathaniel Rudy Credentialed by

International Local Government Management Organization

WASHINGTON, D.C.—Nathaniel (Nate) Rudy, Town Manager of Gray, Maine, recently received the Credentialed Manager designation from ICMA, the International City/County Management Association. Mr. Rudy is one of over 1,300 local government management professionals currently credentialed through the ICMA Voluntary Credentialing Program.

ICMA’s mission is to advance professional local government through leadership, management, innovation, and ethics and by increasing the proficiency of appointed chief administrative officers, assistant administrators, and other employees who serve local governments and regional entities around the world. The organization’s 13,000 members in 27 countries also include educators, students, and other local government employees.

To receive the prestigious ICMA credential, a member must have significant experience as a senior management executive in local government; have earned a degree, preferably in public administration or a related field; and demonstrated a commitment to high standards of integrity and to lifelong learning and professional development.

Mr. Rudy is qualified for certification by his seven years of professional local government executive experience and thirteen years of combined service in state and local government. Prior to his appointment in 2021 as Town Manager of Gray, he served as City Manager of Hallowell, ME, Director of Planning and Development for the City of Gardiner, ME, and as a Business Development Specialist for the Maine Department of Economic Development. His education includes a M.B.A. from Thomas College, and a B.S. from Virginia Tech, and he is currently pursuing a certificate in Public Leadership from the Harvard University Kennedy School of Government. Highlights of Mr. Rudy’s ICMA membership include service on annual conference evaluation (2017, 2022) and host (2017) committees, and on the ICMA Harvard Kennedy School Scholarship Committee (2023).

Mr. Rudy has also made significant contributions to a number of other organizations, including appointment to the Governor’s Commission on Volunteerism (2000-2023) and service on the Board of Directors for the Maine Council on Aging (2019-2023), Delta Ambulance (2017-2021; also serving as Treasurer), the Kennebec Valley Humane Society (2019-2021; also serving as Treasurer), the University of Maine at Augusta Bachelor of Architecture Program Advisory Committee (2016-2023), and the Maine Municipal Association Legislative Policy Committee (2018-2023). Mr. Rudy is also a member of the Maine Town / City / Council Managers’ Association.

For more information regarding the ICMA Voluntary Credentialing Program, contact Jenese Jackson at ICMA, 777 North Capitol Street, N.E., #500, Washington, D.C. 20002-4201; jjackson@icma.org; 202-962-3556.

About ICMA

ICMA, the International City/County Management Association, advances professional local government worldwide. The organization's mission is to advance professional local government through leadership, management, innovation, and ethics.

ICMA identifies leading practices to address the needs of local governments and professionals serving communities globally. We provide services, research, publications, data and information, peer and results-oriented assistance, and training and professional development to thousands of city, town, and county leaders and other individuals and organizations throughout the world. The management decisions made by ICMA's members affect millions of people living in thousands of communities, ranging in size from small towns to large metropolitan areas.



Information on the Gray FY24 Budget Proposal & Selected Ballot Warrant Articles

The Gray Town Council developed the proposed Fiscal Year 2024 (FY24) Budget (July 1, 2023 to June 30, 2024) after a series of public workshops with the Town Manager and department heads over the winter and spring. Once the budget is approved it is written as a series of Warrant Articles that are presented to voting residents at an election held at the Pennell Municipal Complex, 24 Main Street, or by absentee / early ballot vote. The overall budget proposal includes appropriations from the Town government, the Town’s Tax Increment Finance (TIF) economic development districts, the MSAD-15 School District, and Gray’s share of the Cumberland County budget. This year’s budget preparation was complicated by the late delivery of the prior year’s (FY22) municipal audit, which revealed financial irregularities and came after the Council’s required approval of the Warrant Articles following the timeline in the Town Charter. Information about the Town budget, including identification of two erroneous reports that were presented at the April 11 Town Council meeting, is found on the Town’s FY24 budget page:

<https://www.graymaine.org/home/home/pages/fy24-budget>

To help voters understand the Council’s recommendations, select Warrant Articles are detailed in this flyer, and voters are encouraged to **Get The Facts** about the budget on the Town website.

Overall FY24 Budget Projections for Town, TIF, County, and School

	Portion Of Total:
\$ 12,741,976 Total Municipal budget	
\$ (980,970) State Revenue Sharing	
\$ (4,917,650) Local Revenue	
\$ 6,843,356 Local Appropriation (Net)	33.3%
\$ 828,630 TIF Appropriation	4.0%
\$ 918,022 County Appropriation	4.5%
\$ 11,981,537 School Appropriation	58.2%
\$ 20,571,545 Total Appropriation	100.0%

Although the Town assesses the total tax bill to property owners, **the Town has no authority over the Cumberland County and the MSAD-15 school district budgets.** The funds collected from taxes are appropriated by the Town for its operations, capital budgets, and TIF districts, and are also paid to the County and the MSAD-15 School District.

The proposed mill rate for FY24 is estimated at 15.78, an increase of 1.83 vs. FY23, an increase of \$641 / year for a \$350K house (total bill \$5,523).

In the FY24 proposed budget, **the Cumberland County and School budgets constitute 63% of the total tax bill.** The Cumberland County budget increased in part due to the first year of a five-year

Appropriation	FY23 \$	FY24 \$	% In-crease FY23 to 24	\$ Increase- FY23 to 24	% of Total FY24 Inc.
Local Appropriation (Net)	\$ 5,205,603	\$ 6,843,356	31%	\$1,637,752	55.3%
TIF Appropriation	\$ 718,930	\$ 828,630	15%	\$109,700	3.7%
County Appropriation	\$ 792,460	\$ 918,022	16%	\$125,562	4.2%
School Appropriation	\$10,893,616	\$11,981,537	10%	\$1,087,921	36.7%
Total Appropriation	\$17,610,609	\$20,571,545	17%	\$2,960,936	100%

assessment as their budget shifts from a calendar to fiscal year.

Similar to the Town, the MSAD-15 budget has increased this year due to wages and benefits, inflationary pressures, and the costs of capital projects.



Article 3. Shall the Town vote to raise and appropriate \$12,741,976 to fund the FYE 2024 Municipal Budget, as recommended by the Town Council?

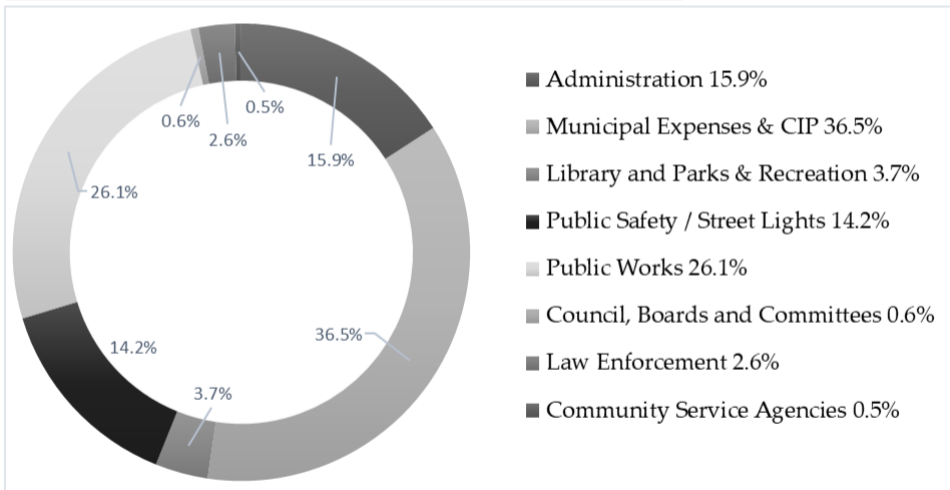
Table 3: FY24 Proposed Town Department Budget Summary

Administration: <i>Includes Clerk, HR, Elections, GA, Finance, Code Enforcement, Assessing, Planning, Communications & Information Technology budgets</i>	\$2,020,643
Municipal Expenses: <i>Includes bond payments, capital improvements (CIP), and grant match for \$850K Federal-funded Libby Hill Rd. safety</i>	\$4,651,974
Library and Parks & Recreation	\$474,772
Public Safety / Street Lights	\$1,813,722
Public Works	\$3,324,946
Council, Boards and Committees	\$71,703
Law Enforcement	\$325,191
Community Service Agencies	\$59,025
Total Proposed Town Budget	\$12,741,976

Gray’s municipal budget adjustments for FY24 operations significantly addresses staff retention and recruitment, and includes proposed:

- Cost of living and market-rate wage adjustments,
- Competitive retirement program for full-time Fire-Rescue staff,
- Full funding of two Fire-Rescue positions that had partial-year funding in FY23,
- Three new Town staff positions,
- Staff development and addressing deferred replacement of aging IT infrastructure, and
- Inflationary cost increases for insurance, utilities, goods, and services.

Looking for the facts about Gray’s proposed FY24 budget? Use this QR Code or link to visit our budget web page: <http://bit.ly/3OQBykH>



Article 5. Shall the Town vote to appropriate \$3,116,356 from the Capital Reserve Fund for FYE 2024, for the following Capital Projects, as recommended by the Town Council?

The \$12,741,976 appropriation in Article 3 includes the Town’s proposed FY24 budget of \$3,116,356 for **bond payments (debt service), capital projects, FY25 fund reserves, and professional services** including road maintenance, bridge repair, critical Town facilities maintenance, facilities maintenance equipment, and costs for new outdoor recreation facilities.



Article 6. Shall the Town vote to appropriate from the TIF Revenue Fund and authorize the Town Council to expend TIF Revenue in an amount not to exceed \$626,753 for Gray Village and related road construction and utilities planning, design, and engineering; stormwater/wastewater systems feasibility studies; and construction of sports fields to supplement Douglass Field, all in accordance with the TIF District Development Program documents, as recommended by the Town Council.

Gray's Tax Increment Finance (TIF) economic development districts allow the Town to shelter any new taxable value on property within the districts from the Town's share of County and School District appropriations, which reduces local taxes. Any new tax revenue within the TIF district can then be used to support approved local community economic development projects.

The FY24 budget proposal includes projects, planning, and engineering to further the vision for **economic prosperity** in the Gray Village conveyed in the Town's 2020 Comprehensive Plan. This work is part of a multi-year plan to grow and diversify Gray's commercial economic base, increase taxable commercial value, and **re-establish Gray Village** as a community center that meets broad community needs and attracts new business and real estate investment.

The proposed budget also provides grant match funds to **relocate and expand baseball field / open space facilities from Douglass Field to the Gray Village Gateway** land on Main Street across from the Pennell Municipal Complex.

Voting for or against the use of TIF district funds does not effect the mill rate.

Article 12. Shall the Town vote to increase the Town of Gray's property tax levy limit established for FYE 2024 by State law to \$810,033 in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit, as recommended by the Town Council?

Voters will be asked whether they support increasing the Town of Gray's property tax levy limit to \$810,033 for FY24, as the municipal budget approved under the warrant articles will result in a tax commitment that is greater than that property tax levy limit under a State law. This law, which Town Council refers to as "LD1" since it was legislative bill LD1 when it was passed, places a cap on the municipal tax levy over which municipalities are required to have a separate vote to approve the budget.

The formula for calculating the property tax levy limit was set almost 20 years ago, and has not been adjusted to address the kind of market fluctuations we have all experienced in recent years.

Because of this requirement, voters will need to approve **both** the proposed Town budget articles **and** override of the LD1 limit (Warrant Article 12) for the Town budget (Article 3) to pass.

If the "LD1" Article 12 does not receive voter approval, the proposed Town budget will not pass.



Article 13. Shall the Town vote to authorize the transfer of up to \$417,000 ... and authorize the transfer of up to an amount in excess of 3/12 of the Town’s unassigned general fund balance ... for costs associated with infrastructure improvements and acquisition of land necessary to achieve the open space and Gray Village development goals identified in the Town’s Comprehensive Plan and the Gray Village Master Plan as the Town Council deems to be in the Town’s best interest? (please visit the Town website for the full text of this Article)

The Town Council is authorized by the Town Charter to appropriate up to an amount in excess of 3/12 of the Town’s Unassigned General Fund balance for designated costs approved by voters at the Town election, and is required to pay itself back within five (5) years.

Effectively, the Town can loan itself money with no interest fees for voter-approved uses.

The proposed use of these funds are for land acquisitions that further the goals of the Town’s 2020 Comprehensive Plan and the Town’s 2022 Open Space Plan. Council is asking for these funds to be designated in advance of any real estate negotiations, understanding that purchase agreements will not wait until a future Town budget vote to go to closing.

Voting for or against the use of Unassigned Fund Balance funds does not effect the mill rate.

Article 14: Shall the Town vote to authorize the issuance of up to \$850,000 in general obligation bonds or notes of the Town to pay and/or reimburse the cost of improvements to the septic system that services multiple buildings on the Pennell Complex and the construction of additional public facilities and programmatic space for the Town Recreation Department and child-care program in the Manual Arts building? (please visit the Town website for the full text of this Article)

Building Maintenance	
Pennell Complex septic, basketball, pickleball, facility lights, and parking	\$ 599,100
Manual Arts conversion & restrooms	\$ 180,000
HVAC	
Manual Arts building heat pumps	\$ 15,000
Safety	
Manual Arts building fire alarm	\$ 13,000
Manual Arts building intrusion & access control	\$ 25,000
<i>Project Cost Increase Buffer (2%)</i>	<i>\$ 17,900</i>
Total Bond Funded Projects	\$ 850,000

The proposed FY24 budget includes bond funding to spread the cost of necessary infrastructure repairs / improvements at the Pennell Campus over five years, rather than to pay all at once, or to put off critical projects for a later date and risk infrastructure failure.

The proposed projects include replacement of the septic system that serves the Pennell Campus, and adding public restroom facilities.

Proposed improvements to the Manual Arts building will allow expansion of the Town child care programs, which are in high demand and currently have a years-long waiting list.

PRESORT STD.
 US POSTAGE
PAID
 PERMIT #2
 DENMARK, ME

POSTAL PATRON

Town of Gray FY24 Budget Proposal

This flyer provides an overview to help voters understand the Council’s recommendations for the Fiscal Year 2024 (FY24) Budget (July 1, 2023 to June 30, 2024).

Voters are encouraged to Get The Facts about the budget on the Town’s FY24 budget page: <https://www.graymaine.org/home/home/pages/fy24-budget>

Overall FY24 Budget Projections for Town, TIF, County, and School

Overall FY24 Proposed Appropriations in Gray		Portion Of Total:
\$ 12,741,976	Total Municipal budget	
\$ (980,970)	State Revenue Sharing	
\$ (4,917,650)	Local Revenue	
\$ 6,843,356	Local Appropriation (Net)	33.3%
\$ 828,630	TIF Appropriation	4.0%
\$ 918,022	County Appropriation (Net)	4.5%
\$ 11,981,537	School Appropriation (Net)	58.2%
\$ 20,571,545	Total Appropriation	100.0%

Although the Town assesses the total tax bill to property owners, **the Town has no authority over the Cumberland County and the MSAD-15 school district budgets.** The funds collected from taxes are appropriated by the Town for its operations, capital budgets, and tax increment financing (TIF) districts, and are also paid to Cumberland County and the MSAD-15 School District. In the FY24 proposed budget, **the Cumberland County and School budgets constitute 63% of the total tax bill.**

The proposed mill rate for FY24 is estimated at 15.78, an increase of 1.83 vs. FY23, a total increase of \$641 / year for a \$350K median value home or property in Gray, which would have a total annual tax bill of \$5,523. Broken out by individual components of the assessment, that is an annual increase of \$354 Town; \$235 MSAD-15; \$27 County; and \$24 TIF.

The Cumberland County budget increased in part due to the first year of a five-year assessment, as their budget shifts from a calendar to fiscal year. Similar to the Town, the MSAD-15 budget increased this year due to wages and benefits, inflationary pressures, and the costs of capital projects.

Incremental Increase to MILL rate proposed for FY24 vs. FY23:					
Appropriation	FY23 \$	FY24 \$	% In-crease	\$ Increase	% of Total Inc.
Local Appropriation (Net)	\$ 5,205,603	\$ 6,843,356	31%	\$1,637,753	55.3%
TIF Appropriation	\$ 718,930	\$ 828,630	15%	\$ 109,700	3.7%
County Appropriation	\$ 792,460	\$ 918,022	16%	\$ 125,562	4.2%
School Appropriation	\$10,893,616	\$11,981,537	10%	\$1,087,921	36.7%
Total Appropriation	\$17,610,609	\$20,571,545	17%	\$2,960,936	100%



FY24 Budget and Capital Projects Overview

Table 3: FY24 Proposed Town Department Budget Summary

Administration: <i>Includes Clerk, HR, Elections, GA, Finance, Code Enforcement, Assessing, Planning, Communications & Information Technology budgets</i>	\$2,020,643
Municipal Expenses: <i>Includes bond payments, capital improvements (CIP), and Federal grant match for Libby Hill Road reconstruction</i>	\$4,651,974
Library and Parks & Recreation	\$474,772
Public Safety / Street Lights	\$1,813,722
Public Works	\$3,324,946
Council, Boards and Committees	\$71,703
Law Enforcement	\$325,191
Community Service Agencies	\$59,025
Total Proposed Town Budget	\$12,741,976

Gray’s municipal budget adjustments for FY24 operations significantly addresses staff retention and recruitment and includes proposed:

- Cost of living and market-rate wage adjustments,
- Competitive retirement program for full-time Fire-Rescue staff,
- Full funding of two Fire-Rescue positions that were partially funded in FY23,
- Three new Town staff positions,
- Staff development and addressing deferred replacement of aging IT infrastructure, and
- Inflationary cost increases for insurance, utilities, goods, and services.

Looking for the facts about Gray’s proposed FY24 budget? Use this QR Code or link to visit our budget web page: <http://bit.ly/3OQBykH>



The total \$12,741,976 operating budget includes \$3,116,356 of funding for capital improvement projects (CIP), including:

- Road & bridge maintenance, critical facilities maintenance & equipment, Federal grant match for Libby Hill Rd. ped safety
- FY25 capital reserves; engineering and professional services for economic development projects
- Bond debt service payments

A proposed new bond (\$850,000) will fund the pressing replacement of a 70-year-old septic system, new public restrooms, expanded childcare facilities, and improved parking and recreation infrastructure at the Pennell complex, including new basketball and pickleball courts with lighting.

The Council proposes borrowing a 1/12 allotment (\$417,000) from the unassigned general fund balance to support land acquisition needed for infrastructure improvements and open space and Gray Village development goals identified in the Town’s Comprehensive Plan and the Gray Village Master Plan.

Designations from existing “Sub-D” recreation and/or TIF funds will support further planning for village infrastructure and the relocation and expansion of Douglass Field open space to the Town-owned Village Gateway land on Main Street across from the Pennell Municipal Complex.